LEGISLATIVE JOURNAL

FIFTY-EIGHTH SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 2, 1945

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the Fifty-eighth session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 12 o'clock, noon, Tuesday, January 2, 1945, and was called to order by the Lieutenant Governor, Roy W. Johnson.

Prayer was offered by the Reverend Leonard L. Chambers of Lincoln, Nebraska.

The roll was called and the following members were present:

Adams, Thomas H.
Anderson, James H.
Anderson, Lester H.
Babcock, R. A.
Brodahl, A. J.
Burney, Dwight W.
Burnham, Harry F.
Carlberg, Roy B.
Carmody, Arthur
Conklin, J E
Cronin, Dennis H.
Crossland, William A.
Cullingham, Sidney J.
Dooley, Tom
Doyle, John F.
Foster, Harry A.
Garber, Daniel
Hanna, Don E.
Heiliger, H. P.
Hern, William
Hoyt, Ed.
Hubka, Ladd J.
Jeffords, Carl P.
Kain, Lloyd
Klaver, Sam
Lee, Earl J.
Lusienski, Ed F.
Mekota, John E.
Mueller, Fred A.
Norman, William J.

Ogden, Cliff N.
Peterson, C. Petrus
Pizer, Harry L.
Raasch, Ernest C.
Raecke, Walter R.
Reavis, Joseph C.
Ryan, James
Schultz, Edwin
Seaton, Fred A.
Sorrell, Frank
Tvrdik, Charles
Weborg, George C.
Wood, Fay

MOTION—Rules

Mr. President: I move that the rules of the last session, as revised and distributed to the members, be adopted until further order by the Legislature. (Signed) Mekota

The motion prevailed.

MOTION—Temporary Clerk

Mr. President: I move that Louis Eby be appointed as temporary assistant to the clerk. (Signed) Ladd J. Hubka

The motion prevailed.

MOTION—Temporary Sergeant-at-arms

Mr. President: I move that Mr. Lundy be appointed to serve as temporary sergeant-at-arms and that he be authorized to select the temporary doorkeepers. (Signed) Carl P. Jeffords

The motion prevailed.

MOTION—Committee on Credentials

Mr. President: I move that a committee of five be appointed on credentials. (Signed) James H. Anderson

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

J. Anderson, Chairman; Brodahl, Raecke, Crossland, Mueller.

The Legislature was at ease for ten minutes.

REPORT OF COMMITTEE ON CREDENTIALS

Mr. President:

Your Committee on Credentials begs leave to report that we find the following to be the duly elected members of the Legislature of the State of Nebraska for the Fifty-eighth session:

Dist.		Dist.	
1.	Joseph C. Reavis	7.	Charles Tvrdik
2.	Frank Sorrell	8.	James Ryan
3.	Tom Dooley	9.	Sidney J. Cullingham
4.	William J. Norman	10.	Cliff N. Ogden
5.	Harry A. Foster	11.	Earl J. Lee
6.	Sam Klaver	12.	George C. Weborg

Dist.	Dist.
13. Roy B. Carlberg	29. John F. Doyle
14. Dwight W. Burney	30. Walter R. Raecke
15. Ernest C. Raasch	31. Fred A. Seaton
16. William A. Crossland	32. Daniel Garber
17. A. J. Brodahl	33. Ed. Hoyt
18. H. P. Heiliger	34. Fred A. Mueller
19. Thomas H. Adams	35. Harry F. Burnham
20. C. Petrus Peterson	36. Lloyd Kain
21. Ladd J. Hubka	37. Arthur Carmody
22. J E Conklin	38. Harry L. Pizer
23. John E. Mekota	39. Carl P. Jeffords
24. Fay Wood	40. Don E. Hanna
25. Lester H. Anderson	41. William Hern
26. Ed F. Lusienski	42. James H. Anderson
27. Edwin Schultz	43. R. A. Babcock
28. Dennis H. Cronin	

(Signed) James H. Anderson, Chairman

MOTION—To Adopt Report

Mr. President: I move that we adopt the report of the Committee on Credentials. (Signed) James H. Anderson

The motion prevailed.

MOTION—Committee to Wait Upon Chief Justice

Mr. President: I move that a committee of five be appointed to wait upon the Chief Justice and escort him to the legislative chamber for the purpose of administering the oath of office to the members-elect. (Signed) Cliff Ogden

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

Cliff N. Ogden, Chairman; Lee, Sorrell, Jeffords, Norman.

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

MEMBERS' OATH OF OFFICE

State of Nebraska)
)ss.
Lancaster County)

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

other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence, for any vote I may give or withhold on any bill, resolution or appropriation, so help me God.

Lloyd Kain	Harry L. Pizer
George C. Weborg	Earl J. Lee
H. P. Heiliger	Don E. Hanna
Sam Klaver	R. A. Babcock
Arthur Carmody	John E. Mekota
Roy B. Carlberg	Frank Sorrell
Edwin Schultz	Harry A. Foster
Thomas H. Adams	William A. Crossland
Cliff N. Ogden	Walter R. Raecke
Dennis H. Cronin	William Hern
William J. Norman	Harry F. Burnham
Ernest C. Raasch	Tom Dooley
Charles F. Tvrdik	James A. Ryan
A. J. Brodahl	Daniel Garber
Ladd J. Hubka	Lester H. Anderson
J E Conklin	Fred A. Seaton
Ed F. Lusienski	Fay Wood
C. Petrus Peterson	Sidney J. Cullingham
Ed. Hoyt	James H. Anderson
Fred A. Mueller	John F. Doyle
Joseph C. Reavis	Carl P. Jeffords
Dwight W. Burney	

Subscribed in my presence and sworn to before me this second day of January, 1945.

(Signed) Robert Simmons
Chief Justice of the Supreme Court of Nebraska

(Seal)

The committee escorted the Chief Justice to his chambers.

MOTION—Election of Officers

Mr. President: I move that we proceed to the election of officers of the Legislature, and that we vote by ballot and that the vote of a majority of the elected members be required for the election of each such office. (Signed) J E Conklin

The motion prevailed.

MOTION—Informal Ballot

Mr. President: I move that we nominate candidates for office by means of informal ballot. (Signed) H. P. Heiliger

The motion prevailed.

The President appointed Messrs. Hanna, Cullingham and Doyle to serve as tellers.

MOTION—Election of Speaker

Mr. President: I move that we proceed to vote on a candidate for speaker. (Signed) John F. Doyle

The motion prevailed.

STATEMENT BY MR. REAVIS

To the Members of the Legislature:

Because of the publicity pertaining to the election of Speaker, I wish to announce that I am not a candidate for that office and I desire the members not to consider my name when the ballot is taken. (Signed) Joseph C. Reavis

Nominating ballot for Speaker:

C. Petrus Peterson	20
Earl J. Lee	13
John E. Mekota	5
Charles Tvrdik	2
Fred A. Mueller	1
Joseph C. Reavis	1

Mr. President: I move that we eliminate all candidates except the three high and vote for speaker. (Signed) John F. Doyle

The motion prevailed.

Formal ballot for Speaker:

C. Petrus Peterson	21
Earl J. Lee	16
John E. Mekota	6

Mr. President: I move that we eliminate the low candidate and proceed to vote on the two high for speaker. (Signed) John F. Doyle

The motion prevailed.

Final ballot for Speaker:

C. Petrus Peterson	24
Earl J. Lee	18

MOTION—To Make Unanimous

Mr. President: I move that the rules be suspended and that a unanimous vote be cast for Senator C. Petrus Peterson for Speaker. (Signed) Earl J. Lee

The motion prevailed.

Having received a majority vote of the members elected, the President declared C. Petrus Peterson elected Speaker for the Fifty-eighth session of the Legislature of Nebraska.

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

MOTION—Clerk of Legislature

Mr. President: I move that we proceed to vote on the Clerk of the Legislature. (Signed) Daniel Garber

The motion prevailed.

MOTION—Unanimous election

Mr. President: I move that the rules be suspended and Mr. Srb be declared elected Clerk of the Legislature. (Signed) Fred A. Mueller

Motion carried unanimously.

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

MOTION—Sergeant-at-arms

Mr. President: I move that we proceed to vote on Sergeant-at-arms. (Signed) Arthur Carmody

The motion prevailed.

MOTION—Names of applicants placed on Board

Mr. President: I move that the names of the applicants be placed on the Board so that the members will know who is seeking the position. (Signed) Sam Klaver

The motion prevailed.

Ballot for Sergeant-at-arms:

J. W. Lundy	30
Clarence Linch	8
C. M. Andersen	1
Tracy T. Frost	3

MOTION—Informal ballot be made formal

Mr. President: I move that the informal ballot be made formal for Sergeant-at-arms. (Signed) Harry A. Foster

The motion prevailed and the President declared J. W. Lundy elected Sergeant-at-arms.

MOTION—Abolishing office of Postmaster

Mr. President: I move that the rules be suspended and the Committee on Rules be requested to consider, investigate and report to this Legislature forthwith as to the necessity of abolishing the office of Postmaster of the Legislature and assigning such duties to another officer or employee of the Legislature and that the election of a Postmaster be deferred until said committee on rules presents its recommendation and reports to the Legislature. (Signed) William A. Crossland

The motion did not prevail with 13 ayes, 24 nays and 6 not voting.

MOTION—To elect a Postmaster

Mr. President: I move that we proceed to elect a Postmaster. (Signed) Charles Tvrdik

The motion prevailed.

MOTION—That names be placed on Board

Mr. President: I move that the names of the candidates for postmaster be placed on the Board. (Signed) Harry A. Foster

The motion prevailed.

Nominating ballot for Postmaster:

Martin L. Pedersen	32
May T. Douglas	9
Tracy T. Frost	1
Mr. McGrath	1

MOTION—That the informal ballot be made formal

Mr. President: I move that the informal ballot for Postmaster be made formal and Mr. Pedersen be declared elected. (Signed) Fred A. Mueller

The motion prevailed and the President declared Martin L. Pedersen be elected Postmaster.

MOTION—Chaplain

Mr. President: I move that we proceed to elect the Chaplain. (Signed) Harry A. Foster

The motion prevailed.

Nominating ballot for Chaplain:

Rev. Frank S. Delo	11
William P. Bancroft	23
Harry L. Pizer	3
Mr. Frost	1
Rev. Aitken	3

MOTION—That the informal ballot be declared formal

Mr. President: I move that the informal ballot be made formal and that Reverend Bancroft be elected as Chaplain. (Signed) Frank Sorrell

The motion prevailed and the President declared Reverend Bancroft elected as Chaplain of the Legislature.

OFFICERS' OATH OF OFFICE

State of Nebraska, ss.

We, and each of us, do solemnly swear that we will support the Constitution of the United States, the Constitution of the State of Ne-

braska, and faithfully discharge the duties of our respective offices to the best of our ability, so help us God.

Hugo F. Srb, Clerk of the Legislature
Martin L. Pedersen, Postmaster
J. W. Lundy, Sergeant-at-arms
William P. Bancroft, Chaplain

Subscribed in my presence and sworn to before me this second day of January, 1945.

(Signed) Robert Simmons
(Seal) Chief Justice of the Supreme Court of Nebraska

MOTION—To Supply Press

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

The motion prevailed.

COMMITTEE TO NOTIFY GOVERNOR

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

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

Peterson, Chairman; Dooley, Tvrdik, Weborg, Norman

COMMITTEE ON ELECTION RETURNS

Mr. President: I move that a committee of five be appointed to invite the Secretary of State to appear and bring with him the returns of the regular election of 1944. (Signed) Daniel Garber

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

Garber, Chairman; Carmody, Klaver, Heiliger, Conklin.

The committee retired and subsequently returned with the Secretary of State, Mr. Frank Marsh, who reported as follows:

Mr. President:

In accordance with Section 4, Article IV, of the Constitution of the State of Nebraska, I have the honor to herewith deliver to you, under seal, what purports to be the original abstract of votes cast by counties at the General Election held November 7, 1944, in the State of Nebraska, for President and Vice President of the United States, officers of the executive departments of state, railway commissioner, representatives in Congress, regents of the state university, Chief Justice of the Supreme Court, judges of the district courts, members of the unicameral legislature and on the measures proposed by initiative petition.

Also, in compliance with Sections 32-922, 32-923, 32-924, 32-923, 32-929, and 32-930 of the Revised Statutes of Nebraska for 1943, I deliver to you a correct tabulation of the votes cast as compiled from the duplicate abstracts certified to me by the 93 county canvassing boards in Nebraska, and which abstracts have been canvassed by the State Canvassing Board.

Certificates of election have been issued and delivered to those persons whom the State Canvassing Board, in its canvass of the results, has found were elected and entitled to receive the same.

Respectfully submitted,
(Signed) Frank Marsh
Secretary of State

CANDIDATES ELECTED AT THE GENERAL ELECTION NOVEMBER 7, 1944

Governor—Dwight Griswold
Lieutenant Governor—Roy W. Johnson
Secretary of State—Frank Marsh
Auditor of Public Accounts—Ray C. Johnson
State Treasurer—Carl G. Swanson
Attorney General—Walter R. Johnson
Railway Commissioner—Duane T. Swanson
Congressman First District—Carl T. Curtis
Congressman Second District—Howard Buffett
Congressman Third District—Karl Stefan
Congressman Fourth District—A. L. Miller
Chief Justice of the Supreme Court—Robert G. Simmons

MEMBERS OF THE UNICAMERAL LEGISLATURE

First District—Joseph C. Reavis
Second District—Frank Sorrell
Third District—Tom Dooley
Fourth District—William J. Norman
Fifth District—Harry A. Foster
Sixth District—Sam Klaver
Seventh District—Charles F. Tvrdik
Eighth District—James A. Ryan
Ninth District—Sidney J. Cullingham
Tenth District—Cliff N. Ogden
Eleventh District—Earl J. Lee
Twelfth District—George C. Weborg
Thirteenth District—Roy B. Carlberg
Fourteenth District—Dwight W. Burney
Fifteenth District—Ernest C. Raasch
Sixteenth District—William A. Crossland
Seventeenth District—A. J. Brodahl
Eighteenth District—H. P. Heiliger

Nineteenth District—Thomas H. Adams
Twentieth District—C. Petrus Peterson
Twenty-First District—Ladd J. Hubka
Twenty-Second District—J E Conklin
Twenty-Third District—John E. Mekota
Twenty-Fourth District—Fay Wood
Twenty-Fifth District—Lester H. Anderson
Twenty-Sixth District—Ed F. Lusienski
Twenty-Seventh District—Edwin Schultz
Twenty-Eighth District—Dennis H. Cronin
Twenty-Ninth District—John F. Doyle
Thirtieth District—Walter R. Raecke
Thirty-First District—Fred A. Seaton
Thirty-Second District—Daniel Garber
Thirty-Third District—Ed. Hoyt
Thirty-Fourth District—Fred A. Mueller
Thirty-Fifth District—Harry F. Burnham
Thirty-Sixth District—Lloyd Kain
Thirty-Seventh District—Arthur Carmody
Thirty-Eighth District—Harry L. Pizer
Thirty-Ninth District—Carl P. Jeffords
Fortieth District—Don E. Hanna
Forty-First District—William Hern
Forty-Second District—James H. Anderson
Forty-Third District—R. A. Babcock

DISTRICT JUDGES

First District—Virgil Falloon
Second District—Thomas E. Dunbar
Third District—Harry R. Ankeny, Ralph P. Wilson, Jefferson H. Broady, John L. Polk
Fourth District—James T. English, Henry J. Beal, Charles Leslie, James M. Fitzgerald, Willis G. Sears, Arthur C. Thomson, W. A. Day, Frank M. Dineen, Herbert Rhoades
Fifth District—L. S. Hastings, Harry D. Landis
Sixth District—Louis Lightner, Frederick L. Spear
Seventh District—Stanley Bartos
Eighth District—Sidney T. Frum
Ninth District—Lyle E. Jackson, Fay H. Pollock
Tenth District—Frank J. Munday, Edmund Nuss
Eleventh District—William F. Spikes, E. G. Kroger
Twelfth District—E. G. Reed
Thirteenth District—James L. Tewell, Isaac J. Nisley
Fourteenth District—Charles E. Eldred
Fifteenth District—D. R. Mounts
Sixteenth District—Earl L. Meyer

Seventeenth District—C. G. Perry
Eighteenth District—Cloyde B. Ellis

REGENTS OF THE STATE UNIVERSITY

Second District—Vincent C. Hascall
Fifth District—Stanley D. Long
Sixth District—Frank M. Johnson

MEASURES PROPOSED BY INITIATIVE PETITION

AN ACT PROPOSED BY INITIATIVE PETITION

An Act to prohibit the manufacture, sale, transportation, importation, advertising, possession or use of intoxicating liquors as a beverage and to repeal the existing liquor laws of the State of Nebraska set forth in Chapter 116, Laws of Nebraska for 1935, and all amendments thereto.

The proposal was not adopted.

CONSTITUTIONAL AMENDMENT PROPOSED BY INITIATIVE PETITION

An Amendment to Section 1, Article VIII, of the Constitution of Nebraska, so as to provide that all of the net proceeds derived from motor vehicle registration fees, motor vehicle license taxes, and all excise taxes levied upon gasoline and other motor vehicle fuels used in motor vehicles in the State of Nebraska shall be appropriated and used for the purpose of construction, repairing and maintaining public highways within the State of Nebraska and for no other purpose whatsoever.

The amendment was not adopted.

DIRECTORS OF PUBLIC POWER DISTRICTS

Almeria Public Power and Irrigation District

William Strong	Fred Strong

Benkelman-Haigler-Arickaree Public Irrigation District

H. J. McKay	Victor Westermark

Burt County Rural Public Power District

Harry McKenzie	Floyd R. Mikkelson	George A. Swanson

Butler County Rural Public Power District

Subdivision Three	Subdivision Four	Subdivision Seven
H. J. Smith	A. J. Pospichal	John P. Birkel

Cedar-Knox County Rural Public Power District

Edward E. Morten	George H. Peck	C. H. Larson

Central Nebraska Public Power District

Adams County	Gosper County	Kearney County
H. G. Pratt	G. E. Sahllenberger	A. C. Hove
Phelps County		
Claude B. Miller		

Chimney Rock Public Power District

O. E. Adcock	Sumner Burnham	William Rieper

Consumers Public Power District

District One	District Two	District Six
H. J. Wisner	Guy Stinson	Elmer L. Hevelone
District Seven		
James W. Kinsinger		

Cornhusker Rural Public Power District

Subdivision Two	Subdivision Three
B. J. Novotny	Bill Beil

Cuming County Rural Public Power District

Subdivision One	Subdivision Seven	Subdivision Eight
R. Chester Graff	Robert Brockmann	Earl H. Anderson

Dawson County Public Power District

Henry Jensen	W. E. McKee

Dismal River Public Irrigation District

Hughes Scott	M. M. Leonard	Hubert Miller

Eastern Nebraska Public Power District

T. E. Wheeler	William Bischof	Charles Ward

Gering Valley Rural Public Power District

Carl Stuckey	Ed Jacobs

Howard County Rural Public Power District

*Subdivision Five	Subdivision Six	Subdivision Seven
Walter Lamb	George W. Lauritsen	Henry Bremer, Jr.

* Canvassing Board awaiting further proof of existence of vacancy.

Loup River Public Power District

Zack B. Howell	A. R. Miller	J. A. Borg

McCook Public Power District

M. L. Search	A. J. Crabtree

Madison County Rural Public Power District

Lee Jenkins	George Malin	John K. Peterson

Middle Loup Public Power and Irrigation District

Subdivision Two
E. G. Stone

Mirage Flats Public Power and Irrigation District

*Carl S. Horn *Peter Nissen

* Election in doubt awaiting further certification of vote from county clerk.

Norris Rural Public Power District

Subdivision One	Subdivision Four	Subdivision Eight
Adolph Vortman	Morris O. Jones	James Kottas
Subdivision Eleven	Subdivision Twelve	Subdivision Sixteen
Herman J. Damkroger	Charles Shalla	Henry E. Sieck

North Loup River Public Power and Irrigation District

District Three
Edward Dubas

Northeast Nebraska Rural Public Power District

John Platenberg Frank Kennedy
(To fill vacancy)

Platte Valley Public Power and Irrigation District

D. E. McGregor P. N. McKinley W. R. Maloney
Roy Homer
(To fill vacancy)

Polk County Rural Public Power District

George H. Bond William Kosch M. G. Lindburg
Agvall S. Torell
(To fill vacancy)

Republican River Public Power and Irrigation District

R. J. Hale H. B. Long Halbert E. Thomas

Roosevelt Rural Public Power District

Joe Long John W. Casson Carl F. Reinhardt

Sargent Public Irrigation District

Roy Sweet J. C. Green

Seward County Rural Public Power District

Harry S. Westerhoff L. C. Geis

Southern Nebraska Rural Public Power District

Subdivision One	Subdivision Three	Subdivision Four
Forrest Morrison	Charles G. Roeder	Charles X. Miller

Subdivision Six
Albert Oswald

Stanton County Rural Public Power District

Charles Barth Harry B. Nicholas

Wayne County Rural Public Power District

Albert W. Watson Lyle Marotz

York County Rural Public Power District

C. C. Lichtenberger L. P. Loreman

MOTION—To Dispense with Reading Returns

Mr. President: I move that the reading of the tabulated returns be dispensed with and that the abstract by the Secretary of State be accepted as the accredited returns of the election held November 7th, 1944, in the State of Nebraska and that the tabulated returns be printed in the Journal. (Signed) John E. Mekota

The motion prevailed.

The committee escorted the Secretary of State to his office.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Mr. President: Your committee to notify the Governor begs leave to report that we have done so and ask that we be dismissed. (Signed) C. Petrus Peterson

The President dismissed the committee.

MOTION—Committee on Committees

Mr. President: I move that we proceed to vote upon the Chairman of Committee on Committees. (Signed) Harry F. Burnham

The motion prevailed.

Nominating ballot for Chairman of Committee on Committees:

Tvrdik	30
Raecke	5
Reavis	1
Mekota	2
Lee	1
J. Anderson	2

Mr. Tvrdik having received a majority vote of the elected members, Mr. Raecke moved that the informal ballot be made formal and that Mr. Tvrdik be declared elected as Chairman of the Committee on Committees.

The President declared Charles F. Tvrdik elected Chairman of the Committee on Committees.

MOTION—Committee on Committees

Mr. President: I move that we authorize the members residing within each congressional district to nominate three members to be

elected by the Legislature and who shall serve on said Committee on Committees. (Signed) Joseph Reavis

The motion prevailed.

AT EASE

At 2:45 p. m. the President declared the Legislature at ease.

At 3:05 p. m. the President called the Legislature to order.

Nominations from the congressional districts were reported as follows:

First District:

Arthur Carmody, John Mekota, Joseph Reavis

Second District:

Sidney Cullingham, W. J. Norman, Tom Dooley

Third District:

Walter R. Raecke, George C. Weborg, Edwin Schultz

Fourth District:

James Anderson, Carl Jeffords, Don Hanna

MOTION—Committee on Committees

Mr. President: I move that the persons chosen by the members from the different congressional districts be declared duly elected thereto. (Signed) George C. Weborg

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

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that we arrange to hold inaugural ceremonies at 2:00 p. m. Thursday, January 4, 1945. (Signed) Walter R. Raecke

The motion prevailed.

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that the President appoint a committee of five to notify the Governor that the inaugural ceremonies have been arranged for Thursday, January 4, 1945, at 2:00 p. m. in the legislative chamber, and that the committee assist in making final arrangements for these ceremonies. (Signed) Joseph Reavis

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

Reavis, Chairman; Cullingham, Conklin, Hanna, Foster.

REPORT OF COMMITTEE ON INAUGURAL

Mr. President: Your committee has met with the Governor and notified him that all arrangements have been made for the Inauguration to take place at the time mentioned. (Signed) Joseph C. Reavis

ADJOURNMENT

At 3:45 p. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 11:00 a. m., Wednesday, January 3.

The motion prevailed with 36 ayes, 0 nays, 7 not voting.

Hugo F. Srb
Clerk of the Legislature

SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 3, 1945

Pursuant to adjournment, the Legislature met at 11:18 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the first day was approved as corrected.

Communications

Contested Election

January 3, 1945

Honorable Roy W. Johnson, Lieutenant Governor
President of the Unicameral Legislature
State House, Lincoln, Nebraska

Dear Mr. Johnson:

This is to advise you that I have in my possession depositions in the matter of the contest of the election of Thomas H. Adams to the office of Member of the Legislature of the State of Nebraska from the 19th Legislative District. I also have the ballots from J. B. Morgan, County Clerk, Lancaster County, Lincoln, Nebraska, as voted in the 19th Legislative District.

The same are in my vault and are ready to be turned over to you or your committee if, and when, they are ready to take action in the matter of the contest.

Yours truly,
(Signed) Frank Marsh
Secretary of State

Mr. Peterson suggested that the matter be passed until the Legislature has a complete report.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees submits the following schedule for the selection of the standing committees. (Signed) Charles F. Tvrdik

AGRICULTURE—Carmody, Chairman

Jeffords	Burney	Burnham
Schultz	Weborg	Mekota
Hoyt	Hern	

APPROPRIATIONS—Brodahl, Chairman

Garber	Cronin	Conklin
Dooley	Heiliger	Tvrdik
Crossland	Norman	
Raasch	Mueller	

BANKING, COMMERCE & INSURANCE—Lee, Chairman

Peterson	Sorrell	Anderson, L.
Ogden	Ryan	Doyle
Hubka	Babcock	

CLAIMS & DEFICIENCIES—Anderson, J. H., Chairman

Cullingham	Wood	Pizer
Babcock		

EDUCATION—Ogden, Chairman

Adams	Schultz	Hoyt
Seaton	Weborg	Burney
Sorrell	Kain	

ENROLLMENT & REVIEW—Carlberg, Chairman

Adams	Kain	Pizer
Seaton		

GOVERNMENT—Sorrell, Chairman

Ogden	Schultz	Hern
Burney	Wood	Peterson
Weborg	Hanna	

JUDICIARY—Mekota, Chairman

Hubka	Klaver	Reavis
Lee	Raecke	Carlberg
Carmody	Doyle	

LABOR & PUBLIC WELFARE—Hanna, Chairman

Peterson	Ryan	Foster
Anderson, L.	Hern	Burnham
Jeffords	Lusienski	

LEGISLATIVE ADMINISTRATION—Doyle, Chairman

Hoyt	Crossland	Kain
Ryan		

PUBLIC HEALTH & MISCELLANEOUS SUBJECTS—Jeffords, Chairman

Adams	Babcock	Anderson, L.
Foster		

PUBLIC WORKS—Cullingham, Chairman

Seaton	Anderson, J.	Kain
Ryan	Burnham	Hoyt
Pizer	Lusienski	

REVENUE (Taxation)—Raecke, Chairman

Klaver	Anderson, J.	Hanna
Wood	Cullingham	Reavis
Foster	Lusienski	

RULES—Schultz, Chairman

Reavis	Cullingham	Anderson, J.
Lusienski		

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted. (Signed) Charles F. Tvrdik

The motion prevailed.

MOTION—Revised Statutes of 1943

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor, and the Clerk of the Legislature, and the Press, not to exceed 48 copies, of the Revised Statutes of 1943. (Signed) C. Petrus Peterson

The motion prevailed.

MOTION—Session Laws and Journals

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor, the Clerk of the Legislature, and the Press, the Session Laws of Nebraska, 1943 and 1944, and the Legislative Journal for the 56th and 57th sessions of the Nebraska Legislature for distribution to the above named recipients. (Signed) Sam Klaver

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By Sam Klaver of Douglas.

A bill for an act to amend section 68-404, Revised Statutes of Nebraska, 1943; to increase the maximum amount that may be paid to any one person for blind assistance from thirty dollars per month to forty dollars per month; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 2. By Sam Klaver of Douglas.

A bill for an act to amend section 62-301, Revised Statutes of Nebraska, 1943, relating to holidays; to provide that Thanksgiving Day shall be on the fourth Thursday in November; and to repeal the original section.

LEGISLATIVE BILL 3. By James H. Anderson of Scotts Bluff.

A bill for an act relating to courts; to provide for payment of compensation upon a per diem basis to acting county judges; to provide for payment by the county of premium upon bond of an acting county judge where surety bond is furnished; to amend section 24-507, Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 4. By Walter R. Raecke of Merrick.

A bill for an act to amend section 77-1917, Revised Statutes of Nebraska, 1943, relating to tax sale foreclosures; to provide that any person desiring to redeem must pay any subsequent taxes paid by the purchaser as a condition of redemption; to repeal the original section; and to declare an emergency.

Mr. Cronin asked permission to be excused for the rest of the week. The request was unanimously granted.

Mr. Peterson suggested the advisability of the committees organizing at an early date.

Adjournment

At 11:45 a. m. Mr. Klaver moved that the rules be suspended and that the Legislature adjourn until 11:00 a. m. Thursday.

The motion prevailed with 39 ayes, 0 nays, 4 not voting.

Hugo F. Srb
Clerk of the Legislature

THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 4, 1945

Pursuant to adjournment, the Legislature met at 11:15 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin and Ryan, who were excused.

The Journal for the second day was approved as corrected.

Communications

Contested Election

January 4, 1945

Honorable Roy W. Johnson
Lieutenant Governor and President of the Senate
Lincoln, Nebraska

Dear Mr. Johnson:

I hand you herewith depositions taken in the matter of the contest of the election of Thomas H. Adams to the office of Member of the Legislature of the State of Nebraska from the 19th Legislative District.

Yours truly,

(Signed) Frank Marsh
Secretary of State

The depositions have been turned over to Governor Johnson, who in turn, turned them over to the Committee on Credentials.

Contested Election

January 4, 1945

Honorable Roy W. Johnson
Lieutenant Governor and President of the Senate
Lincoln, Nebraska

Dear Mr. Johnson:

Enclosed herewith is copy of letter received this day from Clifford L. Rein, which is self-explanatory.

Yours truly,

(Signed) Frank Marsh
Secretary of State

816 Security Mutual Building
January 3, 1945

Hon. Frank Marsh, Secretary of State
State House
Lincoln, Nebraska

Dear Mr. Marsh:

Re: Thomas H. Adams, election contest

It has been called to my attention that the legislature is without notice of contest in the above styled matter.

Pursuant to Sections 32-1012, et seq., Rev. St., 1943, the original notice with proof of service thereon is inclosed with the depositions and other related papers you have already received in this matter.

Yours very truly,

(Signed) Clifford L. Rein

Copies to: Anton H. Jensen

Mr. Peterson suggested that the envelope be opened so as to ascertain whether the notice was enclosed, stating that he was ready to make a motion if the notice was enclosed.

The envelope was opened in the presence of the Legislature.

MOTION—Contested Election

Mr. President: I move that the papers relating to the contest be referred to the Committee on Credentials, heretofore appointed with direction to report thereon to the Legislature with recommendations. I further move that ballots and poll books transmitted by the Secretary of State be temporarily committed to the Chairman of the Committee on Credentials. (Signed) C. Petrus Peterson

The motion prevailed.

STANDING COMMITTEE REPORTS

Legislative Administration

Mr. President: We, your Committee on Legislative Administration

recommend that the following people be employed. The salary schedule shown will govern until such time as your committee is able to determine where necessary adjustments shall be made.

Name	Position	Rate
Clarence Linch	Assistant Sgt.-at-Arms	$4.50
Fred Martin	Chief Clerk, Bill Room	5.00
Evelyn Stroy	Journal Clerk	6.00
Louise F. Sholes	Asst. Journal Clerk	5.00
Delia Rankin	Stenographer	5.00
Arlene Jelinek	Stenographer	5.00
Alice Mae Javorsky	Stenographer	5.00
Margaret Ann Wulf	Stenographer	5.00
Myrtle McKay	Stenographer	5.00
Grace Furst	Stenographer	5.00
Mary Ann Schwartz	Stenographer	5.00
Katherine Mackiewicz	Stenographer	5.00
Jo Fisher	Stenographer	5.00
Mary Louise Morrison	Stenographer	5.00
Elsa Fischer	Stenographer	5.00
Viola Schmidt	Stenographer	5.00
Carol Joy Streight	Stenographer	5.00
Nellie von Dorn	Stenographer	5.00
Mrs. Walter Thornton	Stenographer	5.00
Evelyn Schuknecht	Stenographer	5.00
Henry N. Remington	Chief Page	5.00
Bettyann Fullagar	Page	4.00
Richard Cronin	Page	4.00
Martha Simon	Page	4.00
Robert G. Howard	Page	4.00
Mrs. George W. Kline	Proof Reader	.75 hour
Mrs. Rosalind Griffin	Proof Reader	.75 hour
W. W. Maltman	Proof Reader	.75 hour
C. D. Blauvelt	Proof Reader	.75 hour
Louis Nelson	Bill Room	4.50
Gus Neuman	Bill Room	4.50
A. J. Morris	Bill Room	4.50
W. T. Voss	Bill Room	4.50
F. R. Miller	Bill Room	4.50
Gertrude A. Tyler	Telephone Operator	4.00
Hollis S. Thurber	Bookkeeper	5.00

Respectfully submitted,

(Signed) John F. Doyle, Chairman

MOTION—To Dispense with Reading

Mr. President: I move that the reading of the report of the Com-

mittee on Legislative Administration be dispensed with and published in the Journal. (Signed) Mueller

The motion prevailed.

MOTION—Adoption of the Report

Mr. President: I move that the report of the Committee on Legislative Administration be adopted. (Signed) John Doyle

The motion prevailed.

Mr. Garber suggested that if possible, name cards be placed for the press, similar to those placed for the senators.

Mr. Tvrdik suggested that the radio name cards also be placed.

MOTION—Cards for the Press

Mr. President: I move that the proper authority place the name of press reporter on the desk of each. (Signed) Daniel Garber

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 5. By Earl J. Lee of Dodge and Walter R. Raecke of Merrick.

A bill for an act to amend section 49-509, Revised Statutes of Nebraska, 1943, relating to sale of copies of the Session Laws of Nebraska; to authorize the State Librarian to sell copies of the session laws after ten years from date of publication at a reduced price; and to repeal the original section.

LEGISLATIVE BILL 6. By Walter R. Raecke of Merrick and Earl J. Lee of Dodge.

A bill for an act relating to sale of superseded compilations and revisions of the statutes; to authorize the State Librarian to sell all superseded compilations and revisions of the statutes at the price of one dollar per volume; to authorize the Secretary of State to deliver to the State Librarian all copies of superseded compilations and revisions in his hands; and to declare an emergency.

LEGISLATIVE BILL 7. By A. J. Brodahl of Saunders.

A bill for an act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-eighth session, Nebraska State Legislature, during the biennium ending June 30, 1945, and for the ad interim activities of said Legislature during the biennium ending June 30, 1947; to appropriate the sum of sixty-five thousand dollars and unexpended balance of four thousand fifty dollars and twenty-two cents in auditor account numbers E3, E4, and E5 therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proof readers and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the fifty-eighth session, Nebraska State Legislature, commencing January 3, 1945; to appropriate the sum of six thousand five hundred dollars and unexpended balance of one thousand eighty-five dollars and eighty-eight cents in auditor account number E6 therefor; and to declare an emergency.

LEGISLATIVE BILL 8. By A. J. Brodahl of Saunders.

A bill for an act to provide for the payment of the salaries of members of the Fifty-eighth session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1945; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 9. By H. P. Heiliger of Lancaster and L. H. Anderson of Polk.

A bill for an act to amend sections 80-401, 80-403 and 80-404, Revised Statutes of Nebraska, 1943, relating to veterans' relief fund; to provide for a fund of eight million dollars to assist in the care and relief of veterans of World War I and World War II, or who are now serving in the armed forces of the United States or her allies in World War II, or to their wives, widows, or dependent children under sixteen years of age who are residents of Nebraska; to provide for a committee, and the appointment thereof, to administer the income from such fund; to direct the Board of Educational Lands and Funds to purchase bonds and notes issued by the government of the United States, or the State of Nebraska, or any county, school district or municipality therein; to provide for organization of the committee, its duties and powers; to provide for a levy upon all the taxable property of the state, except intangible property, for the years 1945

to 1950, inclusive, to raise one million dollars each of said years to establish a fund of eight million dollars for the carrying out of this act; and to repeal the original sections.

LEGISLATIVE BILL 10. By Joseph C. Reavis of Richardson, Frank Sorrell of Otoe and A. J. Brodahl of Saunders.

A bill for an act to amend section 23-1106, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for salaries of clerk of county court and deputy clerk of the district court in counties having a population of class (4a); to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 11. By Joseph C. Reavis of Richardson.

A bill for an act relating to schools; to authorize school districts embraced within the corporate limits of a city or village having a population of more than one thousand and not more than forty thousand inhabitants to levy a tax not exceeding two mills on the dollar actual valuation in any one year for the purpose of creating a building fund for the construction of new school buildings or the remodeling, repair or alteration of old school buildings; to amend section 79-2528, Revised Statutes of Nebraska, 1943; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 12. By Joseph C. Reavis of Richardson.

A bill for an act to amend sections 52-501, 52-502 and 52-503, Revised Statutes of Nebraska, 1943, relating to liens; to provide for lien upon corn to owner of mechanical corn picker for corn picked; to provide for method of foreclosure of lien; to provide a penalty; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 13. By Earl J. Lee of Dodge and Ed. Hoyt of Red Willow.

A bill for an act relating to cemeteries; to provide for specific powers being vested in trustees of cemetery associations to change the conditions of a burial lot or to repair or remove property thereon after giving notice.

LEGISLATIVE BILL 14. By Carl P. Jeffords of Hooker.

A bill for an act to amend sections 37-204 and 37-206, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that

permit fees issued to residents of the state for hunting and fishing shall be one dollar and fifty cents each or three dollars for both; to provide that one half of tax moneys from permits shall be deposited in the permanent school fund; and to repeal the original sections.

LEGISLATIVE BILL 15. By Carl P. Jeffords of Hooker.

A bill for an act to repeal section 37-306, Revised Statutes of Nebraska, 1943, relating to the holding of fur after close of season.

LEGISLATIVE BILL 16. By Carl P. Jeffords of Hooker.

A bill for an act to repeal section 37-511, Revised Statutes of Nebraska, 1943, relating to the destruction of fur-bearing animals.

LEGISLATIVE BILL 17. By Carl P. Jeffords of Hooker.

A bill for an act to repeal section 37-508, Revised Statutes of Nebraska, 1943, relating to shipment of raw fur by carriers.

LEGISLATIVE BILL 18. By A. J. Brodahl of Saunders.

A bill for an act to amend section 19-1701, Revised Statutes of Nebraska, 1943, relating to cities and villages; to extend until March 1, 1947, the provisions thereof for increase in levies authorized by law, for the purpose of providing adequate policing to enforce the law where such city or village, except cities of the metropolitan class, is located within a defense area; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 19. By A. J. Brodahl of Saunders and Fay Wood of Seward.

A bill for an act to amend section 81-523, Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to provide that every fire insurance company doing business in the state shall pay annually a tax upon its premiums or assessments or both a sum equal to one half of one per cent of the gross premiums and assessments, less reinsurance and return premiums; to provide that mutual and assessment companies doing a fire business in one-third or more counties in Nebraska shall pay an annual tax of one-fourth of one per cent of their premium, less reinsurance and return premiums; and to repeal the original section.

LEGISLATIVE BILL 20. By A. J. Brodahl of Saunders and Fay Wood of Seward.

A bill for an act to amend section 81-502, Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to provide that State Fire Marshal shall make rules and regulations and enforce the same as to fire prevention and explosions; to define duties; and to repeal the original section.

LEGISLATIVE BILL 21. By Ed. Hoyt of Red Willow and James H. Anderson of Scotts Bluff.

A bill for an act to amend section 79-2816, Revised Statutes of Nebraska, 1943, relating to junior colleges; to repeal the prohibition against appropriation of state funds to aid in the organization, maintenance and support of junior colleges; and to repeal the original section.

LEGISLATIVE BILL 22. By Sidney J. Cullingham of Douglas, Earl J. Lee of Dodge and Fay Wood of Seward.

A bill for an act to amend section 8-319, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to provide that associations may make loans exceeding in amount of seventy-five per cent of the reasonable normal cash value of the real estate security if loans are made to a veteran in accord with "Service Men's Re-adjustment Act of 1944" and if the proceeds of the loan or loans are to be used in purchasing residential property, in constructing a dwelling on unimproved property owned by him to be occupied as his home, for the purpose of making repairs, alterations, or improvements in, paying delinquent indebtedness or taxes on residential property owned by him and used as his home, or in purchasing any land and buildings to be used by applicant in pursuing a gainful occupation other than farming, and if the Administrator of Veterans' Affairs shall guarantee that portion of loan in excess of seventy-five per cent of the reasonable normal cash value of the real estate security; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 23. By Sidney J. Cullingham of Douglas, Earl J. Lee of Dodge and Fay Wood of Seward.

A bill for an act to amend sections 8-303 and 8-304, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to provide amount of par value of investment stock a person may hold in his own right in any association; to provide amount a person may

vote in person or by proxy in any association; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 24. By Ed. Hoyt of Red Willow and James H. Anderson of Scotts Bluff.

A bill for an act relating to junior colleges; to authorize junior colleges to acquire land by donation, purchase or otherwise for the purpose of providing dormitories, boarding, housing and student activity facilities for such colleges; to provide for the construction and leasing of buildings for such purpose; to authorize a pledge of the rentals and earnings therefrom; and to declare an emergency.

LEGISLATIVE BILL 25. By Sam Klaver of Douglas.

A bill for an act to amend sections 77-1917 and 25-1530, Revised Statutes of Nebraska, 1943; to reduce the rate of interest required to be paid to a purchaser other than the plaintiff at sheriff's sale under tax foreclosure upon redemption from twelve per cent to seven per cent; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 26. By Charles Tvrdik of Douglas, Cliff N. Ogden of Douglas and W. J. Norman of Douglas.

A bill for an act to amend section 77-1613, Revised Statutes of Nebraska, 1943, relating to taxation; to place on the county clerk, instead of the county assessor, the duty of transcribing assessments into unit tax ledgers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 27. By Edwin Schultz of Antelope.

A bill for an act to amend sections 23-220 and 32-216, Revised Statutes of Nebraska, 1943, relating to road overseers; to provide for the election of road overseer in counties having township organization; and to repeal the original sections.

LEGISLATIVE BILL 28. By R. A. Babcock of Cheyenne.

A bill for an act to amend section 79-2107, Revised Statutes of Nebraska, 1943, relating to schools; to permit parent or guardian of pupils transferred to another district to be eligible to hold office on the school board of district transfer made to; and to repeal the original section.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and L. B. 7 and L. B. 8 be referred to Appropriations Committee. (Signed) A. J. Brodahl.

The motion prevailed with 40 ayes, 0 nays, 3 not voting.

Senator Lee excused until Tuesday.

Senator Crossland desired to return his copies of the Revised Statutes of Nebraska, 1943.

RECESS

At 12:05 Mr. Mueller made a motion to recess until 1:30 p. m. this afternoon.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p. m., Speaker Peterson presiding.

The roll was called and all members were present except Mr. Hubka, and except Messrs. Cronin and Ryan, who were excused.

MOTION—Bonds of State Officers

Mr. President: I move that a committee of five be appointed to wait upon the Secretary of State for him to certify that Governor Dwight Griswold, Lieutenant Governor Roy W. Johnson, Auditor of Public Accounts Ray C. Johnson, State Treasurer Carl G. Swanson, Attorney General Walter R. Johnson and Railway Commissioner Duane T. Swanson have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Frank Marsh, has furnished bond and oath and that both are on file with the Auditor of Public Accounts. (Signed) Carl P. Jeffords.

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

Jeffords, Chairman; Babcock, Carlberg, Pizer, Kain

MOTION—To Escort the Regents

Mr. President: I move that a committee of three be appointed to

escort the Regents of the University to the Legislative Chamber for induction into office. (Signed) John Mekota

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

Mekota, Chairman; Hoyt, Burney

MOTION—To Escort District Judges-Elect

Mr. President: I move that a committee of three be appointed to escort the District Judges-elect to the Legislative Chamber for the inaugural ceremonies. (Signed) Sam Klaver

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

Klaver, Chairman; Lee, Anderson, James H.

MOTION—State Officers-Elect

Mr. President: I move that a committee of six be appointed to notify the state officers-elect that the Legislature is in session and to escort them before this assembly for the purpose of taking the oath and being inducted into office. (Signed) Charles Tvrdik

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

Tvrdik, Chairman; Reavis, Raasch, Ryan, Seaton, Wood

Report of Committee on Bonds of State Officers

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

MOTION—Escort the Chief Justice

Mr. President: I move that a committee of nine be appointed to escort the Chief Justice and Associate Justices and judges-elect of the Supreme Court before the Legislature for the purpose of administering the oath of office to the state officers-elect. (Signed) Edwin Schultz

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

Schultz, Chairman; Mueller, Anderson, L. H., Adams, Hern, Conklin, Burney, Hoyt, Doyle

MOTION—Governor Griswold

Mr. President: I move that a committee of five be appointed to escort Governor Griswold to the Legislative Chamber for the inaugural ceremonies. (Signed) Tom Dooley

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

Dooley, Chairman; Lusienski, Heiliger, Weborg, Norman.

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

Vincent Hascall, Board of Regents, State University
W. A. Day, District Judge
Stanley Bartos, District Judge
Arthur C. Thomsen, District Judge
Edmund Nuss, District Judge
Thomas E. Dunbar, District Judge
James T. English, District Judge
Harry D. Landis, District Judge
John L. Polk, District Judge
Ralph P. Wilson, District Judge
Harry R. Ankeny, District Judge
J. H. Broady, District Judge
D. R. Mounts, District Judge
L. S. Hastings, District Judge
Lyle Jackson, District Judge
Frank J. Munday, District Judge
E. G. Reed, District Judge
Duane Swanson, Railway Commissioner
Ray Johnson, Auditor of Public Accounts
Carl Swanson, State Treasurer
Walter Johnson, Attorney General
Frank Marsh, Secretary of State
Roy Johnson, Lieutenant Governor
Dwight Griswold, Governor of Nebraska

The required oath of office was administered by Chief Justice Robert G. Simmons to the above named officers.

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

INAUGURAL MESSAGE OF GOVERNOR

To the Members of the Fifty-eighth Session of the Legislature of Nebraska

January 4, 1945

Mr. President, Members of the Senate:

Many of you are here to continue a task of leadership. The remaining few of you are here to begin a task of leadership. I am here to work with all of you.

All of us—each of you Senators, and I, as Governor—were chosen by Nebraskans who felt certain enough of our judgment and abilities to entrust us with the destiny of this great State. It is a confidence we must not fail.

I repeat, it is a confidence we must not fail.

First, we must not fail this confidence because it springs from the faith that free men have in their own competence to govern themselves with a leadership of their own choice, from their own ranks, for their own general welfare. That faith is the thing for which Nebraskans and other Americans die today. It is a cherished faith, a sacred faith, worthy of even more than our best.

Second, we must not fail this confidence of the people because our actions here will not be erased with the termination of this legislative session, nor be deleted at the close of the next two years. Rather, they will become part of Nebraska's heritage and, as such, may well bear upon this state's governmental philosophy for generations to come.

In short, this gift of confidence is more precious than many of the givers realized. Therefore, the burden of its custody becomes greater.

But while the task placed upon you as Legislators and upon me as Governor, is heavy with responsibility, it is also bright with opportunity. Before us, surely, lie the seeds of peace. Behind us, certainly, is a harvest of experience.

It is my sincere hope that together we can draw wisely upon the experience of our State and of our people as we prepare the ground for a thriving life of peace. I wish to make clear at once that I am not anticipating, and most certainly I am not suggesting, that a great

flood of new legislation be offered in the ambitious hope of providing Nebraskans with a revised mode of living to be put on, like a new suit of clothes, when the present grim conflict is victoriously concluded. Instead, I am thinking of the need for re-determining our objective and I am thinking of the state of mind which will be needed to approach that objective.

In this brief message, I do not intend to burden you with recommendations for specific bits of legislation affecting this or that state department, or this or that state institution. There are several reasons why I do not consider it necessary at this moment to give you an outline of bills I would enact if I were the legislature.

First among these reasons is that I am not the legislature. You are the legislature, and I have every confidence in your ability and sincerity.

Second, you and I will come to know each other's views on various subjects quickly enough during the next few weeks, and I will address you occasionally regarding special matters.

Third, and most important, the destiny of a state rarely, if ever, hangs upon the thread of any one specific legislative enactment.

And so, rather than spend these few minutes with you in a discussion of proposed bills, I believe it would be much more profitable to tell you why I am concerned over such generalities as "our objective" and our "state of mind."

As Governor, I have proceeded on the belief that during the war, the war must come first, despite its horror and heart-breaks, and its wasteful destruction. In my inaugural message two years ago, I urged that it would be a mistake to thrust new laws and regulations upon our people while their every effort was being bent toward the building of this nation's war machinery. This advice did not stem from a conviction on my part that a good administration must be fearful of change. On the contrary, it was given because I believe that, generally speaking, uncertainties are too great during the flux of war to permit a state to embark upon new domestic ventures with any reasonable degree of safety.

Though this Fifty-Eighth Legislative Session, like its predecessor, also begins amid the war, we can begin to see a little more clearly the proportion of some of the changes that must come to our State with the return of peace. Even as recently as two years ago there may have been some who hoped that when the fighting was over,

we could return to the old life of peace, pick up our former tools, and resume the routine we used to know. But now, there can be no doubts. There will be no going back to where we stood before. The way through the future must be cut with change.

For example, it is already apparent that certain changes must be made in our educational system. Of course, we did not expect our schools to prepare our young people for the needs of war, but we did expect them to provide a basic foundation of academic learning, solid enough to support technological training such as the war has demanded. The fact that our armed forces have had to take time out to teach our young people the fundamentals of geography, applied mathematics, applied sciences, and, in some instances, languages and civic government, is not so much an indictment of our failures of the past, as it is a challenge to do something about it in the future. The educational deficiencies the war has revealed are not peculiar to Nebraska, though in this state the uneconomic pattern of our sprawling school district system loomed large as a result of teacher shortages.

Here is a second example of the need for change that has been uncovered by the war. We know now that at least one out of every three of our young men is unable to meet the physical or psychiatric standards required of a good soldier. Surely, there is not that much difference between the requirements of a good soldier and a good citizen. And so, again, we face change.

I have cited these two specific examples only to drive home the point that changes—many of them—are coming. At the moment, I am not concerned with the mechanics of legislation we may ultimately use in an attempt to accomplish these alterations. But I am concerned with the kind of thinking that is to prevail during the period of transition.

This Legislature may break some of the ground for a few of the changes that are to come with peace. Before any such steps are taken, however, we must first decide whether we want our state society to determine the standard of the individual citizen, or whether we want the citizen to determine the standard of the state society.

In this regard, there seems to be a growing tendency to consider government as something apart from the people. Hardly a month passes but that somebody explains to you, almost apologetically, that he does not believe in taking ration points, or in collecting a 20 per cent tax, but that he must because "the government" requires it. And then, both of you shake your heads as though "the government" were some unfriendly third party.

That kind of thinking is evidence that we sometimes forget just what sort of vehicle the founders of this nation had in mind when they wrote in The Declaration of Independence that government exists to secure the inalienable rights of man, including life, liberty and the pursuit of happiness. Government in this country, and in this state, is not a third party. It is a reflection of the whole people, highlighted by the will of the majority and softened by the opinion of the minority, and it exists for the prime purpose of safeguarding the individual rights we claim as human beings.

So long as we respect this basic concept, we cannot expect government to become a sort of robot that will provide us with food and shelter and care for us in sickness and in death. We cannot expect government to do that, unless we are willing to sacrifice our long-standing claim to individual rights. Men who insist upon the right to captain their own individual destinies must also accept the responsibility of their own individual command.

We do have the right to expect our government to protect, on an equitable basis, our individual right to an opportunity for a decent life. Sometimes the safeguards we have established to accomplish this end become out-moded and must be revised. Sometimes the safeguards prove inadequate and need to be reinforced. Sometimes our own development of a more complex society creates an incidental threat to individual opportunity and it becomes necessary to curb this new menace.

It is my feeling that we are approaching a time when a number of plans will be offered for the avowed purpose of providing us with greater opportunities to pursue a full and decent life. There will be no quarrel with the intent of these plans, but there will be danger if we forget that in this nation and in this state, the right of the individual holds the basic priority. Should we forget that priority, our desire to improve the general welfare might cause us, with the blindness of Isaac, to confer upon the artificial state a birthright that belongs to the human individual.

In our zeal to progress, we will be wise to remember that the pace of our advance cannot be set to match the abilities of those in the vanguard of our society. The pace, instead, must be set so that those individuals who lag at the other end of our social column will have a reasonable chance to catch up, under their own power, if such is their desire. The best teacher, when I was a boy in school, was not the one who worked for me all the problems which were assigned; the best teacher was the one who caused me to work so that I myself solved the problems correctly. Government has the same responsibility

Always it is an easy matter to cite the existence of evils and inequities. It is easy to find fault. Candid observation, however, usually reveals that the evils and the inequities only reflect the inherent evil and weakness of mankind, and that legislation which does not cause the individual citizens to improve themselves will not effect a cure. We cannot expect legislation to succeed which presumes that we are better than we are, and we should build upon the premise that we are a race of very human beings. And neither can we expect legislation to succeed which assumes that we are more wealthy than we are —which assumes that our state is richer than the people who make up the state.

Throughout seventy-eight years of statehood, Nebraskans have guarded carefully the inherent dignity of the individual. And yet, during those years, Nebraskans have always been pioneers. They have not been afraid of frontiers, nor of change. Populism—much of the liberal doctrine—was born here. The unique unicameral structure of your own senatorial body is an example. It is proof that change and progress is possible without departure from our original concept of government and its relation to the individual. We Nebraskans do not believe in a collectivist state—we do believe in progress for the individual citizen.

Today, Nebraska stands well forward in a nation to whose bright spires of strength the eyes of many men in many countries are looking for courage and inspiration. They are men who desire that they, too, might lift their heads and square their shoulders and say, "In my country also man has certain inalienable rights, including life, liberty and the pursuit of happiness."

In time of peril, when man strikes man with all his might, it is easy to become discouraged and disillusioned. When young, strong life is strewn and broken wilfully upon the beaches and hills and streets, it is easy to ask, "Where now is this dignity of man? Where now is your individual right?" But when such doubts assail us, we only need remember it was the individual,—not the government—it was the individual, the human being, who paid with pain and blood and death; we must remember that it is the man for whom we grieve, and not the state whose soulless walls tumble in the dust.

I bid you Godspeed.

Dwight Griswold, Governor

The committees escorted the state officers from the legislative chamber.

Speaker C. Petrus Peterson made a few remarks of appreciation.

Adjournment

At 3:10 p. m. Mr. Cullingham moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday, January 5, 1945.

The motion prevailed with 35 ayes, 0 nays, 8 not voting.

Hugo F. Srb
Clerk of the Legislature

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 5, 1945

Pursuant to adjournment, the Legislature met at 10:08 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, except Messrs. Cronin, Lee and Weborg, who were excused, and except Messrs. Hubka and Reavis.

The Journal for the third day was approved as corrected.

Communications

MESSAGE FROM THE GOVERNOR

January 5, 1945.

Mr. President, Members of the Legislature:

The laws of Nebraska provide for certain annual or biennial reports by the different officials of the state government. I am inclined to believe that some of these call for the publication of data which is not essential and I suggest that your appropriate committee study into this situation and see if legislation might help the situation.

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

Appointments

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the following appointment:

Ralph L. Cox, Arapahoe, Nebraska
Member of Board of Control for the term of July 1, 1945 to July 1, 1951.

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the following appointments for a period of two years, and until January 9, 1947:

R. M. Howard, Flats, Nebraska
Director of the Department of Agriculture and Inspection

Donald P. Miller, Lincoln, Nebraska
Commissioner of Labor

Dr. C. A. Selby, North Platte, Nebraska
Director of Health

Wardner Scott, Lincoln, Nebraska
State Engineer

F. J. Peters, Yutan, Nebraska
Director of Banking

C. C. Fraizer, Aurora, Nebraska
Director of Insurance

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the fol-

lowing appointment for a period of two years, and until January 9, 1947:

Robert M. Armstrong, Auburn, Nebraska
Tax Commissioner

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the following appointments:

Don B. Reynolds, North Platte, Nebraska
Nebraska Brand Committee, appointed August 28, 1944, for a period of 4 years.

Alfred C. Kennedy, Omaha, Nebraska
State Real Estate Commission, appointed August 28, 1944, for a period of 4 years.

Orville Peyton, Hastings, Nebraska
State Racing Commission, appointed December 19, 1944, to fill unexpired term expiring March 30, 1946.

J. B. Rossiter, Walthill, Nebraska
Reappointed to the State Racing Commission March 30, 1944, for a period of 3 years.

Cloyd E. Clark, Elwood, Nebraska
Game, Forestation and Parks Commission for the term of January 15, 1945, to January 15, 1950.

Mrs. Ferne Hugo, Gothenburg, Nebraska
Appointed to Nebraska Public Library Commission June 8, 1944, for a period of 5 years.

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the following appointment for a period of two years, and until January 9, 1947:

Neil Vandemoer, Lincoln, Nebraska
Director of Assistance

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

January 4, 1945.

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I desire to inform your honorable body that I have made the following appointments to the Board of Education of State Normal Schools, for a period of six years, and until January 1, 1951.

Ralph M. Carhart, Wayne, Nebraska
Bertha I. Hill, Hebron, Nebraska

Respectfully submitted,

(Signed) Dwight Griswold,
Governor of Nebraska.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 7, Wednesday, January 10, 1945, 2:15 p. m.
L. B. 8, Wednesday, January 10, 1945, 2:30 p. m.

The Legislature was at ease from 10:23 to 10:27 a. m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 29. By Walter R. Raecke of Merrick.

A bill for an act to provide for the administration of estates of persons absent for a period of seven years; to provide for the appointment of a conservator for the estate of a person who absents himself without known cause; and to repeal sections 30-1901 to 30-1914, inclusive, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 30. By William Hern of Dawes, Carl P. Jeffords of Hooker and Harry F. Burnham of Custer.

A bill for an act to amend sections 68-101, 68-102 and 68-105, Revised Statutes of Nebraska, 1943, relating to paupers and public assistance; to relieve brothers and sisters for support of poor persons; to provide that the county shall present and prosecute a claim against a person or his estate upon discovery of any property belonging to said person or his estate; and to repeal the original sections.

LEGISLATIVE BILL 31. By Ed F. Lusienski of Platte.

A bill for an act to amend sections 48-153, 48-155, 48-156, 48-157, 48-164, 48-166, 48-167, 48-173, 48-177, 48-178, 48-181, and 48-184, Revised Statutes of Nebraska, 1943, relating to Workmen's Compensation; to provide duties of judges of Workmen's Compensation Court; to provide powers and duties of the presiding judge of Workmen's Compensation Court; to provide a quorum for the rehearing of any disputed claim for compensation; to provide for the appointment of a clerk and all other assistants and employees of the Workmen's Compensation Court by the presiding judge; to provide for recording of pleading and issuing of necessary notices and writs of such court; to provide for hearings within sixty days from date of filing petition in such court, and an order or award to be made and entered thereon within thirty days after such hearing; to provide for annual report; to keep and maintain in office of Workmen's Compensation Court provide presiding judge shall assign a judge to hear a cause; to provide who may file a petition with Workmen's Compensation Court; to provide presiding judge shall assign a judge to hear a cause; to provide for rehearing to modify orders, awards or judgments; to provide for serving notice; to provide for copy of award in any Compensation case by the district court to be filed with Compensation Court; to repeal section 48-170, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 32. By William A. Crossland of Wayne and A. J. Brodahl of Saunders.

A bill for an act to amend sections 17-508 and 17-702, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to harmonize maximum tax levies with cities of the first class; and to repeal the original sections.

LEGISLATIVE BILL 33. By R. A. Babcock of Cheyenne, Ed F. Lusienski of Platte and Charles F. Tvrdik of Douglas.

A bill for an act relating to banks and banking; to provide for the clearing at par all checks drawn on any bank or trust company organized under the laws of this state; and to provide penalties.

LEGISLATIVE BILL 34. By Charles F. Tvrdik of Douglas, Sam Klaver of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend section 33-117, Revised Statutes of Nebraska, 1943, relating to jails and fees of sheriffs; to provide that the fee for either the levying of a writ of execution or the return thereof shall be one dollar; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 35. By Thomas H. Adams of Lancaster, Charles F. Tvrdik of Douglas and W. J. Norman of Douglas.

A bill for an act to amend section 33-135, Revised Statutes of Nebraska, 1943, relating to constables fees and mileage; to provide that in cities having a population of more than fifty thousand inhabitants constables serving municipal courts located in such cities shall receive traveling expenses for each mile actually and necessarily traveled within or outside their several cities in their official duties the sum of fifteen cents; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 36. By A. J. Brodahl of Saunders.

A bill for an act relating to cooperation with the government of the United States; to authorize the State of Nebraska, its political subdivisions and instrumentalities, and tax-supported and nonprofit institutions to purchase surplus property under the Surplus Property Act of 1944, and amendments thereof, enacted by the Congress of the United States; to authorize such purchases without first advertising for and requiring submission of bids; to authorize the Purchasing Agent of the State of Nebraska to represent the purchaser in transac-

tions had under this act; to repeal all acts and parts of acts in conflict with this act; and to declare an emergency.

LEGISLATIVE BILL 37. By F. A. Mueller of Buffalo.

A bill for an act to amend sections 14-102, subdivision 25, 15-263, 16-246, 17-505, 18-201 and 26-118, Revised Statutes of Nebraska, 1943, relating to cities and villages; to extend grant of power to cities and villages in exercising and enforcing health, police and zoning regulations in area not more than three miles beyond corporate limits; and to repeal the original sections.

LEGISLATIVE BILL 38. By F. A. Mueller of Buffalo.

A bill for an act to amend sections 16-630, 16-653 and 16-724, Revised Statutes of Nebraska, relating to cities of the first class; to provide that the maximum interest on bonds of such city shall not be greater than six per cent per annum; to reduce the maximum interest on curbing, guttering, and grading bonds to six per cent per annum; and to repeal the original sections.

Bills Referred to Standing Committees

L. B.	Committee
1	Labor
2	Public Health and Miscellaneous Subjects
3	Judiciary
4	Judiciary
5	Public Health and Miscellaneous Subjects
6	Public Health and Miscellaneous Subjects
9	Appropriations
10	Government
11	Education
12	Judiciary
13	Public Health and Miscellaneous Subjects
14	Agriculture
15	Agriculture
16	Agriculture
17	Agriculture
18	Government
19	Banking, Commerce and Insurance
20	Government
21	Education
22	Banking, Commerce and Insurance
23	Banking, Commerce and Insurance
24	Education

25.....Judiciary
26.....Government
27.....Government
28.....Education

Mr. Sorrell raised the point of delay in the hearing of bills.

RECESS

Mr. President: I move that we recess until 11:00 a. m. to give committees time to organize and set hearings for bills next week. (Signed) Mueller.

The motion prevailed. Recess was declared by the President at 10:50 a. m.

At 11:20 a. m., the President called the Legislature to order.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

R. A. Babcock selected as Vice-Chairman.

(Signed) Jeffords, Chairman.

Education

Dwight Burney, Hartington, was elected Vice-Chairman.
Lloyd Kain, Lexington, was elected Secretary.

(Signed) Ogden, Chairman.

Government

Fay Wood, Seward, was elected Vice-Chairman.
William Hern, Chadron, was elected Secretary.

The committee authorized the chair to hire a stenographer, with the approval of the Legislative Administration Committee, to take care of the minutes of the meetings.

(Signed) Sorrell, Chairman.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 18 Friday, January 12, 1945 2:00 P. M.

L. B. 20 Friday, January 12, 1945 2:00 P. M.

MOTION—Committee Hearings

Mr. President: I move that the rules be suspended and that the Legislature authorize the holding of these hearings. (Signed) Frank Sorrell.

The motion lost with 28 ayes, 3 nays and 12 not voting.

MOTION—Postage for Members

Mr. President: I move that each member and the Lieutenant Governor be allowed $1.50 in stamps for each legislative day in the session. (Signed) John Doyle.

A record vote was requested on this motion.

Those voting in the affirmative, 19:

Adams	Cullingham	Heiliger	Norman
Anderson, J.	Dooley	Hern	Ogden
Brodahl	Doyle	Klaver	Raasch
Burnham	Foster	Lusienski	Ryan
Conklin	Hanna	Mueller	

Those voting in the negative, 13:

Anderson, L.	Hoyt	Mekota	Seaton
Babcock	Jeffords	Pizer	Sorrell
Crossland	Kain	Raecke	Wood
Garber			

Those not voting, 11:

Burney	Cronin	Peterson	Tvrdik
Carlberg	Hubka	Reavis	Weborg
Carmody	Lee	Schultz	

The motion prevailed.

A visitor, Mr. Ernest Adams, a former member, was introduced to the Legislature and spoke a few words of greeting.

MOTION—To Reconsider a Motion

Mr. President: I move that the Sorrell motion be reconsidered. (Signed) Doyle.

The motion prevailed with 32 ayes, 1 nay and 10 not voting.

MOTION—To Suspend the Rules

Mr. President: I move that we suspend the rules and that we adopt my original motion. (Signed) Sorrell.

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

MOTION—To Refer a Bill

Mr. President: I move the rules be suspended and L. B. 36 be referred immediately to committee. (Signed) C. Petrus Peterson.

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

BILL REFERRED TO STANDING COMMITTEE

L. B.	Committee
36	Government

MOTION—Hearing

Mr. President: I move the rules be suspended and that a hearing be held on L. B. 36 on January 12, at 2:00 p. m. (Signed) C. Petrus Peterson.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Adjournment

At 12:15 p. m. Mr. Foster moved that the rules be suspended and that the Legislature adjourn until 11:00 a. m. Monday, January 8, 1945.

The motion prevailed with 34 ayes, 3 nays and 6 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 8, 1945

Pursuant to adjournment, the Legislature met at 11:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, except Messrs. Hubka and Reavis, and Lee who was excused.

The Journal for the fourth day was approved.

Communications

Omaha Electric Committee, Inc.

January 8, 1945

The Nebraska State Legislature

Attention: Hugo Srb, Clerk

Gentlemen:

During 1943 and 1944 the Nebraska legislature examined into the operation of all electric utilities in Nebraska through its Legislative Council and a sub-committee thereof. Within the period of three months following submission of the final report of the sub-committee on power, to the Legislative Council on October 1, 1944, the control of Nebraska Power has been transferred from the American Power and Light Company of New York City to the Omaha Electric Committee, Inc., a Nebraska non-profit corporation, working in cooperation with a new board of directors of Nebraska Power Company.

Because of this change we beg to advise your honorable body that if the legislature so desires we will be pleased to report to the legislature, in whatsoever manner the legislature shall direct, upon any and

all matters concerning the present ownership, control and operation of Nebraska Power Company.

Respectfully yours,

Omaha Electric Committee, Inc.

(Signed) by Sidney J. Cullingham
Secretary

Board of Directors of Nebraska Power Company

(Signed) by T. H. Maenner
Chairman of the Board

MOTION—Refer Power Communication

Mr. President: I move that the communication be referred to the Committee of the Legislative Council having power investigation in charge. (Signed) C. Petrus Peterson

The motion prevailed.

Note of Appreciation

An expression of appreciation addressed to the Clerk of the Legislature from William A. Crossland for the floral tribute and expression of sympathy on the passing of his mother, Mrs. Mary K. Crossland, was read to the legislature.

The Labor Advisory Committee and the Agricultural Advisory Committee to the Office of Price Administration, extended a cordial invitation to all State Senators and other State Officials to attend the conference being held in Omaha.

Senator Harry Pizer received a communication from former Speaker Robert B. Crosby and his new address was placed on file in the Clerk's office.

The Nebraska Real Estate Association extended an invitation to the Legislators to attend the Hospitality Hour and dinner at the Cornhusker Hotel, January 11, 1945.

The K-B Printing Company sent a letter explaining its Citation Service to be used for the new Revised Statutes of Nebraska, 1943.

Petition

Copies of the petition of Frank Zitnik, 818 North 43rd Street,

Omaha, Nebraska, asking damages for Anna Zitnik, while a patient in the Lincoln State Hospital, are on file in the Clerk's office.

STANDING COMMITTEE REPORTS

Judiciary

The Judiciary Committee met on January 5, 1945, and elected Ladd Hubka as Vice-Chairman and Sam Klaver as Secretary.

(Signed) John E. Mekota, Chairman

Revenue

Mr. President: The Committee on Revenue met at 12:15 p. m. and elected Senator Ed F. Lusienski as Vice-Chairman.

(Signed) Walter Raecke, Chairman

Enrollment and Review

Mr. President: Enrollment caucus made Fred Seaton Vice-Chairman and Thomas Adams, Secretary.

(Signed) Roy B. Carlberg, Chairman

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 3 Monday, January 15, 2:00 p. m.
L. B. 4 Monday, January 15, 2:00 p. m.

Mr. Mueller brought up a discussion of the manner of payment of members' salaries.

Speaker Peterson suggested that members on the Committee on Intergovernmental Cooperation be named. Mr. Tvrdik announced a meeting of the committee for this purpose.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 39. By R. A. Babcock of Cheyenne.

A bill for an act to amend sections 39-257 and 39-512, Revised Statutes of Nebraska, 1943, relating to highways; to place upon the county, instead of the landowner, the duty of mowing or otherwise destroying all weeds along all public highways and highway drainage ditches under the control of the county; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 40. By Fay Wood of Seward and A. J. Brodahl of Saunders.

A bill for an act to amend sections 17-108, 17-209, 17-612 and 19-1601, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide for combination and merger of officers except office of mayor, councilman or trustee; to provide for salary of combined and merged office; and to repeal the original sections.

LEGISLATIVE BILL 41. By Frank Sorrell of Otoe.

A bill for an act to provide for the creation of a lien upon real estate of a person signing as surety upon any official bond of an executor, administrator, trustee or guardian; to authorize the filing of certified copy of such bond in the office of the register of deeds, and that upon filing thereof, a lien shall be created in favor of the obligee or obligees of the bond until such time as liability under such bond has been discharged by order of the court.

LEGISLATIVE BILL 42. By Fred A. Seaton of Adams and Sidney J. Cullingham of Douglas.

A bill for an act relating to standards of pure food; to require the enrichment of bread and flour by the addition of certain vitamins and minerals and to prescribe the methods of enrichment; to fix penalties for violation of same; and to declare an emergency.

LEGISLATIVE BILL 43. By Walter R. Raecke of Merrick, Daniel Garber of Webster and John Mekota of Saline.

A bill for an act to amend section 70-504, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide for sale of transmission lines extending into another district and surplus equipment needed by another district without requiring vote of electorate within district; and to repeal the original section.

LEGISLATIVE BILL 44. By Walter R. Raecke of Merrick, Daniel Garber of Webster and John Mekota of Saline.

A bill for an act relating to public power districts; to provide for auditing public power districts subject to examination and audit by United States Rural Electrification Administration.

LEGISLATIVE BILL 45. By Walter R. Raecke of Merrick, Daniel Garber of Webster and John Mekota of Saline.

A bill for an act to amend section 70-662, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide for change of name of districts; and to repeal the original section.

LEGISLATIVE BILL 46. By Daniel Garber of Webster and H. P. Heiliger of Lancaster.

A bill for an act to amend sections 42-121 and 42-126, Revised Statutes of Nebraska, relating to premarital examination and public health; to provide for physical examination and certificate by physician licensed to practice osteopathy as provided for in sections 71-1,137 to 71-1,139; to exclude any other person authorized by the laws of Nebraska from making such certificate; to provide for penalties for violations by a physician licensed to practice osteopathy as provided by sections 71-1,137 to 71-1,139; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 47. By Daniel Garber of Webster and H. P. Heiliger of Lancaster.

A bill for an act to amend sections 71-113, 71-114, 71-115 and 71-116, Revised Statutes of Nebraska, 1943, relating to public health. to provide that Board of Examiners in Medicine and Surgery shall consist of seven members; to provide for qualifications of such members; to provide that two of the members shall be graduates of an accredited School of Osteopathy and shall hold a license in medicine and surgery as provided in sections 71-1,137 to 71-1,139; to provide for term of office of examiners and appointment of same; to repeal the original sections; and to declare an emergency.

Bills Referred to Standing Committees

L. B.	Committee
29	Judiciary
30	Labor and Public Welfare

31.....Labor and Public Welfare
32.....Revenue
33.....Banking, Commerce and Insurance
34.....Judiciary
35.....Judiciary
37.....Government
38.....Revenue

L. B. 36, previously referred to Committee on Government.

Adjournment

At 11:58 a. m. Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday morning, January 9, 1945.

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

Hugo F. Srb
Clerk of the Legislature.

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 9, 1945

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

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the fifth day was approved as corrected.

Communications

The Nebraska State Board of Agriculture invited the members of the Unicameral Legislature to attend the wrestling matches on Tuesday, January 9, 1945.

A similar invitation was extended by C. N. Moon, Director of Athletics.

MESSAGE FROM THE GOVERNOR

Appointment

January 9, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

As Chairman of the Board of Educational Lands and Funds, I desire to inform your honorable body that, in accordance with Section 72-201, C. S. Supplement, 1941, the Board has this day nominated for the position as Secretary, Mr. Henry H. Bartling of Nebraska City, Nebraska.

Respectfully submitted,

(Signed) Dwight Griswold

Chairman, Board of
Educational Lands and Funds

Communication

A greeting was read by the Clerk from Charles Vogt, Jr. His address was placed on file in the Clerk's office.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 9 Thursday, January 18, 1945, 2:15 p. m.

Education

L. B. 21 Monday, January 15, 1945, 2:00 p. m.
L. B. 24 Monday, January 15, 1945, 2:00 p. m.
L. B. 28 Monday, January 15, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Labor

At a meeting of the Committee on Labor, January 8, C. Petrus Peterson was elected Vice-Chairman and W. H. Hern was elected Secretary.

(Signed) Don Hanna, Chairman

Agriculture

The Committee on Agriculture met on January 5 and elected George Weborg as Vice-Chairman and Ed. Hoyt as Secretary.

(Signed) Arthur Carmody, Chairman

Committee on Committees

Mr. President: Your Committee on Committees submits the following names as members of the Committee on Intergovernmental Cooperation:

Regular	Alternate
Joseph C. Reavis	John Mekota
Tom Dooley	Cliff N. Ogden
Earl J. Lee	Edwin Schultz
Lloyd Kain	Dennis H. Cronin
James Anderson	Walter R. Raecke

(Signed) Charles F. Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the Committee on Committees report be approved. (Signed) Charles F. Tvrdik

The motion prevailed.

Public Works

On January 5, 1945, James H. Anderson was elected Vice-Chairman of the Public Works Committee.

(Signed) Sidney J. Cullingham, Chairman

Committee on Credentials

Contested Election

Mr. President: The Committee on Credentials to which was referred the election contest between Anton Jensen, contestant, and Thomas H. Adams, contestee, for membership herein for the 19th Legislative district, submits the following report:

Your committee has held a public hearing at which all interested parties were fully heard. It appears that at the election, held November 7, 1944, Thomas H. Adams received a majority of 36 votes for the office of member of the Legislature for the 19th district out of a total vote cast of approximately 11,000. That while your committee recognizes it to be a fact that the Legislature has arbitrary power to declare the election of either the contestant or contestee; and that while we recognize also the fact that there is nothing in the law requiring the Legislature to have a recount, that in considering the closeness of the election and the fact that some evidence was presented indicating that there may have been some error which might or might not affect the result of such election; that in justice to all parties concerned and especially to the electors of the 19th district, the ballot should be recounted.

Your committee, therefore, recommends that this Legislature order a recount of the ballots cast for this office.

(Signed) James H. Anderson, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Credentials be approved. (Signed) James H. Anderson

A record vote was requested.

Those voting in the affirmative, 21:

Anderson, J.	Crossland	Hoyt	Raecke
Babcock	Dooley	Jeffords	Ryan
Burney	Doyle	Kain	Schultz
Carlberg	Garber	Mekota	Seaton
Carmody	Hern	Mueller	Sorrell
Cronin			

Those voting in the negative, 17:

Anderson, L.	Hanna	Ogden	Reavis
Burnham	Heiliger	Peterson	Tvrdik
Conklin	Lee	Pizer	Weborg
Cullingham	Norman	Raasch	Wood
Foster			

Those not voting, 5:

Adams	Hubka	Klaver	Lusienski
Brodahl			

The motion prevailed.

MOTION—To Conduct Recount

Mr. President: I move that the Credentials Committee be authorized to conduct and supervise the recount of the vote for member of the Legislature from the 19th Legislative District and to report to the Legislature. (Signed) Walter R. Raecke

The motion prevailed.

MOTION—To Escort Governor

Mr. President: I move that a committee of five be appointed to escort the Governor to the Legislative Chamber to deliver his budget message. (Signed) Joseph C. Reavis

The motion prevailed and the President appointed the following to the committee:

Reavis, Chairman; Lee, Burnham, Doyle, Mekota

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 48. By Fred A. Seaton of Adams, J. H. Anderson of Scotts Bluff and Lloyd Kain of Dawson.

A bill for an act to designate the State of Nebraska, in a popular sense, the "Cornhusker State"; and to repeal Chapter 119, Session Laws of Nebraska, 1895.

LEGISLATIVE BILL 49. By J E Conklin of Thayer.

A bill for an act to amend section 16-686, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide for distance of rural transmission and distribution lines from corporate limits of city; and to repeal the original section.

LEGISLATIVE BILL 50. By J E Conklin of Thayer.

A bill for an act to amend section 23-1309, Revised Statutes of Nebraska, 1943, relating to World War discharge records; to provide for World War II discharge record; and to repeal the original section.

LEGISLATIVE BILL 51. By Charles F. Tvrdik of Douglas, James A. Ryan of Douglas and William J. Norman of Douglas.

A bill for an act to appropriate the sum of four hundred dollars for the benefit of Hedrig Edna Gutoski; and to declare an emergency.

LEGISLATIVE BILL 52. By Charles F. Tvrdik of Douglas, Sam Klaver of Douglas and W. J. Norman of Douglas.

A bill for an act to amend sections 33-123, 33-124, 33-125 and 33-126, Revised Statutes of Nebraska, 1943, relating to the fees of county judge; to provide for the amount of fees that may be charged by county judges; to define "gross estate"; and to repeal the original sections.

LEGISLATIVE BILL 53. By Harry L. Pizer of Lincoln.

A bill for an act to amend sections 16-301 and 17-601, Revised Statutes of Nebraska, 1943, relating to elections; to provide the date of elections in cities of the first class, second class cities and villages; and to repeal the original sections.

LEGISLATIVE BILL 54. By Don E. Hanna of Cherry.

A bill for an act to amend section 48-106, Revised Statutes of Nebraska, 1943, relating to Workmen's Compensation; to except from

the act employers of ranch laborers; and to repeal the original section.

LEGISLATIVE BILL 55. By Frank Sorrell of Otoe, F. A. Mueller of Buffalo and Earl J. Lee of Dodge.

A bill for an act to regulate and license abstracters of real estate titles; to create an abstracters' examining board; to provide penalties for violations thereof; and to declare an emergency.

LEGISLATIVE BILL 56. By A. J. Brodahl of Saunders.

A bill for an act to amend section 83-101, Revised Statutes of Nebraska, 1943, relating to Board of Control; to provide method of selecting the chairman of the board; and to repeal the original section.

LEGISLATIVE BILL 57. By Carl P. Jeffords of Hooker.

A bill for an act to amend section 37-505, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that it shall be lawful to buy, sell or barter for the flesh of muskrat, coon (raccoon) and beaver; and to repeal the original section.

LEGISLATIVE BILL 58. By Carl P. Jeffords of Hooker.

A bill for an act to amend section 37-505, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that it shall be lawful to buy "fur-bearing animals" as defined in section 37-101; and to repeal the original section.

LEGISLATIVE BILL 59. By Carl P. Jeffords of Hooker.

A bill for an act to amend section 37-422, Revised Statutes of Nebraska, 1943, relating to game and fish; to remove the provision that funds accruing to State of Nebraska from permit or license fees shall not be diverted for any other purpose than the administration of the Game, Forestation and Parks Commission; and to repeal the original section.

LEGISLATIVE BILL 60. By Carl P. Jeffords of Hooker.

A bill for an act to amend section 37-301, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that Game, Forestation and Parks Commission shall not fix the season on muskrats; to provide that farmers may destroy pheasants, deer and ante-

lope without permit when such pheasants, deer or antelope are damaging or destroying crops on lands owned or occupied by such farmer; and to repeal the original section.

LEGISLATIVE BILL 61. By Carl P. Jeffords of Hooker.

A bill for an act relating to game birds and game animals; to provide that a person injured or having property damaged by such game birds and game animals set out in section 37-614 shall be entitled to sue the state; to provide that district courts shall have jurisdiction to hear and determine said actions; to provide judgments against the state shall be paid out of funds of Game, Forestation and Parks Commission; to provide method of payment of judgment; and to provide when there are insufficient funds, that said judgment shall be stayed.

LEGISLATIVE BILL 62. By Carl P. Jeffords of Hooker.

A bill for an act relating to use of explosives to kill wild animals; to prohibit the use of any explosive trap or devise using poison gas to take, stun or destroy wild animals; and to provide a penalty.

LEGISLATIVE BILL 63. By George C. Weborg of Cuming.

A bill for an act to amend section 81-2,134.07, Revised Statutes of Nebraska, 1943, relating to frozen locker plants; to define the powers of the Department of Agriculture and Inspection in granting licenses to frozen food locker plants; and to repeal the original section.

LEGISLATIVE BILL 64. By Fred A. Mueller of Buffalo.

A bill for an act to amend section 50-122, Revised Statutes of Nebraska, 1943, relating to members of the Legislature; to provide for the time and amount of the salaries of members of the Legislature in odd-numbered years; and to repeal the original section.

LEGISLATIVE BILL 65. By Committee on Appropriations, A. J. Brodahl of Saunders, Chairman.

A bill for an act to amend sections 81-901 and 81-903, Revised Statutes of Nebraska, 1943; to extend until March 1, 1947, the expiration date of sections 81-901 and 81-902, Revised Statutes of Nebraska, 1943; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 66. By Frank Sorrell of Otoe.

A bill for an act relating to the powers and duties of the State Fire Marshal; to provide that the State Fire Marshal shall have authority to prescribe standards for wiring and installation of electrical equipment in rural areas outside of the corporate limits of any city or village in this state; to provide that the State Fire Marshal, or any of his deputies or assistants, may inspect wiring and installations and condemn unsatisfactory installations and equipment and require the removal thereof or repairs thereto; to authorize the State Fire Marshal to charge inspection fees sufficient to cover the cost thereof, including the administration of this act, and requiring the inspection fees collected to be paid over to the State Treasurer, to be used, when appropriated, in paying the cost of inspections, including the administration of this act; and to provide a penalty.

LEGISLATIVE BILL 67. By Ed. Hoyt of Red Willow.

A bill for an act to extend the time of operation of section 66-522, Revised Statutes of Nebraska, 1943, until March 1, 1947; to extend the period of suspension of sections 66-521 and 66-523, Revised Statutes of Nebraska, 1943, until March 1, 1947; and to declare an emergency.

LEGISLATIVE BILL 68. By Committee on Appropriations, by A. J. Brodahl of Saunders, Chairman, at the request of Dwight Griswold, Governor of Nebraska.

A bill for an act to create a "Post War Construction Fund"; to provide for appropriation and transfer from the general fund of three million dollars to such fund; to prescribe the general class of projects to be carried out by expenditures from such fund; and to declare an emergency.

LEGISLATIVE BILL 69. By R. A. Babcock of Cheyenne.

A bill for an act to amend section 39-722, Revised Statutes of Nebraska, 1943; to extend until March 1, 1947, the provisions thereof for increase in the gross weight of motor vehicles or combinations thereof according to formula therein prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 70. By Committee on Appropriations, by A. J. Brodahl of Saunders, Chairman.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending

June 30, 1947; to prescribe conditions for payment thereof; and to declare an emergency.

LEGISLATIVE BILL 71. By Committee on Appropriations, by A. J. Brodahl of Saunders, Chairman.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1945, and ending June 30, 1947; prescribing conditions for the determination of the levy of the state taxes for the state general fund; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended, assignment be deferred, hearing on L. B. 64 be suspended and the same be placed on General File. (Signed) Fred A. Mueller

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and L. B. 70 and L. B. 71 be referred to Committee. (Signed) A. J. Brodahl

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

BUDGET MESSAGE OF GOVERNOR DWIGHT GRISWOLD

Delivered to the Fifty-eighth Session of the Legislature of Nebraska, January 9, 1945

Mr. President, Members of the Senate:

In submitting this Budget for your consideration, I want to admit most candidly that I am not at all sure as to what the needs of the State may be during the next biennium. Surely no person can today see what the State's financial requirements will be two and a half years from now, and it is this two-year period beginning July 1, 1945, that I am attempting to cover in this budget. In trying to look into that dim distance I feel like a person who is walking alone, up a dark alley, in the blackness of night.

Under our system of government the appropriation of money is

the responsibility of the legislative branch. It is properly so. You have recently been in close contact with the people of Nebraska and you know their desires and their ambitions and I am sure you will use good judgment in arranging the financial affairs of the state for the coming biennium. It is the duty of the Governor of Nebraska, at the beginning of the legislative session, to submit a budget and after you have passed on it and have enacted an appropriation bill, the executive officers of the state then have the responsibility of carrying out your desires and seeing that the money appropriated is spent wisely and properly.

The Past Record

Before discussing with you some of the items involved in the budget, I do desire to make a report as to what has been done in the past. I want to tell you how we have carried out the financial trust which in previous years you placed in my hands and in the hands of the State's other executive officers since I have been Governor.

First, let me say that you will discover upon close study that we have not even come close to spending all of the money which you appropriated two years ago. In many funds you will find huge balances which we had a perfect and legal right to spend but which we thought it more wise and prudent to conserve. For instance, in the Department of Roads and Irrigation there is an unexpended balance of about three million dollars and in a great many other departments there are likewise large unspent balances. We could have hired additional employees, created jobs, paid higher salaries. We could have spent millions and millions of dollars, all entirely legal, but it has not been done.

Likewise the legislature of two years ago created an emergency fund of one-half million dollars which could have been spent by the executive officers of the state. Out of that half million dollars there has only been expended the sum of $15,000, and the balance of $485,000 is left untouched.

I might cite another example of prudent financial management. The Legislature of 1943 at our suggestion gave to a group of the executive officers of the state, authority to sell certain bonds which were held in the permanent school and other trust funds. We have just about completed that program and by doing so, we have added $484,565.73 to the total of these trust accounts. This is really a profit to the state. The amount received for the bonds which were sold has been invested in government bonds and is safe for future generations of school children.

I would like to tell of another case of good financial judgment.

Due to the fact that unspent balances were accumulating in the State Treasury and also due to the collection of old taxes, a large surplus arose in the hands of the Treasurer. It was decided that inasmuch as the banks paid the state no interest on the balance it would be wise to invest this money in short-term government securities. As a result the state now has seven and one half million dollars of its treasury surplus invested in these government bonds and the income—a pure profit—now amounts to $132,943.40.

I cite the above instances to show that to the extent of our ability the executive and administrative officers of the state have done what we feel to be a good job.

The Spending of Public Money

At the outset of my discussion of the budget, which I am herewith submitting for the next biennium, I want to quote a paragraph from the report of the Interstate Committee on Postwar Reconstruction and Development of the Council of State Governments. I happen to be a member of the committee which drafted this report and I think it is particularly appropriate.

> "Under the American system, the only valid justification for a tax-supported governmental activity is that, despite the tax, it leaves the people in their individual capacities better off and with more wealth and income at their private disposal than would be the case if both the activity and the tax were non-existent. Even this justification is not sufficient. It must also be reasonably clear that the activity in question cannot be performed, with equal or better consequences as regards the sum total of private welfare, by private business enterprises operating through the mechanism of the market. Assuming that an activity qualifies on both of these counts, it is still the duty of the government to see that no more is taken in taxes than is necessary adequately to perform the services."

That is sound philosophy of Government.

Nebraska is made up of economically minded people. We are a thrifty people. We have discovered through harsh experience that if money is wasted it is gone forever. That is true whether it is wasted by us personally or whether it is wasted by a unit of government which is representing us. There are certain things which government can and must do, but there are also many things which government cannot and should not do. It is your duty and sometimes a difficult one to make the decision as to what government should attempt and how much money should be spent on the effort.

For many years the government of the State of Nebraska has been operated economically and I am especially proud of the fact that during the past two years the state government of Nebraska has collected less per capita from its citizens than any other state government in the entire United States. I know of some people with a "spending complex" who feel that we should be ashamed of that record. Personally, I am extremely proud of it and I feel that those of you who served as members of the legislature during the last two sessions are entitled to a large share of the credit.

It is a rather trite statement to say that it is not always real economy to fail to spend money. That, of course, is true. Many times the spending of public funds will return more to the people than the cost of the expenditure. True economy, however, does insist that as little should be spent as can accomplish the purpose. Likewise it is a peculiar fact, but my experience makes me sure that it is true, that if two men can accomplish a certain job, the hiring of three will cause the job to be done less efficiently than if only two are used. The employment of more than are really necessary adds the element of confusion and sometimes jealousy and is another reason why we must be very careful.

Budget Shows Increase

The attached budget calls for a rather large dollar increase in expenditures by the state. I think all of you realize very well that it is a plain impossibility to operate seventeen state institutions, a large university, four normal schools and the other state agencies for the same amount of money that they used a few years back. At least it is an impossibility if we are not to mistreat the inmates of the institutions and limit our school and other facilities to such an extent that they cannot do a good job.

No one knows what problems will be presented to the University of Nebraska or to the State Teachers Colleges because the nature of those problems depends largely upon the outcome and time schedule of the war. I have tried to look ahead as best I can, however, and these budget recommendations are based on the theory that the first year of the next biennium will be a war-time year, while the second year of the next biennium will be a period during which we are changing over from war to a time of peace. We are hoping, of course, that victory will come much sooner but that would perhaps only enlarge some of our financial headaches.

So far as the University of Nebraska and our State Teachers Colleges are concerned, I feel that we must place them in position to

meet the needs which will arise when the war begins to come to an end. In fact, that trend is already in effect as many men are now being discharged and are returning to college. Our schools must be able to attract high class, capable and magnetic instructors if they are to fulfill their proper role. I have suggested good-sized increases in their budgets but feel that it should not be used—or at least not be completely used—to increase the salaries of their present staffs. A large reserve should be set aside so that they may add to their faculties the type of men and women they will need in the days to come.

The war is affecting the budget in several ways. I am recommending an increase in the amount of funds to be spent for the presentation of claims of returning veterans to federal agencies. This is surely a duty we owe to the men who are fighting for us today. An increase is also being recommended for the Board of Vocational Education as their program must also be fitted into the postwar situation.

I suggest a larger sum for the State Superintendent of Public Instruction to enable him to assist in improving our educational system. So far as the sums suggested for aid to weak districts and for normal training in high schools, I am making no change from two years ago. I want to call your attention to the fact, however, that the sums do not permit the State Superintendent to follow the plain provisions of the statutes and I feel it is your duty to amend the laws or appropriate more money.

An appropriation of about Sixty Thousand Dollars is recommended for the Employment Service. This will only be needed when and if the service is returned to the state by the federal government. It shows up in the budget as an increase but will perhaps not be spent. If you decide to again create an emergency fund, that may care for this possible expenditure.

In both the labor and health departments it will appear that there are large increases in the sums allotted them from the property tax or general fund. Much of this increase is due to the fact that two years ago there were unexpended balances which during the present biennium are being spent, necessitating the raising of the funds now from some other source.

No Tax Change Needed

I wish to assure you that the increases I recommend in this budget can all be provided without altering our present taxation structure and without necessitating any new forms of taxation.

Your particular attention is invited to two changes which I have made from previous budget recommendations and from previous appropriation bills. I recommend a lump sum appropriation to the University of Nebraska to include their general educational program, the Conservation and Survey Division, the College of Medicine and Chemurgic Research. The responsibility for the expenditure of these funds rests with the Board of Regents and they certainly can make adjustments and hold back reserves better than can the Legislature or the Governor. In previous appropriation bills several of the funds appropriated to the University have been earmarked. If we should follow that policy to the end, we would earmark a certain part of the appropriation to the Arts and Sciences College, another part to the Engineering College, another to the Graduate School, etc. If we do not have sufficient confidence in its executive officers, then we should create a new system for the management of the University.

I feel that the same rule applies to the four state normal schools and have recommended a lump sum appropriation to be expended by the Normal Board, with the Board making provision for all four schools. The Board should function as a board, deciding where increases are necessary, where salaries should be increased, and I do not feel it is the duty of the Legislature or the Governor to provide for four schools separately, perhaps favoring one over the other from the standpoint of appropriations.

Postwar Construction Fund

In closing, I want to refer to a matter which is not included in my budget. I recommend that three million dollars be transferred from the unexpended and unappropriated balance in the State's general fund to a postwar construction fund. This money can later be allocated to the different agencies of State government as the Legislature may determine, and the agencies can then go ahead with specific plans as to how it should be spent when materials and labor are available. We are indeed fortunate to have this general fund balance which can be used in this manner. On December 31, 1940, when I came into office, there was a deficit in the general fund of $192,871.17. In the appropriation bill passed in the 1941 session, and at my suggestion, some unexpended balances were lapsed into the general fund and created a balance. Then in addition a large sum of money has been collected by the state from old delinquent taxes so that today there is a balance of approximately four million dollars. It is necessary to have an operating balance of about a million dollars which can be a cushion to carry us over periods when taxes are not paid promptly. It is possible, however, to appropriate the three million dollars which I suggest without adding to the state levy, permitting

us to carry on a worthwhile construction program and still leave the state in good financial condition for the future.

In connection with postwar road building plans, I feel that I should report to you the fact that a recent Act of Congress has made available to Nebraska in the three years following this war, federal highway funds in the amount of $25,000,000. To match this full amount it will require state funds amounting to about $22,500,000. The surplus today in our highway construction account, together with the income which can be anticipated in the future, will make available for matching the federal money slightly less than half of that which is required. It appears that there is a great demand for roads to be constructed or improved throughout the state, and there is likewise a feeling that jobs must be available, and I think it wise to call this matter to your attention. Some have suggested an increase in the gasoline tax and others feel that some of the money which is now being sent back to the counties and towns should be made available to match the federal funds. The entire matter is one for your serious consideration.

I have discussed with you here today only a few of the specific items which are carried in the budget. I will welcome the opportunity to meet with your Appropriations Committee and with members of the Senate individually to discuss these matters further and I am sure by counseling together we can do a good job, adequately providing for the needs of the state and yet protecting the interests of the taxpayers and people of Nebraska.

Respectfully submitted,

(Signed) Dwight Griswold, Governor.

Bills Referred to Standing Committees

L. B.	Committee
39	Agriculture
40	Government
41	Judiciary
42	Public Health and Miscellaneous Subjects
43	Public Works
44	Public Works
45	Public Works
46	Public Health and Miscellaneous Subjects
47	Public Health and Miscellaneous Subjects
48	Public Health and Miscellaneous Subjects
49	Public Works
50	Judiciary

51 ..... Appropriations
52 ..... Judiciary
53 ..... Government
54 ..... Labor
55 ..... Judiciary
56 ..... Government
57 ..... Agriculture
58 ..... Agriculture
59 ..... Agriculture
60 ..... Agriculture
61 ..... Judiciary
62 ..... Agriculture
63 ..... Public Health and Miscellaneous Subjects
65 ..... Appropriations
66 ..... Public Health and Miscellaneous Subjects
67 ..... Agriculture
68 ..... Appropriations
69 ..... Public Works
70 ..... Appropriations
71 ..... Appropriations

Further Communications

Mr. Srb:

Would you please announce that Mrs. Griswold will entertain the Unicameral Club Monday, January 15. She must know Friday how many will be there. Would the senators please find out from their wives and report to Mrs. Hanna.

The Council of State Governments announced the shipment of copies of the January issue of the monthly magazine, *State Government*, a copy to be given to each legislator.

The University of Nebraska

January 9, 1945

Mr. Hugo Srb
Clerk of the Legislature
State Capitol
Lincoln, Nebraska

Dear Mr. Srb:

In accordance with Section 41, Legislative Bill 96 of the Fifty-Sixth Session, The Board of Regents of the University of Nebraska desires to report to the Legislature, now in session, the following:

1. The closing of the Law College for the biennium ending June 30, 1945, has resulted in a saving of funds, not required for the general operation and maintenance of The University of Nebraska that amounts to $25,000.00.

2. For the biennium ending June 30, 1945, The University of Nebraska has collected from the United States government for training and facilities furnished in connection with the prosecution of the war, a sum, over and above the actual cost of such training and facilities that will likely be not less than $100,000.00 when final audit may be made by federal authorities.

Yours very truly,

(Signed) John K. Selleck

Corporation Sec'y.
The Board of Regents of
The University of Nebraska

MOTION—To Suspend the Rules

Mr. President: I move that we suspend the rules and when we adjourn, we adjourn until 10:00 o'clock tomorrow morning. (Signed) Fred A. Mueller

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Adjournment

At 12:35, Mr. Jeffords moved that the Legislature adjourn until 10:00 o'clock, Wednesday morning.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 10, 1945

Pursuant to adjournment, the Legislature met at 10:03 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the sixth day was approved.

Communications

A message was read from John K. Selleck of the University of Nebraska to the effect that any of the members of the Legislature who may wish to attend the basketball game may secure tickets from Mr. Srb.

NOTICE OF COMMITTEE HEARINGS

Labor

L. B. 1 Monday, January 22, 1945 at 2:00 p. m.
L. B. 30 Monday, January 22, 1945 at 2:00 p. m.

Public Works

L. B. 43 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 44 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 45 Wednesday, January 17, 1945 at 2:00 p. m.

Revenue

L. B. 32 Tuesday, January 16, 1945 at 2:00 p. m.
L. B. 38 Tuesday, January 16, 1945 at 2:00 p. m.

Banking, Commerce and Insurance

L. B. 22 Tuesday, January 16, 1945 at 2:00 p. m.
L. B. 23 Tuesday, January 16, 1945 at 2:00 p. m.

Government

L. B. 10 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 26 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 27 Wednesday, January 17, 1945 at 2:00 p. m.

Agriculture

L. B. 79 Tuesday, January 16, 1945 at 2:00 p. m.

STANDING COMMITTEE REPORT

Public Works

The Public Works Committee met January 5, 1945 and elected James H. Anderson as Vice-Chairman.

(Signed) Sidney J. Cullingham, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 1. Commemorating birthday of Senator Dennis H. Cronin

Introduced by Fred A. Mueller, Harry A. Foster, C. Petrus Peterson

WHEREAS, the Honorable Dennis H. Cronin, an honored and respected member of this Fifty-eighth Session of the Nebraska Legislature, was born on January 10, 1869, at Eagle Harbor, Michigan, and is today celebrating his seventy-sixth birthday; and

WHEREAS, the Honorable Dennis H. Cronin was a member of the House of Representatives of the Nebraska Legislature in 1911, 1913, 1915 and 1917, and a member of the Senate of the Nebraska Legislature in 1919 and 1921, and that subsequent thereto, in the summer of 1921, he had the distinct honor of being appointed United States Marshal for Nebraska, which office he retained until May, 1932; and

WHEREAS, as we travel the pathways of life it is a pleasure and delight to encounter personalities and characters like the Honorable Dennis H. Cronin, who has directed his first thoughts to the affairs of state and its people, always keeping in mind that a public office

is a public trust. He has always been an individual of good cheer with a smiling countenance and a heart that beats for friends and his fellow man. His friendship, loyalty and devotion have won for him a warm spot in our hearts:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA that this Legislature pause in its deliberations to offer its congratulations and best wishes for the happiness and prosperity of the Honorable Dennis H. Cronin, and to express the hope that he will have and enjoy many more happy birthdays.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and Resolution No. 1 be adopted. (Signed) Fred A. Mueller

The motion prevailed with 41 ayes, 0 nays and 3 not voting. Carried unanimously.

Mr. Cronin spoke a few words in appreciation.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 72. By Don E. Hanna of Cherry.

A bill for an act to repeal section 72-243, Revised Statutes of Nebraska, 1943, relating to county treasurer's fees for collection of educational fund.

LEGISLATIVE BILL 73. By Ed F. Lusienski of Platte.

A bill for an act to amend sections 48-121, 48-122 and 48-159, Revised Statutes of Nebraska, 1943, relating to Workmen's Compensation; to increase disability benefits to not more than eighteen dollars per week; to increase disability benefits to not more than twelve dollars per week, after three hundred weeks of total disability, for life; to increase death benefits to not more than eighteen dollars per week; to provide salary of clerk of Workmen's Compensation Court and all other assistants and employees of such court who shall receive such salaries as such court may, with the approval of the Governor, determine; to provide that the annual salary of judges of Workmen's Compensation Court shall be four thousand dollars; and to repeal the original sections.

LEGISLATIVE BILL 74. By James H. Anderson of Scotts Bluff.

A bill for an act relating to the practice of nursing; to provide for the issuance by the Bureau of Education and Registration for Nurses of a temporary permit to registered nurses who have been licensed or registered under the laws of another state, territory, District of Columbia or of a foreign country; to provide that this act shall be in effect until March 15, 1947; to repeal and supersede all other acts or parts of acts not in conformity with the provisions of this act; and to declare an emergency.

LEGISLATIVE BILL 75. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 71-1,108, 71-1,109 and 71-1,120, Revised Statutes of Nebraska, 1943, relating to the practice of nursing; to provide that a registered nurse anesthetist shall be classified as a registered nurse engaged in the practice of nursing; to provide that an applicant heretofore graduated from an accredited school of nurses at which time student did not have to be a graduate of a four-year high school as a requirement for matriculation or graduation, shall not be required to present evidence of his preliminary education; to provide for expenses and annual salary of Director of Nursing Education and that same shall be paid out of fund provided in section 71-1,119; to provide for per diem for members of Division of Registration for Nurses; and to repeal the original sections.

LEGISLATIVE BILL 76. By James H. Anderson of Scotts Bluff and William Hern of Dawes.

A bill for an act relating to the production of potatoes grown in Nebraska; to provide for the creation of the "Nebraska Potato Development Commission" and to define its duties and powers; to provide for the licensing of potato dealers and the imposing of an excise tax; to provide for the establishment in the state treasury of "Nebraska Potato Development Commission Fund"; and to provide penalties for the violation of this act.

LEGISLATIVE BILL 77. By Ladd J. Hubka of Gage.

A bill for an act to amend section 40-117, Revised Statutes of Nebraska, 1943, relating to homesteads; to provide that homestead rights shall exist in the minor children of a deceased owner of the homestead only during their minority; and to repeal the original section.

LEGISLATIVE BILL 78. By Ladd J. Hubka of Gage and James H. Anderson of Scotts Bluff.

A bill for an act to amend section 23-1108, Revised Statutes of Nebraska, 1943, relating to county officers; to raise the salary of clerk of the county court to the sum of eighteen hundred dollars in counties having a population of class (6); and to repeal the original section.

LEGISLATIVE BILL 79. By Committee on Agriculture, by Arthur Carmody, Chairman.

A bill for an act to amend sections 81-218 and 81-227, Revised Statutes of Nebraska, 1943; to extend until March 1, 1947, the lower standard of ingredients of frozen desserts therein set out; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 80. By William A. Crossland of Wayne.

A bill for an act to repeal section 71-1906, Revised Statutes of Nebraska, 1943, relating to expiration date of act providing for licensing of homes for board and care of children; and to declare an emergency.

LEGISLATIVE BILL 81. By John F. Doyle of Greeley.

A bill for an act to amend section 50-123, Revised Statutes of Nebraska, 1943, relating to members of the Legislature; to provide for the time and amount of the salaries of members of the Legislature in even-numbered years; and to repeal the original section.

LEGISLATIVE BILL 82. By John F. Doyle of Greeley.

A bill for an act to amend section 17-534, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to remove the restriction on the amount of money such cities and villages may borrow or the amount of bonds to be issued for the purchase of steam engines or fire-extinguishing apparatus and for the purchase, construction, and maintenance of such waterworks, mains, portion or extension of any system of waterworks or water supply, or to pay for water furnished such city or village under contract; and to repeal the original section.

LEGISLATIVE BILL 83. By Cliff N. Ogden of Douglas, John Mekota of Saline and Lloyd Kain of Dawson.

A bill for an act relating to deposit of public money coming into the hands of county judges and clerks of the district court; to define terms; to require such officers to deposit public money within a specified time in bank or banks designated as depositories; to require deposits so made to be secured by either depository bonds or pledge of securities in excess of deposits insured by Federal Deposit Insurance Corporation; to regulate the manner and method of making deposits and handling of securities; and to relieve such officer from liability when deposits are made in accordance with the provisions of this act.

LEGISLATIVE BILL 84. By Cliff Ogden of Douglas.

A bill for an act to amend sections 60-102, 60-103, 60-104, 60-105 and 60-301, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to make the provisions of the certificate of title act applicable to semi-trailers, commercial trailers and cabin trailers; to define cabin trailers; and to repeal the original sections.

LEGISLATIVE BILL 85. By J E Conklin of Thayer.

A bill for an act to amend sections 77-716 and 77-717, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for examination of taxpayer and inspection of books, papers, records and memoranda bearing upon matters required to be included in return of intangible property for taxation by county and precinct assessors; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 86. By Cliff Ogden of Douglas and J E Conklin of Thayer.

A bill for an act to amend section 44-213, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that a company may establish and administer a retirement plan for benefit of its employees and agents; and to repeal the original section.

LEGISLATIVE BILL 87. By Frank Sorrell of Otoe.

A bill for an act to amend section 18-1101, Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that any city or village which has outstanding pledge warrants, revenue bonds or revenue debentures secured by a lien on the revenue and earnings of two or more public utilities may refund such pledge warrants, revenue bonds or revenue debentures by issuing combined revenue bonds secured by a pledge of the revenue and earnings of two or more of said public utilities; and to repeal the original section.

LEGISLATIVE BILL 88. By Frank Sorrell of Otoe.

A bill for an act supplementary to existing statutes and providing that cities of the first class, cities of the second class and villages which own and operate certain public utilities may pay for extensions and improvements to any of said public utilities by the issuance of combined revenue bonds; to pledge for the payment of such bonds, the revenues and earnings of any two or more of such public utilities; to make such contracts in connection therewith as may be proper and necessary, and to prescribe the procedure for the issuance of such bonds.

LEGISLATIVE BILL 89. By Don E. Hanna of Cherry and Earl J. Lee of Dodge.

A bill for an act to amend sections 83-106 and 83-124, Revised Statutes of Nebraska, 1943, relating to state institutions; to authorize the Board of Control to appoint an executive head and such other officers, physicians and professional consultants as it may deem necessary; to empower the Board of Control to fix the compensation of all officers and employees; to provide that a salary shall not be paid to any officer or employee appointed or hired by the Board of Control in an amount in excess of thirty-six hundred dollars per annum; to repeal the original sections and sections 83-412 and 83-308, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 90. By Joseph C. Reavis of Richardson and James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 81-904 and 81-905, Revised Statutes of Nebraska, 1943, relating to cooperation with United States of America; to provide for acceptance by the state of loans and advances of funds from the United States in aid of reconversion of peace-time activities; to extend until March 1, 1947, the expiration date of the provisions of section 81-904, Revised Statutes of Nebraska, 1943, as amended; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 91. By Fred A. Mueller of Buffalo.

A bill for an act to designate the official names of institutions under the supervision of the Board of Control, and to provide that references in the statutes to other names shall be deemed to apply to the names designated.

LEGISLATIVE BILL 92. By Walter R. Raecke of Merrick, John Mekota of Saline and Daniel Garber of Webster.

A bill for an act relating to public power districts; to provide that upon acquisition by any city or village of the distribution system of a public power or public power and irrigation district by condemnation, there shall be a reduction in price proportionate to the bonded indebtedness retired while such city or village was a part of such district; to provide that, upon retirement of the bonded indebtedness incurred for purchase, lease or otherwise of an electric distribution system within the corporate limits of a city or village by any public power or public power and irrigation district, the electric distribution system shall, upon request, be conveyed without cost to the municipality within which it is situated; to amend section 70-650, Revised Statutes of Nebraska, 1943; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 93. By Walter R. Raecke of Merrick, John Mekota of Saline and Daniel Garber of Webster.

A bill for an act relating to public power district; to provide that all public power districts be required to report periodically to the Secretary of State all expenditures made in connection with elections concerning their properties, or in advertising or publicity campaigns designed to affect legislation or other public policy; and to provide a penalty.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and L. B. 79 be referred to committee. (Signed) Arthur Carmody

The motion prevailed with 38 ayes, 1 nay and 4 not voting.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and L. B. 74 be referred to committee. (Signed) C. Petrus Peterson

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

Mr. Doyle announced that the mailing room does not have a complete mailing list and asked the senators to complete their lists.

GENERAL FILE

LEGISLATIVE BILL 64. Read and considered.

Mr. President: I move that L. B. 64 be amended by adding Section 3, the emergency clause, and amending title to conform thereto. (Signed) Fred A. Mueller

The motion prevailed.

Mr. President: I move that L. B. 64 be referred to Enrollment and Review for Engrossment. (Signed) Fred A. Mueller

The motion prevailed by unanimous consent.

Referred to E and R for engrossment.

MOTION—To Suspend the Rules

Mr. President: I move that rules be suspended and all bills introduced today not already referred be immediately referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Bills Referred to Standing Committees

L. B.	Committee
72	Revenue
73	Labor and Public Welfare
74	Public Health and Miscellaneous Subjects
75	Public Health and Miscellaneous Subjects
76	Agriculture
77	Judiciary
78	Government
79	Agriculture
80	Public Health and Miscellaneous Subjects
81	Appropriations
82	Government
83	Judiciary
84	Public Works
85	Revenue
86	Banking, Commerce and Insurance
87	Government
88	Government

89.....Appropriations
90.....Government
91.....Appropriations

Mr. Tvrdik announced that the Board of Directors of Ak-Sar-Ben would like to entertain the membership and the day they suggest is January 31, at the Cornhusker Hotel.

Mr. Tvrdik suggested that some disposition be made of periodicals placed on the Senators' desks, mentioning sending them to the Veterans' Hospital.

Mr. Sorrell asked to be excused for Thursday, January 11.

Adjournment

At 11:15, Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 o'clock, Thursday morning.

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

Hugo F. Srb
Clerk of the Legislature

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 11, 1945

Pursuant to adjournment, the Legislature met at 10:04 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Norman, Raecke and Sorrell, who were excused.

The Journal for the seventh day was approved.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 51 Monday, January 15, 1945 at 2:15 p. m.
L. B. 65 Monday, January 15, 1945 at 2:30 p. m.
L. B. 68 Monday, January 22, 1945 at 2:15 p. m.

Public Health and Miscellaneous Subjects

L. B. 2 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 5 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 6 Wednesday, January 17, 1945 at 2:00 p. m.
L. B. 13 Wednesday, January 17, 1945 at 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

Your Committee instructs me to report that a session of the committee was held January 10, 1945, at 2 P. M., at which time Mr. Ray A. Babcock was nominated for Vice Chairman and unanimously elected.

At said meeting, Mr. T. A. Adams was nominated for Secretary and unanimously elected.

(Signed) Carl P. Jeffords, Chairman

Banking, Commerce and Insurance

Your Committee instructs me to report that a session of the committee was held January 9, 1945, at 2 P. M., at which time Mr. L. H. Anderson was nominated for Vice Chairman and unanimously elected.

At said meeting, Mr. R. A. Babcock was nominated for Secretary and unanimously elected.

(Signed) Earl J. Lee, Chairman

Appropriations

LEGISLATIVE BILL 7. Placed on General File.
LEGISLATIVE BILL 8. Placed on General File.

(Signed) A. J. Brodahl, Chairman

Committee on Committees

I wish to report that Mr. Joseph Reavis has been named Chairman of the Committee on Intergovernmental Cooperation.

(Signed) Charles F. Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the committee report be adopted.
(Signed) Charles F. Tvrdik

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 94. By Thomas H. Adams of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend section 29-2212, Revised Statutes of Nebraska, relating to county officers; to provide a new classification of counties for the purpose of appointing an adult probation officer; to provide for increase in salary to twenty-five hundred dollars for such officers; and to repeal the original section.

LEGISLATIVE BILL 95. By Thomas H. Adams of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend sections 37-502 and 37-505, Revised Statutes of Nebraska, 1943, relating to game and fish; to increase the amount to be charged for combined seining and vendor permits; to permit the taking and catching of certain classes of fish under such permits; to authorize the Game, Forestation and Parks Commission to prescribe closed season for taking catfish by nets or seines from the Missouri river; and to repeal the original sections.

LEGISLATIVE BILL 96. By C. Petrus Peterson of Lancaster.

A bill for an act to create the office of Revisor of Statutes; to impose upon the Reporter of the Supreme Court additional duties; to provide for payment of additional compensation for the additional duties imposed; to provide necessary assistance to carry out the duties imposed; to provide for publication, distribution and sale of supplements and replacement volumes to the statutes of Nebraska; to provide an appropriation; and to declare an emergency.

LEGISLATIVE BILL 97. By George C. Weborg of Cuming and J E Conklin of Thayer.

A bill for an act to repeal Article 19, Chapter 19, Revised Statutes of Nebraska, 1943, relating to Municipal Budget Act.

LEGISLATIVE BILL 98. By Harry L. Pizer of Lincoln, Lloyd Kain of Dawson and Arthur Carmody of Hitchcock.

A bill for an act relating to game and fish; to provide that all members of the armed forces of the United States who were residents of the State of Nebraska at the time they were inducted into service shall be exempt from payment of fees for the privilege of hunting and fishing in Nebraska for the duration of the war in which the United States is now engaged.

LEGISLATIVE BILL 99. By Joseph C. Reavis of Richardson, and James H. Anderson of Scotts Bluff.

A bill for an act relating to the salaries of, and providing retirement compensation for, the judges of the Supreme, district, county and municipal courts; to fix the salaries of judges of Supreme and district courts; to amend sections 23-1102, 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109 and 23-1110, Revised Statutes of Nebraska,

1943, relating to salaries of judges of county courts; to fix the salaries of judges of county courts; to amend section 26-106, Revised Statutes of Nebraska, 1943, relating to salaries of judges of municipal courts in metropolitan and primary cities; to provide for the retirement, with retirement compensation, of judges of the Supreme, district, county and municipal courts, and to fix the amounts of such retirement compensation; to provide for contributions by judges to the amounts paid for retirement compensation; to regulate the activities of retired judges receiving retirement compensation; and to repeal the original sections.

LEGISLATIVE BILL 100. By James H. Anderson of Scotts Bluff, Joseph C. Reavis of Richardson and Earl J. Lee of Dodge.

A bill for an act to repeal sections 74-581 and 74-582, Revised Statutes of Nebraska, 1943, relating to lights on railroad switch stands.

LEGISLATIVE BILL 101. By Joseph C. Reavis of Richardson.

A bill for an act to amend section 68-230, Revised Statutes of Nebraska, 1943, relating to old age assistance; to fix the amount of the per capita tax to be levied for old age assistance until March 1, 1947, at three dollars per annum; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 102. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 19-1902, 19-1916, 19-1918, 19-1920 and 19-1921, Revised Statutes of Nebraska, 1943, relating to Municipal Budget Act; to remove municipal utilities from the act except when they receive benefit of funds raised by levy of taxes; to remove from the act that no action on transfer of funds shall be taken only during last two months of the fiscal year; to provide that no action to transfer funds may be taken to transfer funds set up for payment of bonds or special obligations until same have been fully paid; to provide for creation of fund for reserves for construction, extension or repairs, but no part may be transferred to any other fund; to remove the provision that Auditor of Public Accounts shall review the proposed budget and that he shall certify necessary changes in the appropriations; to remove from the act the expenditure provided for the Auditor of Public Accounts; to provide for removal from office of officials and employees for wilfully violating provisions of act; and to repeal the original sections and sections 19-1904 to 19-1908, inclusive, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 103. By J E Conklin of Thayer.

A bill for an act relating to guardian and ward; to prescribe and regulate the liability of successive guardians; and to relieve a successor guardian of liability for acts of a predecessor under specified conditions.

LEGISLATIVE BILL 104. By J E Conklin of Thayer.

A bill for an act relating to probate of wills; to provide for the issuance of a dedimus potestatem, or commission, by county courts for the purpose of proving the execution of any will or codicil of a deceased person where any witness to such will or codicil shall reside without the limits of the county where the will is offered for probate, or is unable to attend at the probate thereof; and to declare an emergency.

LEGISLATIVE BILL 105. By J E Conklin of Thayer.

A bill for an act to amend section 30-413, Revised Statutes of Nebraska, 1943, relating to decedent's estates; to permit the sale by an executor or administrator of real estate by the terms of the will or acquired after the death of decedent; and to repeal the original section.

LEGISLATIVE BILL 106. By J E Conklin of Thayer.

A bill for an act to amend section 77-2019, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to require the filing of an inheritance tax return by the executor or administrator of the estate of any deceased person subject to payment of inheritance tax in this state; to provide procedure to be had upon filing of such return; to provide penalties; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 107. By Cliff Ogden of Douglas, Charles F. Tvrdik of Douglas and James A. Ryan of Douglas.

A bill for an act to amend section 79-2717, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the board of education in every school district in a city of the metropolitan class in the state may, at its option, establish a permanent and continuing census or enumeration of school children; and to repeal the original section.

LEGISLATIVE BILL 108. By Tom Dooley of Sarpy and Harry F. Burnham of Custer.

A bill for an act to amend section 60-411, Revised Statutes of Ne-

braska, 1943, relating to motor operator's license; to provide for renewal thereof; and to repeal the original section.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 1.

GENERAL FILE

LEGISLATIVE BILL 7. Read and considered.

Mr. President: I move that L. B. 7 be advanced to Enrollment and Review for review. (Signed) A. J. Brodahl

The motion prevailed.

LEGISLATIVE BILL 8. Read and considered.

Mr. President: I move that L. B. 8 be advanced to Enrollment and Review for review. (Signed) A. J. Brodahl

The motion prevailed.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 7 and 8 be advanced to the Committee on Enrollment and Review for Engrossment. (Signed) C. Petrus Peterson

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

The Legislature was at ease from 10:40 a. m. to 10:55 a. m.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and the bills read on first reading be referred to the proper committees. (Signed) James H. Anderson

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

Bills Referred to Standing Committees

L.B.	Committee
92	Public Works

93	Public Works
94	Government
95	Agriculture
96	Judiciary
97	Revenue
98	Agriculture
99	Judiciary
100	Labor
101	Revenue
102	Revenue
103	Judiciary
104	Judiciary
105	Judiciary
106	Revenue

Members Excused

Messrs. Doyle, Crossland, Schultz, Cullingham, Norman and Dooley asked to be excused for Friday, January 12.

Adjournment

At 11:05 Mr. Mueller moved that the rules be suspended and the Legislature adjourn until 10:00 o'clock Friday morning.

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Hugo F. Srb
Clerk of the Legislature

NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 12, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Crossland, Cullingham, Dooley, Doyle, Lusienski, Norman, Schultz and Reavis, who were excused.

The Journal for the eighth day was approved.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 72 Thursday, January 18, 1945, 2:00 p. m.
L. B. 85 Thursday, January 18, 1945, 2:00 p. m.
L. B. 101 Tuesday, January 23, 1945, 2:00 p. m.

Agriculture

L. B. 15 Thursday, January 18, 1945, 2:00 p m.
L. B. 16 Thursday, January 18, 1945, 2:00 p. m.
L. B. 17 Thursday, January 18, 1945, 2:00 p. m.

Judiciary

L. B. 52 Friday, January 19, 1945, 2:00 p. m.
L. B. 104 Friday, January 19, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 64. Correctly engrossed.
LEGISLATIVE BILL 7. Correctly engrossed.
LEGISLATIVE BILL 8. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 109. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 37-304, Revised Statutes of Nebraska, 1943, relating to game and fish; to permit the killing or destruction of beaver, muskrat or other fur-bearing animals destroying or damaging the dams, ditches or other works of any irrigation or drainage district, whenever, after notice in writing, the Game, Forestation and Parks Commission shall fail, neglect or refuse to take effective steps to prevent further damage; and to repeal the original section.

LEGISLATIVE BILL 110. By Arthur Carmody of Hitchcock.

A bill for an act to repeal Article 8, Chapter 37, Revised Statutes of Nebraska, 1943, relating to upland game birds.

LEGISLATIVE BILL 111. By Arthur Carmody of Hitchcock.

A bill for an act to amend sections 37-204, 37-210, 37-211, 37-304, 37-305, 37-508, 37-513 and 37-610, Revised Statutes of Nebraska, 1943, relating to game and fish; to prescribe changes in kinds of permits and fees to be charged therefor; to authorize the Game, Forestation and Parks Commission to prescribe regulations governing certain matters now definitely fixed by law; to prescribe records required to be kept with reference to purchase and sale of raw furs; to require shipments of raw furs to be accompanied by a tag furnished by the Game, Forestation and Parks Commission and to require a duplicate thereof to be furnished to the secretary of such commission; to make unlawful the training or running of hunting dogs between April 1 and August 1 of each year; to provide for delivery of forfeited guns and nets illegally used to the Game, Forestation and Parks Commission; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 112. By Daniel Garber of Webster and Ladd J. Hubka of Gage.

A bill for an act relating to public health and welfare; to provide for an increase in the annual scientific educational requirements of licensed Nebraska chiropractors by requiring annual post graduate education.

LEGISLATIVE BILL 113. By Daniel Garber of Webster and Ladd J. Hubka of Gage.

A bill for an act to amend section 71-180, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to define what is an accredited school or college of chiropractic; and to repeal the original section.

LEGISLATIVE BILL 114. By Sam Klaver of Douglas.

A bill for an act to amend section 23-1211, Revised Statutes of Nebraska, 1943; to provide for an increase in the salary of chief clerk of the county attorney in counties having a population of more than one hundred twenty-five thousand inhabitants; and to repeal the original section.

LEGISLATIVE BILL 115. By Walter R. Raecke of Merrick, Lloyd Kain of Dawson and Charles F. Tvrdik of Douglas.

A bill for an act to amend sections 80-401, 80-403 and 80-404, Revised Statutes of Nebraska, 1943, relating to Veterans' Relief Fund; to provide for a fund of eight million dollars to assist in the care and relief of resident veterans of World War I and World War II who have an honorable discharge from service or its equivalent, including citizens of the United States who served with the allied forces, who have had five years of continuous residence in Nebraska immediately preceding application date if they were nonresidents of the State of Nebraska at the time of their entry into service, or to their wives, widows or dependent children under eighteen years of age; to include shelter in aid benefits; to provide for the establishment of a fund to be known as "Nebraska Veterans' Aid Fund"; to provide for the special committee of the organization administering the fund to be known as "Nebraska Veterans' Aid Committee", which committee shall consist of five members, at least two of whom shall be World War II veterans; to provide that the appointment, tenure of office and duties of such committee members shall be subject to by-laws established by the administering organization and approved by the Board of Educational Lands and Funds; to direct the Board of Educational Lands and Funds to purchase bonds and notes issued by the government of the United States or the State of Nebraska, or any county, school district or municipality therein; to provide for a levy upon all the taxable property of the state, except intangible property, for the years 1945 to 1950, inclusive, so as to raise one million dollars in each year so as to establish a fund of eight million dollars for the carrying out of this act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 116. By Charles F. Tvrdik of Douglas.

A bill for an act to amend section 74-905, Revised Statutes of Nebraska, 1943, relating to railroads; to provide that side bay windows may be provided on a caboose instead of cupola; and to repeal the original section.

LEGISLATIVE BILL 117. By Frank Sorrell of Otoe.

A bill for an act relating to counties and county government; to authorize the destruction of files, records and miscellaneous papers which have been filed, made or deposited in any county office for more than twenty-five years; and to provide the procedure therefor.

LEGISLATIVE BILL 118. By Don E. Hanna of Cherry and Frank Sorrell of Otoe.

A bill for an act to amend section 77-1725, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that it shall be unlawful to remove buildings situated within the corporate limits of any city or village, which has an unpaid bonded indebtedness, to a point outside of such city or village, without paying a proportionate share of the outstanding bonded indebtedness of such city or village; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 119. By Frank Sorrell of Otoe.

A bill for an act relating to state owned motor vehicles; to provide for the appointment of a State Car Dispatcher; to provide that the Governor may appoint State Purchasing Agent as such State Car Dispatcher; to provide for upkeep of state cars; to authorize State Car Dispatcher to make rules and regulations; to assign cars to state officers, departments, bureaus and commissions; to provide for the establishment of motor pools; to provide regulations for such motor vehicles; to provide for use of and expenses for private motor vehicles; to provide for an appropriation of twenty-five thousand dollars to be placed in fund known as the "Car Dispatcher Revolving Fund"; to provide use of fund and excess; to provide for salaries and expenses; to provide for penalties; and to repeal or supersede all other acts or parts of acts not in conformity with the provisions of this act, and to repeal section 60-1005, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 120. By Earl J. Lee of Dodge, Walter R. Raecke of Merrick and William Hern of Dawes.

A bill for an act relating to schools; to provide for retirement of school employees; to establish a school retirement system and provide

for its administration; to provide for five distinct funds and for administration thereof; to appropriate each biennium the amount necessary, out of the general funds of the State of Nebraska, to pay the service annuities provided in the act, and the state's share of the expenses of administering said system; to define terms; to provide penalties therefor; and to declare an emergency.

LEGISLATIVE BILL 121. By J E Conklin of Thayer and C. N. Ogden of Douglas.

A bill for an act to amend section 44-309, Revised Statutes of Nebraska, 1943, relating to insurance; to prescribe legal investments for domestic insurance companies; to provide a saving clause; to repeal the original section and section 44-311, Revised Statutes of Nebraska, 1943; and to declare an emergency.

The Legislature was at ease from 10:40 to 10:55 a. m.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and the bills introduced today immediately referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Bills Referred to Standing Committees

L. B.	Committee
107	Education
108	Public Works
109	Agriculture
110	Agriculture
111	Agriculture
112	Public Health and Miscellaneous Subjects
113	Public Health and Miscellaneous Subjects
114	Government
115	Appropriations
116	Labor
117	Government
118	Revenue
119	Government
120	Education
121	Banking, Commerce and Insurance

Adjournment

At 11:00 a. m., Mr. Foster moved that the rules be suspended and that the Legislature adjourn until 11:00 a. m., Monday, January 15.

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Hugo F. Srb
Clerk of the Legislature

TENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 15, 1945

Pursuant to adjournment, the Legislature met at 11:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Dooley and Sorrell and Messrs. Seaton and Reavis, who were excused.

The Journal for the ninth day was approved as corrected.

Communication

Mr. Ogden presented an invitation from The Continental National Bank of Lincoln to the Legislators to a dinner at the Cornhusker Hotel on Tuesday evening, February 6th, at 6:15 p. m.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 12 Friday, January ~~26~~ 29, 1945, 2:00 p. m.
L. B. 25 Friday, January ~~26~~, 1945, 2:00 p. m.
L. B. 34 Friday, January ~~26~~, 1945, 2:00 p. m.
L. B. 35 Friday, January ~~26~~, 1945, 2:00 p. m.

Agriculture

L. B. 14 Tuesday, January 23, 1945, 2:00 p. m.
L. B. 39 Tuesday, January 23, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 18. Placed on General File.
LEGISLATIVE BILL 36. Placed on General File.
(Signed) Frank Sorrell, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 122. By Charles F. Tvrdik of Douglas and Don E. Hanna of Cherry.

A bill for an act to amend sections 77-1627, 77-1628 and 77-1629, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to authorize county boards to levy, only during each of the years 1945 and 1946, an annual tax upon all taxable property within their corporate limits, except intangible property, for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the emergency act for the years 1943 and 1944; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 123. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 77-1231, Revised Statutes of Nebraska, 1943, relating to taxation; to amend the oath on personal property schedules; and to repeal the original section.

LEGISLATIVE BILL 124. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 76-413, Revised Statutes of Nebraska, 1943, relating to escheats; to permit aliens and foreign corporations to acquire title to, or lease, real estate lying outside the corporate limits of cities and towns for the purpose of erecting and maintaining a manufacturing establishment, or establishments for the storage, sale and distribution of petroleum products; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 125. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 77-1214, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for a method of levy

upon personal property where there is an attempt of sale, levy of attachment or removal of such personal property from the county which has been assessed; and to repeal the original section.

LEGISLATIVE BILL 126. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 77-1201, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for listing of property held or owned on April 1; and to repeal the original section.

LEGISLATIVE BILL 127. By Harry A. Foster of Douglas.

A bill for an act relating to pipe lines for natural gas; to provide for the furnishing of natural gas to persons outside of the limits of incorporated cities or villages who may reside within five hundred feet of a pipeline at rates equal to those established in such area; to provide for the expense of physical connection and service; to provide for filing of application with Nebraska State Railway Commission and hearing thereon when the customer cannot agree with the pipeline company on the fee for making the physical connection; to provide for crossing of public roads and highways to lay, relay and maintain the connection; and to provide for laying, relaying and maintaining a pipe line along public road or highway for the purposes set forth in this act.

LEGISLATIVE BILL 128. By Harry A. Foster of Douglas, Harry F. Burnham of Custer and Sam Klaver of Douglas.

A bill for an act to amend section 43-512, Revised Statutes of Nebraska, 1943, relating to assistance of dependent children; to remove the maximum amount of assistance which may be paid with reference to such dependent child; and to repeal the original section.

LEGISLATIVE BILL 129. By John F. Doyle of Greeley, Charles F. Tvrdik of Douglas and Edwin Schultz of Antelope.

A bill for an act to amend Section 1, Article VI of the Constitution of Nebraska, relating to qualifications of electors; providing that every citizen of the United States, who has attained the age of eighteen years, has resided within the state six months, and within the county and voting precinct for the terms provided by law, shall be an elector; providing for submission of the proposed amendment to the electors at the general election in November, 1946; providing

for the manner of submission and form of ballot; and providing the effective date thereof.

LEGISLATIVE BILL 130. By Cliff Ogden of Douglas, Fred A. Seaton of Adams and Sidney J. Cullingham of Douglas.

A bill for an act relating to revenue; to provide for the waiver of interest and penalties on all real and personal property taxes which have accrued since December 8, 1941 or shall hereafter accrue, levied upon property of persons while in the Military Service of the United States, or until cessation of hostilities in the war in which the United States is now engaged; and to declare an emergency.

LEGISLATIVE BILL 131. By Ed. Hoyt of Red Willow and Dwight Burney of Cedar.

A bill for an act to regulate the labeling, sale, and offering or exposing for sale, of agricultural and vegetable seeds; to prevent misrepresentation thereof; to define terms; to authorize Director of Agriculture and Inspection to make rules, and to determine what seeds are noxious weed seeds after public notice; to provide for appeals; to repeal all laws in conflict with this act; to provide penalties; and to repeal sections 81-2,135 to 81-2,148, inclusive, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 132. By C. Petrus Peterson of Lancaster, J E Conklin of Thayer and Arthur Carmody of Hitchcock.

A bill for an act relating to the future development of Nebraska; to create the Department of Industrial Development; to prescribe the general purposes, powers and duties of such department; to provide for the administration of the affairs of such department; to provide for the appointment and qualification of a director of such department, and the appointment and employment of necessary assistants; to establish a committee to advise and assist the department and its director; to provide an appropriation; and to repeal acts and parts of acts in conflict with this act.

Unanimous Consent

Mr. President: I ask unanimous consent to have the words "five hundred yards" changed to "five hundred feet" in Legislative Bill 127.
(Signed) Harry A. Foster

Unanimous consent granted.

MOTION—Re-refer Bills

Mr. President: I move that the two bills, L. B. 9 by Heiliger and L. B. 115 by Raecke, be re-referred from the Appropriations Committee to the Revenue Committee. (Signed) Daniel Garber

The motion prevailed and the Chair declared the bills re-referred.

MOTION—To Revise Rules

Mr. President: I move that Rule 7, Sec. 9 be amended to read as follows: strike the word "five" and insert "three" and after "legislature" insert a comma and strike the period and add "or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report." (Signed) Edwin Schultz

The Chair referred the above motion to the Committee on Rules, as provided in the rules.

The Legislature was at ease from 11:40 to 11:55 a. m.

MOTION—To Refer Bills

Mr. President: I move that the rules be suspended and that all bills introduced today be immediately referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Bills Referred to Standing Committees

L. B.	Committee
122	Revenue
123	Revenue
124	Judiciary
125	Revenue
126	Revenue
127	Public Works
128	Labor and Public Welfare
129	Government
130	Revenue

131.....Agriculture
132.....Agriculture

MOTION—Reference Books for E and R

Mr. President: I move that the State Librarian be directed to furnish to the Committee on Enrollment and Review one copy, each, of the Revised Statutes of Nebraska, 1943; the Session Laws of Nebraska, 1943 and 1944; and the Legislative Journal for the 56th and 57th Sessions. (Signed) Roy B. Carlberg

The motion prevailed.

Adjournment

At 12:04, Mr. Raecke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday, January 15.

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

Hugo F. Srb
Clerk of the Legislature

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 16, 1945

Pursuant to adjournment, the Legislature met at 10:03 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, with the exception of Mr. Sorrell, who was excused.

The Journal for the tenth day was approved.

Communications

An invitation was extended by Mr. C. N. Moon, Director of Athletics, to the Legislators to the wrestling matches at the State Fair grounds every Tuesday night. Identification cards will admit them.

A letter from Mr. and Mrs. Joseph Paulson, urging passage of the Teachers Retirement bill, was read to the Legislature.

A communication was submitted by N. M. Sommerville in regard to certain constitutional provisions.

Mr. William E. Heckman wrote asking the drafting of a bill to make compulsory the wearing of a mask by those suffering from the common cold.

Mrs. Frank Russell sent a number of copies of "A Pledge For Peace" to be distributed to members of the Legislature.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 41 Monday, January 22, 1945 at 2:00 p. m.
L. B. 50 Monday, January 22, 1945 at 2:00 p. m.

L. B. 77 Monday, January 22, 1945 at 2:00 p. m.
L. B. 105 Monday, January 22, 1945 at 2:00 p. m.
L. B. 29 Wednesday, January 24, 1945 at 2:00 p. m.
L. B. 55 Wednesday, January 24, 1945 at 2:00 p. m.
L. B. 61 Wednesday, January 24, 1945 at 2:00 p. m.

Appropriations

L. B. 81 Monday, January 22, 1945 at 2:30 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 4. Placed on General File with amendments.

Standing Committee amendments to L. B. 4:

1. Amend the bill, Section 1, line 14, by striking the word "twelve" and inserting in lieu thereof the word *"seven"*.

2. Amend the title of the bill by inserting immediately after the semi-colon at the end of line 5 the words and punctuation "to reduce the rate of interest required to be paid to a purchaser other than the plaintiff at sheriff's sale under tax foreclosure upon redemption from twelve per cent to seven per cent;"

3. Amend the bill by adding the name of Sam Klaver of Douglas as co-introducer.

(Signed) John E. Mekota, Chairman

Education

LEGISLATIVE BILL 28. Indefinitely postponed.

(Signed) Cliff N. Ogden, Chairman

Appropriations

LEGISLATIVE BILL 65. Placed on General File.
LEGISLATIVE BILL 51. Placed on General File.

(Signed) A. J. Brodahl, Chairman

SELECT COMMITTEE REPORT

Committee on Credentials

Mr. President: The Committee on Credentials to which was referred the matter of recounting the ballots in the election contest be-

tween Anton Jenson, contestant, and Thomas H. Adams, contestee, for membership herein for the 19th Legislative District submits the following report:

Your committee has carefully recounted the ballots and as a result of such recount we find that at the election of November 7, 1944, Thomas H. Adams as a candidate for member of the Legislature for the 19th Legislative District received a total of 5,660 votes and that Rees Wilkinson as the other candidate for the same position received a total of 5,614 votes. And that Thomas H. Adams therefore had a majority of 46 votes over Rees Wilkinson and the committee finds that the said Thomas H. Adams was duly elected as a member of the Legislature of the State of Nebraska for the 19th Legislative District.

The question had further been raised by the contestant that Mr. Adams was ineligible to have a seat in the Legislature for the reason that it was claimed that he was a holder of a lucrative office under the authority of the State at the time of his election and for the further reason that he was disqualified to hold office in that he was interested in a contract with the State. The Committee has given these objections its careful consideration and has had the benefit of hearing the argument of Counsel for the respective parties, has examined briefs submitted on behalf of both contestant and contestee and has also had the assistance of the Attorney General's office in determining its decision in the matter. As a result your Committee on Credentials has unanimously arrived at the conclusion that Thomas H. Adams was at the time of his filing for office, at the time of his election and at the time of his being seated as a member of this Legislature, eligible to be a member of the State Legislature of Nebraska. And further that he is not disqualified to hold a seat in the Legislature by virtue of being interested in a contract with the State.

Your committee further wishes to state that the opinion of the Attorney General above referred to, substantiates the conclusions of the committee in every respect.

(Signed) James H. Anderson, Chairman

MOTION—Adoption of Report

Mr. President: I move the adoption of the Committee report.
(Signed) James H. Anderson

Mr. Garber took the floor in opposition to the adoption of the report.

Mr. Mekota requested that the Attorney General's opinion be read.

A record vote was requested.

Voting in the affirmative, 38:

Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Foster	Mekota	Ryan
Burney	Hanna	Mueller	Schultz
Burnham	Heiliger	Norman	Seaton
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cronin	Jeffords		

Voting in the negative, 1:

Garber

Not voting, 4:

Adams	Doyle	Lusienski	Sorrell

The motion prevailed.

MOTION—Pay Attorney

Mr. President: I move that the fee of $100.00, authorized by Section 32-1006, Revised Statutes of Nebraska, 1943, be allowed and paid to C. M. Pierson, the attorney for Thomas H. Adams, Contestee. (Signed) James H. Anderson

A record vote was requested.

Voting in the affirmative, 32:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raecke
Anderson, L.	Foster	Klaver	Reavis
Babcock	Garber	Lee	Ryan
Brodahl	Hanna	Mekota	Seaton
Carlberg	Heiliger	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Cronin	Hubka	Peterson	Wood

Voting in the negative, 5:

Burney	Mueller	Raasch	Schultz
Hern			

Not voting, 6:

Burnham	Crossland	Lusienski	Sorrell
Carmody	Doyle		

The motion prevailed.

LEGISLATIVE COUNCIL REPORT

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

Nebraska Legislative Council submits herewith the following items: (1) A copy of its report to the 58th Session of the Nebraska Legislature; (2) a copy of the current Blue Book; (3) a copy of the minutes of each of its meetings during the past two years; (4) a copy of each research report published since the adjournment of the last regular session of the Legislature; (5) a copy of the final report of the Nebraska Legislative Council Sub-committee on Public Power; and (6) a copy of the final report of the Nebraska Legislative Council Sub-committee on Water Diversion.

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

Respectfully submitted,

NEBRASKA LEGISLATIVE COUNCIL
(Signed) John E. Mekota
Vice Chairman and Acting Chairman

Mr. President: The following officers and employees of the Nebraska Legislative Council are herewith submitted for confirmation: Dr. Roger V. Shumate, Research Director; Marguerite Price, Secretary; Louise A. Nixon, Librarian and Reference Clerk; Helen S. Griess, Research Assistant; Lenore M. Fuchs, Clerk and Stenographer; John J. Wilson, Bill Drafter; Walter D. James, Assistant Bill Drafter; Guinivere Gruver, Secretary to Bill Drafter; Mary E. Karraker, Stenographer; Helen Conley, Stenographer.

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

(Signed) John E. Mekota

Vice Chairman and Acting Chairman
Nebraska Legislative Council

MESSAGES FROM THE GOVERNOR

January 16, 1945

To the President, the Speaker
and Members of the Senate:

Attached herewith is a Bill to provide for the creation of a Ne-

braska Merit System which will be introduced by Senator John E. Mekota.

I urge the adoption of this measure as I am convinced it will tend toward more economical and more able administration of the State's business. It does not provide for any "frozen" civil service, whereby employees cannot be discharged. Our State Constitution, in Article IV, Section 1, is very specific on this subject. It reads as follows: "Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments."

This Act if passed will provide the means under which they "appoint" their employees but it leaves them with complete legal and Constitutional power to discharge at any time they feel it necessary. The Act will protect employees to this extent—there will not be a tendency to discharge employees for purely political reasons in order to make vacancies for "friends" as the "friends" will need to qualify under the provisions of this Act. The Act will provide for employment and promotion of those who are qualified for the positions and that surely is in the interest of good and economical government.

It should be remembered that a merit system is already in effect through an agreement entered into between the State departments of Labor, Health and Assistance and the Federal government. It is my intention if this Act is passed to appoint as members of this newly established merit council the ones who are already serving in that capacity. There should, therefore, be no confusion and it will merely add to their responsibilities.

My experience as Governor for four years leads me to believe that the time of a Governor and of the heads of departments should not be taken up as much as it is with discussion of employment and promotion of stenographic and clerical personnel. This Act will relieve these executives, who have important responsibilities, of a great deal of this minor detail of government and permit them to do a better job. Employment and salaries will be classified and systematized throughout all of the major departments of state government and future budgets can be studied more intelligently.

By executive order, I have during the past four years accomplished much in the way of better classification and standardization of salaries of employees and have tried as best I could to provide for the employment of qualified personnel. This Act will make better provision for the advancement of this work.

The passage of this law does not mean much to me personally as today there are very few changes arising in personnel and with an administration already established there is no particular problem

facing me. For the sake of succeeding Governors and executives of departments, I want to request most strongly, however, that you pass this Act. It will relieve an incoming administration of a most terrific job just when their time is most needed for the important problems connected with the establishment of a new administration. I recommend it for your favorable consideration.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

January 9, 1945

To the President, the Speaker and
Members of the Legislature

Gentlemen:

There is attached herewith a bill to amend Section 66-305, Revised Statutes of Nebraska, 1943, relating to oils, to reduce the amount of inspection fee permitted to be charged for inspecting motor vehicle fuels, gasoline, kerosene and other petroleum products.

The Statute now provides for an inspection fee of 1½ cents per barrel. During the present biennium, it was discovered that this charge was more than was needed in order to enforce the law. During the past year, by executive order, the inspection fee was reduced to one cent per barrel. While we could continue to maintain the fee at this figure, I feel that the Legislature should change this Statute and make the fee of one cent per barrel permanent as it does not appear that at any time in the future a larger charge will be necessary.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 133. By Sidney J. Cullingham of Douglas and Harry A. Foster of Douglas.

A bill for an act to amend sections 71-1902 and 71-1903, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to provide for the regulation of the business of boarding and care of children; to provide for a license; to remove the requirement of a

license fee; to provide for renewal of license; and to repeal the original sections and section 71-1906, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 134. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 32-1139, Revised Statutes of Nebraska, 1943, relating to elections; to provide that instructions for voting procedure shall be printed on the back of absent and disabled voter's ballots used at primary elections; and to repeal the original section.

LEGISLATIVE BILL 135. By Ladd J. Hubka of Gage.

A bill for an act to amend sections 68-208 and 68-405, Revised Statutes of Nebraska, 1943, relating to public assistance; to provide that the findings of the board on old age assistance and blind assistance shall be sent by first class mail instead of by registered mail; and to repeal the original sections.

LEGISLATIVE BILL 136. By Ladd J. Hubka of Gage.

A bill for an act relating to written assignments whether in the matter of a sale, pledge or other transfer of an account receivable or of an amount due or to become due on an open account or on a contract; to provide that such assignments shall be legal and valid, with or without notice thereof to the debtor; to protect the debtor in the event he pays the original assignor or a creditor of the assignor, subsequent purchaser or other subsequent assignee or transferee without notice of the assignment; and to except the assignments of wages and salaries and the assignment and transfer of negotiable instruments.

LEGISLATIVE BILL 137. By Sidney J. Cullingham of Douglas and James H. Anderson of Scotts Bluff.

A bill for an act relating to schools; to provide for the extension of teacher's certificate of any person who has served in the armed forces of the United States during World War II and to prescribe the terms and conditions thereof; and to declare an emergency.

LEGISLATIVE BILL 138. By John E. Mekota of Saline.

A bill for an act relating to state government; to define terms; to require the filing and publication of rules of administrative agencies; and to prescribe their effect as evidence.

LEGISLATIVE BILL 139. By C. Petrus Peterson of Lancaster.

A bill for an act to repeal article 15, chapter 14, Revised Statutes of Nebraska, 1943, relating to Peoples Power Commission Law.

LEGISLATIVE BILL 140. By William Hern of Dawes, Carl P. Jeffords of Hooker and Harry F. Burnham of Custer.

A bill for an act to amend sections 60-303, 77-1239, 77-1240, 77-1241, 77-1242, 77-1243 and 77-1502, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide for the assessment of motor vehicles; to provide for the payment of taxes on motor vehicles for the current year and before any registration certificate may be issued; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 141. By Harry F. Burnham of Custer.

A bill for an act to amend section 43-504, Revised Statutes of Nebraska, 1943, relating to assistance for dependent children; to increase the age in the term "dependent child" to a child under the age of eighteen years; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 142. By James A. Ryan of Douglas and Tom Dooley of Sarpy.

A bill for an act relating to revenue; to create the Nebraska Veterans Bonus Fund; to levy a tax in addition to all other taxes upon certain alcoholic liquors manufactured by a manufacturer or sold by a distributor at wholesale in this state; to provide that the proceeds of the tax levied shall inure to a fund for the payment of a bonus to the veterans of World War II; to provide penalties for a violation thereof; and to declare an emergency.

LEGISLATIVE BILL 143. By John E. Mekota of Saline.

A bill for an act relating to the public service; to create the Nebraska Merit System; to provide a council and director for its administration to prescribe their duties, powers and compensation; to provide an appropriation; to amend sections 8-103, 48-157, 48-609, 51-403, 53-108, 68-304, 68-316, 79-2205, 81-107, 81-152, 81-809, 81-827 and 83-126, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 144. By Earl J. Lee of Dodge and William Hern of Dawes.

A bill for an act to amend section 23-343, Revised Statutes of Nebraska, 1943, relating to county hospitals; to provide for issuance and sale of bonds for construction of county community hospital and home for aged persons when approved by majority of voters of county at a general or special election; to provide for the appointment of hospital trustees; to provide for management of hospital when established; to provide term of office, salary, powers and duties of members of board of trustees; to provide for expenditure of funds of such hospital; to provide for levy of tax; to provide for employment of employees; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 145. By Earl J. Lee of Dodge and R. A. Babcock of Cheyenne.

A bill for an act to amend section 66-305, Revised Statutes of Nebraska, 1943, relating to oils; to reduce the amount of inspection fee permitted to be charged for inspecting motor vehicle fuels, gasoline, kerosene and other petroleum products; and to repeal the original section.

MOTION—To Refer Bills

Mr. President: I move that the rules be suspended and that all bills introduced today be immediately referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Bills Referred to Standing Committees

L. B.	Committee
133	Public Health and Miscellaneous Subjects
134	Government
135	Labor and Public Welfare
136	Judiciary
137	Education
138	Judiciary
139	Public Works
140	Revenue
141	Labor and Public Welfare
142	Revenue
143	Government
144	Labor and Public Welfare
145	Revenue

Mr. Peterson suggested that a survey of the bills which now require an extension for a further period be made. A list prepared by Dr. Shumate will be submitted to the committee chairmen.

Mr. Peterson asked to be excused until Wednesday.

Adjournment

At 11:55 a. m., Mr. Hern moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m., Wednesday, January 17.

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

Hugo F. Srb
Clerk of the Legislature

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 17, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Peterson, Adams and Sorrell, who were excused.

Lieutenant Governor Johnson presented Mr. August Grebe of Peoria, Illinois, a Representative in the House of Representatives of the State of Illinois, who addressed the Legislature briefly.

The Journal for the eleventh day was approved.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 64. With emergency.

A bill for an Act to amend section 50-122, Revised Statutes of Nebraska, 1943, relating to members of the Legislature; to provide for the time and amount of the salaries of members of the Legislature in odd-numbered years; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raasch
Babcock	Dooley	Kain	Raecke
Brodahl	Doyle	Klaver	Reavis
Burney	Foster	Lee	Ryan
Burnham	Garber	Lusienski	Schultz
Carlberg	Hanna	Mekota	Seaton
Carmody	Heiliger	Mueller	Tvrdik
Conklin	Hern	Norman	Weborg
Cronin	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 3:

Adams	Peterson	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 7. With emergency.

A bill for an Act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-eighth session, Nebraska State Legislature, during the biennium ending June 30, 1945, and for the ad interim activities of said Legislature during the biennium ending June 30, 1947; to appropriate the sum of sixty-five thousand dollars and unexpended balance of four thousand fifty dollars and twenty-two cents in auditor account numbers E3, E4 and E5 therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proof readers and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the fifty-eighth session, Nebraska State Legislature, commencing January 3, 1945; to appropriate the sum of six thousand five hundred dollars and unexpended balance of one thousand eighty-five dollars and eighty-eight cents in auditor account number E6 therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Schultz
Burnham	Garber	Mekota	Seaton
Carlberg	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Norman	Weborg
Conklin	Hoyt	Ogden	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams	Hern	Peterson	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 8. With emergency.

A bill for an Act to provide for the payment of the salaries of members of the Fifty-eighth session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1945; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raasch
Babcock	Dooley	Kain	Raecke
Brodahl	Doyle	Klaver	Reavis
Burney	Foster	Lee	Ryan
Burnham	Garber	Lusienski	Schultz
Carlberg	Hanna	Mekota	Seaton
Carmody	Heiliger	Mueller	Tvrdik
Conklin	Hern	Norman	Weborg
Cronin	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 3:

Adams Peterson Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Reconsider vote on L. B. 7

Mr. President: I move to reconsider our action in passing L. B. 7 on third reading. (Signed) J. H. Anderson

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

Mr. Mekota was called to the chair.

REQUEST—To Refer to Select File

Mr. J. Anderson asked that L. B. 7 be returned to Select File for the following specific amendment:

1. In line 20 of the title, strike the figure "3" and insert in lieu thereof the figure "2".

2. Amend the bill, Section 2, in line 13, by striking the figure "3" and inserting in lieu thereof the figure "2".

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 7. Mr. J. Anderson's specific amendment, just above in this day's Journal, was adopted.

Referred to E and R for engrossment.

Communications

A letter was received from Hiram S. Manville, enclosing the following:

To the Members of the Nebraska State Legislature:

BE IT RESOLVED by the Nebraska Real Estate Association in meeting assembled at Lincoln, Nebraska, on this 11th day of January, 1945,

That whereas many bills are being introduced in the present session of the Nebraska Legislature, providing for increased taxes and new methods of taxation; none of which bills have been acted on by this association;

AND WHEREAS many of these bills and many prior laws bear no relation to the ability to pay, nor to each other;

AND WHEREAS we recognize the cost of Government is increasing;

We respectfully request that no conclusive action be taken on any bills increasing taxes until sufficient time has been allowed for a complete and comprehensive study of the entire present tax structure of the state and of its subdivisions by your revenue and taxation committee:

We feel that under the present system of taxation real property is bearing an unjust proportion of the tax load, and in consideration of broadening the tax base protection should be provided for replacement of real property taxes to the largest possible extent, and careful consideration given to over-all limitation of levies on property.

NEBRASKA REAL ESTATE ASSOCIATION
(Signed) By Hiram S. Manville
Chairman Taxation-Legislative Committee

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 11 Monday, January 22, 1945, 2:00 p. m.
L. B. 107 Monday, January 22, 1945, 2:00 p. m.

Revenue

L. B. 106 Tuesday, January 23, 1945, 2:00 p. m.
L. B. 118 Tuesday, January 23, 1945, 2:00 p. m.
L. B. 122 Tuesday, January 23, 1945, 2:00 p. m.
L. B. 9 Thursday, January 25, 1945, 2:00 p. m.

L. B. 115 Thursday, January 25, 1945, 2:00 p. m.
L. B. 97 Tuesday, January 30, 1945, 2:00 p. m.
L. B. 123 Thursday, February 1, 1945, 2:00 p. m.
L. B. 126 Thursday, February 1, 1945, 2:00 p. m.
L. B. 130 Thursday, February 1, 1945, 2:00 p. m.

Banking, Commerce and Insurance

L. B. 86 Tuesday, January 23, 1945, 2:00 p. m.
L. B. 33 Thursday, February 8, 1945, 2:00 p. m.
L. B. 121 Tuesday, February 13, 1945, 2:00 p. m.

Labor

L. B. 100 Monday, January 29, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 79. Placed on General File.
(Signed) Arthur Carmody, Chairman

Revenue

LEGISLATIVE BILL 38. Placed on General File.
(Signed) Walter R. Raecke, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 23. Placed on General File.
LEGISLATIVE BILL 22. Placed on General File with amendments.

Standing Committee amendments to L. B. 22:

1. Amend the title to the act, line 3, by inserting after the punctuation following the word "associations" the following additional matter:

"to increase the maximum loans that building and loan associations may make to amounts not exceeding seventy-five percent of the reasonable normal cash value of the real estate security;"

2. Amend the title by inserting in line 8 after the figures and punctuation "1944" the following:

", as now existing or as hereafter amended,"

3. Amend section 1, line 19, after the figures and punctuation "1944" the following:

", as now existing or as hereafter amended,"

(Signed) Earl J. Lee, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 146. By H. P. Heiliger of Lancaster.

A bill for an act to amend section 45-106, Revised Statutes of Nebraska, 1943, relating to sanitary districts; to provide that the rate of interest on warrants or orders issued by sanitary districts in municipalities shall not exceed six per cent per annum; and to repeal the original section.

LEGISLATIVE BILL 147. By Tom Dooley of Sarpy.

A bill for an act to amend section 23-1101, Revised Statutes of Nebraska, 1943, relating to county officers; to provide that counties of class (4) shall not have a population of more than sixteen thousand five hundred inhabitants; to provide that counties of class (4a) shall have a population of more than sixteen thousand five hundred inhabitants; and to repeal the original section.

LEGISLATIVE BILL 148. By George C. Weborg of Cuming.

A bill for an act relating to rural cemetery districts; to provide procedure for the organization and operation of a rural cemetery district; to provide for the establishment of such district; to provide for officers and their duties; and to provide for levy and collection of taxes upon assessable property in such districts.

LEGISLATIVE BILL 149. By R. A. Babcock of Cheyenne, Lester H. Anderson of Polk and James A. Ryan of Douglas.

A bill for an act to amend section 8-138, Revised Statutes of Nebraska, 1943, relating to banking; to provide limits for rediscounts

and bills payable; to provide for borrowing money on bills payable secured by direct obligations of the United States government; to provide that Director of Banking may approve in writing the excess of rediscount paper; to provide limits for the transfer of collateral to its obligations; to provide penalties for violations of this act; to permit state banks becoming members of the Federal Reserve system to have the same privileges as national banks; to permit state banks to have the same privileges with Federal Intermediate Credit banks as national banks; and to repeal the original section.

LEGISLATIVE BILL 150. By James H. Anderson of Scotts Bluff.

A bill for an act relating to deadly fumigants; to amend sections 14-102, 15-237, 16-240, 17-123 and 17-207, Revised Statutes of Nebraska, 1943; to define terms; to provide for the regulation thereof by the Department of Health; to establish rules for the use thereof; to provide for inspections and reports; to confer certain powers and duties upon the Department of Health and its inspectors; to provide for license and regulation of sale thereof by municipalities; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 151. By Sam Klaver of Douglas, Charles F. Tvrdik of Douglas and William J. Norman of Douglas.

A bill for an act to amend section 53-112, Revised Statutes of Nebraska, 1943, relating to Liquor Control Commission; to increase the annual salary of commissioners to five thousand dollars; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 152. By Arthur Carmody of Hitchcock and Carl P. Jeffords of Hooker.

A bill for an act to amend section 79-1006, Revised Statutes of Nebraska, 1943, relating to schools; to extend until June 30, 1947, the right to levy a tax of one additional mill; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 153. By Arthur Carmody of Hitchcock.

A bill for an act to amend section 39-210, Revised Statutes of Nebraska, 1943, relating to highways; to provide that the board of county commissioners operating under the commissioner system shall, upon request of any cemetery association, improve by graveling a road not exceeding five miles in length from the nearest city or village to the cemetery maintained by such cemetery association; and to repeal the original section.

LEGISLATIVE BILL 154. By Charles F. Tvrdik of Douglas, Sidney J. Cullingham of Douglas and James A. Ryan of Douglas.

A bill for an act to amend section 14-1003, Revised Statutes of Nebraska, 1943, relating to metropolitan cities; to provide for the nomination of two candidates from each political party to be voted upon at the general election for the office of director of a metropolitan water district; and to repeal the original section.

LEGISLATIVE BILL 155. By John F. Doyle of Greeley and Harry L. Pizer of Lincoln.

A bill for an act to amend section 23-601, Revised Statutes of Nebraska, 1943, relating to bounties; to provide that bounties on wolves and coyotes shall be three dollars, one half to be paid by the county from the general fund of the county and one half by the Game, Forestation and Parks Commission from the state game fund; to remove the bounty on wildcats and mountain lions; to provide procedure for payment; to provide method of reimbursing the Game, Forestation and Parks Commission by counties in which wolves and coyotes are killed; and to repeal the original section.

GENERAL FILE

Mr. Mekota presiding

MOTION—To Suspend the Rules

Mr. President: I move that rules be suspended and L. B. 18 be considered without committee report. (Signed) A. J. Brodahl

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

LEGISLATIVE BILL 18. Read and considered.

Referred to E and R for review.

Unanimous Consent

Mr. President: I ask that L. B. 36 be considered on General File by unanimous consent without committee report. (Signed) A. J. Brodahl

Unanimous consent granted.

LEGISLATIVE BILL 36. Read and considered.

Mr. Raecke offered the following amendments which were adopted:

1. Amend Section 3, line 4 by striking the words "or non-profit institution".

2. Amend Section 3, line 3 by striking the punctuation "," after the word "instrumentality" and insert in lieu thereof the word "and".

3. Amend the title to L. B. 36 to correspond to the amendment made to Section 3.

Referred to E and R for review, as amended.

LEGISLATIVE BILL 4. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Eleventh Day, were adopted.

Referred to E and R for review.

Unanimous consent granted to consider without Committee Report.

LEGISLATIVE BILL 51. Read and considered.

Referred to E and R for review.
Unanimous consent granted to consider without Committee Report.

LEGISLATIVE BILL 65. Read and considered.

Referred to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 7. Correctly re-engrossed.
(Signed) Roy B. Carlberg, Chairman

Adjournment

At 12:10 p. m., Mr. Garber moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m., Thursday, January 18.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Hugo F. Srb
Clerk of the Legislature

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 18, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the twelfth day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 57 Thursday, January 25, 1945, 2:00 p. m.
L. B. 58 Thursday, January 25, 1945, 2:00 p. m.
L. B. 59 Thursday, January 25, 1945, 2:00 p. m.

Public Works

L. B. 49 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 69 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 84 Wednesday, January 24, 1945, 2:00 p. m.

Government

L. B. 20 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 40 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 37 Wednesday, January 24, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 27. Indefinitely postponed.

LEGISLATIVE BILL 26. Placed on General File.
LEGISLATIVE BILL 10. Placed on General File with amendments.

Standing Committee amendments to L. B. 10:

1. Amend section 1, page 1 of the bill, line 12, by inserting after the punctuation following the word "superintendent" the following:

"not less than,".

2. Amend the title to the act, line 4, by inserting after the word "court" the following:

", county superintendent".

(Signed) Frank Sorrell, Chairman

Public Works

LEGISLATIVE BILL 45. Placed on General File.
(Signed) Sidney J. Cullingham, Chairman

Legislative Administration

Mr. President:

We, your Committee on Legislative Administration, recommend that the salaries of the following employees of the Legislature be set as indicated, this schedule effective as of January 8, 1945:

Name	Position	Rate
L. T. Fleetwood	Assistant Clerk	$ 8.00 per day
J. W. Lundy	Sergeant-at-arms	5.50 per day
Clarence Linch	Assistant Sergeant-at-arms	5.00 per day
Martin L. Pedersen	Postmaster	4.50 per day
Wm. P. Bancroft	Chaplain	4.50 per day
Clarence M. Davis	Legal Adviser	375.00 per mo.
Evelyn Stroy	Journal Clerk	175.00 per mo.
Marguerite Price	Appropriations	175.00 per mo.
Jo Fisher	Revenue—Judiciary	175.00 per mo.
Hollis S. Thurber	Bookkeeper	150.00 per mo.
Ernest Fouts	Chief Legislative Custodian	125.00 per mo.
Delia Rankin	Office Assistant	6.50 per day
Grace Furst	Chief Engrossing Clerk	6.50 per day
Louise F. Sholes	Assistant Journal Clerk	6.50 per day
Fred Martin	Bill Room, Chief Clerk	6.50 per day

Name	Position	Rate
Erma Goering	Docket Clerk	6.00 per day
Louis Nelson	Assistant, Bill Room	5.00 per day
W. T. Voss	Assistant, Bill Room	5.00 per day
F. R. Miller	Assistant, Bill Room	5.00 per day
Gus Neuman	Assistant, Bill Room	5.00 per day
Rosalind M. Griffin	Proof Reader	.75 per hr.
Orma Hull Kline	Proof Reader	.75 per hr.
W. W. Maltman	Proof Reader	.75 per hr.
C. D. Blauvelt	Proof Reader	.75 per hr.
Carol Joy Streight	Secretary	6.00 per day
Mary Louise Morrison	Secretary	6.00 per day
Margaret Wulf	Secretary	6.00 per day
Nellie von Dorn	Secretary	6.00 per day
Viola D. Schmidt	Secretary	6.00 per day
Katharine Mackiewicz	Secretary	6.00 per day
Rita S. Thornton	Secretary	6.00 per day
Myrtle E. McKay	Secretary	6.00 per day
Susan Ogier	Secretary	6.00 per day
Goldie Green	Secretary	6.00 per day
Alice M. Davis	Stenographer	5.00 per day
Margaret A. Fack	Stenographer	5.00 per day
Alice Mae Javorsky	Stenographer	5.00 per day
Arlene Jelinek	Stenographer	5.00 per day
Hazel A. Schwarz	Stenographer	5.00 per day
Eva Ruff	Stenographer	5.00 per day
Shirley Grant	Stenographer	5.00 per day
Evelyn Schuknecht	Mimeograph Operator	5.00 per day
Mrs. Nadine Henninger	Typist—Stencil Cutter	5.00 per day
Henry Remington	Chief Page	5.00 per day
Betty Fullagar	Page and Messenger	4.00 per day
Martha Simon	Page and Messenger	4.00 per day
Robert G. Howard	Page and Messenger	4.00 per day
Richard Cronin	Page and Messenger	4.00 per day
O. J. Burckhardt	Assistant Custodian	4.50 per day
Ezra N. Watt	Assistant Custodian	4.50 per day
A. J. McCallum	Assistant Custodian	4.50 per day
Gertrude Tyler	Telephone Operator	4.00 per day

Respectfully submitted,

(Signed) John F. Doyle, Chairman

Enrollment and Review

LEGISLATIVE BILL 8. Correctly enrolled.
LEGISLATIVE BILL 64. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business the President signed:

L.B. 8
L.B. 64

Rules

Mr. President: Your committee on rules has had under consideration:

The amendment to Rule 7, Sec. 9 is as follows: Strike the word "five" and insert "three" and after "legislature" insert a comma and strike the period and add "or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report." and recommend its adoption.

(Signed) Edwin Schultz, Chairman

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 156. By William A. Crossland of Wayne.

A bill for an act relating to decedent's estates; to provide for manner of proving wills where it appears that subscribing witnesses are unavailable by reason of service in the armed forces of the United States, and to declare an emergency.

LEGISLATIVE BILL 157. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 60-601, 60-605, 60-606, 60-607, 60-609, 60-611, 60-615 and 60-616, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to define terms; to provide for classes of motor vehicle dealer's license; to provide that motor vehicle manufacturers, distributors or wholesalers, factory representatives, distributor representatives, motor vehicle repairers and motor vehicle junk dealers shall also procure an annual license; to provide for application and contents thereof for license; to provide for license fees and renewal thereof; to provide that form of license be prescribed by head of Department of Roads and Irrigation; to provide how license shall be displayed; to provide for pocket card certificate; to provide grounds for denial or revocation or suspension of any license; to provide for investigations by the administrator; to provide for

findings of administrator and that same shall be reduced to writing; to provide procedure for an appeal from findings of the administrator; to provide that all retail motor vehicle sales, except between dealer and enfranchised dealer, shall be evidenced by instrument in writing signed by buyer and seller; to provide for invoice and contents thereof, and that such invoice shall be delivered prior to or concurrent with any motor vehicle sale; to provide that all applicants at time of making application for motor vehicle dealer's license or used motor vehicle dealer's license shall furnish corporate surety bond in the penal sum of twenty-five hundred dollars on a form to be prescribed by the Attorney General; to prescribe the conditions of such bond; to provide that if any section, sentence, clause, phrase or requirement of this act is held unconstitutional, such decision will not affect the validity of the remaining portions; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 158. By Joseph C. Reavis of Richardson and Frank Sorrell of Otoe

A bill for an act to amend section 79-116, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the annexation of lands within a school district to adjoining districts where a river has changed or changes its channel so that the boundaries of such school district have been changed and the district reduced in size to less than four full sections, exclusive of accreted land, and the school district has less than twenty persons of school age; to extend the distance required for annexation to adjoining districts of a district reduced in size to not less than three miles from the nearest schoolhouse in the district in which pupils are to be placed; to repeal the original section; and to declare an emergency.

GENERAL FILE

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that Legislative Bill 79 be taken up on General File. (Signed) Arthur Carmody

Substitute Motion

Mr. President: I move as substitute motion that L. B. 79 be laid over until tomorrow morning and same retain its position on General File. (Signed) Daniel Garber

The Garber substitute motion lost with 8 ayes, 18 nays and 17 not voting.

The Carmody motion lost with 24 ayes, 7 nays and 12 not voting.

LEGISLATIVE BILL 38. Read and considered.

Mr. James H. Anderson offered the following amendment which was adopted:

1. Amend the title of L. B. 38 by inserting after the punctuation comma in line 3 the figures "1943".

Referred to E and R for review.

LEGISLATIVE BILL 23. Read and considered.

Mr. Cullingham asked unanimous consent that L. B. 23 be passed over and retain its place on the File until L. B. 22 was heard.

Unanimous consent granted.

LEGISLATIVE BILL 22. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 23. To E and R for review.

Peterson Report

Mr. Peterson made a report on the meeting of the Board of Managers of the Council of State Governments held in St. Louis.

Mr. Lusienski introduced a visitor, Lieut. Frederick Kramer of Columbus, Nebraska.

The Legislature was at ease from 11:15 to 11:20.

Bills Referred to Standing Committees

L. B.	Committee
146	Public Works
147	Government
148	Public Health and Miscellaneous Subjects

149.....Banking, Commerce and Insurance
150.....Public Health and Miscellaneous Subjects
151.....Government
152.....Education
153.....Public Health and Miscellaneous Subjects
154.....Government
155.....Agriculture

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. 79.
(Signed) Frank Sorrell

The motion prevailed with 27 ayes, 5 nays and 11 not voting.

Unanimous Consent

Mr. Carmody asked unanimous consent of the Legislature to have L. B. 79 laid over until January 19.

Unanimous consent granted.

Member Excused

Mr. Raecke asked to be excused until January 23.

Adjournment

At 11:40 a. m., Mr. Raecke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m., Friday, January 19.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Hugo F. Srb
Clerk of the Legislature

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 19, 1945

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Raasch, Raecke, and Reavis, who were excused.

The Journal for the thirteenth day was approved as corrected.

Communications

A message was read from Mr. E. F. Frolik, Secretary-Treasurer of the Nebraska Crop Improvement Association, to the effect that all members of the 1945 Nebraska Legislature are invited to the Association's annual banquet on Thursday, February 1, and to the Association's meetings on February 1 and 2.

A letter from Mr. George B. Clark, of the Nebraska Defense Council, objecting to the passage of L. B. 99, was read to the Legislature.

A copy of the Public Voting Ballot Questionnaire from Mr. Matthew R. Rhoden of Birmingham, Alabama, was placed on file in the Clerk's office.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 60 Tuesday, January 30, 1945, 2:00 p. m.
L. B. 62 Tuesday, January 30, 1945, 2:00 p. m.
L. B. 110 Tuesday, January 30, 1945, 2:00 p. m.
L. B. 111 Tuesday, January 30, 1945, 2:00 p. m.

Government

L. B. 20 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 40 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 37 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 66 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 82 Friday, January 26, 1945, 2:00 p. m.
L. B. 53 Friday, January 26, 1945, 2:00 p. m.
L. B. 78 Friday, January 26, 1945, 2:00 p. m.
L. B. 56 Wednesday, January 31, 1945, 2:00 p. m.
L. B. 87 Wednesday, January 31, 1945, 2:00 p. m.
L. B. 88 Wednesday, January 31, 1945, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. 48 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 63 Wednesday, January 24, 1945, 2:00 p. m.
L. B. 80 Wednesday, January 24, 1945, 2:00 p. m.

Judiciary

L. B. 83 Monday, January 29, 1945, 2:00 p. m.
L. B. 96 Monday, January 29, 1945, 2:00 p. m.
L. B. 103 Monday, January 29, 1945, 2:00 p. m.
L. B. 124 Wednesday, January 31, 1945, 2:00 p. m.
L. B. 136 Wednesday, January 31, 1945, 2:00 p. m.
L. B. 138 Wednesday, January 31, 1945, 2:00 p. m.

Revenue

L. B. 102 Tuesday, February 6, 1945, 2:00 p. m.
L. B. 140 Thursday, February 8, 1945, 2:00 p. m.
L. B. 142 Thursday, February 8, 1945, 2:00 p. m.
L. B. 145 Tuesday, February 13, 1945, 2:00 p. m.

Public Works

L. B. 108 Friday, January 26, 1945, 2:00 p. m.
L. B. 127 Friday, January 26, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 5. Placed on General File.
LEGISLATIVE BILL 2. Placed on General File.
LEGISLATIVE BILL 13. Placed on General File.
LEGISLATIVE BILL 6. Placed on General File.

(Signed) Carl P. Jeffords, Chairman

Agriculture

LEGISLATIVE BILL 15. Indefinitely postponed.
LEGISLATIVE BILL 16. Indefinitely postponed.
LEGISLATIVE BILL 17. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 36. Placed on Select File with amendments.

E and R amendments to L. B. 36:

1. In the bill, Section 3, page 2, at the end of line 4, after the word "purchaser" insert: "of the state".

2. In the bill, title, page 1, 10th line, strike the word "authorize" and in lieu thereof insert the word "require"; in the 11th line strike "represent the" and in lieu thereof insert:

"act for the State of Nebraska and to permit such Purchasing Agent to be designated to act for any political subdivision, instrumentality and tax-supported institution of the state as the".

(This amendment is made in accordance with General File amendment No. 3 by Mr. Raecke.)

3. In the bill, title, 7th line, strike the word "thereof" and in lieu thereof insert the word "thereto".

LEGISLATIVE BILL 18. Placed on Select File with amendments.

E and R amendment to L. B. 18:

1. In the bill, title, page 1, 4th and 5th lines, strike: "thereof for increase in levies authorized by law," and in lieu thereof insert:

"permitting all cities and villages located within a defense area, except cities of the metropolitan class, to levy a tax of not to exceed one mill"

and strike all of the 6th line after the word "law", all of the 7th line and all of the 8th line up to and including the word "area".

LEGISLATIVE BILL 51. Placed on Select File with amendment.

E and R amendment to L. B. 51:

1. At the end of the fifth paragraph of the Preamble, insert a comma after the word "NOW" and also after the word "THEREFORE".

LEGISLATIVE BILL 65. Placed on Select File with amendment.

E and R amendment to L. B. 65:

1. In the bill, title, page 1, 3rd line, after the figures "1943" and before the semicolon insert the following:

", with reference to withholding money from wages and salaries of state and other designated public employees for United States tax purposes and procedure in regard thereto".

Presented to Governor for Approval

Friday, January 19, 1945, at 10:20 a. m.

L. B. 8 L. B. 64

(Signed) Roy B. Carlberg, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 2. To provide for the abolition of the electoral college and to provide for the election of the President and Vice President of the United States by direct vote of the people.

Introduced by Fred A. Mueller

WHEREAS, the provisions of the Constitution of the United States for election of President and Vice President of the United States by an electoral college have not attained the purpose intended and the participation in the selection of such officers by the electoral college has in practice become a mere empty formality; and

WHEREAS, the possibility of thwarting the expressed will of the people at the polls inheres in the provision for the electoral college; and

WHEREAS, the President and Vice President of the United States should be elected by a direct vote of the people;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA:

1. That the Congress of the United States is urged to submit to the Legislatures of the several states, for ratification, an amendment to the Constitution of the United States, to provide for the abolition of the electoral college and the election of the President and Vice President of the United States by direct vote of the people.

2. That a copy of this resolution, suitably engrossed, be sent to each Senator and Representative from Nebraska in the Congress of the United States.

Members Excused

Mr. Babcock asked to be excused from the afternoon of January 19 until January 23. Mr. Mekota asked to be excused until January 23.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 159. By William A. Crossland of Wayne.

A bill for an act relating to taxation; to provide for report of all sales of farm lands and town property, excepting judicial sales, to be sent to State Tax Commissioner by register of deeds or ex officio register of deeds; to provide for blank forms to be prepared by State Tax Commissioner; and to provide for the procuring of such report upon the failure or refusal of the register of deeds or ex officio register of deeds to make the report and to pay the expense therefor.

LEGISLATIVE BILL 160. By Thomas H. Adams of Lancaster and Sam Klaver of Douglas.

A bill for an act to amend section 26-1,143, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide procedure for trial in replevin suits when possession of property has been delivered to the plaintiff; to provide for judgment; and to repeal the original section.

LEGISLATIVE BILL 161. By Ed F. Lusienski of Platte and Arthur Carmody of Hitchcock.

A bill for an act relating to public power districts; to provide for the creation of such district at the instance of any corporation or asso-

ciation, public or private, except incorporated cities and villages, owning and operating, in service to the public, any electric utility in this state; to make applicable to public power districts created under the provisions of this act all provisions of law pertaining to public power districts after organization; and to declare an emergency.

LEGISLATIVE BILL 162. By Frank Sorrell of Otoe. (By request)

A bill for an act to amend sections 84-314, 84-509, and 84-608, Revised Statutes of Nebraska, 1943, relating to salaries of deputies to certain constitutional state executive officers; to provide that the deputies to Auditor of Public Accounts, Secretary of State and State Treasurer shall receive an annual salary of thirty-six hundred dollars; and to repeal the original sections.

LEGISLATIVE BILL 163. By Sam Klaver of Douglas.

A bill for an act to amend section 84-306, Revised Statutes of Nebraska, 1943, relating to claims against the state; to increase the amount that may be allowed for use of personal automobile while on state business to five cents per mile for each mile actually and necessarily traveled; and to repeal the original section.

LEGISLATIVE BILL 164. By Harry F. Burnham of Custer.

A bill for an act to amend section 33-107, Revised Statutes of Nebraska, 1943, relating to bailiffs; to provide compensation for the services of bailiffs in counties having a population of less than sixty thousand inhabitants; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 165. By Don E. Hanna of Cherry and Ed. Hoyt of Red Willow.

A bill for an act to amend sections 79-212 and 79-2528, Revised Statutes of Nebraska, 1943, relating to schools; to extend for the fiscal years ending June 30, 1946, and June 30, 1947, the provisions for increase of levy to twenty-two mills the aggregate school tax that may be levied by school districts of the classes therein set out; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 166. By Cliff N. Ogden of Douglas.

A bill for an act specifically to appropriate the sum of ten thousand one hundred seventy-eight dollars and twenty-seven cents, or so much thereof as may be necessary, out of the general fund of the

State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy state treasurer for the term commencing January 4, 1945; to pay the premiums for policy of insurance on moneys and securities in connection with the office of the State Treasurer, for the period ending January 9, 1947; and to declare an emergency.

LEGISLATIVE BILL 167. By Tom Dooley of Sarpy and F. A. Mueller of Buffalo.

A bill for an act to amend sections 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109, 32-211, 77-518, 77-519, 77-1211, 77-1219, 77-1239, 77-1240, 77-1303, 77-1307, 77-1311, 77-1315, 77-1316, 77-1317, 77-1319, 77-1601, 77-1603, 77-1604, 77-1605, 77-1606, 77-1608, 77-1613, 77-1615 and 77-1616, Revised Statutes of Nebraska, 1943, relating to county government and officers; to provide salaries to be paid to county assessors and deputy; to provide that county assessors shall make up the assessment books and tax lists; to provide for the assessment of motor vehicles; to provide that assessors shall work full time; to provide that their offices shall be separate from those of county clerks in counties having a population of more than twenty-seven hundred and fifty inhabitants; and to properly designate the county board of equalization, when the county board sits and acts as such board of equalization; and to repeal the original sections and section 77-1305, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 168. By H. P. Heiliger of Lancaster.

A bill for an act to amend section 83-243, Revised Statutes of Nebraska, 1943, relating to home for dependent children; to remove the maximum of thirty dollars per month which may be paid for the maintenance of children in private families or boarding homes until March 1, 1947; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 169. By A. J. Brodahl of Saunders and Fay Wood of Seward.

A bill for an act to amend section 81-526, Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to provide for county attorneys to act as attorney for State Fire Marshal, his deputies or assistants in all court proceedings; to enforce provisions of sections 81-513 to 81-519; and to repeal the original sections.

United States Congressman A. L. Miller, former Nebraska legislator, was introduced by Mr. Mueller to the Legislature, and addressed the Legislature briefly.

GENERAL FILE

Speaker Peterson presiding

LEGISLATIVE BILL 79. Special Order of Business.

Motion by Mr. Garber that L. B. 79 be set to Tuesday, 10:30 a. m., for special order of business prevailed.

LEGISLATIVE BILL 26. Read and considered.

Mr. Tvrdik asked unanimous consent to add the names of James Ryan, Sidney Cullingham, Harry Foster, and Sam Klaver to the bill.

Unanimous consent was granted.

Referred to E and R for review.

LEGISLATIVE BILL 10. Read and considered.

Standing Committee amendments found in the Legislative Journal for the thirteenth day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 45. Read and considered.

Mr. Mekota offered the following amendment, which was adopted:

Amend by inserting the words "or change in name" after the word "business" and before the word "or", in line 21 of Section 1.

Referred to E and R for review.

Unanimous Consent Requested

Unanimous consent was granted to take up L. B. 5, L. B. 2 and L. B. 13 on General File.

LEGISLATIVE BILL 5. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 2. Read and considered.

Held over. Retains place on file.

LEGISLATIVE BILL 13. Read and considered.

Referred to E and R for review.

Approved by the Governor

January 19, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 8 L. B. 64

Respectfully submitted,
(Signed) Jean Spencer Armstrong

Visitors

Former member of the Legislature, Mason Hyde of Gothenburg, was introduced by Lloyd Kain.

Speaker Peterson presented Mr. Carl H. Wilken, a rural economist, who addressed the Legislature on the subject of the agricultural economy of the United States.

MOTION—To Suspend the Rules

Mr. President: I move that we suspend the rules and take up Bills on Final Reading. (Signed) Fred Mueller

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 7. With emergency clause.

A bill for an act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of mem-

bers, the payments to be made for supplies and other incidental expenses incurred during the fifty-eighth session, Nebraska State Legislature, during the biennium ending June 30, 1945, and for the ad interim activities of said Legislature during the biennium ending June 30, 1947; to appropriate the sum of sixty-five thousand dollars and unexpended balance of four thousand fifty dollars and twenty-two cents in auditor account numbers E3, E4 and E5 therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proof readers and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the fifty-eighth session, Nebraska State Legislature, commencing January 2, 1945; to appropriate the sum of six thousand five hundred dollars and unexpended balance of one thousand eighty-five dollars and eighty-eight cents in auditor account number E6 therefor; and to declare an emergency.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Crossland	Hubka	Peterson
Anderson, L.	Cullingham	Jeffords	Pizer
Babcock	Dooley	Kain	Ryan
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hern	Norman	Wood
Cronin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Anderson, J.	Raasch	Raecke	Reavis
Ogden			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Adopt Report

Mr. President: I move that the report of the Legislative Council pertaining to officers and employees, Daily Journal, Page 104, be confirmed. (Signed) John Mekota

The motion prevailed.

RESOLUTION

LEGISLATIVE RESOLUTION 3. In Memory of Peter P. Gutoski.

Introduced by Charles F. Tvrdik of Douglas and James A. Ryan of Douglas.

Peter P. Gutoski was born at DuBois, Pennsylvania, May 22, 1911. He attended the public schools in Pennsylvania and received a law degree from the University of Omaha in 1933. From the time of his admission to the Bar he practiced his profession as a lawyer in the City of Omaha, Nebraska. He served in the Nebraska House of Representatives in 1935 and in the Unicameral Legislature in 1939 and 1943. He was fatally injured in a head-on collision with a transport truck near 76th and Dodge Streets on the outskirts of Omaha and died April 16, 1944. He was highly respected by his colleagues in the Legislature and his death was mourned by all who knew him.

WHEREAS, it is the desire of this body to pay tribute to the memory of our beloved colleague, NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Peter P. Gutoski, who served so loyally and ably as a member of the Fifty-sixth and Fifty-seventh Sessions.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to the bereaved family of our departed colleague, as an expression of our respect for the deceased, and our sympathy for the bereaved.

The rules were suspended by a standing vote of the members of the Legislature.

The resolution was adopted unanimously.

Adjournment

At 11:55 a. m., Mr. Foster moved that the rules be suspended and that the Legislature adjourn until 10:30 a. m., Monday, January 22.

The motion prevailed with 35 ayes, 1 nay and 7 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 22, 1945

Pursuant to adjournment, the Legislature met at 10:30 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Babcock and Raecke, who were excused.

The Journal for the fourteenth day was approved as corrected.

Communications

A letter addressed to Mr. Hern from Mr. Charles W. Philpott of Chadron was read to the Legislature. The letter mentioned several interesting experiences the writer had during the time he served as a page in the 1885 session.

Dr. I. D. Gartrell of Clay Center wrote to inform the Legislature of the illness of former Senator Ray Thomas.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 74 Wednesday, January 31, 1945 2:00 p. m.
L. B. 75 Wednesday, January 31, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 4. Placed on Select File with amendments.

E and R amendments to L. B. 4:

1. In Standing Committee amendment No. 1, strike all of the second line after the words "thereof the" and in lieu thereof insert: "following: "~~twelve~~ *seven*" ".

2. In Standing Committee amendment No. 2, line 4, strike the word "to" after the word "paid" and in lieu thereof insert "for the use of"; in the same line, insert a comma after the word "purchaser" and strike the word "at" after the word "plaintiff" and in lieu thereof insert: ", at a".

3. In the bill, Section 1, page 2, line 12, strike the word "*date*" and in lieu thereof insert: "*the date or dates*"; in line 14 insert a comma after the word "annum", and also after "purchaser".

4. In the bill, title, page 1, 5th line, after the word "purchaser" insert: ", with interest at the rate of seven per cent per annum from the date or dates of payment of such taxes,".

LEGISLATIVE BILL 7. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

Visitors

President Johnson presented Corporal Wesley Marbow, the grandson of the Reverend Bancroft.

Mr. Schultz presented Harvey Galloway, who had been employed in a secretarial position during a former session of the Legislature.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 170. By Ernest C. Raasch of Madison.

A bill for an act relating to marriage; to provide the requirements for and contents of application for license to marry; to prescribe the form and contents of the marriage license and marriage certificate; to amend sections 42-106 and 42-110, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 171. By John E. Mekota of Saline.

A bill for an act to amend section 42-307, Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to provide that the

court may make an independent investigation in all cases where minor children are involved; to provide how such independent investigations when made shall be filed of record; to provide for rebuttal or facts set forth in written report; to provide who shall make the investigations and that reports shall be in writing and signed by person making the report; to provide how such report shall be considered; to provide for the fee for making the investigation, and that same shall be taxed as costs; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 172. By Dwight W. Burney of Cedar.

A bill for an act to amend section 54-134, Revised Statutes of Nebraska, 1943, relating to Nebraska brand inspection area; to increase the Nebraska brand inspection area so as to include Knox County; and to repeal the original section.

LEGISLATIVE BILL 173. By Fred A. Mueller of Buffalo. (By Request).

A bill for an act to amend section 77-1301, Revised Statutes of Nebraska, 1943, relating to taxation; to provide that a county board may appoint a real estate classification committee for the purpose of classifying real estate of the county lying outside of cities and villages into units, classes or divisions; to provide that members of such committee shall be residents of the county; to provide for the number of members on the committee and for their compensation; to provide for a disqualification of a member of the committee and the filling of the temporary vacancy; to provide that the county assessor shall value and assess the land in accordance with such classification and with the general rules and regulations provided by the State Tax Commissioner; to provide for the duties and termination of duties of such committee; to provide that the county board of equalization shall be vested with power to make reclassifications or additional classifications from year to year; to provide for filing of tabulation compiled by the committee with the county clerk for use of county board of equalization; and to repeal the original section.

LEGISLATIVE BILL 174. By Fred A. Mueller of Buffalo.

A bill for an act to amend section 77-1514, Revised Statutes of Nebraska, 1943, relating to taxation; to change the abstract prepared by county assessor and sent to State Board of Equalization so that the total number of acres of real estate will be shown in various groups; to provide for the showing of the total value of building and improvements on lands and town lots in the county; to provide for

the showing of the total assessed value of personal property by classes; to remove the form of abstract now provided; and to repeal the original section.

LEGISLATIVE BILL 175. By C. Petrus Peterson of Lancaster.

A bill for an act to authorize certain fiduciaries to establish common trust funds for the purpose of furnishing investments to itself as fiduciaries and to itself and others as co-fiduciaries; to authorize investment of trust funds held by such fiduciaries in interests in common trust funds; to regulate the creation, administration and maintenance of such common trust funds; and to regulate investments which may be made out of the assets of such common trust funds.

LEGISLATIVE BILL 176. By J E Conklin of Thayer.

A bill for an act to amend section 39-7,108, Revised Statutes of Nebraska, 1943, relating to rules of the road for vehicles; to provide for unlawful speeds in residence districts; and to repeal the original section.

LEGISLATIVE BILL 177. By J E Conklin of Thayer.

A bill for an act to amend sections 28-1212, 28-1213, 28-1214 and 28-1215, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide for the inclusion of assignment of funds of cooperative credit associations within the class of instruments that are subject to the provisions and penalties prescribed therein; and to repeal the original sections.

LEGISLATIVE BILL 178. By J E Conklin of Thayer.

A bill for an act relating to courts; to provide for payment of money, fees and costs to the clerk of the district court and exoneration of person making payment from liability to all persons interested therein; and to declare an emergency.

Bills Referred to Standing Committees

L. B.	Committee
156	Judiciary
157	Public Works
158	Education
159	Revenue
160	Judiciary

161.....Public Works
162.....Government
163.....Government
164.....Judiciary
165.....Education
166.....Appropriations
167.....Government
168.....Labor and Public Welfare
169.....Government

L. B. 66 Re-referred

Upon unanimous consent granted to Mr. Jeffords, the President re-referred L. B. 66 to the Committee on Government.

GENERAL FILE

LEGISLATIVE BILL 2. Mr. Klaver offered the following amendments, which were adopted.

1. Amend page 1 of the bill by inserting immediately after section 1, the following two additional sections:

"Sec. 2. That section 84-104, Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-104. The Governor shall by proclamation set apart the ~~last~~ *fourth* Thursday in each November as a day of solemn and public thanksgiving to Almighty God for His blessings to us as a state and nation, and no business shall be transacted on that day at any department of state.

Sec. 3. That section 24-316, Revised Statutes of Nebraska, 1943, be amended to read as follows:

24-316. No court shall be opened, nor any judicial business be transacted, on Sunday, or on January 1, May 30, July 4, December 25, or the ~~last~~ *fourth* Thursday in November, except (1) to give instructions to a jury then deliberating on a verdict, (2) to receive or discharge a jury, (3) to exercise the powers of a single magistrate in a criminal proceeding, and (4) to grant or refuse a temporary injunction or restraining order. Except on Sundays and on holidays herein mentioned, courts may be opened and may transact any kind of judicial business."

2. Amend page 1 of the bill by striking all of the present section 2 and inserting the following in lieu thereof:

"Sec. 4. That original sections 62-301, 84-104 and 24-316, Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title, line 2, by inserting immediately before the words "Revised Statutes of Nebraska," the following:

"84-104 and 24-316,".

Referred to E and R for review.

LEGISLATIVE BILL 6. Mr. Lee offered the following amendment, which was adopted.

Amend the title to L. B. 6 by striking the punctuation and wording in lines 8 and 9 of the title as follows:

"; and to declare an emergency."

Referred to E and R for review.

Unanimous Consent

Mr. President: I ask unanimous consent to have the name of "Frank Sorrell" added as co-introducer to L. B. 158. (Signed) Joseph C. Reavis

Unanimous consent was granted.

Adjournment

At 11:12 a. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday, January 23, 1945.

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Hugo F. Srb
Clerk of the Legislature

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 23, 1945

Pursuant to adjournment, the Legislature met at 10:06 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Sorrell and Schultz, who were excused.

The Journal for the fifteenth day was approved.

Communications

A letter from Letha V. Henderson of Tucson, Arizona, in regard to the setting of an official Fathers' Day and Mothers' Day was read to the Legislature.

Mrs. Bird of Omaha, Nebraska, wrote expressing approval of the proposed education bill.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 67	Thursday, February 1, 1945	2:00 p. m.
L. B. 98	Thursday, February 1, 1945	2:00 p. m.
L. B. 109	Thursday, February 1, 1945	2:00 p. m.

Education

L. B. 137	Monday, January 29, 1945	2:00 p. m.
L. B. 152	Monday, January 29, 1945	2:00 p. m.

Labor and Public Welfare

L. B. 116	Monday, January 29, 1945	1:30 p. m.
L. B. 100	Monday, January 29, 1945	1:30 p. m.

Government

L. B. 90	Friday, February 2, 1945	2:00 p. m.
L. B. 94	Friday, February 2, 1945	2:00 p. m.
L. B. 114	Friday, February 2, 1945	2:00 p. m.
L. B. 117	Wednesday, February 7, 1945	2:00 p. m.
L. B. 129	Wednesday, February 7, 1945	2:00 p. m.
L. B. 154	Wednesday, February 7, 1945	2:00 p. m.

Judiciary

L. B. 156	Friday, February 2, 1945	2:00 p. m.
L. B. 160	Friday, February 2, 1945	2:00 p. m.
L. B. 164	Friday, February 2, 1945	2:00 p. m.
L. B. 99	Monday, February 5, 1945	2:00 p. m.

Agriculture

L. B. 95	Tuesday, February 6, 1945	2:00 p. m.
L. B. 155	Tuesday, February 6, 1945	2:00 p. m.
L. B. 131	Tuesday, February 6, 1945	2:00 p. m.
L. B. 132	Thursday, February 15, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Claims and Deficiencies

Mr. President: Your committee on Claims and Deficiencies has organized and elected Mr. Fay Wood Vice Chairman.

(Signed) James H. Anderson, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 1. Placed on General File.

(Signed) Don E. Hanna, Chairman

Judiciary

LEGISLATIVE BILL 52. Placed on General File with amendments.

Standing Committee amendments to L. B. 52:

1. Amend the bill, page 3, section 2, line 11, by inserting after the word *"action"* and before the punctuation "," the words *"including issuance of mittimus or discharge to the jailer"*.

2. Amend the bill, page 3, section 3, line 9, by inserting after the word *"is"* the words "not more than".

3. Amend the bill, page 5, section 3, line 63, by inserting after the word *"to"* the words *"reappoint an executor or administrator after his discharge, or"*.

4. Amend the bill, page 5, section 3, line 67, by inserting after the figures *"30-1708"* and before the punctuation "." the words and punctuation *", Revised Statutes of Nebraska, 1943"*.

5. Amend the bill, page 5, by striking the last sentence of section 3 and inserting in lieu thereof the following:

"In all cases where a petition for probate of will, appointment of administrator, special administrator, guardian, or trustee, or any other petition for decree in probate matters is filed and no appointment is made or decree entered and said cause dismissed, the fee shall be five dollars."

6. Amend the bill, page 5, section 4, line 24, by inserting after the word and punctuation "dollars." the following:

"Fees in trust estates shall be based on the gross value of the trust estate, including both real and personal property. Gross value shall mean the actual value of the estate, less liens, and shall be determined as of the time of applying for the appointment or confirmation of the trustee."

7. Amend the bill, page 6, section 4, line 36, by striking the words "or trusteeship".

8. Amend the bill, page 6, section 4, line 47, by striking the words *"or trusteeship"*.

9. Amend the bill, page 6, section 4, by striking the word "or" in line 49 and the word "trusteeship" in line 50.

10. Amend the bill, page 6, section 4, line 55, by inserting after the figures and punctuation *"77-2037,"* the words *"Revised Statutes of Nebraska, 1943,"*.

11. Amend the bill, page 7, section 4, lines 61 and 62, by striking the words *"for the entire proceedings"*.

12. Amend the bill, page 7, section 4, line 86, by inserting after the word and punctuation *"inclusive,"* the words *"Revised Statutes of Nebraska, 1943,"*.

LEGISLATIVE BILL 50. Placed on General File.
(Signed) John Mekota, Chairman

Education

LEGISLATIVE BILL 107. Placed on General File.
(Signed) Cliff N. Ogden, Chairman

Appropriations

LEGISLATIVE BILL 68. Placed on General File.

LEGISLATIVE BILL 81. Placed on General File with amendments.

Standing Committee amendments to L. B. 81:

1. Amend page 1 of the bill, section 1, by striking all of lines 3 to 9, inclusive, and substituting the following in lieu thereof:

"50-123. In each even-numbered year, the salary of each member of the Legislature shall be paid as follows: (1) The sum of two hundred ~~and seventy-two~~ dollars ~~and nine cents~~ on the first day of January, *and February,* (2) the sum of two hundred *seventy-two* dollars *and nine cents* on the first day of ~~April~~ *March,* ~~(2) the sum of two hundred dollars on the first day of July,~~ and ~~(1)~~ *(3)* the sum of two hundred dollars on the first day of October."
(Signed) A. J. Brodahl, Chairman

Enrollment and Review

LEGISLATIVE BILL 10. Placed on Select File with amendments.

E and R amendments to L.B. 10:

1. In Standing Committee amendment 1, strike the comma after the word *"than"* in the inserted matter.

2. In the bill, title, page 1, 4th line, after the word "of" and before the word "county" insert the word "the".

LEGISLATIVE BILL 13. Placed on Select File with amendments.

E and R amendments to L.B. 13:

1. Strike all of Section 1 and the first five lines of Section 2, and in lieu thereof, insert the following:

"Section 1. The trustees of any cemetery, as hereinafter defined, may change or improve the condition of any burial lot in a cemetery, under the management or control of such trustees, if such burial lot is overgrown with weeds or is otherwise so unsightly as to seriously disfigure the burial ground. The trustees of any cemetery may also remove or repair any monument, curbing, marker or other property placed or located on any burial lot in a cemetery, which has become so unsightly, dilapidated or decayed as to disfigure the rest of the cemetery, if the owner or owners of record, or their next of kin, shall fail to do so within thirty days after notice is given as is set forth in section 2 of this act.

Sec. 2. The notice shall state the legal description of such burial lot, the property located thereon which is claimed to be so unsightly, dilapidated or decayed and that if the said property is not repaired or removed, within thirty days after such notice is given, that the trustees will proceed to either repair or remove the same. The notice may be given to, served upon or sent by registered mail to the owner or owners of record, or one of them. If the owner or owners of record are deceased, or his, her or their whereabouts are unknown, said notice may be given to, served upon or sent by registered mail to any one of the next of kin of the owner or one of the owners of record of said lot. In the event that neither an owner of record nor any one of the next of kin of an owner of record of said lot can be found, the said" .

2. At the end of section 2, add the following:

"The notice shall date from the date of the delivery or service of said notice, the date of mailing said notice by registered mail or the date of said publication in said newspaper."

3. Strike all of section 3 and in lieu thereof insert the following:

"Sec. 3. The terms "trustees of any cemetery" or "the trustees", as used in this act, shall include trustees of a cemetery association,

cemetery boards, or other persons, public or private corporations, municipalities, townships, boards or governing bodies having the management or control of a cemetery or cemeteries in this state. The term "lot", as used in this act, shall include part or all of one or more lots owned of record by the same person or persons."

4. In the bill, section 4, page 2, line 4, strike the word "trustees" and in lieu thereof insert the following:

"the trustees or other governing bodies".

5. In the bill, title, page 1, strike all of said title, beginning with the word "provide" in the 2nd line, and in lieu thereof insert the following:

"permit the trustees or other governing bodies, having the control or management of cemeteries, to change or improve the condition of a burial lot and, under the prescribed conditions and procedure and after notice, to repair or remove property thereon; to provide how such notice shall be given; to define terms; and to provide that this act shall be cumulative with and supplemental to any laws of this state relating to the establishment or operation of cemeteries and the powers of the trustees or other governing bodies thereof."

LEGISLATIVE BILL 26. Placed on Select File with amendment.

E and R amendment to L.B. 26:

In the bill, title, page 1, 5th line, after the word "into" insert: "and to prepare" ,

LEGISLATIVE BILL 38. Placed on Select File with amendments.

E and R amendments to L.B. 38:

1. In General File amendment by Mr. Anderson, insert a comma after the figures "1943".

2. In the bill, Section 1, page 1, line 12, strike the semicolon after the word "annually" and in lieu thereof insert a comma (as shown in the Statutes).

3. In the bill, title, page 1, last line, before the word "and" insert the following:

"to provide that all bonds issued by such a city for any purpose shall be redeemable at the option of the city at any time after five years from their date;"

LEGISLATIVE BILL 45. Placed on Select File with amendments.

E and R amendments to L.B. 45:

1. Strike General File amendment by Mr. Mekota and in section 1, page 2, line 21, strike the word "or" after the word "business" and in lieu thereof insert: *", its name* or *the"*.

2. In the bill, section 1, page 2, line 4, after the figures "70-679" insert: *", inclusive,";* in line 16, before the word *"name"* insert the word *"its"*.

3. In the bill, title, 3rd and 4th lines, strike: "provide for change of name of districts" and in lieu thereof insert:

"permit such a district to amend its charter to provide for a change in its name and to provide how the same may be au thorized".

LEGISLATIVE BILL 5. Placed on Select File with amendment.
E and R amendment to L. B. 5:

In the bill, section 1, page 2, line 5, strike the period and the word *"The"* after the word "state" and in lieu thereof, insert *"; Provided, however, the"*.

LEGISLATIVE BILL 22. Placed on Select File with amendments.

E and R amendments to L.B. 22:

1. Strike Standing Committee Amendments 1 and 2 and strike all of the title beginning with the word "to" at the end of the 3rd line, up to and including the word "loan" in the 18th line, and in lieu thereof insert the following:

"to increase the maximum amount of loans that building and loan associations may make on improved real estate to not exceeding seventy-five per cent of the reasonable normal cash value of such real estate security, except as otherwise herein prescribed; to prescribe the maximum loans which such an association may make on real estate; to provide that such associations may make a loan or loans in an amount exceeding seventy-five

percent of the reasonable normal cash value of the real estate security if made to veterans in accord with the provisions of Title III of the congressional act known as "Servicemen's Readjustment Act of 1944", as now existing or as hereafter amended, if the proceeds of the loan or loans are to be used for the purposes herein prescribed, and if the Administrator of Veterans' Affairs shall guarantee that portion of such loan or loans which is" .

2. In the bill, Section 1, page 2, line 7, insert a comma before the word *"except";* line 8, strike the words "real estate" and in lieu thereof insert "~~real estate~~" and after the word "security" insert the following: *"on real estate which is";* line 10, strike: *"with exceptions only as"* and in lieu thereof insert: *"except as is";* line 15, strike: *"exceeding in amount"* and in lieu thereof insert: *"in an amount exceeding"*; line 16, after the word *"security"* insert "*(1)*"; lines 18 and 19, strike *"Service Men's Re-adjustment"* and in lieu thereof insert: *"Servicemen's Readjustment";* line 19, strike the word *"and"* and in lieu thereof insert "*(2)*"; line 20, after the comma and before the word *"in"* insert "*(a)*"; line 22, strike the word *"or"* before the word *"for"* and in lieu thereof insert "(b)"; line 25, after the word *"or"* insert "(c)"; line 27, after the word *"and"* insert "*(3)*"; line 28, strike the following: *"as shall be";* page 3, line 35, strike: "that the" and in lieu thereof insert: *"that* ~~The~~ *the"* ,

3. In Standing Committee Amendment 3, 2nd line, before the words "the following" insert the word "insert",

LEGISLATIVE BILL 23. Placed on Select File with Amendments.

E and R amendments to L.B. 23:

1. In the bill, Section 1, page 1, strike the words *"in value"* in lines 5 and 7; also in Section 2, page 2, lines 5 and 7.

2. In the bill, title, page 1, insert the word "the" after the word "provide", in the 4th and 6th lines; at the end of the 4th line, after the word "stock" insert the word "which"; in the 6th line, after the word "amount" insert the following: "of par value of loan or investment shares which",

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

LEGISLATIVE BILL 7.

RESOLUTION

LEGISLATIVE RESOLUTION 4. Greetings to Ray Thomas.

Introduced by Lester H. Anderson

WHEREAS, the Honorable Ray Thomas, who was a member of the Legislature during the regular legislative sessions of 1935, 1941 and 1943, and also of the special sessions in 1935, 1940 and 1944, is now confined to his home by illness; and

WHEREAS, it is the hope of his many friends in this Legislature that he speedily recover from his illness;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature extends to the Honorable Ray Thomas of Clay Center, Nebraska, its greetings, and expresses the hope that he may have a speedy recovery from his illness; and

2. That the Clerk of this Legislature be instructed and directed to spread this resolution at large upon the Journal, and a copy thereof, suitably engrossed, be sent to the Honorable Ray Thomas.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that the Resolution be adopted, for Mr. Thomas. (Signed) Lester H. Anderson.

The motion prevailed with 39 ayes, 0 nays and 4 not voting.

Visitors

Two former members of the Legislature were introduced. Mr. Charles E. Allen of Cozad was introduced by Mr. Kain and Mr. Dayton Sullenberger of Dawes City was introduced by Mr. Hern.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 179. By Frank Sorrell of Otoe.

A bill for an act to amend section 79-910, Revised Statutes of Nebraska, 1943, relating to schools; to increase the free high school tuition rate to four dollars and fifty cents per week; and to repeal the original section.

LEGISLATIVE BILL 180. By Lester H. Anderson of Polk.

A bill for an act to amend sections 41-122 and 41-123, Revised Statutes of Nebraska, 1943, relating to hotels and inns; to provide for the limitation of liability by hotels, restaurants, apartment houses and rooming houses of guests; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 181. By Frank Sorrell of Otoe.

A bill for an act to amend section 23-331, Revised Statutes of Nebraska, 1943, relating to eminent domain; to provide that appraisers shall receive for their services a reasonable fee to be fixed by the county judge and taxed as part of the costs; and to repeal the original section.

LEGISLATIVE BILL 182. By Committee on Education by Cliff N. Ogden of Douglas, Chairman.

A bill for an act to amend section 79-1303, Revised Statutes of Nebraska, 1943, relating to schools; to increase the fee for each teacher's certificate to two dollars; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 183. By Committee on Education by Cliff N. Ogden of Douglas, Chairman.

A bill for an act to amend section 79-1331, Revised Statutes of Nebraska, 1943, relating to schools; to increase the examination fee for Third Grade Elementary School Certificate to two dollars and that the fee sent to the Superintendent of Public Instruction be increased to one dollar; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 184. By Harry A. Foster of Douglas, Sidney J. Cullingham of Douglas and Sam Klaver of Douglas.

A bill for an act to amend section 5-104, Revised Statutes of Nebraska, 1943, relating to apportionment; to change the boundaries of legislative districts 5, 6, 8 and 9; and to repeal the original section.

LEGISLATIVE BILL 185. By Ladd J. Hubka of Gage, Lloyd Kain of Dawson and R. A. Babcock of Cheyenne.

A bill for an act to amend sections 60-403, 60-404, 60-405, 60-407, 60-408, 60-409, 60-411 and 60-415, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide the manner of making application, the examination for and issuance of motor vehicle operator's licenses; to prescribe the fees to be charged therefor; to require renewal of motor vehicle operator's licenses on September 1, 1945, and each two years thereafter; to provide the effect to be given to existing licenses; and to repeal the original sections.

LEGISLATIVE BILL 186. By Ladd J. Hubka of Gage.

A bill for an act to amend section 48-203, Revised Statutes of Nebraska, 1943, relating to labor; to provide that any female may be employed in a manufacturing plant designed to aid in the prosecution of the war in which the United States is now engaged, and may work more than nine hours in any one day, and more than fifty-four hours in one week upon the employer obtaining a permit from the Commissioner of Labor; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 187. By Ladd J. Hubka of Gage and J E Conklin of Thayer.

A bill for an act to amend sections 83-224, 83-225, 83-226 and 83-227, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for ascertainment and payment of per capita cost of maintaining feeble-minded persons in the Nebraska Institution for the Feeble-minded; to provide for the certification of the amounts due to such institution from the various counties, and the levy of a special tax in each county for the payment thereof; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 188. By R. A. Babcock of Cheyenne, Ladd J. Hubka of Gage and Lloyd Kain of Dawson.

A bill for an act to amend section 81-906, Revised Statutes of Nebraska, 1943, relating to state cooperation with the federal government; to extend until March 1, 1947, the act providing for cooperation between the Department of Roads and Irrigation and the Public Roads Administration of the United States in the construction and maintenance of flight strips and certain classes of highways; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 189. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 42-202, Revised Statutes of Nebraska, 1943, relating to husband and wife; to provide that in the law and in equity a married man or a married woman shall have the same and equal rights to contract general personal obligations, to own, sell or convey property, real or personal, to exercise all other rights and to be liable for the satisfaction of all other engagements as an unmarried man or an unmarried woman, except only as otherwise limited or regulated by statute; and to repeal the original section.

LEGISLATIVE BILL 190. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 44-1013, Revised Statutes of Nebraska, 1943, relating to fraternal insurance; to provide rules and regulations concerning the admission of members and the issuance of benefit certificates by fraternal benefit societies; to repeal the original section and sections 44-1012 and 44-1040, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 191. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 42-201, Revised Statutes of Nebraska, 1943, relating to husband and wife; to provide that the property of a married woman shall be liable for the necessaries of life furnished said married woman, her husband or family; and to repeal the original section.

LEGISLATIVE BILL 192. By Cliff N. Ogden of Douglas.

A bill for an act to amend sections 23-1109, 23-1110 and 29-2212, relating to county government and officers; to increase the salaries to be paid to chief adult probation officers in counties having a population of sixty thousand or more inhabitants; and to repeal the original sections.

LEGISLATIVE BILL 193. By Sam Klaver of Douglas.

A bill for an act to amend section 23-903, Revised Statutes of Nebraska, 1943, relating to county budget; to except from the requirements of the county budget act any matters connected with the foreclosure of taxes; and to repeal the original section.

LEGISLATIVE BILL 194. By A. J. Brodahl of Saunders.

A bill for an act to amend section 76-271, Revised Statutes of Nebraska, 1943, relating to real property; to provide that all affidavits

affecting a chain of title shall be indexed in the chain of title it affects; to provide that any affidavit now of record intended to affect title to real estate and not indexed in the chain thereof, shall be indexed in the chain it affects on or before January 1, 1947; and to repeal the original section.

LEGISLATIVE BILL 195. By A. J. Brodahl of Saunders.

A bill for an act to amend section 33-151, Revised Statutes of Nebraska, 1943, relating to fees; to extend until June 30, 1947, the provisions of the act providing for credit to the general fund of fifteen per cent of amounts appropriated for certain state boards, bureaus, divisions and commissions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 196. By Charles F. Tvrdik of Douglas, C. N. Ogden of Douglas and James A. Ryan of Douglas.

A bill for an act to amend section 23-1406, Revised Statutes of Nebraska, 1943, relating to county government and officers; to provide for an increase in the salary of the chief auditor of the county comptroller in counties having a population of one hundred fifty thousand or more; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 197. By Fred A. Seaton of Adams and William A. Crossland of Wayne.

A bill for an act to appropriate the sum of two hundred seventy-two dollars and nine cents for the benefit of Bessie Bowman; and to declare an emergency.

SPECIAL ORDER OF BUSINESS

General File

LEGISLATIVE BILL 79. Mr. Klaver offered the following amendment:

Wherever 8% is inserted, it shall be amended to read 11½%.

Mr. Hubka offered the following amendment to Mr. Klaver's amendment:

"Amend by striking 11½% and inserting 10%."

Mr. Hubka's amendment lost with 14 ayes, 24 nays and 5 not voting.

Mr. Klaver's original amendment was withdrawn.

The bill was advanced to E and R for review.

GENERAL FILE

LEGISLATIVE BILL 1. Read and considered, by unanimous consent.

Referred to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor for Approval

Tuesday, January 23, 1945, at 11:30 a. m.
L. B. 7

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 11:45 a. m. Mr. Hern moved that the rules be suspended and the Legislature adjourned until 10:00 a. m. Wednesday, January 24.

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Hugo F. Srb
Clerk of the Legislature

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 24, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the sixteenth day was approved as corrected.

Communications

Letters from two city clerks, Kearney and Litchfield, favoring repeal of the municipal budget law.

A letter from Buffalo County Post No. 52, American Legion, Kearney, Nebraska, favoring L. B. 115.

A communication regarding tickets to the Varsity and State Theatres was read to the Legislature.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 166, Wednesday, January 31, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 72. Placed on General File.
LEGISLATIVE BILL 101. Placed on General File.
(Signed) Walter R. Raecke, Chairman

Agriculture

LEGISLATIVE BILL 39. Indefinitely postponed.
LEGISLATIVE BILL 14. Indefinitely postponed.
(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File with amendments.

E. and R amendments to L. B. 1:

1. In the bill, section 1, page 2, line 19, before the word "assistance" insert the word "*such*".

2. In the bill, title, page 1, 3rd line, before the semicolon insert the following: ", relating to blind assistance",

LEGISLATIVE BILL 2. Placed on Select File with amendments.

E. and R amendments to L. B. 2:

1. In the bill, section 1, page 2, line 3, after the figures "62-1,195" insert the following: ", *inclusive,*".

2. In the bill, title, page 1, 2nd and 5th lines, strike the word "section" and in lieu thereof insert the word "sections".

LEGISLATIVE BILL 6. Placed on Select File with amendments.

E and R amendments to L. B. 6:

1. In the bill, section 1, page 2, line 2, strike the letter "s" at the end of the words "compilations" and "revisions".

2. In the bill, title, page 1, strike all of the 4th line after the word "sell" and the word "revisions" at the beginning of the 5th line, and in lieu thereof insert: "copies of any superseded compilation or revision"; 6th line, after the word "authorize" insert: "and direct"; strike all of the 7th line after the word "all" and all of the 8th line, and in lieu thereof, insert: "surplus copies thereof now in his hands."

LEGISLATIVE BILL 79. Placed on Select File with amendments.

E and R amendments to L. B. 79:

In the bill, title, page 1, 3rd line, before the semicolon insert the following:

", relating to milk products, ice cream and other frozen desserts"

(Signed) Roy B. Carlberg, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 198. By Sam Klaver of Douglas.

A bill for an act to authorize Regents of the University of Nebraska to construct and equip an addition to the hospital of the University of Nebraska, sufficient in size and capacity to provide three hundred additional beds for the medical and surgical care of indigent persons; to provide an appropriation; and to declare an emergency.

LEGISLATIVE BILL 199. By H. P. Heiliger of Lancaster.

A bill for an act to amend section 81-849, Revised Statutes of Nebraska, 1943, relating to the practice engineering and architecture; to provide that where the holder of an unexpired certificate of registration has been or is inducted into the military service of the United States, such holder shall have ninety days after discharge from service in which to apply for renewal of certificate of registration, and until expiration of that period the prior certificate shall remain in full force and effect; and to repeal the original section.

LEGISLATIVE BILL 200. By William A. Crossland of Wayne.

A bill for an act to repeal section 81-139, Revised Statutes of Nebraska, 1943, relating to letting of contracts for purchases of supplies by departments of the state government.

LEGISLATIVE BILL 201. By Sidney J. Cullingham of Douglas.

A bill for an act relating to taxation; to adopt the provisions of the Uniform Reciprocal Transfer Tax Act; to provide that inheritance taxes on transfer of personal property of nonresidents, except tangible personal property having an actual situs in this state, shall not be payable under specified conditions; to amend section 77-2001, 77-2002 and 77-2017, Revised Statutes of Nebraska, 1943; and to repeal the original sections and all acts and parts of acts in conflict with this act.

Bills Referred to Standing Committees

L. B.	Committee
170	Judiciary
171	Judiciary
172	Agriculture
173	Revenue
174	Revenue
175	Judiciary
176	Public Works
177	Banking, Commerce and Insurance
178	Judiciary
179	Education
180	Public Health and Miscellaneous Subjects
181	Judiciary
182	Education
183	Education
184	Government
185	Public Works
186	Labor
187	Public Health and Miscellaneous Subjects
188	Government
189	Judiciary
190	Banking, Commerce and Insurance
191	Judiciary
192	Government
193	Revenue
194	Judiciary
195	Revenue
196	Government
197	Claims and Deficiencies

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 4.

SELECT FILE

Speaker Peterson presiding

LEGISLATIVE BILL 36. E and R amendments, found in the Legislative Journal for the Fourteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 18. E and R amendment, found in the Legislative Journal for the Fourteenth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 51. E and R amendment, found in the Legislative Journal for the Fourteenth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 65. E and R amendment, found in the Legislative Journal for the Fourteenth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 4. E and R amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 10. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 13. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 26. E and R amendment, found in the Legislative Journal for the Sixteenth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 45. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 5. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 23. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 22. E and R amendments, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

January 24, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that on January 23rd he approved Legislative Bill 7.

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

GENERAL FILE

LEGISLATIVE BILL 52. Passed over until Tuesday. Retains place on General File.

LEGISLATIVE BILL 50. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 107. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 68. Read and considered.

Mr. James Anderson offered the following amendments:

Amend the bill, Sec. 1, line 8, by inserting after the figures "77-513" the words and figures and punctuation, "Revised Statutes of Nebraska, 1943,"

Amend Sec. 4, line 4, by inserting after the figures "77-513" the words, figures and punctuation, "Revised Statutes of Nebraska, 1943,".

Mr. James Anderson's amendments were adopted.

Mr. Schultz moved that L. B. 68 be made a Special Order of Business on January 31, 1945, at 10:30 a. m.

The motion prevailed.

LEGISLATIVE BILL 81. Read and considered.

Standing Committee amendments to L. B. 81 for the sixteenth day, were read, to which Mr. Raecke offered the following amendments:

1. In line 6 strike the word "and" after the word "January" and insert in lieu thereof the words and figure "(2) the sum of two hundred dollars on the first day of"

2. Renumber the following subsections accordingly.

Mr. Raecke's amendment was adopted.

The Standing Committee amendments, as amended were adopted.

Referred to E and R for review.

Visitor

Mr. Cronin presented Mr. Tony Asimus of O'Neill, Nebraska, a former member of the legislature.

Member Excused

Mr. Sorrell asked to be excused January 25 and 26.

Adjournment

At 11:45 a. m. Mr. Foster moved that the rules be suspended and the Legislature adjourned until 10:00 a. m. Thursday, January 25, 1945.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Hugo F. Srb
Clerk of the Legislature

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 25, 1945

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mekota and Sorrell, who were excused.

The Journal for the seventeenth day was approved as corrected.

Communications

Letters from Mr. O. A. Jackson, County Clerk of Keya Paha County opposing certain changes in the county budget law and the employment of a full-time assessor.

Report of meeting of Nebraska State Legislative Board of Brotherhood of Locomotive Engineers in regard to pending legislation.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 133 Friday, February 9, 1945 2:00 p. m.
L. B. 148 Friday, February 9, 1945 2:00 p. m.
L. B. 80 reset for hearing, February 9, 1945, 2:00 p. m.

Judiciary

L. B. 171 Monday, February 5, 1945 2:00 p. m.
L. B. 178 Wednesday, February 7, 1945 2:00 p. m.
L. B. 194 Wednesday, February 7, 1945 2:00 p. m.
L. B. 170 Wednesday, February 7, 1945 2:00 p. m.

Labor and Public Welfare

L. B. 31 Monday, February 5, 1945 2:00 p. m.
L. B. 54 Monday, February 5, 1945 2:00 p. m.
L. B. 73 Monday, February 5, 1945 2:00 p. m.

Speaker Peterson Presiding

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 48. Placed on General File.
LEGISLATIVE BILL 63. Placed on General File.
(Signed) Carl P. Jeffords, Chairman

Judiciary

LEGISLATIVE BILL 55. Indefinitely postponed.
LEGISLATIVE BILL 61. Indefinitely postponed.
(Signed) John E. Mekota, Chairman

Public Works

LEGISLATIVE BILL 84. Placed on General File.
LEGISLATIVE BILL 69. Placed on General File.
LEGISLATIVE BILL 49. Placed on General File.
(Signed) Sidney J. Cullingham, Chairman

Enrollment and Review

LEGISLATIVE BILL 50. Placed on Select File with amendments.

E and R amendments to L. B. 50:

1. In the bill, section 1, page 2, line 5, after the word "Record" and before the word "*and*" strike the punctuation "," " and in lieu thereof insert ";"," and at the end of said line, after "*Record*" strike the punctuation "," " and in lieu thereof insert ","; in line 8, before the word "beginning" insert a comma (shown in the statute) .

2. In the bill, title, page 1, 4th line, before the word "World" insert the word "a",

LEGISLATIVE BILL 81. Placed on Select File with amendments.

E and R amendments to L. B. 81:

1. Amend Standing Committee amendment 1 (to conform with General File amendment by Mr. Raecke), line numbered 6, strike the stricken comma after "January" and insert a comma, and strike "(2)" and in lieu thereof insert: "~~(2)~~ *(3)*"; line numbered 9, strike "~~(4)~~ *(3)*" and in lieu thereof insert "(4)".

2. In the bill, title, page 1, 3rd and 4th lines, strike: "provide for the time and amount" and in lieu thereof insert: "change the dates and amounts of payments"

LEGISLATIVE BILL 107. Placed on Select File with amendment.

E and R amendment to L. B. 107:

In the bill, section 1, page 2, line 8, strike: "of public instruction" and in lieu thereof insert: "~~of public instruction~~"

(Signed) Roy B. Carlberg, Chairman

President Roy W. Johnson, Presiding

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 202. By Lloyd Kain of Dawson and Dwight Burney of Cedar.

A bill for an act to amend section 79-2002, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the apportionment to districts and counties of moneys belonging to the school fund shall be made annually on the third Monday in January; and to repeal the original section.

LEGISLATIVE BILL 203. By J E Conklin of Thayer.

A bill for an act to amend section 19-1801, Revised Statutes of Nebraska, 1943, relating to Civil Service Commission; to remove cities of the first class from the operation of the act; and to repeal the original section.

LEGISLATIVE BILL 204. By Charles F. Tvrdik of Douglas and William J. Norman of Douglas.

A bill for an act to designate an official tree for the State of Nebraska.

LEGISLATIVE BILL 205. By A. J. Brodahl of Saunders and Fay Wood of Seward.

A bill for an act to amend section 39-242, Revised Statutes of Nebraska, 1943, relating to highways; to increase the levy of assessment that may be levied in improving and graveling roads in road districts; and to repeal the original section.

LEGISLATIVE BILL 206. By Tom Dooley of Sarpy.

A bill for an act to amend section 23-1104, Revised Statutes of Nebraska, 1943, relating to county officers; to remove the maximum amount of salary that may be paid to clerk of the county court in counties having a population of class (3); to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 207. By William A. Crossland of Wayne.

A bill for an act to amend section 77-1718, Revised Statutes of Nebraska, 1943, relating to taxation; to provide that when distress warrants have been issued against the same person for two consecutive years and returned wholly unsatisfied, distress warrants shall not issue until ordered by the county board; and to repeal the original section.

LEGISLATIVE BILL 208. By C. Petrus Peterson of Lancaster and Earl J. Lee of Dodge.

A bill for an act relating to aeronautics; to define terms; to provide for the acquisition, establishment, construction, enlargement, improvement, maintenance, equipment, operation and regulation of airports, other air navigation facilities and airport protection privileges by municipalities and to provide the right of condemnation for such purposes; to declare the ownership and operation of airports, other air navigation facilities and airport protection privileges to be for public, governmental and municipal purposes; to provide for the issuance of bonds and for the levying of taxes for airport purposes; to validate prior bond issues, indebtedness and contracts; to grant specific powers; to permit the acceptance of federal aid; to authorize joint action by municipalities and by municipalities and the state; to provide for the appointment of joint boards or commissions, and to grant to municipalities or municipalities and the state, acting jointly, the powers granted a single municipality; to provide for assistance to other municipalities, and to make uniform the law with reference to public airports.

LEGISLATIVE BILL 209. By C. Petrus Peterson of Lancaster and Earl J. Lee of Dodge.

A bill for an act relating to airports; to empower municipalities and other political subdivisions to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; to amend sections 81-831 and 81-833, Revised Statutes of Nebraska, 1943, and to repeal the original sections.

LEGISLATIVE BILL 210. By C. Petrus Peterson of Lancaster, Charles F. Tvrdik of Douglas and Ed F. Lusienski of Platte.

A bill for an act to amend sections 48-604, 48-612, 48-627, 48-438, 48-653, 48-654, 48-660 and 48-668, Revised Statutes of Nebraska, 1943, relating to unemployment compensation; to re-define "employment"; to make communications used in connection with unemployment insurance administration privileged; to re-define eligibility requirements; to es- relating to unemployment compensation; to re-define "employment"; to provide a method for dealing with benefit checks outstanding for more than one year; to provide single computation date for determining contribution rate of successor employers; to specify manner of making adjustments or refunds; to revise reciprocal agreement provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 211. By C. Petrus Peterson of Lancaster.

A bill for an act to amend sections 21-1711, 21-1715, 21-1725, 21-1727, 21-1731, 21-1745 and 21-1751, Revised Statutes of Nebraska, 1943, relating to credit union act; to provide that one copy of amendment or amendments to the articles of association shall be filed in the office of the county clerk of the county where credit union has its principal place of business; to provide for filing fee for such amendments; to provide that a member must own at least one fully paid share to be in good standing, to obtain a loan and to vote at membership meeting; to provide that the board of directors shall determine the rate of dividend and fix the compensation of the treasurer; to provide a method of verification of loan and share accounts; to provide for dividends from net savings instead of net earnings; to provide what board of directors may consider for dividends; to provide for security for loans to members; to provide for application of share balance when a member is in default, has breached his obligation or is about to leave the field of membership of the credit union; and to repeal the original sections.

LEGISLATIVE BILL 212. By Fred A. Seaton of Adams, Lloyd Kain of Dawson and Ed. Hoyt of Red Willow.

A bill for an act to amend sections 89-168, 89-169, 89-171 and 89-172, Revised Statutes of Nebraska, 1943, relating to hay inspection; to re-define terms; to provide for federal-state inspection of car-lot or truck-lot shipments of hay or hay in stack by any interested party; to permit the Department of Agriculture and Inspection to promulgate official standards for grading and classifying hay without the necessity of investigation and public hearing; to provide for collection of fees; and to repeal the original sections and section 89-170, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 213. By Harry A. Foster of Douglas.

A bill for an act to amend section 48-203, Revised Statutes of Nebraska, 1943, relating to labor; to provide for hours of employment of females in any manufacturing, mechanical or mercantile establishment, laundry, hotel, restaurant or in any office in this state which employs eight or more persons for a period of thirty days or more in any calendar year; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 214. By Ed F. Lusienski of Platte.

A bill for an act to amend section 23-1107, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for increase of salary to clerk of county court in counties having a population of class (5); to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 215. By John E. Mekota of Saline.

A bill for an act relating to cities of the second class and villages; to authorize such cities and villages to acquire, by gift, devise or purchase, a municipal hospital; to provide for submission of question of purchase to electors of such city or village; to provide for issuance of bonds to finance cost of purchase, construction, remodeling or equipping, and levy of tax to pay same; to provide for levy of annual tax to maintain such hospital; to establish hospital fund, and to provide for safekeeping and disbursement thereof; and to declare an emergency.

LEGISLATIVE BILL 216. By John E. Mekota of Saline.

A bill for an act to amend sections 54-803, 54-804 and 54-810, Revised Statutes of Nebraska, 1943, relating to commercial feeding stuffs; to prescribe the statements required to be made on labels required to be affixed to every lot or parcel of commercial feeding stuff sold or offered for sale in this state; to require the payment of an annual registration fee; to provide for the imposition and payment of a tax on commercial feeding stuffs sold or distributed in this state; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 217. By Earl J. Lee of Dodge and Fred A. Seaton of Adams.

A bill for an act to provide for the creation and operation of a retirement system for municipalities and municipal utilities in the state.

LEGISLATIVE BILL 218. By C. Petrus Peterson of Lancaster, William Hern of Dawes and Ed F. Lusienski of Platte.

A bill for an act to amend sections 48-603, 48-624, 48-626 and 48-628, relating to unemployment compensation; to re-define "employer"; to amend the table of weekly benefit amounts; to extend the maximum duration of benefit payments; to redetermine disqualifications for benefits; to provide for weekly benefit amount and maximum duration when there is current a benefit year which has not expired prior to the effective date of this act; and to repeal the original sections.

LEGISLATIVE BILL 219. By George C. Weborg of Cuming, Ladd J. Hubka of Gage and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 2-912, 2-913, 2-914, 2-915, 2-916, 2-918, 2-919, 2-920, 2-921, 2-922, 2-923, 2-924, 2-925, 2-926, 2-927, 2-928, 2-936, 2-939, 2-942 and 2-943, Revised Statutes of Nebraska, 1943, relating to weed eradication and control; to provide the manner of organization and operation of districts to eradicate and control noxious weeds; to provide the powers and duties of such districts; to provide for the levy of assessments; to provide for the management and operation of the affairs of such districts; to authorize counties, cities and villages to appropriate funds to assist certain districts; and to repeal the original sections and sections 2-907, 2-908 and 2-909, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 220. By George C. Weborg of Cuming.

A bill for an act to amend section 39-869, Revised Statutes of Nebraska, 1943, relating to interstate bridge commission; to remove the provision that no commissions shall be eligible for reappointment; and to repeal the original section.

LEGISLATIVE BILL 221. By William A. Crossland of Wayne.

A bill for an act to repeal sections 39-608, 39-609, 39-610 and 39-611, Revised Statutes of Nebraska, 1943, relating to maintenance of state highways, as being obsolete.

LEGISLATIVE BILL 222. By Walter R. Raecke of Merrick and Sidney J. Cullingham of Douglas.

A bill for an act to amend section 14-1513, Revised Statutes of Nebraska, 1943, relating to peoples power district; to clarify the manner of procedure for the exercise of the right of eminent domain by such districts; and to repeal the original section.

LEGISLATIVE BILL 223. By Ed. Hoyt of Red Willow and Ray A. Babcock of Cheyenne.

A bill for an act to amend section 39-735, Revised Statutes of Nebraska, 1943, relating to highways; to require all vehicles and machinery to display clearance lights or reflectors when driven, operated or propelled upon any public highway at night; and to repeal the original section.

LEGISLATIVE BILL 224. By Earl J. Lee of Dodge.

A bill for an act relating to cities of the first class; to authorize cities of that class that have established a system of waterworks, and have surplus funds available, to expend such funds in laying and relaying watermains and the installation of equipment for fire protection; and to provide that such work may be done by the use of labor employed by the city without the necessity of letting contract therefor.

LEGISLATIVE BILL 225. By Earl J. Lee of Dodge and A. J. Brodahl of Saunders.

A bill for an act to amend section 71-626, Revised Statutes of Nebraska, 1943, relating to vital statistics; to provide that any court of record of another state, entering a decree of adoption of a child born in Nebraska, may issue and send to the Department of Health a certified copy of such adoption decree and a certificate of birth for registration; and to repeal the original section.

LEGISLATIVE BILL 226. By Earl J. Lee of Dodge.

A bill for an act to amend section 25-517, Revised Statutes of Nebraska, 1943, relating to service by publication in actions in district court; to validate proceedings heretofore had where the allegations were not set forth or were insufficiently set forth in the petition or other pleading, but were substantially set forth in the affidavit for service by publication; to require actions to set aside any judgment or decree rendered in such proceedings to be brought within one year from the effective date of this act; and to repeal the original section.

LEGISLATIVE BILL 227. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to transfer from the state hail fund the sum of one thousand six hundred forty-nine dollars and twelve cents now in the current trust fund to the general fund.

LEGISLATIVE BILL 228. By Cliff N. Ogden of Douglas.

A bill for an act to amend sections 77-708, 77-709 and 77-710, Revised Statutes of Nebraska, 1943, relating to banks; to provide for the manner of making return and assessment of the shares of capital stock of banks, industrial loan and investment companies and trust companies; to provide that such banks, industrial loan and investment companies and trust companies shall pay the tax and have a lien upon the shares of capital stock for repayment; and to repeal the original sections.

LEGISLATIVE BILL 229. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 43-604, Revised Statutes of Nebraska, 1943, relating to care and education of physically handicapped children; to include children who need educational facilities not available in the regular school classes in the term "physically handicapped children"; and to repeal the original section.

LEGISLATIVE BILL 230. By Sam Klaver of Douglas.

A bill for an act to repeal section 68-214, Revised Statutes of Nebraska, 1943, relating to reimbursement from relatives of recipient of old age assistance.

LEGISLATIVE BILL 231. By Thomas H. Adams of Lancaster and Sam Klaver of Douglas.

A bill for an act to amend section 26-106, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide for salaries of clerk of the municipal court in cities of the metropolitan and primary class; and to repeal the original section.

LEGISLATIVE BILL 232. By H. P. Heiliger of Lancaster.

A bill for an act to amend sections 88-201, 88-205 and 88-206, Revised Statutes of Nebraska, 1943, relating to public grain warehouses; to extend the meaning of the term "grain" to include seeds, beans and peas; to prescribe the time of filing and contents of reports required as to grain in storage and warehouse receipts issued and cancelled; to

provide for the issuance of duplicate warehouse receipts and the effect to be given thereto; and to repeal the original sections.

LEGISLATIVE BILL 233. By Cliff N. Ogden of Douglas and C. Petrus Peterson of Lancaster.

A bill for an act relating to bonds of officers and employees of the state of Nebraska; to create the Bond Approval Board; to prescribe its powers and duties; to provide for the payment of premiums on bonds of officers and employees of the state out of state funds upon order of the Bond Approval Board; and to prohibit the payment of state funds on premiums of the bond of any officer or employee of the state unless order for payment has been obtained from the Bond Approval Board.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and the Legislature be at ease for the reference of bills 202 to 233. (Signed) Fred A. Mueller

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

The Legislature was at ease from 10:40 to 11:05 a. m.

Bills Referred to Standing Committees

L.B.	Committee
198	Appropriations
199	Public Health and Miscellaneous Subjects
200	Government
201	Revenue
202	Education
203	Government
204	Public Health and Miscellaneous Subjects
205	Public Works
206	Government
207	Revenue
208	Public Works
209	Public Works
210	Labor and Public Welfare
211	Banking, Commerce and Insurance
212	Agriculture
213	Labor and Public Welfare
214	Government
215	Public Health and Miscellaneous Subjects
216	Agriculture
217	Government
218	Labor and Public Welfare

219	Agriculture
220	Public Works
221	Public Works
222	Public Works
223	Public Works
224	Public Works
225	Public Health and Miscellaneous Subjects
226	Judiciary
227	Appropriations
228	Banking, Commerce and Insurance
229	Public Health and Miscellaneous Subjects
230	Labor and Public Welfare
231	Government
232	Agriculture
233	Agriculture

Visitors

Mr. Raasch introduced Mrs. Clara E. Andrews, National Banner Bearer of the Veterans' of Foreign Wars Auxiliary and Mrs. Lulu Nordeen, a member of the V.F.W. National Speakers' Bureau.

Mr. Hoyt introduced Mr. Harold Simmons of Orleans.

Member Excused

Mr. Norman was excused for Friday, January 26, 1945.

SELECT FILE

LEGISLATIVE BILL 2. E and R amendments, found in the Legislative Journal for the Seventeenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 6. E and R amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 72. Mr. Garber moved to indefinitely postpone.

A machine vote was requested.

The motion prevailed with 17 ayes, 15 nays and 11 not voting.

LEGISLATIVE BILL 101. Read and considered.

Mr. Ogden offered the following amendment, which was adopted.

Amend page 2 of the bill, section 1, line 30, by striking the punctuation after the word "year" and adding the following:

"or upon any person who has been or is classified by the United States Veterans Administration as being totally disabled as the result of service in the armed forces of the United States."

Referred to E and R for review.

MOTION—To Refer Bill

Mr. President: I move that L. B. 153 be re-referred to the Committee on Public Works. (Signed) Arthur Carmody

The motion prevailed and it was so ordered.

Adjournment

At 11:45 a. m. Mr. Heiliger moved that the rules be suspended and the Legislature adjourned until 10:00 a. m. Friday, January 26, 1945.

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

Hugo F. Srb
Clerk of the Legislature

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 26, 1945

Pursuant to adjournment, the Legislature met at 10:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlberg, Carmody, Norman and Sorrell, who were excused.

The Journal for the eighteenth day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 36. Replaced on Select File with amendment.

E and R amendment to L. B. 36:

Amend Enrollment and Review Committee amendment 1, by changing the figure 4, in the 1st line, to the figure 3, and striking the word "purchaser", in the 2nd line, and in lieu thereof insert the word "institution",

LEGISLATIVE BILL 101. Placed on Select File with amendments.

E and R amendments to L.B. 101:

1. In General File amendment by Mr. Ogden, 1st line of the new inserted matter, after the word "*is*" and before the word "*classified*" insert the word "*hereafter*".

2. In the bill, title, page 1, strike all of the 3rd line beginning with the words "to fix", all of the 4th and 5th lines and in lieu thereof insert:

"to except certain prescribed persons from the per capita tax imposed for the purposes of the state assistance fund; to provide that the amount of the annual per capita tax imposed for such purposes shall be three dollars until March 1, 1947; to re-"

Correctly Engrossed

L. B. 4	L. B. 13	L. B. 51
L. B. 5	L. B. 18	L. B. 65
L. B. 10	L. B. 38	

(Signed) Fred A. Seaton, Vice-Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 234. By Arthur Carmody of Hitchcock, Ed. Hoyt of Red Willow and Ray A. Babcock of Cheyenne.

A bill for an act to authorize any county in this state, after such proposition has been approved at an election, to levy a tax of one mill upon the dollar actual valuation upon all taxable property, except intangible property, in addition to all other levies for the purpose of raising funds to cooperate with the government of the United States in the construction and improvement of certain roads within the county; and to provide for the manner of submission of such proposition.

LEGISLATIVE BILL 235. By J E Conklin of Thayer.

A bill for an act to amend section 53-1,100, Revised Statutes of Nebraska, 1943, relating to liquors; to provide penalties for violations of liquor control act; and to repeal the original section.

LEGISLATIVE BILL 236. By Harry A. Foster of Douglas, C. N. Ogden of Douglas and Sidney J. Cullingham of Douglas.

A bill for an act to amend section 39-727, Revised Statutes of Nebraska, 1943, relating to operation of motor vehicles; to define the words "under the influence of alcoholic liquor" used therein; to provide

what may be considered as competent evidence to prove the guilt of the accused who is charged with the offense of operating a motor vehicle while under the influence of intoxicating liquor; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 237. By Harry A. Foster of Douglas, C. N. Ogden of Douglas and Sidney J. Cullingham of Douglas.

A bill for an act to amend section 26-107, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide for the selection of a presiding judge thereof; to prescribe his powers and duties, to provide for the appointment of a court reporter; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 238. By Don E. Hanna of Cherry.

A bill for an act to amend section 83-412, Revised Statutes of Nebraska, 1943; to extend until March 1, 1947, the payment of salary to the warden of the state penitentiary at the rate of not to exceed three thousand dollars per annum; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 239. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 77-1303, 77-1613, 77-1615, 77-1616, 77-1617 and 77-1706, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to extend the privilege to county boards, in counties having a population of more than twenty-five thousand inhabitants, the authority, in their discretion, to cause to be used unit tax ledgers in lieu of tax lists; to provide for the compilation, preparation and delivery of unit tax ledgers, and the manner and method of application of unit tax ledgers in the levy and collection of taxes; to provide for the manner of writing tax receipts in counties that have adopted the unit tax ledger system and payment of cost of preparation of such tax receipts; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 240. By Ladd J. Hubka of Gage and Joseph C. Reavis of Richardson.

A bill for an act relating to the purchase of United States Series E Bonds; to provide for the withholding of portions of the salary or compensation of officers and employees of the State of Nebraska, or any of its governmental subdivisions, when authorized in writing by such officers or employees for the purpose of purchasing for such officers and employees United States Series E Bonds; to provide for

the Auditor of Public Accounts or the disbursing officer of the governmental subdivision endorsing warrants for the purpose of purchasing such bonds; to provide that such bonds shall be delivered to such officers or employees or mailed to the address in the written authorization; to provide for the termination of such written authorization; to provide for the return of any money not expended for such bonds upon the termination of the authorization; to provide that the Auditor of Public Accounts or such disbursing officer shall not be liable under any bond required of them as such official; and to declare an emergency.

LEGISLATIVE BILL 241. By Ladd J. Hubka of Gage.

A bill for an act to amend sections 42-301 and 42-318, Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to provide that incurable insanity and continuous confinement in a hospital or asylum for the insane for a period of at least five years preceding the date of filing of petition for divorce shall constitute grounds therefor; to prescribe the proof required in such cases; to provide for appointment of guardian ad litem and taxation of costs; to provide for maintenance and support of insane persons against whom a decree of divorce shall be granted; and to repeal the original sections.

LEGISLATIVE BILL 242. By William J. Norman of Douglas and John F. Doyle of Greeley.

A bill for an act to amend Section 7, Article III of the Constitution of Nebraska, relating to salaries of members of the Legislature; to provide for the submission of a proposed amendment increasing the aggregate salaries of members of the Legislature from thirty-seven thousand five hundred dollars per annum to seventy-five thousand dollars per annum; to provide for the submission of the proposed amendment at the general election in November, 1946; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 243. By Lloyd Kain of Dawson, Sidney J. Cullingham of Douglas and Walter R. Raecke of Merrick.

A bill for an act relating to crimes and punishments; to penalize the unlawful wearing of military and other official uniforms; and to declare an emergency.

LEGISLATIVE BILL 244. By Ernest C. Raasch of Madison, Edwin Schultz of Antelope, and George C. Weborg of Cuming.

A bill for an act to designate an official tree for the State of Nebraska.

LEGISLATIVE BILL 245. By Thomas H. Adams of Lancaster.

A bill for an act to repeal section 89-140, Revised Statutes of Nebraska, 1943, relating to weights and measures.

LEGISLATIVE BILL 246. By Daniel Garber of Webster.

A bill for an act to amend sections 71-179 and 71-416, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to provide requirements for examinations of chiropractors; to exclude chiropractors from the provisions of sections 71-401 to 71-416; and to repeal the original sections.

LEGISLATIVE BILL 247. By Ladd J. Hubka of Gage and Harry A. Foster of Douglas.

A bill for an act relating to public health; to define the practice of optometry; to provide for the qualifications, examination and licensing of persons desiring to engage in such practice; to provide for the renewal, suspension and revocation of licenses issued; to regulate the practice of optometry; to repeal sections 71-1,133, 71-1,134, 71-1,135 and 71-1,136, Revised Statutes of Nebraska, 1943, and all acts and parts of acts in conflict herewith.

LEGISLATIVE BILL 248. By John F. Doyle of Greeley, F. A. Mueller of Buffalo and Tom Dooley of Sarpy.

A bill for an act to amend sections 66-410, 66-423, 66-424.01 and 66-428, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to increase the excise tax on the sale and use of motor vehicle fuels from five to six cents per gallon; to provide for the allocation and distribution thereof so as to increase the amount available to obtain further and additional funds to be furnished by the government of the United States; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 249. By James H. Anderson of Scotts Bluff, Fred A. Seaton of Adams and Lloyd Kain of Dawson.

A bill for an act relating to public health; to give to the Board of Barber Examiners jurisdiction and authority to investigate trade practices among barbers; to give such board authority to promulgate such regulations and to enforce the same pertaining to service charges

of barber shops as will tend to eliminate unfair and insanitary practices; to fix territorial units for such regulation; to regulate barber shops and practices therein; and to repeal all acts in conflict with this act.

LEGISLATIVE BILL 250. By James H. Anderson of Scotts Bluff, Fred A. Seaton of Adams and Lloyd Kain of Dawson.

A bill for an act to amend sections 71-208 and 71-217, Revised Statutes of Nebraska, 1943, relating to the practice of barbering; to provide the requirements for approval of barber schools and colleges; to provide for revocation of certificate of registration of barbers for violation of certain regulations promulgated by the Board of Barber Examiners; and to repeal the original sections.

LEGISLATIVE BILL 251. By Cliff N. Ogden of Douglas.

A bill for an act relating to schools; to provide for conditions under which funds, services, commodities, or equipment provided by agencies of the federal government may be accepted for use by public tax-supported schools, school systems and educational institutions; to provide that all laws and parts of laws in conflict with this act are repealed; and to declare an emergency.

LEGISLATIVE BILL 252. By Ladd J. Hubka of Gage, F. A. Mueller of Buffalo and Fred A. Seaton of Adams.

A bill for an act relating to copyrights and public performing rights in musical compositions; to regulate the issue of licenses with respect thereto; to prohibit discrimination; to levy a privilege tax; to provide penalties; and to repeal Article 13, Chapter 59, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 253. By F. A. Mueller of Buffalo and Harry F. Burnham of Custer (By request).

A bill for an act to amend sections 23-1105, 23-1106, 23-1107, 23-1108 and 23-1109, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for salaries of register of deeds in counties of classes (4), (4a), (5), (6) and (7) and deputy register of deeds in counties of classes (4a), (5), (6) and (7); and to repeal the original sections.

LEGISLATIVE BILL 254. By Ray A. Babcock of Cheyenne and Edwin Schultz of Antelope.

A bill for an act to amend section 79-2101, Revised Statutes of Nebraska, 1943, relating to schools; to provide that when children of school age who have not completed the eighth grade reside with their parents or guardians more than one and one half miles from the schoolhouse in their own district and nearer to the schoolhouse in another district, such children may have school privileges in the other district; to provide that if the other district is contracting for the instruction of its pupils, the board of education of such district may, at its option, grant school privileges to such children when certain conditions are met; and to repeal the original section.

LEGISLATIVE BILL 255. By Ladd J. Hubka of Gage, Don E. Hanna of Cherry and Daniel Garber of Webster.

A bill for an act to amend section 53-118, Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the Nebraska Liquor Control Commission shall establish rules and regulations and shall by rule establish the form of revenue stamps which may be a decalcomania revenue stamp; and to repeal the original section.

LEGISLATIVE BILL 256. By Walter R. Raecke of Merrick (By request).

A bill for an act to amend section 8-120, Revised Statutes of Nebraska, 1943, relating to banks; to increase the ratio between average daily deposits and combined paid-up capital stock and surplus of commercial banks having a capital stock of less than twenty-five thousand dollars, upon the basis of which the Department of Banking is required to issue an order to increase its paid-up capital stock; and to repeal the original section.

LEGISLATIVE BILL 257. By Sam Klaver of Douglas, Cliff Ogden of Douglas and Harry A. Foster of Douglas.

A bill for an act to amend sections 79-2738, 79-2742 and 79-2743, Revised Statutes of Nebraska, 1943, relating to schools; to provide for a teachers' retirement fund in every school district in a city of the metropolitan class in the state, by an assessment of five per cent of every installment of salary, or portion of individual salary not in excess of three thousand dollars per annum, hereafter paid to a teacher regularly employed by such school district, and by the setting aside from the general fund of said school district an equal amount and not less than the amount necessary to meet the pension payments provided in sections 79-2740 and 79-2741, and the refunds herein provided for; to provide for reimbursement of such future assessments in the event

of the discharge, resignation or death of such teacher; and to repeal said original sections.

LEGISLATIVE BILL 258. By A. J. Brodahl of Saunders and Fay Wood of Seward.

A bill for an act to amend sections 23-901, 23-902, 23-903, 23-904, 23-905, 23-906, 23-908, 23-909, 23-910, 23-913, 23-914, 23-915 and 23-919, Revised Statutes of Nebraska, 1943, relating to County Budget Act; to define fiscal year; to provide changes in the scope and contents of the county budget document; to provide for supervision of preparation of budget by the Auditor of Public Accounts; to change the time for performance of acts to conform to the fiscal year; to prescribe the procedure to be followed in adoption of county budget; to provide a different fiscal year and different time for performance of acts required in counties having a population of two hundred thousand inhabitants or more than in other counties; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 259. By Walter R. Raecke of Merrick, John E. Mekota of Saline and Daniel Garber of Webster.

A bill for an act to amend sections 50-302, 50-305, 50-306 and 50-307, Revised Statutes of Nebraska, 1943, relating to lobbying; to provide registration by employers of counsel or agents; to provide for filing of statements; to provide penalties; to repeal the original sections and also section 50-301, Revised Statutes of Nebraska, 1943; and to declare an emergency.

SELECT FILE

LEGISLATIVE BILL 1. E and R amendments, found in the Legislative Journal for the Seventeenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 79. E and R amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 48. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 63. Read and considered.

Mr. Weborg offered the following amendment:

Strike the word "Thurston" and insert the word "Cuming" following his name as introducer.

Referred to E and R for review.

LEGISLATIVE BILL 84. Read and considered.

Mr. Ogden offered the following amendment, which was adopted. Amend the Standing Committee Amendment, line 14: Strike "titled" after "not" and insert "having a certificate of title".

In line 15, strike "be titled" and insert "have a certificate of title".

Mr. Schultz asked unanimous consent to have L. B. 84 laid over and retain its place on the File. No objection, so ordered.

LEGISLATIVE BILL 69. Read and considered.

A machine vote was called for on Mr. Babcock's motion to advance the bill.

The motion prevailed with 29 ayes, 5 nays and 9 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 49. Read and considered.

Mr. Dooley offered the following amendment, which was adopted.

Amend L. B. 49, Sec. 1, line 7 by striking the words "twenty-five" and inserting the word "thirty".

Mr. Conklin made a motion to advance L. B. 49.

Mr. Lusienski made a substitute motion that L. B. 49 be indefinitely postponed.

Mr. Hubka made a motion that L. B. 49 be re-committed to the Public Works Committee for further hearing.

A machine vote was requested and the motion prevailed with 18 ayes, 9 nays and 16 not voting.

L. B. 197 Re-referred

Mr. Tvrdik asked unanimous consent that L. B. 197 be re-referred to the Committee on Appropriations.

It was so ordered.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and the bills introduced today be immediately referred to standing committees. (Signed) C. Petrus Peterson

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Bills Referred to Standing Committees

L. B.	Committee
234	Public Works
235	Judiciary
236	Public Health and Miscellaneous Subjects
237	Judiciary
238	Government
239	Government
240	Labor and Public Welfare
241	Judiciary
242	Government
243	Judiciary
244	Agriculture
245	Agriculture
246	Public Health and Miscellaneous Subjects
247	Public Health and Miscellaneous Subjects
248	Revenue
249	Public Health and Miscellaneous Subjects
250	Public Health and Miscellaneous Subjects
251	Education
252	Public Health and Miscellaneous Subjects
253	Government
254	Education
255	Revenue
256	Banking, Commerce and Insurance
257	Education
258	Government
259	Judiciary

Member Excused

Mr. Mekota was excused for Monday, January 29.

Adjournment

At 12:20 p. m. Mr. Foster moved that the rules be suspended and the Legislature adjourned until 10:30 a. m. Monday, January 29, 1945.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Hugo F. Srb
Clerk of the Legislature

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 29, 1945

Pursuant to adjournment, the Legislature met at 10:32 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the nineteenth day was approved as corrected.

Communications

Two communications in regard to the Omaha Public Schools were read.

A communication recommending attention to the allocation of merchandise through the regular channels of distribution was read.

MESSAGE FROM THE GOVERNOR

January 26, 1945

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Jonathan J. Lydick, a resident of Burt County living near the city of Craig, died on May 10, 1944, and his last will and testament devised certain of his real estate to the State of Nebraska under the conditions and provisions set forth in his will. A copy of his will is attached hereto for your information.

The acceptance or rejection of this devise requires the attention of your body. May I suggest that a special committee be appointed

for the purpose of investigating this matter that the Legislature may be fully informed before they take action.

I have advised myself in respect to the facts surrounding this problem and I would appreciate an opportunity to meet with your committee at their earliest convenience.

Respectfully submitted,
(Signed) Dwight Griswold
Governor of Nebraska

Visitors

Speaker Peterson introduced Mr. and Mrs. C. S. Ingham to the members. Mr. Ingham is a representative of the State of Connecticut, and addressed the Legislature briefly.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 181	Friday, February 9, 1945	2:00 p. m.
L. B. 226	Friday, February 9, 1945	2:00 p. m.
L. B. 175	Monday, February 12, 1945	2:00 p. m.
L. B. 189	Monday, February 12, 1945	2:00 p. m.
L. B. 191	Monday, February 12, 1945	2:00 p. m.

Appropriations

L. B. 198	Tuesday, February 6, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 82. Placed on General File.
(Signed) Fay Wood, Vice Chairman

Enrollment and Review

LEGISLATIVE BILL 48. Select File with amendments.

E and R amendments to L. B. 48:

1. In the bill, section 1, page 2, line 1, strike the word "The" and in lieu thereof insert: "That the"; strike the punctuation at the end of line 3, and in lieu thereof insert " ". ".

2. In the bill, section 2, page 2, line 1, before "Chapter" insert the word "That"; line 2, strike the number "1395" and in lieu thereof insert: "1392".

3. In the bill, title, page 1, insert the word "as" at the end of the 2nd line.

LEGISLATIVE BILL 69. Select File with amendments.

E and R amendments to L. B. 69:

1. In the bill, title, page 1, 3rd line, before the semicolon insert: ", relating to certain highway requirements for vehicles"; 4th line, after the word "for" insert the word "an" and at the end of said line strike the word "motor"; 5th and 6th lines, strike: "formula therein prescribed" and in lieu thereof insert: "the formula prescribed therein".

Correctly Engrossed

L. B. 1	L. B. 6	L. B. 45
L. B. 2	L. B. 26	L. B. 79

(Signed) Roy B. Carlberg, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 5. Re: Proposed Amendment to United States Constitution.

Introduced by Daniel Garber of Webster.

Memorializing the Congress of the United States of America to Propose an Amendment to the Constitution of the United States Relative to Taxes on Incomes, Inheritances and Gifts

WHEREAS excessive federal taxes threaten to absorb the revenues necessary to the operation of state and local government; and

WHEREAS the legislatures of a number of states have become interested in a call by Congress for a convention for the purpose of proposing an amendment to the Constitution of the United States limiting the power of Congress to tax incomes, inheritances and gifts; and

WHEREAS the legislature of the State of Nebraska believes it to be for the best interest of the people of the United States and of Nebraska that such an amendment be adopted;

NOW THEREFORE, BE IT RESOLVED by the legislature of the State of Nebraska,

That the Congress of the United States of America be and it hereby is requested to propose the following article as an amendment to the Constitution of the United States:

"ARTICLE ————

"Section 1. The sixteenth article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration. The maximum aggregate rate of all taxes, duties and excises which the Congress may lay or collect on, with respect to, or measured by, income, however, shall not exceed 30 per centum. In the event that the United States shall be engaged in a war which creates a national emergency so grave as to necessitate such action to avoid national disaster, the Congress by a vote of three-fourths of each house may, while the United States is so engaged, suspend, for periods not exceeding one year each, such limitation with respect to income subsequently accruing or received.

And be it further

Resolved, that the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several states; and be it further

Resolved, that the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 260. By Sidney J. Cullingham of Douglas.

A bill for an act to amend sections 14-1501, 14-1502, 14-1503, 14-1508, 14-1512, 14-1513, 14-1514, 14-1515 and 14-1523, Revised Statutes of Nebraska, 1943, relating to power commissions in cities of the metropolitan class and metropolitan areas; to clarify such sections; to change the manner of designation of name of such power commissions; to change the method of calling and holding recall elections of members of the board of directors; to remove the provision requiring payment of amount equal to taxes which would be levied if property were privately owned; to prescribe powers and duties of such commissions; to provide manner of financing the affairs of such commissions; to repeal the original sections and also to repeal sections 14-1504, 14-1505, 14-1506 and 14-1516, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 261. By Ernest C. Raasch of Madison, Carl P. Jeffords of Hooker and Fay Wood of Seward.

A bill for an act relating to motor vehicles; to prohibit the issuance of a registration certificate to any motor vehicle owner who shall not submit proof of ability to respond in damages for any damages caused to persons or property as the result of the operation of such vehicle; to provide that owners of motor vehicles operating the same under a nonresident license must comply with the ability to respond in damages within thirty days of the time moving into the state; to provide that any corporation furnishing the insurance policy or surety bond shall notify the county treasurer thirty days prior to the termination or cancellation of any such insurance policy or surety bond; to provide that upon the termination or cancellation of any insurance policy or surety bond, license to operate motor vehicle shall be canceled; and to provide a penalty.

LEGISLATIVE BILL 262. By C. Petrus Peterson of Lancaster.

A bill for an act to amend sections 23-1608 and 23-1613, Revised Statutes of Nebraska, 1943, relating to county government and officers; to provide for examination of books, accounts, records and affairs of county officers specified by the direction and under the supervision of the Auditor of Public Accounts; to provide for payment of additional compensation for accountants and assistants appointed by the Auditor of Public Accounts to make examination of county offices; and to repeal the original sections.

LEGISLATIVE BILL 263. By John E. Mekota of Saline and Walter R. Raecke of Merrick.

A bill for an act to amend section 42-105, Revised Statutes of Nebraska, 1943, relating to marriage; to provide the conditions upon which a marriage license may be issued to a minor; and to repeal the original section.

LEGISLATIVE BILL 264. By John E. Mekota of Saline.

A bill for an act to amend section 30-623, Revised Statutes of Nebraska, 1943, relating to claims against estates of deceased persons; to provide that, after the expiration of two years from entry of order allowing claim against the estate of a deceased person, there shall be no lien upon any property of the deceased arising from the entry of such order and the claim shall thereafter be wholly barred and unenforcible, unless before the expiration of such period, the creditor shall file a statement that the claim has not been paid or satisfied; and to repeal the original section.

LEGISLATIVE BILL 265. By Harry F. Burnham of Custer and Thomas H. Adams of Lancaster.

A bill for an act to amend section 72-207, Revised Statutes of Nebraska, 1943, relating to school lands; to provide that any delinquent interest on school land rental, delinquent prior to December 31, 1940, shall be remitted and cancelled in the event the original amount of such rental be paid on or before July 1, 1946, with interest thereon at the rate of seven per cent per annum from April 1, 1945, until such payment is made; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 266. By Harry F. Burnham of Custer.

A bill for an act relating to rural high schools; to provide for the discontinuance and dissolution of a rural high school organized under Article 8, Chapter 79, Revised Statutes of Nebraska, 1943; to provide the procedure therefor; to provide for the winding up of the affairs of such a district after discontinuance and dissolution has been voted; and to prescribe the manner of payment of indebtedness of the dissolved district.

LEGISLATIVE BILL 267. By Harry F. Burnham of Custer.

A bill for an act to amend section 79-601, Revised Statutes of Nebraska, 1943, relating to schools; to provide for discontinuance of operation of schools operating under a board of six trustees, and resumption of operation under a board consisting of director, mod-

erator and treasurer, when such change is authorized by a vote of the electors; to provide for the manner of making such change; and to repeal the original section.

LEGISLATIVE BILL 268. By Edwin Schultz of Antelope and Ernest C. Raasch of Madison.

A bill for an act to establish standard time for the State of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 269. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 16-6,100, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the amount that may be borrowed for the construction of public buildings in cities of the first class having a population of not less than ten thousand inhabitants to five hundred thousand dollars; and to repeal the original section.

LEGISLATIVE BILL 270. By Sidney J. Cullingham of Douglas.

A bill for an act to amend sections 14-1037, 14-1038, 14-1039, 14-1040 and 14-1041, Revised Statutes of Nebraska, 1943, relating to metropolitan utilities districts; to restore to metropolitan utilities districts all of the power and authority taken away from such districts by the enactment of Chapter 36, Session Laws of Nebraska, 1943, now appearing as Chapter 14, Article 15, Revised Statutes of Nebraska, 1943; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 271. By George C. Weborg of Cuming, Dwight W. Burney of Cedar and Dennis H. Cronin of Holt.

A bill for an act to amend sections 39-605 and 39-606, Revised Statutes of Nebraska, 1943, relating to highways and motor vehicles; to provide a different allocation and distribution of motor vehicle registration fees; and to repeal the original sections.

LEGISLATIVE BILL 272. By Sam Klaver of Douglas and Harry A. Foster of Douglas.

A bill for an act to amend section 23-1110, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for salary of county attorney and clerk of the district court in counties having a population of class (8); and to repeal the original section.

LEGISLATIVE BILL 273. By Sam Klaver of Douglas and Arthur Carmody of Hitchcock.

A bill for an act to amend section 48-125, Revised Statutes of Nebraska, 1943, relating to Workmen's Compensation Act; to provide payment of waiting time, interest and attorney's fees under specified conditions in proceedings under Workmen's Compensation Act; and to repeal the original section.

LEGISLATIVE BILL 274. By Sam Klaver of Douglas.

A bill for an act to amend section 48-126, Revised Statutes of Nebraska, 1943, relating to Workmen's Compensation Act; to provide for the manner of computation of wages of employees under the Workmen's Compensation Act; and to repeal the original section.

LEGISLATIVE BILL 275. By Sam Klaver of Douglas.

A bill for an act to amend section 53-112, Revised Statutes of Nebraska, 1943, relating to Liquor Control Commission; to provide for salaries of the members and Secretary of the Liquor Control Commission; and to repeal the original section.

LEGISLATIVE BILL 276. By William A. Crossland of Wayne.

A bill for an act relating to revenue and taxation; to authorize the bringing of an action for the curing of defects in tax foreclosure proceedings heretofore had; to provide for the procedure in such actions; to authorize bringing of suit against the State of Nebraska in such proceedings and designation of agent to accept service or process; to provide for an accounting and establishment of liens; to provide for sale of property for satisfaction of liens and distribution of proceeds of sale; and to provide for discharge of liens and acquisition of title free and clear of liens.

LEGISLATIVE BILL 277. By Lester H. Anderson of Hamilton and Carl P. Jeffords of Hooker.

A bill for an act relating to power districts and corporations; to create The Nebraska State Power Commission; to provide for the appointment and qualifications of its members; to provide for the organization of such commission and the management and conduct of its affairs; to provide for the employment of a secretary and other employees and the payment of salaries, wages and other expenses; to prescribe the jurisdiction, powers and duties of such commission; to provide that power districts, power and irrigation districts and

power companies, whether publicly or privately owned, shall be required to file specified documents with such commission; and to provide an appropriation.

LEGISLATIVE BILL 278. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 60-515, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that a discharge in bankruptcy shall not be deemed a satisfaction of judgments resulting from the ownership or operation of motor vehicles; and to repeal the original section.

LEGISLATIVE BILL 279. By Frank Sorrell of Otoe.

A bill for an act to amend section 75-105, Revised Statutes of Nebraska, 1943, relating to Railway Commission; to provide that the salary of the secretary shall be not more than thirty-six hundred dollars per annum; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 280. By Frank Sorrell of Otoe.

A bill for an act to amend section 17-209, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide for salaries of village trustees and village marshal; and to repeal the original section.

LEGISLATIVE BILL 281. By Frank Sorrell of Otoe. (By request)

A bill for an act to amend section 72-201, Revised Statutes of Nebraska, 1943, relating to Board of Educational Lands and Funds; to provide for the salary of the secretary of such board; and to repeal the original section.

LEGISLATIVE BILL 282. By C. Petrus Peterson of Lancaster.

A bill for an act relating to aeronautics; to provide for the development thereof within the state; to create a Department of Aeronautics, a Nebraska Aeronautics Commission and the office of Director of Aeronautics; to prescribe the powers and duties of the department, commission and director; to regulate aeronautics within this state; to provide for the acquisition and operation of state airports; to provide for the levy of an excise tax of five cents per gallon for aircraft fuel purchased for and used in aircraft within this state; to provide for the distribution of the tax so collected; to provide pen-

alties; to repeal Chapter 3, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 283. By William Hern of Dawes. (By request)

A bill for an act relating to county government; to authorize boards of county commissioners and supervisors to cooperate with the Fish and Wildlife Service of the Department of Interior of the United States in the control and destruction of predatory animals; to authorize counties to levy a tax of not to exceed three-tenths of a mill upon the dollar actual valuation of all taxable property within the counties, except intangible property, for such purpose; and to authorize expenditure of funds therefor.

LEGISLATIVE BILL 284. By Don E. Hanna of Cherry.

A bill for an act to amend sections 71-701, 71-702, 71-703, 71-705 and 71-706, Revised Statutes of Nebraska, 1943, relating to public health; to remove homes for the care of infants from the operation of the provisions of the act with reference to maternity homes; and to repeal the original sections.

LEGISLATIVE BILL 285. By Don E. Hanna of Cherry.

A bill for an act to amend sections 71-801, 71-802, 71-803, 71-804, 71-805, 71-806, 71-807, 81-617 and 81-618, Revised Statutes of Nebraska, 1943, relating to public health; to provide for placing jurisdiction over delinquent, neglected and dependent children in the Board of Control instead of in the Department of Health, to give to the Board of Control the powers and duties with respect to delinquent, neglected and dependent children heretofore imposed upon the Department of Health; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 286. By Don E. Hanna of Cherry and Arthur Carmody of Hitchcock.

A bill for an act relating to game; to provide that the Game, Forestation and Parks Commission may issue special permits for the killing of deer when same become prevalent enough to allow a limited season; to prescribe that such special permits be limited as provided by regulations of the commission and disposed of in an impartial manner; to provide for killing of deer under such special permits in the Nebraska National Forest and other game reserves when authorized by the commission; and to provide for promulgation

of regulations with respect to storage of the carcass of deer at expiration of limited season.

LEGISLATIVE BILL 287. By Ernest C. Raasch of Madison and Thomas H. Adams of Lancaster.

A bill for an act relating to real estate brokers and salesmen; to amend section 81-876, Revised Statutes of Nebraska, 1943; to provide for the examination of applicants for license; and to provide for an apprentice salesman's license; and to repeal said original section.

LEGISLATIVE BILL 288. By Dennis H. Cronin of Holt.

A bill for an act to amend section 18-1201, Revised Statutes of Nebraska, 1943, relating to cities and villages, all; to provide for increase in levy to five-tenths of a mill for the purpose of purchasing equipment for a fire department or for installing and equipping a fire alarm system, or in payment of bonds authorized by section 18-1202; and to repeal the original section.

LEGISLATIVE BILL 289. By Dennis H. Cronin of Holt. (By request)

A bill for an act relating to real property; to provide for taxation of attorney's fees in suits to quiet title to real estate where the holder of an apparent adverse right or interest refuses to execute quitclaim deed upon demand.

LEGISLATIVE BILL 290. By George C. Weborg of Cuming.

A bill for an act to amend section 32-1011, Revised Statutes of Nebraska, 1943, relating to elections; to require that any person desiring to contest the election of executive state officers or members of the Legislature shall give bond for costs; and to repeal the original section.

LEGISLATIVE BILL 291. By Walter R. Raecke of Merrick and Fred A. Mueller of Buffalo.

A bill for an act to amend sections 70-201, 70-205, 70-206, 70-213 and 70-214, Revised Statutes of Nebraska, 1943, relating to hydroelectric districts; to extend the scope of sections 70-201 to 70-249, Revised Statutes of Nebraska, 1943, to include irrigation and power districts; to provide for the organization of such districts; to define terms; to provide for the levy of tax by such districts; to provide for the manner of exercise of the power of eminent domain; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 292. By Walter R. Raecke of Merrick and Fred A. Mueller of Buffalo.

A bill for an act to provide for the organization of water conservancy districts and to define the purposes and powers thereof.

LEGISLATIVE BILL 293. By Frank Sorrell of Otoe. (By request)

A bill for an act to amend sections 54-764 and 54-766, Revised Statutes of Nebraska, 1943, relating to livestock; to provide for slaughter of cattle infected with Bang's disease and reimbursement to the owner by the State of Nebraska; to provide methods of control of Bang's disease and enforcement thereof by the Department of Agriculture and Inspection; to provide an appropriation; and to repeal the original sections.

LEGISLATIVE BILL 294. By Sam Klaver of Douglas.

A bill for an act relating to schools; to create a scholarship fund; to provide for the awarding of scholarships as a reward for outstanding achievement in scholastic ability in high schools; to provide that a scholarship shall entitle the winner to the sum of one hundred dollars during the first year he is in attendance in an approved college in the State of Nebraska; to provide that the Superintendent of Public Instruction is authorized to make rules and regulations governing the award of the scholarship, persons entitled thereto, and the colleges which students attend in respect to such scholarships; to provide for alternates; to provide that the scholarships provided for in this act shall take the place of scholarship programs of tax supported colleges of the state; and to provide for a levy upon all taxable property of the state, except intangible property, for the purpose of raising a sufficient fund for carrying out this act.

LEGISLATIVE BILL 295. By Thomas H. Adams of Lancaster, C. Petrus Peterson of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend section 23-1109, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for the salary of deputy register of deeds in counties having a population of class (7); and to repeal the original section.

LEGISLATIVE BILL 296. By H. P. Heiliger of Lancaster, C. Petrus Peterson of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act relating to elections; to provide for the election of National Committeeman and National Committeewoman of the various political parties at the primary election; to provide for the nomination of candidates for such offices at the state pre-primary conventions; and to provide for the filling of vacancies in such offices.

LEGISLATIVE BILL 297. By C. Petrus Peterson of Lancaster.

A bill for an act to amend sections 70-604, 70-609, 70-619 and 70-625, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide for the appointment of the members of the first board of directors by the Governor; to provide additional disqualifications for membership on the board of directors; to provide that power districts shall not, until after the expiration of one year from the effective date of this act, be permitted to acquire any property, or the stock of any corporation owning property, within the corporate limits of any metropolitan city; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 299. By C. Petrus Peterson of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend section 14-1102, Revised Statutes of Nebraska, 1943, providing for the creation, existence, powers and duties of metropolitan utilities districts; to provide for the separate powers, accounting and obligations of different utilities operated by such districts; to provide specific powers and duties relating to the acquisition and operation of plants and systems for the production, distribution and use of electric energy, and in connection therewith to provide for the financing thereof, and to provide for the relation of the powers of such districts and metropolitan cities; and to provide powers with reference to lighting streets and public places of metropolitan cities; to provide for the appointment by the Governor of additional members of the board of directors of such districts under certain circumstances, and to provide for payment of revenue by such districts to metropolitan cities and metropolitan school districts; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 299. By C. Petrus Peterson of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend section 33-128, Revised Statutes of Nebraska, 1943, relating to fees and salaries; to provide that in counties over one hundred and fifty thousand inhabitants, members of county board shall devote each and every day to the duties of his office; to provide that in counties having over sixty thousand inhabitants and not over one hundred and fifty thousand inhabitants, members of county boards composed of three commissioners shall be allowed a salary of twenty-two hundred dollars per annum, and mem-

bers of county boards composed of five commissioners shall be allowed a salary of twelve hundred dollars per annum; and to repeal the original section.

LEGISLATIVE BILL 300. By C. Petrus Peterson of Lancaster, Thomas H. Adams of Lancaster and H. P. Heiliger of Lancaster.

A bill for an act to amend section 18-102, 18-103, 18-113, 18-119 and 18-123, Revised Statutes of Nebraska, 1943, relating to initiative and referendum in cities, counties, villages, towns, school districts and other municipal subdivisions of the state; to reduce the per cent of electors required as signers on a proposal for initiative or referendum; to reduce the per cent of voters required to request that an initiative proposal shall be submitted at a special election; to define "per cent of the voters"; to provide for a submission of initiative or referendum proposals at a regular annual or biennial election; and to repeal the original sections.

LEGISLATIVE BILL 301. By Thomas H. Adams of Lancaster and Joseph C. Reavis of Richardson.

A bill for an act to amend sections 85-122 and 85-123, Revised Statutes of Nebraska; to define "The University Trust Fund"; to provide what property shall belong to such fund; to provide for the administration of such fund; to provide for the investment of such fund; to provide for the depositing of the cash belonging to such fund with the State Treasurer; and to repeal the original sections.

LEGISLATIVE BILL 302. By Cliff Ogden of Douglas, Charles F. Tvrdik of Douglas and Sam Klaver of Douglas.

A bill for an act to amend sections 14-1408, 14-1412 and 14-1416, Revised Statutes of Nebraska, 1943, relating to housing authorities and housing projects in cities of the metropolitan class; to provide additional powers to such housing authorities in connection with blighted, stagnant, insanitary, and substandard areas, whether commercial or residential or both; and to repeal the original sections.

LEGISLATIVE BILL 303. By Cliff Ogden of Douglas, Charles F. Tvrdik of Douglas and Tom Dooley of Sarpy.

A bill for an act to amend section 81-103, Revised Statutes of Nebraska, 1943, relating to department heads; to provide for increase

in salaries for Director of the Department of Agriculture and Inspection, Commissioner of Labor, Director of Health, State Engineer and Director of Insurance; and to repeal the original section.

LEGISLATIVE BILL 304. By Charles F. Tvrdik of Douglas, Cliff N. Ogden of Douglas and Sam Klaver of Douglas.

A bill for an act to amend sections 79-2722, 79-2723, 79-2724 and 79-2730, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the certification during the month of July, and the levy of the aggregate school tax for the support of schools in metropolitan cities, and that such levy shall not in any one year exceed fifteen mills on the dollar upon the actual value of all the taxable property in the district; to provide for three separate funds to which such aggregate levy shall be allocated; to provide that prior to 1948, such portion, not in excess of one mill, of the additional levy of not to exceed four mills, being part of said aggregate levy, as shall not be required to be credited to the sinking fund for the payment of interest on, and retiring, funding or servicing the bonded indebtedness of said district, may be levied for and credited to the fund for the general operation of schools, and the remainder thereof, not required to be credited to the sinking fund, may be levied for and credited to the site and building fund; to provide that thereafter and until 1951 not to exceed one and thirty-two hundredths mills of said additional levy may be levied for and credited to the fund for the general operation of schools, and the remainder, not required to be credited to the sinking fund, may be levied for and credited to the site and building fund; to provide that in 1951 and thereafter until 1956 not to exceed two mills of said additional levy may be levied for and credited to the fund for the general operation of schools in any one year, and the remainder, not required to be credited to the sinking fund and not in excess of one mill, may be levied for and credited to the site and building fund; to provide that thereafter not exceeding two mills of said additional levy may be levied for and credited to the general fund and not exceeding one-half mill to the sinking and building fund; to provide that the levy to be made in 1946 and thereafter for the site and building fund shall be used for the sole purpose of acquiring sites for school buildings and for the erection of school buildings and additions to school buildings; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 305. By Harry A. Foster of Douglas.

A bill for an act to amend sections 30-101, 30-105 and 42-202, Revised Statutes of Nebraska, 1943, relating to husband and wife

and decedent's estates; to provide that a husband and wife may contract with each other; to provide that the right of a husband or wife to inherit from each other may be barred by a valid post-nuptial contract; to require post-nuptial contracts to be in writing and acknowledged in the same manner as conveyances of real estate; and to repeal the original sections.

LEGISLATIVE BILL 306. By Harry A. Foster of Douglas.

A bill for an act to amend sections 71-301, 71-303, 71-306, 71-307, 71-308 and 71-310, Revised Statutes of Nebraska, 1943, relating to the practice of cosmetology; to provide rules and regulations for obtaining a certificate to practice cosmetology; to provide for display of certificate by a registered cosmetologist and schools of cosmetology; to provide a schedule of fees for admission and renewal of certificate to practice cosmetology or operate a school of cosmetology; to provide grounds for revocation of certificate; to provide for the appointment of members of Board of Cosmetologist Examiners; to provide rules and regulations for operating a school of cosmetology; and to repeal the original sections.

LEGISLATIVE BILL 307. By Harry A. Foster of Douglas, James A. Ryan of Douglas and Tom Dooley of Sarpy.

A bill for an act to amend sections 14-610, 14-614, 14-615 and 14-619, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide and establish a pension system for policemen, their widows and children in cities of the metropolitan class; to provide for disposition of funds in existing pension and relief funds; to provide for contributions from members of police departments; to provide for the distribution and reimbursement thereof; to provide conditions and methods for payment of benefits; to provide for the payment of benefits from the public funds of metropolitan cities; and to repeal the original sections and sections 14-611, 14-612, 14-613, 14-616, 14-617 and 14-618, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 308. By William A. Crossland of Wayne.

A bill for an act to repeal Chapter 6, Revised Statutes of Nebraska, 1943, relating to assignment for creditors, as being obsolete.

LEGISLATIVE BILL 309. By William A. Crossland of Wayne.

A bill for an act to repeal Chapter 9, Revised Statutes of Nebraska, 1943, relating to beet sugar mill districts, as being obsolete.

LEGISLATIVE BILL 310. By Frank Sorrell of Otoe. (By request)

A bill for an act to amend section 44-392, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that it shall be unlawful for any bank, trust company, investment company, bank affiliate, or corporation, partnership or association, owned or controlled by any bank located in any incorporated city of this state having a population of fifty thousand inhabitants or over, to sell, write or solicit any kind or form of insurance, either directly or indirectly, through any officer, agent, employee or representative thereof; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 311. By Ed F. Lusienski of Platte.

A bill for an act to repeal Article 2, Chapter 70, Revised Statutes of Nebraska, 1943, relating to hydroelectric power districts, as being obsolete.

LEGISLATIVE BILL 312. By Ed F. Lusienski of Platte.

A bill for an act to repeal Article 1, Chapter 70, Revised Statutes of Nebraska, 1943, relating to water power districts, as being obsolete.

LEGISLATIVE BILL 313. By Ladd J. Hubka of Gage.

A bill for an act to amend sections 44-330, 44-333 and 44-339, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that no person shall act as a soliciting agent for any insurance company or negotiate or place risks, unless the company, his principal, is an admitted company in this state; to provide for annual registration of certain agents and brokers of insurance; to provide that such agents and brokers must annually procure a registration certificate from the Department of Insurance; to provide that a soliciting agent must be a natural person; to provide for the issuance of a broker's certificate to other than a natural person; to provide a penalty for the violation thereof; to provide rules and regulations governing and controlling applications to the Department of Insurance for issuance of registration certificates to insurance agents or brokers; to provide the basis and form of procedure for denying the issuance of such certificates either upon original or renewal applications or for the revocation of such certificates; to repeal the original sections and sections 44-334, 44-335, 44-336, 44-337 and 44-338, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 314. By Earl J. Lee of Dodge and Walter R. Raecke of Merrick.

A bill for an act to amend sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that a person who has served in the armed forces of the United States during World War II, and whose certificate was in force on the day of induction and at the time of renewing the certificate the applicant has no apparent physical or mental defects or impairments, shall be delivered a successful applicant's certificate unless the examiner shall refuse to issue such certificate for cause to be stated in writing; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 315. By Earl J. Lee of Dodge.

A bill for an act to amend sections 55-108 and 55-114, Revised Statutes of Nebraska, 1943, relating to the militia; to remove the exception that the Adjutant General shall hold his office until he has reached the age of seventy years, and make the retirement age the same as other staff officers; and to repeal the original sections.

LEGISLATIVE BILL 316. By W. J. Norman of Douglas. (By request)

A bill for an act relating to elections; to provide that no person, association, organization, committee or corporation shall publish or distribute any political statement relating to a candidate for election to any municipal, county or state office, which does not contain the names of the parties responsible for its publication or distribution; to define terms; and to provide a penalty.

LEGISLATIVE BILL 317. By John F. Doyle of Greeley and William J. Norman of Douglas.

A bill for an act to amend section 81-165, Revised Statutes of Nebraska, 1943, relating to central mailing room; to exclude members of the Legislature from the requirements of sections 81-164 to 81-172; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 318. By J E Conklin of Thayer and Charles F. Tvrdik of Douglas.

A bill for an act relating to public funds of the state; to provide that all bonds held by the State of Nebraska belonging to certain funds shall be stamped and signed by the State Treasurer showing the fund to which the bond belongs.

LEGISLATIVE BILL 319. By Thomas H. Adams of Lancaster and Lloyd Kain of Dawson.

A bill for an act to amend section 79-2112, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the board of

trustees of a high school district or a district board of a school district may contract with another district for transportation and instruction of its pupils for a period not to exceed three years when authorized by a majority vote of the votes cast at the election on such proposition; to provide such boards may contract with another district for instruction and transportation of pupils for a period not to exceed one school year when petitioned by at least two-thirds of the parents residing in the said district having children of school age who will attend school; to provide for form of contract; and to repeal the original section.

LEGISLATIVE BILL 320. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 43-207, Revised Statutes of Nebraska, 1943, relating to probation officers; to provide salaries for chief juvenile probation officer and assistant juvenile probation officer in counties having a population of more than sixty thousand and less than one hundred and twenty-five thousand inhabitants: and to repeal the original section.

LEGISLATIVE BILL 321. By Charles F. Tvrdik of Douglas, Cliff Ogden of Douglas and W. J. Norman of Douglas.

A bill for an act to amend sections 83-329 and 83-347, Revised Statutes of Nebraska, 1943, relating to care of insane patients; to provide for payment of cost of restraint, protection and care of public insane patients, where the state hospitals are unable to receive and care for such patients and the same is furnished by county commissioners or overseers of the poor, out of special state tax levy for care and support of public insane patients; and to repeal the original sections.

LEGISLATIVE BILL 322. By Cliff Ogden of Douglas, Charles F. Tvrdik of Douglas and W. J. Norman of Douglas.

A bill for an act to amend section 83-361, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for care of indigent persons having tuberculosis by counties where due to either lack of facilities or shortage of medical or nursing assistance, the Board of Control is unable to accept such patients into the state hospital maintained for such persons; to provide for reimbursement to counties of the cost of maintenance of such patients out of state funds; and to repeal the original section.

LEGISLATIVE BILL 323. By Thomas H. Adams of Lancaster and Earl J. Lee of Dodge.

A bill for an act to amend sections 86-318, 86-322 and 86-327, Revised Statutes of Nebraska, 1943, relating to electric transmission lines; to regulate the manner of construction of such transmission lines; to provide the extent of the jurisdiction of the State Railway Commission over the construction of such transmission lines; to repeal the original sections and section 86-320, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 324. By Thomas H. Adams of Lancaster and Ladd J. Hubka of Gage.

A bill for an act relating to trade-marks and trade names; to define the term "trade name"; to provide for the registration thereof in the office of the Secretary of State; to provide for the publication of the notice of such registration; and to provide a penalty for the violation of this act.

LEGISLATIVE BILL 325. By Thomas H. Adams of Lancaster and Ladd J. Hubka of Gage.

A bill for an act to amend section 30-810, Revised Statutes of Nebraska, 1943, relating to actions for wrongful death; to provide for whose benefit such actions shall be brought and the means of distributing the avails of such actions; to provide for publication of notice before distribution of such avails for the protection of the county judge; and to repeal the original section.

LEGISLATIVE BILL 326. By Thomas H. Adams of Lancaster and Harry A. Foster of Douglas.

A bill for an act to amend sections 48-301, 48-302, 48-309 and 48-310, Revised Statutes of Nebraska, 1943, relating to child labor; to provide that no child under sixteen years of age shall be employed, permitted or suffered to work in, or in connection with any cafe, restaurant, railway or bus station, or in any place where intoxicating liquor is sold; to provide that the Commissioner of Labor may prescribe the form of age and schooling certificate; to strike the present form of certificate; to provide that the certificate shall not be turned over to the child named therein; and to repeal the original sections.

LEGISLATIVE BILL 327. By Earl J. Lee of Dodge and Dwight W. Burney of Cedar.

A bill for an act to amend sections 80-101, 80-102 and 80-103, Revised Statutes of Nebraska, 1943, relating to Soldiers' Relief Commission; to provide for appointment and removal of a county service director and assistants; to provide duties of such county service director; to provide for salaries of such county service director and assistants; to provide for reports to be filed by county service director; to provide expenses for administration of Soldiers' Relief Commission, and a levy for the same; and to repeal the original sections.

LEGISLATIVE BILL 328. By Charles F. Tvrdik of Douglas and Earl J. Lee of Dodge.

A bill for an act to amend section 55-187, Revised Statutes of Nebraska, 1943, relating to militia; to provide that officers and enlisted men of Nebraska State Guard shall be exempt from working on roads and highways, from the payment of any poll tax levied for that purpose and from sitting on any grand or petit jury within this state while an active member; and to repeal the original section.

LEGISLATIVE BILL 329. By Thomas H. Adams of Lancaster.

A bill for an act to amend Section 23-1109, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for salary of Deputy County Clerk in counties having a population of class (7); to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 330. By Fay Wood of Seward and A. J. Brodahl of Saunders.

A bill for an act to amend section 17-414, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to remove the provision that this section shall not apply to lands laid out into city or village blocks, lots and streets; and to repeal the original section.

Mr. Tvrdik announced the Ak-Sar-Ben Buffet supper, January 31, 1945, to which all members are invited.

SELECT FILE

LEGISLATIVE BILL 50. E and R amendments, found in the Legislative Journal for the Eighteenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 81. E and R amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 107. E and R amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 36. E and R amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 101. E and R amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 84. Amendments adopted.

The following Standing Committee amendment, as amended, to L. B. 84, was adopted:

1. Amend page 3 of the bill, section 4, line 22, by inserting after the punctuation following the word "act" the following:

"The county clerk, subject to the approval of the department, shall assign a distinguishing motor number to the motor in any motor vehicle or a serial number to any commercial trailer, semi-trailer or cabin trailer whenever the motor number or serial number is destroyed or obliterated, and it shall be the duty of the individual to whom such number is assigned to have stenciled with a steel punch on the motor or trailer such number before title or registration is obtained, and any motor vehicle or trailer to which a distinguishing number is assigned as authorized hereunder shall be registered under such distinguishing number when registration of the motor vehicle is required under this act. All motor vehicles, commercial trailers, semi-trailers or cabin trailers

not having a certificate of title on the effective date of this act must have a certificate of title before registration in 1946."

2. Amend the title to L. B. 84 to conform to the Committee amendment to Section 4.

Mr. Ogden offered the following amendment, which was adopted:

1. Amend section 1 of the bill, line 7, by inserting after the word "sections" and before the punctuation, the following:

"and except semi-trailers and trailers of farmers or ranchers, used wholly and exclusively to carry supplies to the owner's farm or ranch, used by the farmer or rancher to carry his own products to storage or market or used by farmers or ranchers in exchange of service in such hauling of such supplies or products".

Referred to E and R for review.

Committee—Re: Jonathan J. Lydick Will

The President appointed the following committee to make the investigation of the will of Jonathan J. Lydick.

Peterson, Chairman; Weborg, Conklin.

Recess

At 12:00, noon, Mr. Tvrdik made a motion to recess until 5:00 p. m.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

After Recess

The Legislature was called to order at 5:02 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Babcock, Sorrell and Wood and Mr. Mekota who was excused.

NOTICE OF COMMITTEE HEARINGS

Public Works

Set for Rehearing

L. B. 49 Wednesday, February 7, 1945, 2:00 p. m.
L. B. 157 Wednesday, February 7, 1945, 2:00 p. m.

Government

L. B. 167 Friday, February 9, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 22. Replaced on Select File with amendments.

E and R amendments to L. B. 22:

1. In the bill, section 1, line 8, after the word "security" and before the insertion made by the Enrollment and Review Committee in amendment 2, insert: "*by mortgage*"; strike the period at the end of line 34 and in lieu thereof insert: "; "

LEGISLATIVE BILL 63. Placed on Select File with amendment.

E and R amendment to L. B. 63:

In the bill, section 1, line 10, strike: "*who or*"

(Signed) Roy B. Carlberg, Chairman

BILLS ON FIRST READING.

The following bills were read the first time by title:

LEGISLATIVE BILL 331. By George C. Weborg of Cuming, Lloyd Kain of Dawson and William A. Crossland of Wayne.

A bill for an act to amend section 21-1317, Revised Statutes of Nebraska, 1943, relating to cooperative credit associations; to provide that any loan made to a member of a cooperative credit association in excess of five hundred dollars shall be required to be secured in the manner therein specified; and to repeal the original section.

LEGISLATIVE BILL 332. By Sam Klaver of Douglas, Harry A. Foster of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act to amend section 14-1024, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide that water districts in cities of the metropolitan class shall afford, free of charge, water required for public use by parochial schools

within the limits of such municipalities; and to repeal the original section.

LEGISLATIVE BILL 333. By William A. Crossland of Wayne.

A bill for an act to amend section 39-7,118, Revised Statutes of Nebraska, 1943, relating to highways; to provide for the use of red reflector flares by motor buses, trucks, passenger cars and cars for hire; to provide when such flares shall be required as equipment; to provide where flares shall be placed when vehicles are parked on or adjacent to the highway; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 334. By C. Petrus Peterson of Lancaster.

A bill for an act to amend Sections 14-1026, 14-1041 and 14-1029, Revised Statutes of Nebraska, 1943, relating to metropolitan water or metropolitan utilities districts; to provide for the disposition and accounting of the funds of said districts and the payment, under certain conditions and limitations, of a portion of the revenue of said districts to the metropolitan city within any such district, and to provide for the limited issuance of revenue bonds without a vote of the electors; to repeal the original sections, and to declare an emergency.

LEGISLATIVE BILL 335. By Ladd J. Hubka of Gage. (By request)

A bill for an act to amend sections 79-212 and 79-2528, Revised Statutes of Nebraska, 1943, relating to schools; to provide maximum limits on the aggregate tax levy that may be made in any one year for general school purposes in the classes of school districts therein specified; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 336. By Ladd J. Hubka of Gage. (By request)

A bill for an act relating to revenue; to equalize taxation and replace in part the tax burden; to provide the public revenue to be used for such replacement by imposing a tax upon the privilege of engaging in the business of selling tangible personal property at retail; and by imposing a tax upon the privilege of engaging in the business of selling services, substances and things in this act designated and defined; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom and the administration of such law; to provide for certain deductions and exemptions; to provide for penalties; and to declare an emergency.

LEGISLATIVE BILL 337. By William Hern of Dawes. (By request)

A bill for an act to amend section 74-581, Revised Statutes of Nebraska, 1943, relating to railroads; to provide for the equipping

with proper lights all switch stands to crossover switches and lead track switches in yards adjacent to main tracks; and to repeal the original section.

LEGISLATIVE BILL 338. By William Hern of Dawes. (By request)

A bill for an act to amend section 74-536, Revised Statutes of Nebraska, 1943, relating to railroads; to extend the prohibition against operating any light engine, outside of yard limits, which is not manned by a crew consisting of one engineer, one fireman and one conductor so that such prohibition applies irrespective of operation between divisions; and to repeal the original section.

LEGISLATIVE BILL 339. By Dwight W. Burney of Cedar.

A bill for an act evidencing consent to the purchase, operation and maintenance of bridges which extend into the State of Nebraska by counties, cities and towns in an adjoining state, and of right-of-way to give access to such bridge.

LEGISLATIVE BILL 340. By George C. Weborg of Cuming. (By request)

A bill for an act relating to labor; to provide that it shall be unlawful to interfere with any person's right to work or to use profane, or threatening language toward such person, or to persist in communicating with such person against his will, or to follow or intercept such person, or to photograph such person, or to menace, or frighten such person, or to commit any assault or battery; to render it unlawful to picket the premises of any employer, for any purpose, within a distance of thirty feet from such premises but permitting the right to peacefully picket such premises beyond a distance of thirty feet where there is a presently existing and bona fide labor controversy, and when the matters in dispute directly pertain to wages, hours or working conditions of the employees of the particular employer involved; to provide that such peaceful picketing shall not in any way hinder travel to and from or past such premises; to render it unlawful for any person to refuse to depart from the premises of any employer, or take part in any sit-down strike and refuse to vacate and depart from the premises when ordered, or to hold over or continue to occupy or withhold possession of any employer's premises or property after termination of employment by such employer; to provide a penalty; to repeal sections 28-812, 28-813 and 28-814, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 341. By H. P. Heiliger of Lancaster.

A bill for an act to amend section 60-331, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide the registration fees that shall be charged on commercial trucks and truck-tractors hauling exclusively livestock, agricultural commodities or other commodities used in the production of agricultural products to and from any farm or ranch; and to repeal the original section.

LEGISLATIVE BILL 342. By Tom Dooley of Sarpy and Harry F. Burnham of Custer.

A bill for an act to amend section 64-101, Revised Statutes of Nebraska, 1943, relating to notaries public; to classify notaries public; to provide that each class of notaries public shall have the rights, powers and duties imposed by law upon notaries public; to provide for certain contents of commissions as such; to provide a savings clause; to provide that a notary public may continue to act as such, after a legal change in name, under the prescribed conditions; and to repeal the original section.

LEGISLATIVE BILL 343. By James A. Ryan of Douglas.

A bill for an act to repeal sections 28-812, 28-813 and 28-814, Revised Statutes of Nebraska, 1943, relating to picketing.

LEGISLATIVE BILL 344. By Sidney J. Cullingham of Douglas.

A bill for an act to amend section 24-601, Revised Statutes of Nebraska, 1943, relating to trusts and trustees; to provide for investment by trustees in stocks or other securities of investment companies qualified under the Federal Investment Company Act of 1940, which are authorized for sale by the Bureau of Securities of the Department of Banking and the maximum amount that may be invested therein; to provide the maximum amount that trustees may invest in both common stocks and stocks or other investment securities of such investment companies; and to repeal the original section.

LEGISLATIVE BILL 345. By Arthur Carmody of Hitchcock and Frank Sorrell of Otoe.

A bill for an act to amend sections 32-1201, 32-1203, 32-1204, 32-503, 32-504 and 32-514, Revised Statutes of Nebraska, 1943, relating to elections; to provide that county commissioners and county supervisors shall be elected on the nonpolitical ballot; to provide for the form of the official ballot; to provide for the nomination, filing and

fee; to provide for the arrangement of names on the ballot at the primary and general elections; to provide for vacancy in office and how filled; to provide for instructions to voters and where posted; and to repeal the original sections.

LEGISLATIVE BILL 346. By John F. Doyle of Greeley.

A bill for an act to amend section 39-721, Revised Statutes of Nebraska, 1943, relating to regulation of the road and its use for travel; to provide the maximum lengths of vehicles using the highway; to provide for the maximum length of tractor semitrailers when in combination; to provide for the maximum length of combinations of vehicles using the highways; to provide for the issuance of permits by the Department of Roads and Irrigation; to provide for limitation of the period for which special permits may be issued; to provide that the Department of Roads and Irrigation may impose conditions and regulations for permits as may be necessary; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 347. By John F. Doyle of Greeley and Thomas H. Adams of Lancaster.

A bill for an act relating to state government; to create and establish a retirement system for all employees of the state and such appointive officers as may exercise an option to join therein; to provide for the administration of such retirement system; to provide for deductions from pay of employees of the state government, and contributions from the state to raise funds for such retirement system; to provide for retirement of members of the system and payment of benefits to retiring members; to provide for withdrawal from membership and withdrawal of funds; to provide procedure for carrying out the effective operation of the retirement system herein established; to provide appropriations; to provide for participation of political subdivisions and municipal corporations in such retirement system; to repeal conflicting laws; and to declare an emergency.

LEGISLATIVE BILL 348. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to amend section 77-2205, Revised Statutes of Nebraska, 1943, relating to state warrants; to require presentation of state warrants to the State Treasurer for payment within two years from the date of their issuance; to provide the effect of failure to present warrants for payment within the time prescribed; and to pro-

vide for presentation of such warrants to the Sundry Claims Board for consideration and determination.

Adjournment

At 5:20 p. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday, January 30, 1945.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Hugo F. Srb
Clerk of the Legislature

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 30, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the twentieth day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 158	Monday, February 5, 1945	2:00 p. m.
L. B. 165	Monday, February 5, 1945	2:00 p. m.
L. B. 182	Monday, February 5, 1945	2:00 p. m.
L. B. 183	Monday, February 5, 1945	2:00 p. m.
L. B. 179	Monday, February 12, 1945	2:00 p. m.
L. B. 120	Monday, February 19, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 116. Placed on General File.

(Signed) Don E. Hanna, Chairman

Judiciary

LEGISLATIVE BILL 96. Placed on General File.

LEGISLATIVE BILL 29. Placed on General File with amendment.

Standing Committee amendment to L. B. 29:

1. Amend the bill, Section 4, lines 7 and 8, by striking the words "other civil" and inserting in lieu thereof the word "term".

LEGISLATIVE BILL 35. Indefinitely postponed.
LEGISLATIVE BILL 103. Indefinitely postponed.
LEGISLATIVE BILL 34. Indefinitely postponed.
(Signed) Ladd J. Hubka, Vice-Chairman

Education

LEGISLATIVE BILL 21. Placed on General File.
LEGISLATIVE BILL 24. Placed on General File.
LEGISLATIVE BILL 137. Placed on General File.
LEGISLATIVE BILL 152. Placed on General File with amendment.

Standing Committee amendment to L. B. 152:

1. Sec. 1. Strike line 11, 12 and 13 and in line 8 following the word "exceed" strike the word "three" and insert the word "four" and that the title of the bill be amended in accordance.
(Signed) D. W. Burney, Vice Chairman

Government

LEGISLATIVE BILL 37. Indefinitely postponed.
LEGISLATIVE BILL 40. Placed on General File with amendments.

Standing Committee amendments to L. B. 40:

1. Amend section 1 of the bill, line 12, by inserting after the word "may" the following: ", *at its discretion,*"

2. Amend section 2 of the bill, line 12, by inserting after the word "may" the following: ", *at its discretion,*"

LEGISLATIVE BILL 66. Placed on General File with amendments.

Standing Committee amendments to L. B. 66:

1. Amend section 1 of the bill, line 5 by striking after the word "with" the following: " the National Electrical" and inserting the word "a".

2. Amend section 1 of the bill, line 6 by striking the following: "Approved by the American Standards Association" and inserting in lieu thereof, the following: "prescribed by the State Fire Marshal"

(Signed) Frank Sorrell, Chairman

Bills Referred to Standing Committees

L. B.	Committee
260	Public Works
261	Banking, Commerce and Insurance
262	Banking, Commerce and Insurance
263	Labor and Public Welfare
264	Judiciary
265	Education
266	Education
267	Education
268	Government
269	Government
270	Public Works
271	Revenue
272	Government
273	Labor and Public Welfare
274	Labor and Public Welfare
275	Government
276	Judiciary
277	Public Works
278	Judiciary
279	Government
280	Government
281	Government
282	Public Works
283	Agriculture
284	Public Health and Miscellaneous Subjects
285	Public Health and Miscellaneous Subjects
286	Agriculture
287	Banking, Commerce and Insurance
288	Government
289	Judiciary
290	Government
291	Public Works
292	Public Works
293	Agriculture
294	Education
295	Government
296	Government
297	Public Works
298	Public Works

299	Government
300	Government
301	Appropriations
302	Banking, Commerce and Insurance
303	Government
304	Education
305	Judiciary
306	Public Health and Miscellaneous Subjects
307	Government
308	Judiciary
309	Agriculture
310	Banking, Commerce and Insurance
311	Public Works
312	Public Works
313	Banking, Commerce and Insurance
314	Public Works
315	Government
316	Government
317	Appropriations
318	Education
319	Education
320	Government
321	Appropriations
322	Appropriations
323	Public Works
324	Banking, Commerce and Insurance
325	Judiciary
326	Labor and Public Welfare
327	Government
328	Government
329	Government
330	Judiciary

SELECT FILE

LEGISLATIVE BILL 22. E and R amendments, found in the Legislative Journal for the Sixteenth and Twentieth Days were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 82. Read and considered.

Referred to E and R for review.

SPECIAL ORDER OF BUSINESS

LEGISLATIVE BILL 52. Read and considered.

Standing Committee amendments, numbers 1, 2, 3, 5, 6, 7, 8, 9 and 11, found in the Legislative Journal for the Sixteenth Day, were adopted.

Referred to E and R for review.

Member Excused

Mr. Hern was excused until next Tuesday, February 6, 1945.

The Legislature was at ease from 11:07 to 11:40 a. m.

MOTION—Special Order of Business

Mr. President: I move that L. B. 21 and L. B. 24 be set for Special Order of Business on Tuesday, February 6, 1945 at 10:30 a. m. (Signed) William Hern

The motion prevailed.

Bills Referred to Standing Committees

L. B.	Committee
331	Banking, Commerce and Insurance
332	Education
333	Public Works
334	Public Works
335	Education
336	Revenue
337	Labor and Public Welfare
338	Labor and Public Welfare
339	Public Works
340	Labor and Public Welfare
341	Revenue
342	Judiciary
343	Labor and Public Welfare
344	Banking, Commerce and Insurance
345	Government
346	Public Works
347	Government
348	Appropriations

Re-refer Bill

Mr. Tvrdik asked unanimous consent to re-refer L. B. 229 from the Committee on Public Health to the Committee on Education.

Unanimous consent was granted.

Adjournment

At 11:45 a. m., on a motion by Mr. Peterson, the Legislature adjourned until 9:00 a. m., Wednesday, January 31, 1945.

Hugo F. Srb
Clerk of the Legislature

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 31, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Chaplain Bancroft introduced Reverend R. W. Rembolt, District Superintendent of the Evangelical Church, who offered prayer.

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

The Journal for the twenty-first day was approved.

Communications

A letter from Mr. L. H. Coryham of Lincoln, Nebraska, concerning an increase in Old Age Assistance was read to the Legislature.

A Resolution from the Board of Public Works of Kearney, Nebraska, concerning the retirement plan for city employees was read to the Legislature.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 212 Thursday, February 8, 1945, 2:00 p. m.
L. B. 216 Thursday, February 8, 1945, 2:00 p. m.
L. B. 219 Thursday, February 8, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 12. Placed on General File as amended.

Standing Committee amendments to L. B. 12:

1. Amend section 1 of the bill, line 5, by inserting after the word *"picker"* the following: *"or mechanical corn husker"*

2. Amend section 1 of the bill, line 15, by inserting after the word *"picker"* the following: *"or mechanical corn husker"*

3. Amend the title to the act, line 5, by inserting after the word "picker" the following: "or mechanical corn husker"

(Signed) Ladd J. Hubka, Vice-Chairman

Agriculture

LEGISLATIVE BILL 57. Placed on General File as amended.

Standing Committee amendments to L. B. 57:

1. In line 4 strike the words and punctuation "muskrat, coon"

2. In line 5 strike the words "and beaver" and the punctuation "parenthesis"

3. In line 5 after the word "raccoon" insert the following: "which has been legally taken"

4. Amend the title to conform with the foregoing amendments.

5. Amend the bill by adding the name "John E. Mekota".

LEGISLATIVE BILL 58. Indefinitely postponed.
LEGISLATIVE BILL 60. Indefinitely postponed.
LEGISLATIVE BILL 110. Placed on General File.
LEGISLATIVE BILL 111. Placed on General File as amended.

Standing Committee amendments to L. B. 111:

1. In Section 2, line 8, after the word "who" reinsert "raises" and add "or".

2. In Section 2, line 14, beginning with "A" strike all words throughout line 17.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 36. Replaced on Select File as amended.

E and R amendments to L. B. 36:

In the bill, strike the words "and nonprofit" in section 1, at the end of line 2, and in the title, in the 5th line.

LEGISLATIVE BILL 82. Placed on Select File as amended.

E and R amendments to L. B. 82:

1. In the bill, section 1, line 27, strike the period and quotation mark after the word "bonds" and in lieu thereof insert: "."."

2. In the bill, title, strike all of the 5th line and the words "to be issued" in the 6th line, and in lieu thereof, insert: "a city or village may borrow and the amount of bonds such a city or village may issue"

LEGISLATIVE BILL 50. Correctly engrossed.
LEGISLATIVE BILL 81. Correctly engrossed.
LEGISLATIVE BILL 101. Correctly engrossed.
LEGISLATIVE BILL 107. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

SELECT FILE

LEGISLATIVE BILL 48. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 69. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 63. E and R amendments found in the Legislative Journal for the Twentieth Day, following Recess, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 116. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 96. Read and considered.

Mr. Sorrell offered the following amendment, which prevailed, the vote being 27 ayes, 10 nays and 6 not voting.

Amend L. B. 96, Sec. 3, line 3, after the word "thousand" and before the word "dollars" by striking the words "five hundred".

Referred to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 29. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-first Day was adopted.

Mr. James H. Anderson offered the following amendment, which was adopted.

Amend the bill, Sec. 4, by striking in line 3 the word "for".

Mr. Carlberg offered the following amendment, which was adopted:

Amend the bill, Sec. 14, line 5, by adding the word "inclusive" after the figures "30-1913".

The suggestion was made that use of the word "inclusive" be made a matter of policy.

Referred to E and R for review.

Special Order of Business, 10:30 a. m.

LEGISLATIVE BILL 68. Special order of business.

Mr. Hubka offered the following amendment, which was adopted by a vote of 34 ayes, 3 nays and 6 not voting.

Amend L. B. 68 (Printed bill) Sec. 1, line 8, by inserting punctuation "," after the word "established", and insert "and said amount shall be invested in United States bonds and the interest derived shall accumulate to said Fund".

Mr. Raecke offered the following amendment, which was adopted:

Amend the title of the act, line 4, by inserting after the word "fund" the following:

"; to provide for the investment of the fund"

Referred to E and R for review.

LEGISLATIVE BILL 137. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 152. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Twenty-first Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 40. Read and considered.

The Standing Committee amendments, found in the Legislative Journal for the Twenty-first Day, were adopted.

The following unanimous consent amendment was adopted.

Change the word "officers" in line 5 of the title to "officer".

Mr. Raecke offered the following amendments which were adopted.

1. Amend Section 1 of the bill, line 16 and line 23, by striking the words and punctuation "as case is,"

2. Amend Section 2 of the bill, line 16 and line 23, by striking the words and punctuation "as case is,".

Referred to E and R for review.

Adjournment

At 12:00 noon, Mr. Carmody moved to adjourn until 9:00 a. m., Thursday, February 1, 1945.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 1, 1945

Pursuant to adjournment, the Legislature met at 9:04 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the twenty-second day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 227	Thursday, February 8, 1945	2:00 p. m.
L. B. 301	Thursday, February 8, 1945	2:15 p. m.

Government

L. B. 147	Friday, February 9, 1945	2:00 p. m.
L. B. 143	Friday, February 9, 1945	2:00 p. m.
L. B. 151	Friday, February 9, 1945	2:00 p. m.
L. B. 119	Wednesday, February 14, 1945	2:00 p. m.
L. B. 134	Wednesday, February 14, 1945	2:00 p. m.
L. B. 200	Wednesday, February 14, 1945	2:00 p. m.

Public Works

L. B. 311	Wednesday, February 7, 1945	2:00 p. m.
L. B. 312	Wednesday, February 7, 1945	2:00 p. m.
L. B. 185	Friday, February 9, 1945	2:00 p. m.
L. B. 223	Friday, February 9, 1945	2:00 p. m.
L. B. 314	Friday, February 9, 1945	2:00 p. m.
L. B. 92	Wednesday, February 14, 1945	2:00 p. m.

L. B. 93	Wednesday, February 14, 1945	2:00 p. m.
L. B. 176	Wednesday, February 14, 1945	2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. 46	Wednesday, February 7, 1945	2:00 p. m.
L. B. 47	Wednesday, February 7, 1945	2:00 p. m.
L. B. 180	Wednesday, February 14, 1945	2:00 p. m.
L. B. 112	Friday, February 16, 1945	2:00 p. m.
L. B. 113	Friday, February 16, 1945	2:00 p. m.
L. B. 306	Wednesday, February 21, 1945	2:00 p. m.

Agriculture

L. B. 172	Tuesday, February 13, 1945	2:00 p. m.
L. B. 232	Tuesday, February 13, 1945	2:00 p. m.
L. B. 233	Tuesday, February 13, 1945	2:00 p. m.

Judiciary

L. B. 237	Wednesday, February 14, 1945	2:00 p. m.
L. B. 264	Wednesday, February 14, 1945	2:00 p. m.
L. B. 276	Wednesday, February 14, 1945	2:00 p. m.
L. B. 325	Wednesday, February 14, 1945	2:00 p. m.
L. B. 235	Friday, February 16, 1945	2:00 p. m.
L. B. 243	Friday, February 16, 1945	2:00 p. m.
L. B. 278	Friday, February 16, 1945	2:00 p. m.
L. B. 259	Monday, February 19, 1945	2:00 p. m.
L. B. 289	Monday, February 19, 1945	2:00 p. m.
L. B. 308	Monday, February 19, 1945	2:00 p. m.
L. B. 330	Monday, February 19, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 74. Placed on General File.
LEGISLATIVE BILL 75. Placed on General File with amendments.

Standing Committee amendments to L. B. 75:

1. Amend the bill by striking all of Section 1, and amend the Section numbers to conform.

2. Amend the bill Section 3, by striking out all the new matter in lines 16 to 20 inclusive and insert in lieu thereof the following:

"The State Director of Nursing Education shall receive an annual salary which shall not exceed $3,300.00 per annum, to be fixed by the bureau, which annual salary together with the expenses necessarily incident to the performance of his duties as such Director shall be paid out of such fund."

(Signed) Carl P. Jeffords, Chairman

Enrollment and Review

LEGISLATIVE BILL 22. Correctly engrossed.
LEGISLATIVE BILL 84. Placed on Select File as amended.

E and R amendments to L. B. 84:

1. Strike General File amendment by Mr. Ogden, approved January 26, 1945, same being included in Standing Committee amendment 1, adopted January 29, 1945.

2. In Standing Committee amendment 1, adopted January 29, 1945, strike all of lines 6 to 13, inclusive, of the inserted matter, and in lieu thereof insert the following:

"ated. It shall be the duty of the owner or owners of such a motor vehicle or trailer, to which such number is assigned, to have such number stenciled with a steel punch on the motor or trailer before title or registration is obtained. Any motor vehicle or trailer to which such a distinguishing or serial number is assigned as authorized hereunder shall be registered under such distinguishing or serial number when registration of the motor vehicle or trailer is required under this act. Except for those excepted in section 1 of this act, all motor vehicles, commer-" ,

and in the 14th line, strike the word *"or"* and in lieu thereof insert the word *"and"*.

3. In General File amendment by Mr. Ogden, adopted January 29, 1945, in the inserted matter, 2nd line, strike the comma after *"ranchers"*; 6th line, strike: *"in exchange of service in"* and in lieu thereof insert the word *"for"*, and in the 7th line, after the word *"products"* insert the following: *"in exchange of services"*.

4. In the original bill, section 6, page 4, line 2, strike the word "is" and in lieu thereof insert the word "are". (Correct in printed bill).

5. In the bill, title, 6th line, after the semicolon and before the word "to", insert the following:

"to provide for the assigning of distinguishing motor numbers to motors in motor vehicles and serial numbers to such trailers under the prescribed circumstances and procedure; to provide for using such numbers for registration purposes; to provide the duties of the owner or owners of such a motor vehicle or trailer so assigned such a number; to provide when all motor vehicles and trailers, except as prescribed, which do not have a certificate of title must have the same; to except semi-trailers and trailers of farmers and ranchers, used for specified purposes, from the certificate of title act;"

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 77. Placed on General File with amendments.

Standing committee amendments to L. B. 77:

1. Amend section 1 of the bill, lines 7 and 8, by striking the same and inserting the following in lieu thereof:

"~~forever~~ *the child or children, if any, of the deceased during their minority, or, if mentally incompetent or physically incapacitated to earn a livelihood, during the period of such incompetency or incapacity,* subject to the power of the de-"

2. Amend the title line 4, by striking the word "minor".

3. Amend the title, line 6, by striking the words "only during their minority" and substituting in lieu thereof:

"during their minority, mental incompetency or physical incapacity"

LEGISLATIVE BILL 25. Indefinitely postponed.
LEGISLATIVE BILL 124. Placed on General File.

(Signed) John E. Mekota, Chairman

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Mr. Ralph L. Cox	Board of Control
Mr. R. M. Howard	Department of Agriculture

Mr. Donald P. Miller	Commissioner of Labor
Dr. C. A. Selby	Director of Health
Mr. Wardner Scott	State Engineer
Mr. F. J. Peters	Director of Banking
Mr. C. C. Fraizer	Director of Insurance
Mr. Robert Armstrong	Tax Commissioner
Mr. Don B. Reynolds	Nebraska Brand Committee
Mr. Alfred C. Kennedy	State Real Estate Commission
Mr. Orville Peyton	State Racing Commission
Mr. J. B. Rossiter	State Racing Commission
Mr. Cloyd E. Clark	Game, Forestation and Parks Commission
Mrs. Ferne Hugo	Public Library Commission
Mr. Neil Vandemoer	Director of Assistance
Mr. Ralph M. Carhart	State Normal Board
Mrs. Bertha I. Hill	State Normal Board

(Signed) Charles F. Tvrdik, Chairman

Mr. Tvrdik read an excerpt from the Attorney General's opinion on the subject.

Mr. Mekota made a motion to proceed with the consideration of the committee's report.

Motion prevailed.

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature, and that each appointment be voted on separately. (Signed) Charles F. Tvrdik

The motion prevailed.

Vote on Mr. Cox

Voting in the affirmative, 38:

Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Garber	Mekota	Tvrdik

Carlberg	Hanna	Norman	Weborg
Carmody	Heiliger	Pizer	Wood
Conklin	Hoyt	Raasch	Peterson
Cronin	Hubka		

Voting in the negative, 0.

Not voting, 5:

Adams	Mueller	Ogden	Ryan
Hern			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Cox confirmed.

Vote on Mr. Howard

Voting in the affirmative, 39:

Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Garber	Mekota	Tvrdik
Carlberg	Hanna	Mueller	Weborg
Carmody	Heiliger	Norman	Wood
Conklin	Hoyt	Pizer	Peterson
Cronin	Hubka	Raasch	

Voting in the negative, 0.

Not voting, 4:

Adams	Hern	Ogden	Ryan

Having received a majority of the votes of all members, the President declared the appointment of Mr. Howard confirmed.

Vote on Mr. Miller

Voting in the affirmative, 37:

Anderson, L	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis

Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hoyt	Norman	Weborg
Conklin	Hubka	Pizer	Wood
Cronin	Jeffords	Raasch	Peterson
Crossland			

Voting in the negative, 0.

Not voting, 6:

Adams	Cullingham	Ogden	Ryan
Anderson, J	Hern		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Miller confirmed.

Vote on Dr. Selby

Voting in the affirmative, 37:

Adams	Cullingham	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Conklin	Hoyt	Norman	Wood
Cronin	Hubka	Pizer	Peterson
Crossland			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Hern	Ryan	Weborg
Carmody	Ogden		

Having received a majority of the votes of all members, the President declared the appointment of Dr. Selby confirmed.

Vote on Mr. Scott

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Pizer
Anderson, J.	Cullingham	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Conklin	Hoyt	Norman	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Carmody	Ogden	Ryan	Weborg
Hern	Peterson		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Scott confirmed.

Vote on Mr. Peters

Voting in the affirmative, 36:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Doyle	Klaver	Schultz
Brodahl	Foster	Lee	Seaton
Burney	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hoyt	Norman	Wood

Voting in the negative, 0.

Not voting, 7:

Burnham	Hern	Peterson	Ryan
Dooley	Ogden	Raasch	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Peters confirmed.

Vote on Mr. Fraizer

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Garber	Mekota	Tvrdik
Carlberg	Hanna	Mueller	Weborg
Carmody	Heiliger	Norman	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Hern	Peterson	Raasch	Ryan
Ogden			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Fraizer confirmed.

Vote on Mr. Armstrong

Voting in the affirmative, 36:

Adams	Cronin	Hoyt	Norman
Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Tvrdik
Carlberg	Hanna	Mekota	Weborg
Conklin	Heiliger	Mueller	Wood

Voting in the negative, 0.

Not voting, 7:

Carmody	Ogden	Raasch	Sorrell
Hern	Peterson	Ryan	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Armstrong confirmed.

Vote on Mr. Reynolds

Voting in the affirmative, 37:

Adams	Cronin	Hoyt	Norman
Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Tvrdik
Carlberg	Hanna	Mekota	Weborg
Carmody	Heiliger	Mueller	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Hern	Peterson	Ryan	Sorrell
Ogden	Raasch		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Reynolds confirmed.

Vote on Mr. Kennedy

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hoyt	Norman	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Ogden	Raasch	Ryan
Hern	Peterson		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Kennedy confirmed.

Vote on Mr. Peyton

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Raecke
Anderson, L.	Cullingham	Jeffords	Reavis
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Garber	Mekota	Tvrdik
Carlberg	Hanna	Mueller	Weborg
Carmody	Heiliger	Norman	Wood
Conklin	Hoyt	Pizer	Peterson
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Kain	Raasch	Ryan
Hern	Ogden		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Peyton confirmed.

Vote on Mr. Rossiter

Voting in the affirmative, 36:

Adams	Cronin	Hubka	Pizer
Anderson, L.	Crossland	Jeffords	Raecke
Babcock	Cullingham	Kain	Reavis
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hoyt	Norman	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, J.	Hern	Peterson	Ryan
Dooley	Ogden	Raasch	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Rossiter confirmed.

Vote on Mr. Clark

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hoyt	Norman	Weborg
Conklin	Hubka	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Hern	Peterson	Ryan
Dooley	Ogden		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Clark confirmed.

Vote on Mrs. Hugo

Voting in the affirmative, 36:

Adams	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Doyle	Klaver	Schultz
Brodahl	Foster	Lee	Seaton
Burney	Garber	Lusienski	Sorrell
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Conklin	Hoyt	Norman	Wood
Cronin	Hubka	Pizer	Peterson

Voting in the negative, 0.

Not voting, 7:

Anderson, J.	Dooley	Ogden	Ryan
Carmody	Hern	Raasch	

Having received a majority of the votes of all members, the President declared the appointment of Mrs. Hugo confirmed.

Vote on Mr. Vandemoer

Voting in the affirmative, 34:

Adams	Doyle	Klaver	Reavis
Anderson, L.	Foster	Lee	Schultz
Brodahl	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Conklin	Hoyt	Pizer	Weborg
Cronin	Hubka	Raasch	Wood
Crossland	Jeffords	Raecke	Peterson
Cullingham	Kain		

Voting in the negative, 0.

Not voting, 9:

Anderson, J.	Carmody	Mueller	Ryan
Babcock	Dooley	Ogden	
Burney	Hern		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Vandemoer confirmed.

Vote on Mr. Carhart

Voting in the affirmative, 36:

Adams	Cullingham	Kain	Raecke
Anderson, L.	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Conklin	Hoyt	Norman	Weborg
Cronin	Hubka	Pizer	Wood
Crossland	Jeffords	Raasch	Peterson

Voting in the negative, 0.

Not voting, 7:

Anderson, J.	Carmody	Hern	Ryan
Babcock	Dooley	Ogden	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Carhart confirmed.

Vote on Mrs. Hill

Voting in the affirmative, 37:

Adams	Dooley	Kain	Raecke
Anderson, J.	Doyle	Klaver	Reavis
Anderson, L.	Foster	Lee	Schultz
Brodahl	Garber	Lusienski	Seaton
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hoyt	Norman	Weborg
Conklin	Hubka	Pizer	Wood
Cronin	Jeffords	Raasch	Peterson
Crossland			

Voting in the negative, 0.

Not voting, 6:

Babcock	Cullingham	Ogden	Ryan
Carmody	Hern		

Having received a majority of the votes of all members, the President declared the appointment of Mrs. Hill confirmed.

Motion—To Record Vote

Mr. President: Had I been in the Chamber, I would have voted to confirm the appointment of R. M. Howard, Don Miller and Dr. C. A. Selby. (Signed) Thomas H. Adams

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 4. With emergency.

A bill for an act to amend section 77-1917, Revised Statutes of Nebraska, 1943, relating to tax sale foreclosures; to provide that any person desiring to redeem must pay any subsequent taxes paid by the purchaser, with interest at the rate of seven per cent per annum from the date or dates of payment of such taxes, as a condition of redemp-

tion; to reduce the rate of interest required to be paid for the use of a purchaser, other than the plaintiff, at a sheriff's sale under tax foreclosure upon redemption from twelve per cent to seven per cent; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Conklin	Jeffords	Raasch
Anderson, J.	Cronin	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Schultz
Babcock	Doyle	Lee	Seaton
Brodahl	Garber	Lusienski	Sorrell
Burney	Hanna	Mekota	Tvrdik
Burnham	Heiliger	Mueller	Weborg
Carlberg	Hoyt	Peterson	
Carmody	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 9:

Crossland	Hern	Ogden	Ryan
Dooley	Norman	Reavis	Wood
Foster			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 5.

A bill for an act to amend section 49-509, Revised Statutes of Nebraska, 1943, relating to sale of copies of the session laws of Nebraska; to authorize the State Librarian to sell copies of the session laws after ten years from date of publication at a reduced price; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cronin	Hubka	Peterson
Anderson, J.	Cullingham	Jeffords	Pizer
Anderson, L.	Dooley	Kain	Raasch
Babcock	Doyle	Klaver	Raecke
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin			

Voting in the negative, 0.

Not voting, 6:

Crossland	Norman	Ryan	Wood
Hern	Reavis		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 10. With emergency.

A bill for an act to amend section 23-1106, Revised Statutes of Nebraska, 1943, relating to county officers; to provide for salaries of clerk of the county court, county superintendent and deputy clerk of the district court in counties having a population of class (4a); to repeal the original section; and to declare an emergency.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Conklin	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Seaton
Burney	Hanna	Mueller	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Carmody	Hubka	Peterson	

Voting in the negative, 2:

Cronin	Schultz

Not voting, 6:

Crossland	Hern	Ryan	Wood
Garber	Mekota		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 13.

A bill for an act relating to cemeteries; tc permit the trustees or other governing bodies, having the control or management of cemeteries, to change or improve the condition of a burial lot and, under the prescribed conditions and procedure and after notice, to repair or remove property thereon; to provide how such notice shall be given; to define terms; and to provide that this act shall be cumulative with and supplemental to any laws of this state relating to the establishment or operation of cemeteries and the powers of the trustees or other governing bodies thereof.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Reavis
Babcock	Dooley	Lee	Schultz
Brodahl	Doyle	Lusienski	Seaton
Burney	Foster	Norman	Sorrell
Burnham	Hanna	Ogden	Tvrdik
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hoyt	Pizer	Wood
Conklin	Hubka		

Voting in the negative, 0.

Not voting, 5:

Garber	Mekota	Mueller	Ryan
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 18. With emergency.

A bill for an act to amend section 19-1701, Revised Statutes of Nebraska, 1943, relating to cities and villages; to extend until March 1, 1947, the provisions permitting all cities and villages located within a defense area, except cities of the metropolitan class, to levy a tax of not to exceed one mill for the purpose of providing adequate policing to enforce the law; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Jeffords	Pizer
Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Schultz
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Garber	Hern	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 38.

A bill for an act to amend sections 16-630, 16-653 and 16-724, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide that the maximum interest on bonds of such city shall not be greater than six per cent per annum; to reduce the maximum in-

terest on curbing, guttering, and grading bonds to six per cent per annum; to provide that all bonds issued by such a city for any purpose shall be redeemable at the option of the city at any time after five years from their date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Hern	Ryan

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 51. With emergency.

A bill for an act to appropriate the sum of four hundred dollars for the benefit of Hedrig Edna Gutoski; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch

Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Lusienski	Seaton
Burnham	Garber	Mueller	Sorrell
Carlberg	Hanna	Norman	Tvrdik
Carmody	Heiliger	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Hern	Mekota	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 65. With emergency.

A bill for an act to amend sections 81-901 and 81-903, Revised Statutes of Nebraska, 1943, with reference to withholding money from wages and salaries of state and other designated public employees for United States tax purposes and procedure in regard thereto; to extend until March 1, 1947, the expiration date of sections 81-901 and 81-902, Revised Statutes of Nebraska, 1943; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Hern Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Thank Ak-Sar-Ben

Mr. President: I move that the Clerk of the Legislature write the President of Ak-Sar-Ben that we, the members of the Legislature, express our appreciation and hearty thanks for the entertainment of last night. (Signed) Fred A. Mueller

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 36. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 66. Read and considered.

Standing committee amendments found in the Legislative Journal for the Twenty-first Day were adopted.

Mr. Foster moved that L. B. 66 be set for Special Order, February 8 at 11:00 a. m.

The motion prevailed.

LEGISLATIVE BILL 12. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-second Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 57. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Referred to E and R for review.

Speaker Peterson presiding

LEGISLATIVE BILL 110. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 111. Mr. Anderson asked that L. B. 111 be held over and retain its place on General File.

There was no objection and it was so ordered.

Member Excused

Mr. Lusienski was excused for Friday, February 2, 1945.

Adjournment

At 11:35 a. m. Mr. Foster moved to suspend the rules and adjourn until 10:00 a. m. Friday, February 2, 1945.

Mr. Carmody amended the amendment to adjourn until 9:30 a. m. Friday, February 2, 1945.

The motion lost with 16 ayes, 18 nays and 9 not voting.

The original motion prevailed with 30 ayes, 8 nays and 5 not voting.

Hugo F. Srb
Clerk of the Legislature

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 2, 1945

Pursuant to adjournment, the Legislature met at 10:04 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hern, Lusienski and Ryan, who were excused.

The Journal for the twenty-third day was approved as corrected.

Communication

A letter signed by thirty-seven members of the Republican City Farm Bureau asked for the abolition of Central War Time.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 196 Wednesday, February 7, 1945, 2:00 p. m.
L. B. 184 Wednesday, February 14, 1945, 2:00 p. m.
L. B. 163 Friday, February 16, 1945, 2:00 p. m.
L. B. 169 Friday, February 16, 1945, 2:00 p. m.
L. B. 188 Friday, February 16, 1945, 2:00 p. m.
L. B. 162 Friday, February 16, 1945, 2:00 p. m.

Labor and Public Welfare

L. B. 128 Monday, February 12, 1945, 2:00 p. m.
L. B. 135 Monday, February 12, 1945, 2:00 p. m.
L. B. 141 Monday, February 12, 1945, 2:00 p. m.
L. B. 144 Monday, February 12, 1945, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. 42 Wednesday, February 14, 1945, 2:00 p. m.
L. B. 150 Friday, February 16, 1945, 2:00 p. m.
L. B. 187 Wednesday, February 21, 1945, 2:00 p. m.
L. B. 247 Friday, February 23, 1945, 2:00 p. m.
L. B. 252 Friday, February 23, 1945, 2:00 p. m.

Revenue

L. B. 159 Thursday, February 8, 1945, 2:00 p. m.
L. B. 173 Tuesday, February 13, 1945, 2:00 p. m.
L. B. 174 Tuesday, February 13, 1945, 2:00 p. m.
L. B. 195 Thursday, February 15, 1945, 2:00 p. m.
L. B. 201 Thursday, February 15, 1945, 2:00 p. m.
L. B. 207 Thursday, February 15, 1945, 2:00 p. m.
L. B. 193 Tuesday, February 20, 1945, 2:00 p. m.
L. B. 248 Tuesday, February 20, 1945, 2:00 p. m.
L. B. 255 Thursday, February 22, 1945, 2:00 p. m.
L. B. 271 Thursday, February 22, 1945, 2:00 p. m.
L. B. 336 Tuesday, February 27, 1945, 2:00 p. m.
L. B. 341 Tuesday, February 27, 1945, 2:00 p. m.

Banking, Commerce and Insurance

L. B. 19 Tuesday, February 20, 1945, 2:00 p. m.
L. B. 190 Tuesday, February 20, 1945, 2:00 p. m.
L. B. 262 Tuesday, February 20, 1945, 2:00 p. m.
L. B. 177 Tuesday, February 20, 1945, 2:00 p. m.

Appropriations

L. B. 91 Monday, February 12, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 56. Placed on General File with amendment.

Standing committee amendment to L. B. 56:

1. Amend section 1 of the bill by striking the words "but should a vacancy" in line 13, and all of lines 14, 15, 16, 17, 18, 19, 20 and 21, and insert in lieu thereof: *"unless the board by unanimous consent agree otherwise."*

LEGISLATIVE BILL 87. Placed on General File.
LEGISLATIVE BILL 88. Placed on General File.
(Signed) Frank Sorrell, Chairman

Agriculture

LEGISLATIVE BILL 67. Placed on General File.
LEGISLATIVE BILL 98. Placed on General File.
LEGISLATIVE BILL 109. Placed on General File.
(Signed) Arthur Carmody, Chairman

Public Works

LEGISLATIVE BILL 108. Placed on General File with amendments.

Standing Committee amendments to L. B. 108:

1. Amend section 1 of the bill, line 5, by striking after the word "on" the following: *"January 1, 1947"* and inserting in lieu thereof: *"September 1, 1945"*

2. Amend section 1 of the bill, line 6, by striking after the word "before" the following: *"January"* and inserting in lieu thereof: *"September"*

LEGISLATIVE BILL 44. Placed on General File with amendments.

Standing Committee amendments to L. B. 44:

1. Amend the bill, page 2, section 1, line 2 by inserting after the figures 70-623.02 and punctuation "," the following: "Revised Statutes of Nebraska, 1943".

2. Amend the bill, page 2, section 1, line 5 by striking the word "sixty" and inserting in lieu thereof the words "one hundred twenty", and line 14 by striking the word "twenty" and inserting in lieu thereof the word "eighty".

3. Amend the title to the bill, line 3 by inserting after the word "districts" the words "which are"

LEGISLATIVE BILL 43. Placed on General File with amendments.

Standing Committee amendments to L. B. 43:

1. Amend page 2 of the bill, section 1, by striking all of lines 21 to 32, inclusive, and substituting the following in lieu thereof:

"(1) By any city or village to any private person, firm, association or corporation, or to any public power district; or

(2) By any public power district operating, owning lines or operating and owning lines in less than thirteen counties in this state to any other public power district, except (a) where the sale, lease or transfer is made by a district organized under sections 14-1501 to 14-1523, or (b) where transmission or distribution lines extend into another power district and the board of directors of the selling power district shall, by resolution entered on its records, determine that such transmission or distribution lines would serve customers more advantageously in the purchasing power district and sale thereof should be made, or (c) sales of any surplus equipment which the selling district, by resolution adopted by its board of directors and entered on its records, shall determine that it does not then need and is needed by the purchasing district, which sales are hereby expressly authorized to be made."

2. Amend page 2 of the bill, section 1, by renumbering lines 33 to 37, inclusive, as lines 38 to 42, inclusive, to correspond with the amendment above made.

3. Amend page 2 of the bill, section 1, by adding after the punctuation in line 37, renumbered line 42, the following additional matter:

"Any elections herein required in public power districts or public power and irrigation districts shall be held at the same time and in connection with the next regular primary or general election in the state thereafter at which directors of said public power district are to be nominated or elected. Any proposals for the sale of lines or other property required to be submitted to an election under the provisions of this section shall be certified by the board of directors of the district selling or disposing of said property, to the county clerk of the respective county or counties wherein such election of directors is to be held in the form of a question to be submitted upon said ballot not less than thirty days before said election. The county clerks to whom such certificates are submitted shall cause the same question as submitted by the board of directors to be placed upon the same ballot and in proximity to the names of the directors to be nominated or elected in the same district at the next following primary or general election. The results of the said election with relation to said proposal shall be counted, canvassed and certified in the same manner as the other results of the said election."

4. Amend page 2, section 1, line 19 after the word "a" and before the word "general" by inserting the following words: "primary

or" and by striking in the same line after the word "general" and before the word "election", the words "or special".

5. Amend the title to the bill, line 3, after the punctuation ";" by striking all the words and punctuation following thereafter, and by inserting in lieu thereof the words and punctuation as follows:

"to require a vote of the electorate within a public power district, except in certain cases, for the sale, lease or transfer of any electric light or power plant, distribution system or transmission line or surplus equipment."

(Signed) Sidney J. Cullingham, Chairman

Revenue

LEGISLATIVE BILL 122. Placed on General File with amendments.

Standing Committee amendments to L. B. 122:

1. Amend the bill, section 1, line 6, by inserting after the word "tax" the words *"of not to exceed one half mill"*

2. Amend the bill, section 1, line 8, by striking the words and punctuation ", as fol-", and by inserting in lieu thereof the words and punctuation ". as fol-", and by striking all of lines 9, 10 and 11 and reinserting the same as stricken matter.

3. Strike all of section 3 and renumber the remaining sections accordingly.

4. Amend the title, line 2, by striking the punctuation "," after the figures "77-1627" and inserting in lieu thereof the word "and", and by striking in said line the word and figures "and 77-1629".

5. Amend the title, line 12, by striking the words "the original sections" and inserting in lieu thereof the words "original sections 77-1627, 77-1628 and 77-1629, Revised Statutes of Nebraska, 1943".

LEGISLATIVE BILL 85. Indefinitely postponed.

LEGISLATIVE BILL 123. Placed on General File with amendment.

Standing Committee amendment to L. B. 123:

1. Amend the bill, section 1, line 61, by striking the word "and" and inserting in lieu thereof "and"

LEGISLATIVE BILL 126. Placed on General File with amendment.

Standing Committee amendment to L. B. 126:

1. Amend the bill, section 1, line 4, by inserting after the word and figure *April 1* and before the punctuation "," the words *"of the year in which the assessment is being made"*

LEGISLATIVE BILL 118. Placed on General File with amendments.

Standing Committee amendments to L. B. 118:

1. Amend the bill, section 1, line 8, by striking the words *"city or village"* after the words *"to the"* and inserting in lieu thereof the word *"county"*.

2. Amend the bill, section 1, line 9, by inserting after the word *"amount"* and before the word *"that"* the words *"to be deposited by said treasurer in the bond sinking fund of said city or village"*.

(Signed) Walter R. Raecke, Chairman

Enrollment and Review

LEGISLATIVE BILL 52. Placed on Select File with amendments.

E and R amendments to L. B. 52:

Amendments to Standing Committee amendments.

1. Amendment 1, 3rd line, strike the word *"including"* and in lieu thereof insert: *"and the"*.

2. Amendment 3, 3rd line, strike the comma after *"discharge"*.

3. Amendment 5, insertion, 2nd line, after *"of"* and before *"administrator"* insert the word *"an"*; 3rd line, after *"for"* and before *"decree"* insert the word *"a"*; 4th line, before *"dismissed"* insert the word *"is"*.

4. Amendment 7, strike the period at the end of said amendment and in lieu thereof insert: "and insert "or trusteeship" ".

5. Amendment 9, strike the period at the end of said amendment and in lieu thereof insert: "and insert "or trusteeship" ".

In the Bill:

6. Section 1, line 43, before the word *"taking"* insert the word *"and"*; line 44, strike: *"for each of the same,"*; line 45, after the word *"dollar"* and before the period insert the word *"each"*.

7. Section 2, line 13, strike: *"for each of the same,"* and after the word *"dollar"* and before the period insert the word *"each"*.

8. Section 3, line 42, strike the word "They" and in lieu thereof insert: *"Such fees"*; line 50, strike the comma after "testamentary" and insert a stricken comma; line 51, strike the word "and" before the word "one" and in lieu thereof insert "and"; line 52, before the word "assigning" insert the word *"or"*; strike all of lines 53 to 58, inclusive, and in lieu thereof insert the following:

"the estate of intestates administered in the court, made for record in the office of the county clerk or register of deeds of the county where the intestate's estate is administered; , and the same shall include one copy of the will and probate thereof made for record in the office of the county clerk or the register of deeds of the county where the will is admitted to probate, but in . *In"* ;

line 63, strike: *", and in all estates where it therein"* and in lieu thereof insert: *". In all estates in which it"*; line 64, strike: *", or"* and in lieu thereof insert: *"or a"*; lines 65 and 66, strike: *", and a like sum for"* and in lieu thereof insert: *". For"*; line 67, strike the word *"and"* after the figures *"30-334"* and in lieu thereof insert the word *"or"*, and strike the period after the figures *"30-1708"* and in lieu thereof insert: *", inclusive, ten dollars."*.

9. Section 4, line 3, strike: "matter of the" and in lieu thereof insert: "matter of the"; line 23, strike the word "trustee" after the word *"such"* and in lieu thereof insert: *"a* trustee *or trustees"*; line 46, strike the word *"exceeds"* and in lieu thereof insert: *"of such estate, originally being five thousand dollars or less, should thereafter exceed"*; line 55, after the comma and before the word *"where"* insert the following: *"inclusive,"*; line 66, after the semicolon and before the word *"actions"* insert the word *"for"*; line 68, strike the comma after the word *"dollars"* and in lieu thereof insert: *"; for"*; line 74, strike the words "price of" and in lieu thereof insert: "price of *legal fees for"*; line 85, strike the following: *", : in"* and in lieu thereof insert: *". In"*; line 86, strike the word *"for"* and in lieu thereof insert: *"the county judge shall be entitled to the following fees: For"*; line 96, strike: *"for similar services for"* and in lieu thereof insert the word *"of"*; line 97, after the word *"law"* and before the comma insert: *"for similar services"*.

10. In the title, 5th line, strike the word "may" and in lieu thereof insert the word "shall".

LEGISLATIVE BILL 116. Placed on Select File with amendments.

E and R amendments to L. B. 116:

1. In the bill, section 1, line 20, strike the word "*and*" and in lieu thereof insert the word "*but*"; line 19, before the word "cupola" insert the word "*a*"; line 23, after the word "passenger" and before the word "and" insert the word "car" (in the statute).

2. In the bill, title, 4th line, before the word "cupola" insert the word "a".

LEGISLATIVE BILL 137. Placed on Select File with amendments.

E and R amendments to L. B. 137:

In the bill, title, 3rd line, after the word "of" and before the word "teacher's" insert the word "the".

In the bill, section 1, line 11, before the word "sound" insert the word "his"; lines 12 and 13, strike: "extension of the certificate" and in lieu thereof insert: "such extension".

LEGISLATIVE BILL 36. Correctly engrossed.
LEGISLATIVE BILL 48. Correctly engrossed.
LEGISLATIVE BILL 63. Correctly engrossed.
LEGISLATIVE BILL 69. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

LEGISLATIVE ADMINISTRATION

Monthly Report, Officers and Employees

Salaries for the Month of January, 1945

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Federal Tax	Amt. Paid
L. T. Fleetwood	Asst. Clerk	11 da	8.00	88.00	13.60	74.40
J. W. Lundy	Sgt. at Arms	6 da	5.00			
		8 da	5.50	74.00	6.60	67.40
Clarence Linch	Asst. Sgt. at Arms	5 da	4.50			
		7 da	5.00	57.50	2.80	54.70
Martin L. Pedersen	Postmaster	12 da	4.50	54.00	2.40	51.60
Wm. P. Bancroft	Chaplain	10 da	4.50	45.00	none	45.00
Delia Rankin	Office Asst.	3½ da	5.00			
		7 da	6.50	63.00	4.10	58.90
Grace Furst	Engrossing Clk.	2 da	6.00			
		5½ da	6.50	47.75	.80	46.95
Louise F. Sholes	Asst. Jrl. Clk.	5 da	5.00			
		7 da	6.50	70.50	5.70	64.80
Goldie Green	Secy. Lt. Gov.	12 da	6.00	72.00	10.30	61.70
Nellie Von Dorn	Secretary E & R	5 da	5.00			
		7 da	6.50	70.50	9.90	60.60
Carol J. Streight	Secretary	5 da	5.00			
		7 da	6.00	67.00	9.10	57.90

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Federal Tax	Amt. Paid
Mary Morrison	Secretary	2½ da	5.00			
		7 da	6.00	54.50	6.60	47.90
Margaret Wulf	Secretary	5 da	5.00			
		7 da	6.00	67.00	9.10	57.90
Viola Schmidt	Secretary	5 da	5.00			
		7 da	6.00	67.00	9.10	57.90
Katherine Mackiewicz	Secretary	7 da	6.00	42.00	.50	41.50
Rita Thornton	Secretary	5 da	5.00			
		7 da	6.00	67.00	13.20	53.80
Myrtle McKay	Secretary	2 da	5.00			
		7 da	6.00	52.00	6.20	45.80
Susan Ogier	Secretary	6 da	6.00	36.00	2.90	33.10
Alice M. Davis	Stenographer	4 da	5.00	20.00	none	20.00
Alice Javorsky	Stenographer	9 da	5.00	45.00	4.50	39.50
Arlene Jelinek	Stenographer	9 da	5.00	45.00	4.50	39.50
G. F. Martin	Chf. Bill Rm. Clk.	5 da	5.00			
		7 da	6.50	70.50	9.90	60.60
Louis Nelson	Asst. Bill Rm. Clk.	3 da	4.50			
		7 da	5.00	48.50	.70	47.80
W. T. Voss	Asst. Bill Rm. Clk.	3 da	4.50			
		7 da	5.00	48.50	1.20	47.30
F. R. Miller	Asst. Bill Rm. Clk.	3 da	4.50			
		7 da	5.00	48.50	1.20	47.30

Evelyn Schucknecht	Mimeo. Operator	11 da	5.00	55.00	6.60	48.40
Henry Remington	Chf. Page & Msgr.	12 da	5.00	60.00	3.70	56.30
Betty Fullagar	Page & Msgr.	11 da	4.00	44.00	4.50	39.50
Martha Simon	Page & Msgr.	11 da	4.00	44.00	4.50	39.50
Robert G. Howard	Page & Msgr.	11 da	4.00	44.00	4.50	39.50
Richard Cronin	Page & Msgr.	12 da	4.00	48.00	5.40	42.60
O. J. Burckhardt	Asst. Custodian	5 da	4.00			
		7 da	4.50	51.50	1.60	49.90
Ezra N. Watt	Asst. Custodian	7 da	4.50	31.50	1.60	29.90
Gertrude Tyler	Telephone Oper.	10 da	4.00	40.00	.50	39.50
Rosalind Griffin	Proof Reader	93 hrs	.75	69.75	9.50	60.25
Orma Hull Kline	Proof Reader	93 hrs	.75	69.75	5.30	64.45
A. J. Morris	Cloak Room	11 da	4.00	44.00	4.50	39.50
Continental National Bank Federal Withholding Tax						187.10

EMPLOYEES ON MONTHLY BASIS

Clarence Davis	Legal Adviser	24/31 mo	375.00	290.32	34.20	256.12
Evelyn Stroy	Journal Clerk	1 mo	175.00	175.00	26.40	148.60
Marguerite Price	Appropriations	24/31 mo	175.00	135.48	18.20	117.28
Jo Fisher	Rev. Judiciary	23/31 mo	175.00	129.84	25.70	104.14
Hollis S. Thurber	Bookkeeper	30/31 mo	150.00	145.00	12.30	132.70
		($5 paid on previous pay roll for Jan. 1st)				
Ernest Fouts	Custodian	1 mo	125.00	125.00	16.50	108.50
Continental National Bank Federal Withholding Tax						133.30
				$3022.89	$320.40	$3022.89

Legislative Expenditures for the Month of January, 1945

		Amount Paid
Account No. 1 Incidental Expense		
Blaine Yoder, Purchasing Agent		
Deposit for postage bills and journals	$ 500.00	
Acme Printing Company, miscellaneous printing	54.40	
Acme Printing Company, miscellaneous printing	42.00	
Kelso Chemical Company, cleaning material	5.82	
Nebraska Typewriter Co., cleaning mimeograph drum	5.00	
Pease Bindery, printing and binding docket	48.00	
Acorn Press, printing roll calls	18.50	
Hollis S. Thurber, wages	15.00	
Goldie Green, wages	15.00	
O. J. Burckhardt, wages	12.00	
Evelyn Schucknecht	2.50	
		$ 718.22
Account No. E-2 Salaries of Members		
Old account, Federal tax, 4th quarter	185.93	
New account, salaries including Federal tax	8,600.00	
		8,785.93
Account No. E-3 Members' mileage		441.44
Account No. E-4 Salaries of Employees		3,022.89
Account No. E-5 Incidental Expense		
Railway Express Company	27.88	
Cornhusker Printing Company, printing stationery	39.00	
		66.88
Account No. 5 Intergovernmental Cooperation Commission		
Council of State Governments, dues	500.00	
C. Petrus Peterson, expense account	51.50	
		551.50
Account No. 8-A Collector Internal Revenue, 4th quarter taxes		87.60
Account No. 8-B		
Lincoln Telephone Company	13.25	
Sanitary Towel and Laundry Company	3.00	
		16.25
Account No. 8		
Salary Clerk of the Legislature	289.10	
Collector Internal Revenue, 4th quarter taxes	55.20	
		344.30
		$14,035.01

(Signed) John F. Doyle, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. With emergency.

A bill for an act to amend section 68-404, Revised Statutes of Nebraska, 1943, relating to blind assistance; to increase the maximum amount that may be paid to any one person for blind assistance from thirty dollars per month to forty dollars per month; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Schultz
Brodahl	Foster	Mekota	Seaton
Burney	Hanna	Mueller	Sorrell
Burnham	Heiliger	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Carmody	Hern	Norman	Ryan
Garber	Lusienski		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Request to Record Vote

Mr. President: Had we been present, we would have voted for L. B. 1. (Signed) Arthur Carmody and William J. Norman

LEGISLATIVE BILL 2.

A bill for an act to amend sections 62-301, 84-104 and 24-316, Revised Statutes of Nebraska, 1943, relating to holidays; to provide

that Thanksgiving Day shall be on the fourth Thursday in November; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Dooley	Kain	Raasch
Anderson, J.	Doyle	Klaver	Raecke
Anderson, L.	Foster	Lee	Reavis
Babcock	Garber	Mekota	Seaton
Brodahl	Hanna	Mueller	Sorrell
Burney	Heiliger	Ogden	Tvrdik
Burnham	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cullingham	Jeffords		

Voting in the negative, 4:

Carlberg	Cronin	Crossland	Schultz

Not voting, 5:

Carmody	Lusienski	Norman	Ryan
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Request to Record Vote

If I had been present, I would have voted for L. B. 2.
(Signed) William J. Norman

LEGISLATIVE BILL 6.

A bill for an act relating to sale of superseded compilations and revisions of the statutes; to authorize the State Librarian to sell copies of any superseded compilation or revision of the statutes at the price of one dollar per volume; to authorize and direct the Secretary of State to deliver to the State Librarian all surplus copies thereof now in his hands.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Mekota	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Cronin	Hern	Norman	Ryan
Garber	Lusienski	Raasch	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 26. With emergency.

A bill for an act to amend section 77-1613, Revised Statutes of Nebraska, 1943, relating to taxation; to place on the county clerk, instead of the county assessor, the duty of transcribing assessments into and to prepare unit tax ledgers; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Schultz
Babcock	Doyle	Lee	Seaton
Brodahl	Foster	Mekota	Sorrell
Burney	Garber	Mueller	Tvrdik

Burnham	Hanna	Norman	Weborg
Carlberg	Heiliger	Ogden	Wood
Carmody	Hoyt	Peterson	
Conklin	Hubka	Pizer	
Cronin			

Voting in the negative, 0.

Not voting, 4:

Hern	Lusienski	Reavis	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 45.

A bill for an act to amend section 70-662, Revised Statutes of Nebraska, 1943, relating to public power districts; to permit such a district to amend its charter to provide for a change in its name and to provide how the same may be authorized; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cronin	Jeffords	Peterson
Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Schultz
Brodahl	Doyle	Mekota	Sorrell
Burney	Foster	Mueller	Tvrdik
Burnham	Garber	Norman	Weborg
Carlberg	Heiliger	Ogden	Wood
Conklin	Hubka		

Voting in the negative, 3:

Hoyt	Pizer	Seaton

Not voting, 6:

Carmody	Hern	Reavis	Ryan
Hanna	Lusienski		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 79. With emergency.

A bill for an act to amend sections 81-218 and 81-227, Revised Statutes of Nebraska, 1943, relating to milk products, ice cream and other frozen desserts; to extend until March 1, 1947, the lower standard of ingredients of frozen desserts therein set out; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams	Conklin	Kain	Raecke
Anderson, J.	Crossland	Lee	Reavis
Babcock	Cullingham	Mekota	Schultz
Brodahl	Dooley	Mueller	Seaton
Burney	Foster	Norman	Sorrell
Burnham	Hanna	Ogden	Tvrdik
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hoyt	Raasch	Wood

Voting in the negative, 5:

Anderson, L.	**Doyle**	**Jeffords**	**Pizer**
Cronin			

Not voting, 6:

Garber	Hubka	Lusienski	Ryan
Hern	Klaver		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 82. E and R amendments, found in the Legislative Journal for the Twenty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 84. E and R amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 111. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 74. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 75. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Mr. James Anderson offered the following amendment which was adopted:

Amend the title by striking in line 2 the figures "71-1,108", and by striking all of line 4 after the semicolon and all of lines 5 and 6, and strike the period in the last line of the title and insert in lieu thereof a semicolon and add the following: "and to declare an emergency" and add the punctuation "period".

Mr. James Anderson offered, also, the following amendments, which were adopted:

Amend L. B. 75 by the addition of a new section after the section now numbered "4", as follows:

"Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law"

Amend original section 4 by striking the figures "71-1,108", in line 1.

Referred to E and R for review.

Adjournment

At 11:55 a. m., Mr. Mueller moved that the rules be suspended and the Legislature adjourn until 10:00 a. m. Monday, February 5, 1945.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Hugo F. Srb
Clerk of the Legislature

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 5, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by Reverend Arthur L. Miller of the First Presbyterian Church of Lincoln.

The roll was called and all members were present except Messrs. Cronin and Hubka.

The Journal for the twenty-fourth day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 256	Thursday, February 15, 1945	2:00	p. m.
L. B. 302	Thursday, February 15, 1945	2:00	p. m.
L. B. 313	Thursday, February 15, 1945	2:00	p. m.

Appropriations

L. B. 348	Friday, February 16, 1945	2:15	p. m.
L. B. 322	Tuesday, February 13, 1945	2:15	p. m.
L. B. 321	Tuesday, February 13, 1945	2:00	p. m.
L. B. 317	Monday, February 12, 1945	2:15	p. m.

Judiciary

L. B. 241	Wednesday, February 21, 1945	2:00	p. m.
L. B. 305	Wednesday, February 21, 1945	2:00	p. m.
L. B. 342	Wednesday, February 21, 1945	2:00	p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 166. Placed on General File.

(Signed) A. J. Brodahl, Chairman

Government

LEGISLATIVE BILL 90. Placed on General File.

(Signed) Frank Sorrell, Chairman

Judiciary

LEGISLATIVE BILL 160. Placed on General File with amendments.

Standing Committee amendments to L. B. 160:

1. Amend the bill, section 1, line 4, by striking the punctuation "," after the word "him" and by inserting the punctuation "," after the word *"demurrer"*.

2. Amend the bill, section 1, line 24, by inserting the word *"judgment"* before the word *"shall"*.

LEGISLATIVE BILL 164. Placed on General File.
LEGISLATIVE BILL 156. Placed on General File with amendments.

Standing Committee amendments to L. B. 156:

1. Amend the bill, section 1, line 2, by inserting after the word "because" the words and punctuation ", at the time the will is offered for probate ,".

2. Amend the bill, section 1, lines 3 and 4, by striking the words and punctuation ", at the time the will is offered for probate, ".

3. Amend the bill, section 1, lines 6 and 7, by striking the word "otherwise"; and by striking the punctuation and words ", in the course" in line 7 and inserting after the word "unavailable" the word "because".

4. Amend the title, line 5, by inserting after the words and punctuation "United States," the following:

"or in service as merchant seamen, or are dead or mentally or physically incapable of testifying or otherwise unavailable,"

LEGISLATIVE BILL 138. Placed on General File with amendments.

Standing Committee amendments to L. B. 138:

1. Amend the bill by striking all of section 2 and by inserting in lieu thereof the following:

"Sec. 2. Each agency shall file forthwith in the office of the Secretary of State a certified copy of the rules in force and effect in such agency on the effective date of this act. A certified copy of any rule adopted after the effective date of this act shall likewise be so filed. Such copy or copies shall be printed, typed or mimeographed on legal size paper. The Secretary of State shall keep a permanent file of all such rules, which shall be open to public inspection."

2. Amend the bill, section 3, lines 1 and 2, by striking the words "any rule hereafter adopted by it" and inserting in lieu thereof the words "its rules".

3. Amend the bill, section 4, line 4, by striking the words "of each rule" and inserting in lieu thereof the words "the rules".

4. Amend the bill, section 5, line 2, by inserting after the word "print" and before the word "all" the following: ", type or mimeograph".

5. Amend the bill, section 6, line 4, by inserting the punctuation "." after the word "adopted" and by striking all of lines 4 and 5 after the word "adopted".

(Signed) John E. Mekota, Chairman

Enrollment and Review

LEGISLATIVE BILL 29. Placed on Select File with amendments.

E and R amendments to L. B. 29:

1. In the bill, section 1, line 2, after the word "absentee" and before the period, insert: ", as hereinafter set forth in this act".

2. In the bill, section 2, line 4, strike: ", as the case may be,"; line 5, insert a comma after the word "cause"; line 10, insert a comma after "persons"; line 11, after the word "as" insert: "they are", and insert a comma after the word "petitioner"; line 14, strike: "in case" and in lieu thereof insert the word "if".

3. In the bill, section 4, line 2, after the word "publication" insert: "thereof eight consecutive weeks, once each week, in a legal newspaper, published"; strike all of line 3, and Mr. Anderson's amendment thereto, and in lieu thereof insert: "to be"; line 4, strike the semicolon after the word "judge" and insert a comma.

4. In the bill, section 6, line 1, strike: "on the day set for hearing"; line 2, after the word "appear" and before the comma insert: "on the day set for hearing".

5. In the bill, section 8, line 3, strike the word "that" and in lieu thereof insert the word "as".

6. In the bill, section 9, lines 2 and 3, strike: "and other property" and in line 3, strike: ", and after" and in lieu thereof insert: "and may, under the orders of the county court, sell and dispose of all the personal property owned by such absentee. After"; line 4, before the word "make" insert: "and upon the order of the court, the administrator shall"; line 5, strike the word "thereof" and in lieu thereof insert: "of such sales".

7. In the bill, section 10, line 1, strike the word "provision" and in lieu thereof insert "provisions".

8. In the bill, section 13, line 2, after the word "and" strike the word "the".

9. In the bill, section 14, line 5, strike amendment made by Mr. Carlberg and strike: "30-1901 to 30-1913" and in lieu thereof insert: "1 to 13, inclusive, of this act"; line 9, strike: "30-1903, and upon a" and in lieu thereof insert: "3 of this act. Upon the"; line 11, before the word "shall" insert: "the county court"; insert a comma in line 13 after "person" and in line 14 after the word "court"; line 15, strike: "as herein provided for,"; line 17, strike: "30-1901 to 30-1914" and in lieu thereof insert: "this act".

10. In the bill, Section 3, line 2, strike the word "therein" and in lieu thereof insert the word "thereof". In section 14, line 8, strike the word "thereon" and in lieu thereof insert "thereof".

11. In the bill, title, 2nd line, after the word "of" and before the word "persons" insert: "absentees; to provide the procedure for the administration of estates of"; 3rd line, after the word "years" and before the semicolon, and in the 5th line after the word "cause" and before the semicolon, insert: "under the prescribed circumstances and procedure".

LEGISLATIVE BILL 110. Placed on Select File.
LEGISLATIVE BILL 152. Placed on Select File with amendments.

E and R amendments to L. B. 152:

1. In Standing Committee Amendment, 1st line, strike the word "line" after the word "Strike" and in lieu thereof insert the word "lines" and after the figure "13" insert: "and insert same as stricken matter"; 2nd line, strike: "word "four" and in lieu thereof insert: "words "~~three~~ *four*" ".

2. In the bill, section 1, line 10, strike the semicolon and in lieu thereof insert: "$\frac{4}{10}$.".

3. In the bill, title, strike all of the 3rd line beginning with the word "schools" and all of the 4th line, and in lieu thereof insert:

"county high schools; to increase the maximum aggregate tax for a county high school, exclusive of the levy for paying bonds or interest on bonds, to four and three-tenths mills as prescribed; to re-"

LEGISLATIVE BILL 23. Correctly engrossed.
LEGISLATIVE BILL 4. Correctly enrolled.
LEGISLATIVE BILL 5. Correctly enrolled.
LEGISLATIVE BILL 10. Correctly enrolled.
LEGISLATIVE BILL 13. Correctly enrolled.
LEGISLATIVE BILL 18. Correctly enrolled.
LEGISLATIVE BILL 51. Correctly enrolled.
LEGISLATIVE BILL 65. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 4	L. B. 18
L. B. 5	L. B. 51
L. B. 10	L. B. 65
L. B. 13	

Mr. Ogden reminded the Legislature of the dinner invitation of the Continental National Bank, first issued on January 15, 1945.

MOTION—To Refer L. B. 48 to Select File

Mr. President: I move that L. B. 48 be referred to Select File for the following specific amendment: Strike the Enacting Clause.
(Signed) John E. Mekota

After further discussion, Mr. Foster moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

The original motion was re-stated and lost, with 15 ayes, 24 nays and 4 not voting.

Visitor

Mr. Mekota presented Charles H. Sloan of Geneva, a former member of the Nebraska Senate and United States Congress.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 50.

A bill for an act to amend section 23-1309, Revised Statutes of Nebraska, 1943, relating to World War discharge records; to provide for a World War II discharge record; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 2:

Cronin	Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 81.

A bill for an act to amend section 50-123, Revised Statutes of Nebraska, 1943, relating to members of the Legislature; to change the dates and amounts of payments of the salaries of members of the Legislature in even-numbered years; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 2:

Cronin	Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 101. With emergency.

A bill for an act to amend section 68-230, Revised Statutes of Nebraska, 1943, relating to old age assistance; to except certain prescribed persons from the per capita tax imposed for the purposes of the state assistance fund; to provide that the amount of the annual per capita tax imposed for such purposes shall be three dollars until March 1, 1947; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Hoyt	Raasch
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Seaton
Burney	Garber	Mueller	Sorrell
Burnham	Hanna	Ogden	Weborg
Carlberg	Heiliger	Peterson	Wood
Conklin	Hern	Pizer	

Voting in the negative, 0.

Not voting, 8:

Carmody	Hubka	Mekota	Schultz
Cronin	Klaver	Norman	Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 107.

A bill for an act to amend section 79-2717, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the board of education in every school district in a city of the metropolitan class in the state may, at its option, establish a permanent and continuing census or enumeration of school children; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan

Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 2:

Cronin Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Reconsider L. B. 38

Mr. President: I move that we reconsider our action on L. B. 38 and return same to Select File for the following specific amendment.

"In section 2, line 15, strike the word "property" and insert in lieu thereof the word "~~property~~ *properly*". (Signed) Fred A. Mueller.

The motion prevailed with 40 ayes, 0 nays and 3 not voting.

SELECT FILE

LEGISLATIVE BILL 52. E and R amendments, found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 77. Laid over. Retains place.

LEGISLATIVE BILL 124. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL 67. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL 98. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 56. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 87. Read and considered.
Referred to E and R for review.

MOTION—Special Order

Mr. President: I move that L. B. 88 be set for special order, Monday, February 12, 1945, at 11:00 a. m. (Signed) Frank Sorrell.

The motion prevailed.

Adjournment

At 12:10 p. m., Mr. Jeffords moved that the rules be suspended and the Legislature adjourned until 10:00 a. m., Tuesday, February 6, 1945.

Mr. Weborg made a substitute motion that the Legislature adjourn until 9:00 a. m., Tuesday, February 6, 1945.
The substitute motion prevailed.

Hugo F. Srb
Clerk of the Legislature

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 6, 1945

Pursuant to adjournment, the Legislature met at 9:03 a. m., President Johnson presiding.

Prayer was offered by Reverend Robert L. Warren, Associate Minister at St. Paul Methodist Church, Lincoln.

The roll was called and all members were present.

The Journal for the twenty-fifth day was approved as corrected.

Communications

A letter from Daphne Weston, R. N., of Hastings, Nebraska, asked the passage of Legislative Bills 74 and 75.

A petition signed by twenty-eight residents of Sparks and Valentine, Nebraska, favoring the passage of Legislative Bill 33.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 245	Tuesday, February 20, 1945	2:00 p. m.
L. B. 283	Tuesday, February 20, 1945	2:00 p. m.
L. B. 76	Tuesday, February 20, 1945	2:00 p. m.

Education

L. B. 158	Monday, February 12, 1945	2:00 p. m. (re-hearing)
L. B. 202	Monday, February 26, 1945	2:00 p. m.
L. B. 251	Monday, February 26, 1945	2:00 p. m.
L. B. 254	Monday, February 26, 1945	2:00 p. m.
L. B. 265	Monday, February 26, 1945	2:00 p. m.

L. B. 257	Monday, March 5, 1945	2:00 p. m.
L. B. 304	Monday, March 5, 1945	2:00 p. m.
L. B. 266	Monday, March 12, 1945	2:00 p. m.
L. B. 267	Monday, March 12, 1945	2:00 p. m.
L. B. 294	Monday, March 12, 1945	2:00 p. m.
L. B. 318	Monday, March 19, 1945	2:00 p. m.
L. B. 319	Monday, March 19, 1945	2:00 p. m.
L. B. 229	Monday, March 19, 1945	2:00 p. m.
L. B. 332	Monday, March 19, 1945	2:00 p. m.
L. B. 335	Monday, March 19, 1945	2:00 p. m.

Government

L. B. 192	Wednesday, February 14, 1945	2:00 p. m.
L. B. 203	Wednesday, February 21, 1945	2:00 p. m.
L. B. 206	Wednesday, February 21, 1945	2:00 p. m.
L. B. 214	Wednesday, February 21, 1945	2:00 p. m.
L. B. 238	Wednesday, February 21, 1945	2:00 p. m.
L. B. 239	Friday, February 23, 1945	2:00 p. m.
L. B. 253	Friday, February 23, 1945	2:00 p. m.
L. B. 258	Friday, February 23, 1945	2:00 p. m.
L. B. 217	Friday, February 23, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 54. Placed on General File.
LEGISLATIVE BILL 73. Placed on General File as amended.

Standing Committee amendment to L. B. 73:

1. Amend bill by striking all of Section 3 and renumbering Section 4 as Section 3.

(Signed) Don E. Hanna, Chairman

Education

LEGISLATIVE BILL 165. Placed on General File.
LEGISLATIVE BILL 182. Placed on General File.
LEGISLATIVE BILL 183. Placed on General File.
LEGISLATIVE BILL 11. Indefinitely postponed.

(Signed) Cliff N. Ogden, Chairman

Enrollment and Review

LEGISLATIVE BILL 26. Correctly enrolled.
LEGISLATIVE BILL 1. Correctly enrolled.

LEGISLATIVE BILL 2. Correctly enrolled.
LEGISLATIVE BILL 6. Correctly enrolled.
LEGISLATIVE BILL 45. Correctly enrolled.
LEGISLATIVE BILL 79. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 26	L. B. 6
L. B. 1	L. B. 45
L. B. 2	L. B. 79

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 22. With emergency.

A bill for an act to amend section 8-319, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to increase the maximum amount of loans that building and loan associations may make on improved real estate to not exceeding seventy-five per cent of the reasonable normal cash value of such real estate security, except as otherwise herein prescribed; to prescribe the maximum loans which such an association may make on real estate; to provide that such associations may make a loan or loans in an amount exceeding seventy-five per cent of the reasonable normal cash value of the real estate security if made to veterans in accord with the provisions of Title III of the congressional act known as "Servicemen's Readjustment Act of 1944", as now existing or as hereafter amended, if the proceeds of the loan or loans are to be used for the purposes herein prescribed, and if the Administrator of Veterans' Affairs shall guarantee that portion of such loan or loans which is in excess of seventy-five per cent of the reasonable normal cash value of the real estate security; to repeal the original section; and to declare an emergency.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cullingham	Kain	Reavis
Anderson, J.	Dooley	Klaver	Ryan

Anderson, L.	Doyle	Lee	Schultz
Babcock	Foster	Lusienski	Seaton
Brodahl	Hanna	Mueller	Sorrell
Burney	Heiliger	Norman	Tvrdik
Burnham	Hern	Peterson	Weborg
Carlberg	Hoyt	Pizer	Wood
Conklin	Hubka	Raasch	
Crossland	Jeffords	Raecke	

Voting in the negative, 0.

Not voting, 5:

Carmody	Garber	Mekota	Ogden
Cronin			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 116. E and R amendments, found in the Legislative Journal for the Twenty-fourth day were adopted.

Mr. Tvrdik asked unanimous consent that L. B. 116 be passed and retain its place on file. No objection, so ordered.

LEGISLATIVE BILL 137. E and R amendments, found in the Legislative Journal for the Twenty-fourth day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 29. E and R amendments, found in the Legislative Journal for the Twenty-fifth day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 152. E and R amendments, found in the Legislative Journal for the Twenty-fifth day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 38. Mr. Mueller's specific amendment, found in the Journal for the twenty-fifth day, was adopted.

Referred to E and R for re-engrossment.

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules and that L. B. 34 and L. B. 35 be returned to the Standing Committee for further hearing. (Signed) Charles F. Tvrdik

The motion prevailed with 32 ayes, 4 nays and 7 not voting.

GENERAL FILE

LEGISLATIVE BILL 21. Read and considered.

Mr. J. Anderson offered the following amendment, which was adopted.

Amend the bill, L. B. 21, Sec. 1, by reinserting the stricken matter and inserting after the period in line 11 the following: "provided this provision shall not be construed to prohibit or prevent a junior college from receiving federal funds or equipment."

A record vote was called for.

Voting in the affirmative, 27:

Adams	Dooley	Klaver	Raecke
Anderson, J.	Hanna	Lee	Reavis
Babcock	Heiliger	Lusienski	Ryan
Brodahl	Hern	Ogden	Seaton
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Pizer	Wood
Cullingham	Kain	Raasch	

Voting in the negative, 13:

Anderson, L.	Cronin	Garber	Schultz
Burney	Crossland	Jeffords	Sorrell
Burnham	Foster	Mueller	Weborg
Carlberg			

Not voting, 3:

Doyle	Mekota	Norman

Mr. Garber made a motion that L. B. 21 be indefinitely postponed, which lost.

A record vote was requested.

Voting in the affirmative, 12:

Brodahl	Carlberg	Hern	Schultz
Burney	Crossland	Jeffords	Sorrell
Burnham	Garber	Mueller	Weborg

Voting in the negative, 24:

Adams	Cullingham	Klaver	Raecke
Anderson, J.	Foster	Lee	Reavis
Anderson, L.	Hanna	Ogden	Ryan
Babcock	Hoyt	Peterson	Seaton
Carmody	Hubka	Pizer	Tvrdik
Cronin	Kain	Raasch	Wood

Not voting, 7:

Conklin	Doyle	Lusienski	Norman
Dooley	Heiliger	Mekota	

Mr. J. Anderson asked unanimous consent to have Enrollment and Review amend the title to conform with the bill.

There was no objection. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 24. Special Order.

Mr. J. Anderson made the motion that L. B. 24 be laid over until Wednesday, February 14, at 10:00 a. m., for Special Order.

The motion prevailed.

LEGISLATIVE BILL 77. Laid over. Retains place on file.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval February 6, 1945, 9:45 a.m.

L. B. 4	L. B. 10	L. B. 18	L. B. 51
L. B. 5	L. B. 13	L. B. 26	L. B. 65

LEGISLATIVE BILL 82. Correctly engrossed.

LEGISLATIVE BILL 74. Placed on Select File with amendments.

E and R amendments to L. B. 74:

1. In the bill, section 1, strike: ", the" at the end of line 5 and all of line 6, and in lieu thereof, insert: ", foreign country or the District of Columbia"; line 7, after the comma and before the word "meet" insert the word "substantially"; strike the comma at the end of line 7 and strike: "or the equivalent thereof," in line 8; line 10, after the word "to" and before the word "practice" insert: "engage in the", and strike: "the profession".

2. In the bill, section 2, at the end of line 1 add the word "if"; line 2, strike the word "should", and strike the word "desire" and in lieu thereof insert "desires"; line 6, strike: ", in which event" and in lieu thereof insert: ". Under such circumstances," and strike the word "the" before "temporary" and in lieu thereof insert the word "such"; line 7, strike the word "on" and in lieu thereof insert "upon".

3. In the bill, section 3, line 4, strike: "shall be effected as" and in lieu thereof insert: "of this state shall be".

4. In the bill, title, insert a comma in the 3rd line after "issuance" and in the 4th line after "Nurses"; 6th and 7th lines, strike: ", District of Columbia or of a foreign country" and in lieu thereof, insert:

> ", foreign country or the District of Columbia to engage in the practice of nursing in the State of Nebraska under the prescribed limitations and conditions; to fix a fee for such permits; to provide for crediting such fee upon the fee for a permanent license to engage in such practice";

11th line, after the word "act" and before the semicolon, insert: ", to the extent stated and that no other statute of this state shall be a limitation upon the provisions of this act".

LEGISLATIVE BILL 96. Select File as amended.

E and R amendments to L. B. 96:

1. In the bill, section 2, line 4, after the word "Court" and before the word "defects" strike the word "of" and in lieu thereof insert: "as to"; line 10, after the word "report" strike the word "on" and in lieu thereof insert: "as to".

2. In the bill, section 5, line 8, after the word "section" and also after the word "article" strike "," " and in lieu thereof insert: " ", "; line 15, strike: "the nature of them" and in lieu thereof insert: "their nature".

3. In the bill, section 7, line 14, after the statute number "49-617" insert: ", Revised Statutes of Nebraska, 1943,".

4. In the bill, title, 4th line, after the semicolon, insert:

"to give such revisor the prescribed authority and powers; to provide for certain supervision, recommendations and approval of and to certain of the official actions of such revisor by the Supreme Court or the judges thereof, as prescribed;"

9th line, after the semicolon and before the words "to provide" insert:

"to provide that such Revisor of Statutes shall prescribe the price at which the State Librarian shall sell the same; to provide that the State Librarian shall have such supplements and replacement volumes copyrighted in the manner and for the purposes prescribed;"

5th line, strike the word "additional" and in lieu thereof insert "added".

LEGISLATIVE BILL 124. Select File as amended.

E and R amendments to L. B. 124:

1. In the bill, section 1, line 4, strike: ", so", and in lieu thereof insert: "*so as*"; line 7, strike the comma after the word "*sale*"; line 8, insert a comma after "*products*" and strike all of said line after the word "*as*", also line 9, and in lieu thereof insert: "*filling stations or bulk stations.*".

2. In the bill, title, strike all of the 4th line after the words "title to" and all of the 5th line, and in lieu thereof insert: "or lease as

much real estate as shall be necessary"; 6th line, strike the word "a"; 7th line, strike: "establishment, or establishments" and in lieu thereof insert: "establishments or establishments primarily operated".

(Signed) Roy B. Carlberg, Chairman

Approved by the Governor

February 6, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 5	L. B. 26	L. B. 65
L. B. 18	L. B. 51	

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

Adjournment

At 11:45 a. m., Mr. James Anderson made a motion that the Legislature adjourn until 9:00 a. m., Wednesday, February 7, 1945.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 7, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Chaplain Bancroft introduced a guest, Reverend Ralph P. Rasmussen, pastor of the Methodist Church at North Platte, who offered prayer.

The roll was called and all members were present except Mr. Sorrell, who was excused until 11 a. m.

The Journal for the twenty-sixth day was approved as corrected.

Communications

A letter from Mrs. E. L. Johnson of Topeka, Kansas, concerning bankrupt railroads.

A letter from Mr. R. R. Brown of the Omaha Gospel Tabernacle expressing gratitude for passage of Legislative Bill 2.

Three petitions, two addressed to Mr. Crossland and one addressed to Mr. Hoyt, favoring the passage of Legislative Bill 33.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 125	Thursday, February 22, 1945	2:00 p. m.

Labor and Public Welfare

L. B. 31	Monday, February 19, 1945	2:00 p. m. (re-hearing)
L. B. 100	Monday, February 19, 1945	2:00 p. m. (re-hearing)
L. B. 337	Monday, February 19, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 115. Placed on General File as amended.

Standing Committee amendments to L. B. 115:

1. Amend the bill, section 1, line 28, by striking the punctuation "," at the end of the line and substituting the punctuation "." in lieu thereof.

2. Amend the bill, section 1, lines 30, 31, 32 and 33 by striking the following: *"who had five years of continuous residence in* this state *immediately preceding application date by those who were nonresidents of the state at the time of their entry into military service."* and substituting in lieu thereof the following: "this state."

3. Amend the bill, section 1, by striking all of lines 49, 50, 51 and 52 and substituting in lieu thereof the following:

"ment and expenses of a competent person or persons *State Service Officer and necessary assistants* to prepare and present meritorious cases of ex-service men for relief before the United States Veterans' Bureau *Administration* or the United States Bureau of Pensions, *such cases to be accepted by such State Service Officer on behalf of any veteran when proper power of attorney is given by such veteran to the office and regardless of where the cases originate, either through the individual or any veteran or civic organization,* at such reasonable"

4. Amend the bill, section 2, line 9, by inserting after the figures and punctuation "80-401," the following: *"or persons who are serving in the armed forces of the United States or her allies in World War II,"*

5. Amend the bill, section 2, line 11, by inserting after the word "same" and before the punctuation "," the following: *"and who had five years of continuous residence in this state immediately preceding application date by those who were nonresidents of the state at the time of their entry into military service"*

LEGISLATIVE BILL 97. Placed on General File.

(Signed) Walter R. Raecke, Chairman

Enrollment and Review

LEGISLATIVE BILL 56. Placed on Select File as amended.

E and R amendments to L. B. 56:

1. In the bill, section 1, line 13, strike the comma after "*term*".

2. In the bill, title, 3rd line, after the word "to" insert the word "the"; strike all of the 4th line after the word "provide" and "of the board" in the 5th line, and in lieu thereof insert: "that each member of the board shall be chairman thereof during the last two years of his regular term unless the board unanimously agrees otherwise".

3. Amend Standing Committee amendment, insertion, by striking the word "*agree*" and inserting, in lieu thereof, the word "*agrees*".

LEGISLATIVE BILL 75. Placed on Select File as amended.

E and R amendments to L. B. 75:

1. In Standing Committee amendment 2, inserted matter, 2nd line, after the word "salary" insert: "*to be fixed by the bureau but*"; 2nd and 3rd lines, strike: ", to be fixed by the bureau, which" and in lieu thereof insert: ". *Such*"; 4th line, strike: "his duties as" and in lieu thereof insert: "*the duties of*"; insert a comma in the 3rd line after the word "salary" and in the 4th line after "Director"; strike the period at the end of the 5th line and in lieu thereof insert a semicolon.

2. In General File amendments by Mr. J. H. Anderson, adopted February 2, 1945, section 4, insert a period after the word "law"; in the amendment to the title, strike: "and add the punctuation "period" " at the end of said amendment.

3. In the bill, section 1, (formerly Sec. 2) strike lines 6 to 10, inclusive, and in lieu thereof insert:

> "*Provided, that an applicant, who heretofore graduated from an accredited school for nurses at a time when the laws of the State of Nebraska did not require graduation from a four-year high school as a prerequisite to matriculate in or graduate from such school for nurses, shall not be required to present*";

line 11, strike the word "*his*" and in lieu thereof insert the word "*such*"; line 17, before the word "nervous" insert the word "*and*".

4. In the bill, section 2 (formerly Sec. 3), line 6, strike the word "his" and in lieu thereof insert: "*his such*"; line 8, strike: ", and", and in lieu thereof insert: "; and *also*".

5. In the bill, title, 2nd line, strike the comma before the figures "71-1,109"; 7th line, after the word "applicant" insert: "for a license to practice nursing, who"; 8th line, strike the word "which" and in lieu thereof insert the word "a"; 9th line, strike: "student did not have" and in lieu thereof insert: "when the laws of the State of Nebraska did not require such a person"; 10th and 11th lines, strike: "as a requirement for matriculation or graduation," and in lieu thereof insert: "to matriculate in or graduate from such school for nurses,"; 12th line, strike the word "his" and in lieu thereof insert the word "such"; 13th line, before the word "annual" insert: "fix the maximum" and before the word "Director" insert: "the State"; 15th line, after the word "provided" insert the word "for"; 17th line, strike the word "and"; insert the word "the" in the 13th line after the word "for", 14th line, after the word "that", 15th line, before "fund" and before "per", and 16th line, before the word "Division".

LEGISLATIVE BILL 87. Placed on Select File as amended.

E and R amendments to L. B. 87:

1. In the bill, section 1, line 25, strike the word "*the*" and in lieu thereof insert: "*such a*"; line 26, after the word "*such*" insert: "*a contract or*"; line 24, strike the comma.

2. In the bill, title, 4th line, after the word "has" insert the word "unpaid"; 5th line, after the word "debentures" insert: ", some of which are"; 5th and 6th lines, strike: "lien on" and in lieu thereof insert: "pledge of"; 6th and 7th lines, strike: "two or more public utilities" and in lieu thereof insert: "one public utility and others secured by a pledge of the revenue and earnings of another public utility of such city or village,"; at the end of the 9th line, after the word "of", insert the word "any"; 10th line, after the semicolon and before the word "and" insert: "to authorize said city or village to contract in regard thereto;".

LEGISLATIVE BILL 98. Placed on Select File as amended.

E and R amendments to L. B. 98:

1. In the bill, section 1, line 3, strike: "October 17,"; line 4, after the word "into" insert the word "such"; line 5, after the word "from" insert the word "the" and after the word "fees" insert: "provided by the laws of the State of Nebraska"; strike the word "of" at the end of line 6 and in lieu thereof insert "in".

2. In the bill, title, 5th line, after the word "into" insert the word "such" and after the word "from" insert the word "the"; 6th line,

after the word "fees" insert: "provided by the laws of the State of Nebraska"; 7th line, strike: "for the duration of" and in lieu thereof insert: "until the cessation of hostilities in".

LEGISLATIVE BILL 68. Placed on Select File as amended.

E and R amendments to L. B. 68:

1. In General File amendment by Mr. J. H. Anderson, 3rd line, insert a comma before the word "Revised" and in the second amendment, insert a comma in the 2nd line, before the word "Revised" and in the last line after the figures "1943".

2. In General File amendment by Mr. Hubka, last line, strike: "shall accumulate to said Fund." and in lieu thereof insert: "therefrom to accumulate in said fund".

3. In the bill, section 1, line 2, strike the comma after the word "fund"; line 3, strike "." " after the word "Fund" and in lieu thereof insert: " ".".

4. In the bill, section 2, line 4, strike: "herein authorized" and in lieu thereof insert: "authorized by this act".

5. In the bill, section 4, line 3, strike the word "of" and in lieu thereof insert the word "by".

6. In the bill, title, 6th line, before the word "and" insert:

"to except the appropriation and transfer to this fund and appropriations from this fund, as herein prescribed, from the provisions of sections 50-203 and 77-513, Revised Statutes of Nebraska, 1943; to provide for expenditures from this fund only after and pursuant to further appropriation by the Legislature within the specified classes;"

LEGISLATIVE BILL 38. Correctly re-engrossed.
LEGISLATIVE BILL 84. Correctly engrossed.
LEGISLATIVE BILL 107. Correctly enrolled.
LEGISLATIVE BILL 101. Correctly enrolled.
LEGISLATIVE BILL 81. Correctly enrolled.
LEGISLATIVE BILL 50. Correctly enrolled.
LEGISLATIVE BILL 22. Correctly enrolled.

Presented to Governor

Presented to Governor for approval February 7, 1945, 10:00 a. m.

L. B. 1	L. B. 45
L. B. 2	L. B. 79
L. B. 6	

(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 349. By Committee on Agriculture, Arthur Carmody, Chairman. (By request of Dept. of Agriculture and Inspection.)

A bill for an act to amend sections 2-1046 and 85-111, Revised Statutes of Nebraska, 1943, relating to plant diseases, insect and animal pests; to provide for the qualifications and appointment of the State Entomologist; to define his powers and duties; to provide that the office of State Entomologist shall be in the State Capitol; and to repeal the original sections and sections 2-1060 and 2-1061, Revised Statutes of Nebraska, 1943.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 36. With emergency.

A bill for an act relating to cooperation with the government of the United States; to authorize the State of Nebraska, its political subdivisions and instrumentalities, and tax-supported institutions to purchase surplus property under the Surplus Property Act of 1944, and amendments thereto, enacted by the Congress of the United States; to authorize such purchases without first advertising for and requiring submission of bids; to require the Purchasing Agent of the State of Nebraska to act for the State of Nebraska and to permit such Purchasing Agent to be designated to act for any political subdivision, instrumentality and tax-supported institution of the state as the purchaser in transactions had under this act; to repeal all acts and parts of acts in conflict with this act; and to declare an emergency.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Carlberg	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Norman	Weborg
Conklin	Hern	Ogden	Wood
Cronin	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 4:

Burnham	Hubka	Reavis	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 48.

MOTION—To Refer Back to Select File

Mr. President: I move that L. B. 48 be referred back to Select File for the following specific amendment: Strike Section 2. (Signed) Garber

The motion lost with 12 ayes, 22 nays and 9 not voting.

A bill for an act to designate the State of Nebraska, in a popular sense, as the "Cornhusker State"; and to repeal Chapter 119, Session Laws of Nebraska, 1895.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 28:

Adams	Hanna	Lee	Raecke
Anderson, J.	Heiliger	Mueller	Ryan

Babcock	Hern	Norman	Schultz
Brodahl	Hoyt	Ogden	Seaton
Crossland	Hubka	Peterson	Tvrdik
Cullingham	Kain	Pizer	Weborg
Foster	Klaver	Raasch	Wood

Voting in the negative, 8:

Burney	Carmody	Doyle	Lusienski
Carlberg	Cronin	Garber	Mekota

Not voting, 7:

Anderson, L.	Conklin	Jeffords	Sorrell
Burnham	Dooley	Reavis	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 63.

A bill for an act to amend section 81-2,134.07, Revised Statutes of Nebraska, 1943, relating to frozen locker plants; to define the powers of the Department of Agriculture and Inspection in granting licenses to frozen food locker plants; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Lusienski	Schultz
Burney	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Norman	Weborg
Conklin	Hoyt	Ogden	Wood
Cronin	Hubka	Peterson	

Voting in the negative, 1:

Doyle

Not voting, 3:

Burnham Reavis Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 69. With emergency.

A bill for an act to amend section 39-722, Revised Statutes of Nebraska, 1943, relating to certain highway requirements for vehicles; to extend until March 1, 1947, the provisions thereof for an increase in the gross weight of vehicles or combinations thereof according to the formula prescribed therein; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Pizer
Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Ryan
Brodahl	Doyle	Lusienski	Seaton
Burney	Foster	Mekota	Tvrdik
Burnham	Garber	Mueller	Weborg
Carlberg	Heiliger	Norman	Wood
Carmody	Hoyt	Ogden	
Conklin	Hubka	Peterson	

Voting in the negative, 3:

Hanna Hern

Not voting, 2:

Reavis Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to

Approved by the Governor

February 7, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 10 L. B. 13 L. B. 4

Respectfully submitted,

(Signed) Jean Spencer Armstrong

SELECT FILE

LEGISLATIVE BILL 116. Held over.

Mr. Tvrdik asked that L. B. 116 remain on Select File and retain its position.

No objection and so ordered.

LEGISLATIVE BILL 110.

Referred to E and R for engrossment.

LEGISLATIVE BILL 96. E and R amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Referred to E and R for engrossment.

Special Order

Mr. Hubka asked unanimous consent that L. B. 77 be set for Special Order, Friday, February 9, at 10:30 a. m.

No objection was made and so ordered.

Speaker Peterson Presiding

MOTION—L. B. 111

Mr. President: I move that L. B. 111 be brought back to General File for specific amendment as follows:

Insert in Sec. 7, line 10 after the word "year" the following: "Provided however, that game birds obtained from the holder of a game breeder's permit, which were transported and tagged according to Commission regulations, may be pursued and taken during the prescribed closed season by dogs under control and participating in a sporting-dog trial, which is conducted under written authority of the Game, Forestation and Parks Commission. And provided further that sporting dogs may be trained or run in the field without game-farm-reared birds under control by handlers using only blank ammunition; and provided further that no game, their nests or young, other than that purchased from holders of game farm permits may be injured or destroyed. No game birds may be molested or pursued from April 1st to August 1st." (Signed) Charles F. Tvrdik

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 111. Mr. Tvrdik's specific amendment, stated above, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 109. Read and considered.

Mr. James H. Anderson offered the following amendments which were adopted.

1. Amend section 1 of the bill, line 16, by striking the punctuation before the word "muskrat" and inserting in lieu thereof the word "*or*".

2. Amend section 1 of the bill, line 16, by striking the following: "*or other fur-bearing animal*"

3. Amend section 1 of the bill, line 23, by striking the punctuation after the word "beaver" and inserting in lieu thereof the word "*or*".

4. Amend section 1 of the bill, line 24, by striking the following: "*or other fur-bearing animals*".

5. Amend section 1 of the bill, line 28, by inserting after the punctuation following the word "district" the following:

"Before any irrigation or drainage district begins trapping such beaver or muskrat, it shall submit to the secretary of the Game, Forestation and Parks Commission the names and addresses of the trapper or trappers to do the trapping, and if no written objections are received, stating the reasons for such objection, from the secretary of the Game, Forestation and Parks Commission within five days from receipt of the name or names of such trapper or trappers, they shall be deemed to be approved. No trapper shall be used to trap any beaver or muskrat by such irrigation or drainage districts who has been objected to in writing by the Game, Forestation and Parks Commission. The irrigation or drainage district shall report to the Game, Forestation and Parks Commission every thirty days the number of beaver or muskrat killed or destroyed and shall forward with said report a fee in the sum of two dollars for each beaver so killed or destroyed. Any pelts of beavers held in possession of any person taken from an irrigation or drainage district, as provided herein, shall be stamped, by the commission with a stamp containing the words "Killed by authority of the laws of the State of Nebraska," before same are sold, shipped or otherwise transported outside of the State of Nebraska."

6. Amend the title of the act, line 4, by striking the punctuation before the word "muskrat" and inserting in lieu thereof the word "or".

7. Amend the title of the act, lines 4 and 5, by striking the words "or other fur-bearing animals".

8. Amend the title of the act, line 10, by inserting after the punctuation following the word "damage" as follows:

"to provide for the furnishing of names of trapper or trappers to Game, Forestation and Parks Commission before beaver or muskrat are killed or destroyed by any irrigation or drainage district and the procedure for objecting to them by the Game, Forestation and Parks Commission; to provide for reports and fee to accompany same; to provide for stamping pelts of beavers taken from irrigation and drainage districts;"

Mr. Lusienski offered the following amendment, which was adopted:

Amend L. B. 109, page 2, line 14 after the word "any" insert the following "public power or", and to amend the title to conform thereto.

Mr. Mueller asked unanimous consent to pass the bill temporarily for further amendment.

There was no objection and it was so ordered.

LEGISLATIVE BILL 108. Read and considered.

Committee amendments found in the Legislative Journal of the Twenty-fourth Day were adopted.

Mr. Foster made a motion that the bill be passed over and retain its place.

The motion prevailed and it was so ordered.

LEGISLATIVE BILL 44. Read and considered.

Mr. James Anderson offered the following amendment to the Standing Committee amendments, which was adopted.

Amend Standing Committee amendments 1 and 2 by striking the words and figures "page 2,".

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 43. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 122. Mr. Tvrdik requested that L. B. 122 be placed at the bottom of General File.

So ordered.

LEGISLATIVE BILL 123. Mr. James Anderson asked unanimous consent to waive reading of the old matter, the Clerk to read the changes only.

No objection was offered and it was so ordered.

Mr. James Anderson offered the following amendment, which was adopted.

Amend L. B. 123 by inserting a new section 3, as follows: "Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." and amend the title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 126. Mr. James Anderson asked unanimous consent to waive reading of the old matter, the Clerk to read the changes only.

No objection was offered and it was so ordered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 118. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Mr. Foster offered the following amendments:

1. Amend section 1 of the bill, line 7 by inserting after the word "indebtedness" the following:

", *except in metropolitan cities,*"

2. Amend section 1 of the bill, line 6, by inserting after the word "building" the following:

"having a fair and reasonable value of one hundred dollars or more"

3. Amend the title, line 3, by inserting after the word "that" the following:

", except in metropolitan cities,"

4. Amend the title, line 4, by inserting after the word "buildings" the following:

"Having a fair and reasonable value of one hundred dollars or more"

Mr. Hanna offered the following amendment to Mr. Foster's amendment, which was adopted.

Amend the Foster amendment, Amendment No. 2, by striking "a fair and reasonable value," and inserting "assessed valuation".

Mr. Cullingham asked that L. B. 118 be laid over until Friday, February 9, at 10:00 a. m.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 166. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 90. Read and considered.

Mr. James Anderson offered the following amendment which was adopted.

Amend the bill, Sec. 4, in line 1, by striking the words "these acts" and inserting in lieu thereof the words "this act".

Mr. Crossland asked unanimous consent to have this bill laid over until next Wednesday, February 14.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 160. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 164. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 156. Laid over.

LEGISLATIVE BILL 138. Laid over.

Visitor

Speaker Peterson presented Mr. Tom Osborne, a former member.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 22	L. B. 101
L. B. 50	L. B. 107
L. B. 81	

Adjournment

At 12:00, noon, Mr. Heiliger made a motion that the Legislature adjourn until 9:00 a. m., Thursday, February 8.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 8, 1945

Pursuant to adjournment, the Legislature met at 9:07 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Conklin and Mr. Lester Anderson, who was excused.

The Journal for the twenty-seventh day was approved.

Communications

A letter to Mr. Mueller from the School Board of School District No. 15, Litchfield, Nebraska, favoring the passage of Legislative Bills 120, 257 and 336.

A Resolution from the American Legion Antelope Post No. 172, Neligh, Nebraska, addressed to Mr. Schultz, favoring the passage of Legislative Bill 115.

An editorial from the Scottsbluff *Star-Herald* concerning the choice of a State tree.

A petition to Messrs. Crossland and Lusienski, bearing 135 signatures of residents of Colfax, Platte and Stanton Counties, against the passage of Legislative Bill 33.

An invitation from the Omaha Chamber of Commerce to members of the Legislature and their ladies for a dinner dance at the Cornhusker Hotel on Thursday, March 1.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 139	Friday, February 16, 1945	2:00 p. m.
L. B. 323	Friday, February 16, 1945	2:00 p. m.

Agriculture

L. B. 244	Thursday, February 22, 1945	2:00 p. m.
L. B. 286	Thursday, February 22, 1945	2:00 p. m.
L. B. 293	Thursday, February 22, 1945	2:00 p. m.

Judiciary

L. B. 34	Friday, February 23, 1945	2:00 p. m. (re-hearing)
L. B. 35	Friday, February 23, 1945	2:00 p. m. (re-hearing)

Banking, Commerce and Insurance

L. B. 287	Thursday, February 22, 1945	2:00 p. m.
L. B. 310	Thursday, February 22, 1945	2:00 p. m.
L. B. 324	Thursday, February 22, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 95. Placed on General File as amended.

Standing Committee amendments to L. B. 95:

1. In Section 1, line 4, after the word "fish" insert "or gar, carp, buffalo, quill back, sturgeon"

2. In Section 1, line 7, strike the word "stream" and insert "waters"

3. In Section 1, line 33, strike the word "hoops" and insert "hoop nets"

4. Add "Section 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

5. To amend the title add the words "and to declare an emergency"

(Signed) Arthur Carmody, Chairman

Public Works

LEGISLATIVE BILL 312. Placed on General File.

LEGISLATIVE BILL 127. Placed on General File.
LEGISLATIVE BILL 157. Placed on General File.

(Signed) Sidney J. Cullingham, Chairman

Judiciary

LEGISLATIVE BILL 171. Placed on General File as amended.

Standing Committee amendments to L. B. 171:

1. Amend the bill, section 1, line 32 by striking the word "*or*" after the word "*issue*" and inserting in lieu thereof the word "*of*".

2. Amend the bill, section 1, line 34, by inserting the punctuation "." after the word "*case*" and striking the word "*and*" at the end of said line, and by striking all of lines 35, 36, 37 and all of line 38 to and including the word and punctuation "*cause;*"

3. Amend the title, line 7, by striking the word "or" after the word "rebuttal" and inserting in lieu thereof the word "of".

(Signed) John E. Mekota, Chairman

Enrollment and Review

Presented to the Governor for approval February 8, 1945, 9:45 a. m.

L. B. 22	L. B. 101
L. B. 50	L. B. 107
L. B. 81	

LEGISLATIVE BILL 12. Placed on Select File as amended.

E and R amendments to L. B. 12:

1. In Standing Committee amendment 2, insertion, strike the word "*or*" and in lieu thereof insert a comma.

2. In the bill, section 1, line 3, before the word "The" insert: "*(1)*"; line 5, strike: "seeds," and in lieu thereof insert: "*seeds seed, (2)*"; line 6, strike: ", or" and in lieu thereof insert: "*or and (3)*"; line 8, after the word "*pick*" insert: ", *husk*"; lines 11 and 12, strike: ", and" and in lieu thereof insert: "*, and or,*"; line 12, strike the word "then" and in lieu thereof insert "*then*"; line 5, after the word "*picking*" insert: "*or husking*"; line 15, after the word

"sheller" insert: ", *so*"; line 16, strike the word "seeds" and in lieu thereof insert: "~~seeds~~ *seed*"; line 17, insert a comma after the word "corn"; strike all of lines 18 to 42, inclusive, with the exception of the word "The" and in lieu thereof, insert:

"where such threshing, combining, hulling, *picking, husking* or shelling is *was* done~~,~~ a notice of such lien, which notice shall *(1)* designate the name of the person for whom the threshing, combining, hulling, *picking, husking* or shelling was done, *(2)* the amount due for such services, ~~and~~ *(3)* the amount of grain, seed or corn covered by the lien, *(4)* the place where the grain, seed or corn is located~~,~~ together with *and (5)* the date on which the threshing, combining, hulling, *picking, husking* or shelling was done~~,~~ which. *Such* notice shall be filed within ten days after the threshing, combining, hulling, *picking, husking* or shelling was done. In the event the party for whom the threshing, combining, hulling, *picking, husking* or shelling was done desires to sell or deliver the grain or , seed *or corn* so threshed, *picked, husked* or combined to a grain elevator, or to any other person, such party desiring to sell or deliver the grain or ~~seeds~~ , *seed or corn* shall notify the consignee or purchaser that the threshing, combining, hulling, *picking, husking* or shelling bill has not been paid, and the lien herein given on such grain, *seed or corn* shall shift from the grain *therefrom* to the purchase price thereof in the hands of the purchaser or consignee above mentioned. In the event the grain or , seed *or corn* is sold or consigned with the consent or knowledge of the party entitled to a lien herein *thereon , as provided herein, within ten days after the date of such threshing, combining, hulling, picking, husking or shelling,* such lien shall not attach to the grain or , seed *or corn* or to the purchase price thereof unless the party entitled to the lien shall notify the purchaser in writing of the lien. ~~:~~ ~~Provided, that the sale is made within a ten day period immediately following the date of the threshing, combining, hulling or shelling,~~".

3. In the bill after the word "*picking*" insert: ", *husking*" in section 1, lines 11, 13 and 16; in section 2, line 7; in section 3, lines 4 and 5.

4. In the bill, section 2, line 3, after the figures "52-501" insert: ", *as amended by this act,*"; line 4, strike: "or seed" and in lieu thereof insert: ", or seed *or corn*"; line 9, strike the period and in lieu thereof insert: ", *seed or corn.*".

5. In the bill, section 3, line 7, after the figures "52-502" insert: ", *as amended by this act,*".

6. Strike Standing Committee amendment 3, and in the bill, title, strike the 4th and 5th lines and "of foreclosure of lien;" in the 6th line, and in lieu thereof, insert:

"provide that the owner of a mechanical corn picker or mechanical corn husker shall have a lien upon the corn picked or husked with such a machine; to provide for the procedure for perfecting, enforcing and foreclosing such a lien; to provide that such lien shall shift from the corn to the purchase price thereof under the prescribed circumstances and conditions; to provide that such lien shall not attach to such corn or the purchase price thereof in the event the corn is sold or consigned, under the prescribed conditions, unless a notice is given the purchaser as prescribed; to provide that a person, for whom such picking or husking was done, who has refused to pay for such services and who sells, secretes or disposes of property covered by such lien shall, under the prescribed conditions, be deemed guilty of a misdemeanor;"

LEGISLATIVE BILL 21. Placed on Select File as amended.

E and R amendments to L. B. 21:

1. In General File amendment by Mr. J. H. Anderson, (inserted matter) before the word "provided" insert "~~,~~ ;" and after the word "provided" insert a comma.

2. In the bill, title, (as requested by consent of the Legislature), 3rd line, strike the word "repeal" and in lieu thereof insert: "provide that"; 4th line, strike the word "against" and in lieu thereof insert: "of said section against any"; and strike the word "to" after the word "funds" and in lieu thereof insert: "or financial"; 6th line, strike the semicolon and in lieu thereof insert: "shall not be construed to prevent a junior college from receiving federal funds or equipment; to change the section number in regard to estimates, referred to in said section, from 79-2819 to 79-2815;".

3. In the bill, section 1, line 6, strike: "79-2819, provided" and in lieu thereof insert: "~~79-2819, provided~~ *79-2815; Provided,*".

LEGISLATIVE BILL 29. Replaced on Select File as amended.

E and R amendments to L. B. 29:

1. In the bill, section 12, line 2, after the word "may" insert the following: ", in its discretion,".

2. In the bill, section 14, line 17, strike the word "sections".

LEGISLATIVE BILL 57. Placed on Select File as amended.

E and R amendments to L. B. 57:

1. In the bill, section 1, line 3, strike the comma after the word "barter" and in lieu thereof insert ";" ; line 4, strike the word "or" and in lieu thereof insert: "or,"; line 18, strike: "37-206" and in lieu thereof insert: "37-206 *37-502*"; line 20, strike the semicolon and in lieu thereof insert: ";".

2. In the bill, title, 3rd line, after the word "provide" insert: ", by an exception to the provisions of said section,"; strike "for the flesh" in the 4th line and all of the 5th line up to the word "and", and in lieu thereof insert: "the flesh of raccoon; to change the number of one section, referred to therein, to section 37-502 of said statutes;"

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 99. Placed on General File as amended.

Standing Committee amendments to L. B. 99:

1. Amend the bill by striking all of sections 3 to 13, inclusive, and also section 23. Remove all underscoring in bill.

2. Amend the bill by striking all of section 14, and inserting as section 3, the following:

"Sec. 3. The provisions of sections 1 and 2 of this act shall not become effective, respectively, until after the expiration of the present terms of all of the incumbent judges of the Supreme and district courts, respectively. Until the provisions of sections 1 and 2 of this act become effective in accordance with the provisions of this section, the judges of the Supreme and district courts shall be paid, respectively, the salaries provided by law at the time of the beginning of their present terms of office."

3. Amend section 15 of the bill, line 1, by striking the section number "15" and inserting in lieu thereof the figure "4".

4. Amend section 15 of the bill, line 1, by striking the figure "14" and inserting the figure "3".

5. Amend the bill by striking all of section 16, and inserting as section 5, the following:

"Sec. 5. Every judge of the Supreme or district courts

(a) who has attained the age of sixty-five years and who has been a judge of the Supreme Court, or a member of the Supreme Court Commission, or a judge of a district court, or any two or more of such courts or commission, for fifteen years in the aggregate, whether consecutive or nonconsecutive, or

(b) who has attained the age of sixty years and who has been a judge of the Supreme Court, or a member of the Supreme Court Commission, or a judge of a district court, or any two or more of said courts or commission, for thirty years in the aggregate, whether consecutive or nonconsecutive,

may retire, with the right to retirement compensation as provided in sections 6 to 11 of this act, and subject to the conditions therein and in this section prescribed, by filing written notice of retirement with the Secretary of State."

6. Amend the bill by striking all of section 17, and inserting a section as section 6, the following:

"Sec. 6. Every judge retiring as provided in section 5 of this act, shall, during the remainder of his life, receive retirement compensation equal to

(a) one half the salary which he last received as the incumbent of judicial office to which he was elected or appointed, if the period of his service, as defined in section 5 of this act, shall have been twenty years, or less than twenty years but not less than fifteen years, or

(b) two thirds the salary which he last received as the incumbent of judicial office to which he was elected or appointed, if the period of his service, as defined in section 5 of this act, shall have been more than twenty years."

7. Amend the bill by striking all of section 18, and inserting as section 7, the following:

"Sec. 7. The retirement compensation provided for in section 6 of this act shall be paid by the state at the time and in the manner provided by law for the payment of salaries of such judges."

8. Amend the bill by striking all of section 19 of the bill, and inserting as section 8, the following:

"Sec. 8. From and after the effective date of this act, every judge, who may become entitled to retirement compensation under the provisions of this act, shall contribute, to the general fund of the state, an amount equal to three per cent of his salary until such time as such judge shall retire or otherwise cease to be a judge, which amount shall be deducted from his salary. If any such judge should die, resign or otherwise cease to be a judge prior to the time he is eligible for retirement with compensation rights under the provisions of this act, after having contributed as above provided, the amount of his personal accumulated contribution shall be paid to him; or, if deceased, to such beneficiary as he may in writing have designated; or, if deceased and if no beneficiary has been designated, to his estate. If any such judge should cease to be a judge and thereafter again be elected or appointed to a judicial office mentioned in section 5 of this act, such judge shall restore to the state, within thirty days of the beginning of his new term, any contributed amounts he shall have previously withdrawn pursuant to the provisions of this section."

9. Amend section 20 of the bill, line 1, by striking the section number "20" and inserting in lieu thereof the figure "9".

10. Amend section 20 of the bill, line 2, by striking the figures and word "16 to 19" and substituting "5 to 8" in lieu thereof.

11. Renumber sections 21 and 22, as sections 10 and 11, respectively.

12. Amend the title by striking the same and inserting the following in lieu thereof:

"A BILL

FOR AN ACT relating to the salaries of, and providing retirement compensation for, the judges of the Supreme and district courts; to fix the salaries of judges of Supreme and district courts; to provide for the retirement, with retirement compensation, of judges of the Supreme and district courts, and to fix the amounts of such retirement compensation; to provide for contributions by judges to the amounts paid for retirement compensation; and to regulate the activities of retired judges receiving retirement compensation."

(Signed) John E. Mekota, Chairman

MOTION—Program Lincoln's Birthday

Mr. President: I move that the Chaplain be requested to arrange a suitable program for the opening of our session on Lincoln's birthday at 10:00 a. m. (Signed) C. Petrus Peterson

The motion prevailed.

Bill Referred to Standing Committee

L.B.	Committee
349	Agriculture

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 23. With emergency.

A bill for an act to amend sections 8-303 and 8-304, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to provide the amount of par value of investment stock which a person may hold in his own right in any association; to provide the amount of par value of loan or investment shares which a person may vote in person or by proxy in any association; to repeal the original sections; and to declare an emergency.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Schultz
Burnham	Heiliger	Mekota	Sorrell
Carlberg	Hern	Mueller	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood
Crossland	Jeffords		

Voting in the negative, 0.

Not voting, 9:

Anderson, L.	Garber	Norman	Reavis
Brodahl	Hanna	Ogden	Seaton
Conklin			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 116. Mr. Tvrdik asked to pass over 116. So ordered.

LEGISLATIVE BILL 74. E and R amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 75. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 109. Amendment considered.

Mr. Mueller offered an amendment, which was lost with 5 ayes, 18 nays and 20 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 108. Mr. Dooley asked that the bill be laid over and retain its place. So ordered.

LEGISLATIVE BILL 156. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 138. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 54. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 66. Read and considered.

Mr. Peterson offered the following amendment, which was adopted.

1. Amend section 2 of the bill, lines 4 to 6, by striking ", to condemn" in line 4 and all of lines 5 and 6, and inserting in lieu thereof:

"only when requested by the owner of the premises."

2. Amend the title of the act, lines 9 to 11, by striking the following:

"and condemn unsatisfactory installations and equipment and require the removal thereof or repairs thereto"

and insert in lieu thereof:

"only when requested by the owner of the premises"

Mr. Sorrell offered the following amendment, which was adopted.

After the word "wiring" in Line 7, Section 1, of said Bill, insert the following:

"to be used for heating, lighting or power purposes"

Mr. Sorrell offered another amendment.

Mr. Schultz moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Vote was taken and the Sorrell amendment lost with 4 ayes, 14 nays and 25 not voting.

Mr. Pizer moved to strike the enacting clause.

The motion prevailed with 12 ayes, 9 nays and 22 not voting.

Mr. Reavis moved to reconsider action on striking the enacting clause.

The motion prevailed with 25 ayes, 3 nays and 15 not voting.

Approved by the Governor

February 8, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that on February 7, 1945 he approved the following Legislative bills:

L. B. 1	L. B. 6	L. B. 79
L. B. 2	L. B. 45	

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

Visitor

Mr. Burney presented Mr. John B. Forsyth of Niobrara, Chairman of the Board of Supervisors in Knox County and Chairman of the Missouri Valley Association.

Members Excused

Mr. Doyle was excused from Thursday noon, February 8, to Monday, February 12.

Mr. James Anderson was excused for Friday, February 9.

Re-refer Bill

L. B. 244 was re-referred to the Committee on Public Health and Miscellaneous Subjects.

Adjournment

At 12:15 p. m., Mr. Garber made a motion that the Legislature adjourn until 9:00 a. m., Friday, February 9.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 9, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, except Messrs. James Anderson and Doyle, who were excused.

The Journal for the twenty-eighth day was approved as corrected.

Communications

Resolution by the American Legion, Manderson Lehr Post No. 162, to Edwin Schultz favoring L. B. 115.

Six petitions favoring passage of L. B. 33, two addressed to Mr. Wood, two addressed to Mr. Weborg, one to Mr. Hanna and one to Mr. Cronin.

Unicameral Club will meet Monday at the University Club at 1:00 p. m. Ladies who will attend, notify Mrs. Don Hanna.

Approved By the Governor

February 8, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 22	L. B. 81	L. B. 107
L. B. 50	L. B. 101	

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 242 Wednesday, February 28, 1945, 2:00 p. m.
L. B. 231 Wednesday, February 28, 1945, 2:00 p. m.
L. B. 269 Wednesday, February 28, 1945, 2:00 p. m.
L. B. 272 Wednesday, February 28, 1945, 2:00 p. m.
L. B. 295 Friday, March 2, 1945, 2:00 p. m.
L. B. 296 Friday, March 2, 1945, 2:00 p. m.
L. B. 290 Friday, March 2, 1945, 2:00 p. m.
L. B. 345 Friday, March 2, 1945, 2:00 p. m.
L. B. 268 Wednesday, March 7, 1945, 2:00 p. m.
L. B. 275 Wednesday, March 7, 1945, 2:00 p. m.
L. B. 279 Wednesday, March 7, 1945, 2:00 p. m.
L. B. 280 Wednesday, March 7, 1945, 2:00 p. m.
L. B. 281 Wednesday, March 7, 1945, 2:00 p. m.
L. B. 288 Friday, March 9, 1945, 2:00 p. m.
L. B. 315 Friday, March 9, 1945, 2:00 p. m.
L. B. 327 Friday, March 9, 1945, 2:00 p. m.
L. B. 328 Friday, March 9, 1945, 2:00 p. m.
L. B. 299 Wednesday, March 14, 1945, 2:00 p. m.
L. B. 300 Wednesday, March 14, 1945, 2:00 p. m.
L. B. 320 Wednesday, March 14, 1945, 2:00 p. m.
L. B. 329 Wednesday, March 14, 1945, 2:00 p. m.
L. B. 307 Friday, March 16, 1945, 2:00 p. m.
L. B. 303 Friday, March 16, 1945, 2:00 p. m.
L. B. 316 Friday, March 16, 1945, 2:00 p. m.
L. B. 347 Friday, March 16, 1945, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. 204 Wednesday, February 28, 1945, 2:00 p. m.
L. B. 244 Wednesday, February 28, 1945, 2:00 p. m.
(Re-referred from Agriculture)

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 129. Placed on General File.
LEGISLATIVE BILL 154. Placed on General File.
LEGISLATIVE BILL 196. Placed on General File.
(Signed) Frank Sorrell, Chairman

Revenue

LEGISLATIVE BILL 130. Placed on General File as amended.

Standing Committee amendments to L. B. 130:

1. Amend section 1 of the bill, line 2, by inserting after the word "accrue" the following:

"until March 1, 1947".

2. Amend section 1 of the bill, lines 8 to 11, by striking the words "The waiver" from line 8 and striking all of lines 9 to 11.

3. Amend the title of the act, line 5, by inserting after the word "accrue" the following:

"until March 1, 1947"

4. Amend the title of the act, lines 7 to 9, by striking the following:

", or until cessation of hostilities in the war in which the United States is now engaged"

LEGISLATIVE BILL 142. Indefinitely postponed.
LEGISLATIVE BILL 159. Placed on General File.

(Signed) Walter R. Raecke, Chairman

Enrollment and Review

LEGISLATIVE BILL 52. Correctly engrossed.
LEGISLATIVE BILL 110. Correctly engrossed.
LEGISLATIVE BILL 137. Correctly engrossed.
LEGISLATIVE BILL 152. Correctly engrossed.
LEGISLATIVE BILL 23. Correctly enrolled.
LEGISLATIVE BILL 36. Correctly enrolled.
LEGISLATIVE BILL 48. Correctly enrolled.
LEGISLATIVE BILL 63. Correctly enrolled.
LEGISLATIVE BILL 69. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Appropriations

LEGISLATIVE BILL 301. Placed on General File as amended.

Standing Committee amendment to L. B. 301:

Amend section 3 of the bill, line 7, by striking the words *"kinds of security"* and inserting in lieu thereof the words *"kind of securities"*.

(Signed) A. J. Brodahl, Chairman

Revenue

LEGISLATIVE BILL 32. Placed on General File as amended,

Standing Committee amendments to L. B. 32:

1. Amend section 1 of the bill, line 5 to 11, inclusive, and substitute the following in lieu thereof:

"avenue or alley~~,~~ , and the construction of bridges, culverts and sewers~~,~~ . and shall defray the expenses of the same out of the general funds of such city or village, not exceeding one and seven-tenths mills of the levy for general purposes~~,~~ but no *No* street, avenue or alley shall be graded unless the same shall be ordered to be done by the affirmative vote of two-thirds of the city council or board of trustees. *Second-class cities and villages shall have power to levy for such purposes not to exceed three mills on the dollar actual valuation in any one year upon all taxable property, except intangible property, within the limits of such cities and villages."*

2. Amend section 2 of the bill, line 3, by inserting before the word "The" the following: *"(1)"*

3. Amend the bill, section 2, by striking all of line 29 and inserting in lieu thereof:

"and debts~~,~~ . *Provided that a further (2) An* appropriation not to exceed"

4. Amend section 2 of the bill, line 33, by inserting after the punctuation the following additional matter:

"Nothing herein contained shall be construed to authorize an increase in the amount of levies for any specific municipal purpose or purposes elsewhere limited by law, whether limited in specific sums or by mill levies."

5. Amend the bill by inserting after section 2, a new section, to be numbered 3, reading as follows:

"Sec. 3. That section 17-703, Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-703. When any such city or village has levied special assessments for part or all of the cost of any public work or improvement, which assessments have been finally held by the courts to be invalid and unenforceable, and if the defects rendering such assessments invalid and unenforceable are of such character that they cannot be remedied by reassessment, and if part of said special assessments has been paid under mistake of law or fact into such city or village prior to such final holding, the mayor and council or chairman and board of trustees shall appropriate an additional amount annually sufficient to refund and repay over a period of consecutive years such special assessments erroneously paid, without interest, to the person or persons entitled to receive same, any and all such assessments or parts thereof as may have been so paid into the treasury of such city or village, as the case may be; *Provided,* that an additional annual levy for the purpose aforesaid shall not exceed three mills on the dollar of actual valuation of all the taxable property within the corporate limits of such city or village in any one year, and that said additional levy shall be continued only for as many years as may be necessary to raise the total amount required for such purpose. Such assessments shall be refunded out of the proceeds arising from the three-mill special levy, as aforesaid, upon proper claims filed by persons entitled to reimbursement; and the same shall be audited, allowed and ordered paid, as other claims against such city or village; and all such reimbursements shall be made pro rata, if there is not sufficient money on hand to repay them all at one time. Such special three-mill levy shall be included in the annual estimate and annual appropriation ordinance, as provided by law."

6. Amend the bill by inserting a new section, to be numbered 4, reading as follows:

"Sec. 4. That section 17-704, Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-704. ~~A further~~ *An* appropriation not to exceed one-fourth mill upon the dollar of actual valuation of all property within the city may be levied for the purpose of establishing a recreation fund to be used for the purchase, establishment, management, equipment, and maintenance of playgrounds and recreation centers, including the construction of necessary buildings therefor, which shall be disbursed under the direction and supervision of the local governing body of said city in conjunction with the local governing body of any other governmental subdivision wholly or partially within its corporate limits when a plan has been submitted and approved by the

electors, as hereinafter provided; *Provided,* that if the school district, situated wholly or partially within such city, submits a plan and makes a levy for a similar purpose, said city shall not submit a plan or proposal for such a levy as long as said plan is in operation; and that no levy shall be made for such purposes unless the proposition to make such levy and the plan to dispose of such fund be sanctioned by sixty per cent or more of the legal voters of the city either by petition signed by them or by sixty per cent or more of the votes cast on the proposal submitted on the ballot at a general municipal election."

7. Amend the bill, present section 3, by renumbering same as section 5, and striking the words and figures "and 17-702" in line 1 thereof and substituting in lieu thereof:

", 17-702, 17-703 and 17-704"

8. Amend the title, line 2, by striking the words and figures "and 17-702" and inserting in lieu thereof:

", 17-702, 17-703 and 17-704"

9. Amend the title, by striking lines 4 and 5 and inserting the following in lieu thereof:

"class and villages; to authorize an annual levy of not to exceed three mills on the dollar actual valuation upon all taxable property, except intangible property, within such cities and villages for the purpose of grading and repair of streets, avenues and alleys and the construction of bridges, culverts and sewers; to prescribe the maximum tax levies for all purposes by second-class cities and villages; and to repeal"

(Signed) Walter R. Raecke, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 350. By Committee on Banking, Commerce and Insurance, Earl J. Lee, Chairman.

A bill for an act to amend Section 44-1003, Revised Statutes of Nebraska, 1943, relating to fraternal benefit societies; to require regular meetings of the supreme or governing body, and the election of

officers or representatives as often as once in four calendar years; to provide for the postponement or deferment of regular meetings of the supreme or governing body and the election of officers or representatives when such a cessation of group meetings is ordered, as an emergency measure, by the government of the United States or the State of Nebraska, or any agency of either; to provide for the continuation in office of all officers and representatives of the supreme or governing body until their successors are elected and qualified; to provide a saving clause; to repeal original Section 44-1003, Revised Statutes of Nebraska, 1943; and to declare an emergency.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 82.

A bill for an act to amend section 17-534, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to remove the restriction on the amount of money such a city or village may borrow and the amount of bonds such a city or village may issue for the purchase of steam engines or fire-extinguishing apparatus and for the purchase, construction, and maintenance of such waterworks, mains, portion or extension of any system of waterworks or water supply, or to pay for water furnished such city or village under contract; and to repeal the original section.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Cronin	Hoyt	Pizer
Anderson, L.	Crossland	Hubka	Raasch
Babcock	Dooley	Jeffords	Ryan
Brodahl	Foster	Kain	Schultz
Burnham	Garber	Klaver	Seaton
Carlberg	Hanna	Lusienski	Sorrell
Carmody	Heiliger	Mekota	Weborg
Conklin	Hern	Mueller	Wood

Voting in the negative, 0.

Not voting, 11:

Anderson, J.	Doyle	Ogden	Reavis
Burney	Lee	Peterson	Tvrdik
Cullingham	Norman	Raecke	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 116. Mr. Tvrdik asked to have L. B. 116 laid over and retain its place. So ordered.

LEGISLATIVE BILL 124. E and R amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 56. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 87. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 98. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Mr. Pizer offered the following amendments, which were adopted:

Amend L. B. 98 by adding:

"Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

Amend the title in line 8 after the word "engaged", strike the period and insert the following:

"; and to declare an emergency.".

Referred to E and R for engrossment.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 23	L. B. 48	L. B. 63
L. B. 36		L. B. 69

GENERAL FILE

LEGISLATIVE BILL 66. Mr. Seaton asked unanimous consent that the bill be laid over until February 14 and retain its place. So ordered.

LEGISLATIVE BILL 108.

Mr. Dooley made the following amendment which was adopted:

1. Amend section 1 of the bill, line 7, by inserting after the punctuation of the stricken matter the following:

"All licenses valid at the time of the passage of this act shall remain valid until September 1, 1945."

Mr. Dooley asked that the bill be laid over until February 12 and retain its place on the file.

No objection. So ordered.

LEGISLATIVE BILL 73. Reading of old matter waived, the Clerk reading the changes only.

Standing Committee amendment found in the Legislative Journal for the Twenty-sixth Day was adopted.

Mr. Raecke offered the following amendment to the title, which was adopted:

1. Amend the title by striking in lines 13, 14 and 15 the words and punctuation, "to provide that the annual salary of judges of Workmen's Compensation Court shall be four thousand dollars;"

Mr. Carlberg offered the following amendments which were adopted:

1. In the title, line 2, strike the word and figures "and 48-159", and strike the comma after the figures "48-121" and in lieu thereof insert the word "and".

2. Section 4, line 2, strike the comma after the figures "48-121" and in lieu thereof insert the word "and". After the figures "48-122" strike "and 48-159".

Referred to E and R for review.

LEGISLATIVE BILL 165. Reading of old matter waived, the Clerk reading the changes only.

Referred to E and R for review.

LEGISLATIVE BILL 183.

Mr. Schultz asked unanimous consent that L. B. 183 be considered before L. B. 182. No objection. So ordered.

Read and considered.

Mr. Schultz moved to indefinitely postpone L. B. 183.

At 10:25, Mr. Reavis was excused for the balance of the day.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Mr. Schultz moved to raise the call.

The motion prevailed with 22 ayes, 6 nays and 15 not voting.

The Schultz motion to indefinitely postpone carried with 18 ayes, 14 nays and 11 not voting.

LEGISLATIVE BILL 118.

Mr. Hanna offered the following amendment to the Foster amendment, found in the Legislative Journal for the Twenty-seventh Day, which was adopted:

1. Strike Paragraph 2.

The Foster amendment was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 77. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-third Day, were rejected.

Mr. Hubka offered the following amendments which were adopted:

1. Amend section 1 of the bill, line 2, by striking the word "it" and substituting in lieu thereof the following:

"the homestead right shall terminate upon the death of the person from whose property it was selected where the decedent does not leave surviving either a wife or husband, or a minor child, or an adult dependent blood relative who is mentally incompetent or physically incapacitated from earning a livelihood, and in such event the real estate that constituted the homestead shall be subject to the debts of the deceased and shall descend and visit upon death in the same manner as other real property of the deceased. In all other cases, the homestead"

2. Amend section 1 of the bill, lines 6 to 8, inclusive, by striking all new matter and restoring old matter shown as stricken.

3. Amend section 1 of the bill, line 14, by inserting after the word "except" the following:

"as above provided in this section and except"

4. Amend the title by striking lines 5 and 6, and substituting in lieu thereof:

"that homestead rights shall terminate upon the death of the title holding spouse where the decedent does not leave surviving either a wife or husband, or minor child, or adult dependent blood relative who is mentally incompetent or physically incapacitated from earning a livelihood; and to repeal"

Referred to E and R for review.

LEGISLATIVE BILL 182. Read and considered.

Referred to E and R for review.

MOTION—To Advance Bill

Mr. Speaker: I move that L. B. 85 be placed on General File. (Signed) J E Conklin

At 11:45 a. m., Mr. Raecke was excused for the balance of the day.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Mr. Schultz moved to raise the call.

The motion prevailed with 21 ayes, 3 nays and 19 not voting.

Mr. Conklin's motion lost, with 25 ayes, 7 nays and 11 not voting.

Members Excused

Mr. Tvrdik asked that Mr. Ogden be excused for the day.

Messrs. Weborg, Sorrell and Norman asked to be excused for February 12 and 13.

Adjournment

At 11:55 a. m., Mr. Kain moved that the rules be suspended and the Legislature be adjourned until 10:00 a. m., February 12.

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Hugo F. Srb
Clerk of the Legislature

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 12, 1945

Pursuant to adjournment, the Legislature met at 10:02 a. m., President Johnson presiding.

Prayer was offered by Rev. O. J. Burckhardt of Lincoln.

The roll was called and all members were present except Messrs. Carlberg, Sorrell and Weborg, who were excused.

LINCOLN MEMORIAL PROGRAM

Reverend Bancroft Presiding

At 10:05 a. m., the following program was rendered:

Star Spangled Banner.....Mrs. Opal Ray Moss, Lincoln
Lincoln's Gettysburg Address..Mr. Trago McWilliams, Omaha
Patriotic Address.....Mr. H. J. Pinkett, Omaha
God Bless America.....Mrs. Opal Ray Moss, Lincoln
My Buddy.....Mrs. Opal Ray Moss, Lincoln

Reverend Bancroft closed the program with a few remarks of appreciation.

President Johnson Presiding

President Johnson thanked those who participated in the Memorial program.

The Journal for the twenty-ninth day was approved.

MOTION—To Express Sympathy

Mr. President: I move that the Clerk express our condolence to Mr. and Mrs. Carlberg and be instructed to send some flowers

from the Legislature to Mrs. Carlberg's mother's funeral. (Signed) Fred Mueller

The motion prevailed unanimously.

Communications

A letter to Mr. Mueller from the Loup City Council and Mayor favoring the repeal of the Municipal Budget law.

A resolution from the Schuyler Chamber of Commerce, addressed to Mr. Crossland, opposing the use of governmental funds to finance tax-free organizations.

A letter to President Johnson from Sodtown Community Farm Bureau Unit, St. Michael, Nebraska, opposing War Time.

Petitions Referred From Governor's Office

Franklin County Farm Bureau, Franklin, Macon and Riverton Units, favoring State sales or income tax.

Franklin County Farm Bureau, Franklin, Macon and Riverton Units, favoring Gas Tax Refund simplification.

Franklin County Farm Bureau, Franklin, Macon and Riverton Units, favoring tax exemptions on farm buildings.

A resolution, addressed to Mr. Cronin, from John Farley American Legion Post No. 86, Atkinson, Nebraska, favoring American Legion control of Veteran Relief Fund.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval February 12, 1945, 9:30 a. m.:

L. B. 23	L. B. 48	L. B. 63
L. B. 36		L. B. 69

LEGISLATIVE BILL 56. Correctly engrossed.
LEGISLATIVE BILL 124. Correctly engrossed.
LEGISLATIVE BILL 87. Correctly engrossed.
LEGISLATIVE BILL 98. Correctly engrossed.

(Signed) Fred A. Seaton, Vice-Chairman

LEGISLATIVE BILL 40. Placed on Select File as amended.

E and R amendments to L. B. 40:

1. In General File amendments by Mr. Raecke, amendment 1, insert a comma, 2nd line, before "as" and after "is"; amendment 2, 2nd line, insert a comma before "as".

2. In the bill, section 1, line 11, strike the period and in lieu thereof insert: *", except as hereinafter set forth ."*; line 12, strike: *"city, by ordinance,"* and in lieu thereof insert: *"the city"*, and before the word *"combine"* insert: *"by ordinance"*; strike all of line 13 and line 14 up to the word *"with"* and in lieu thereof insert: *"or appointive office or employment, except mayor, councilman or police magistrate,"*; at the end of line 14, strike: *"office,"* and in lieu thereof insert: *"or"*; line 15, after the word *"more"* insert: *"of such"*; line 25, strike the word *"or"* after the word *"office"* and in lieu thereof insert *","*.

3. In the bill, section 2, line 12, strike: *"village, by ordinance,"* and in lieu thereof insert: *"a village"*; line 13, before the word *"combine"* insert: *"by ordinance"*; strike all of line 13 after the word *"elective"* and all of line 14 up to the word *"with"* and in lieu thereof insert: *"or appointive office or employment, except trustee or police magistrate,"*; line 15, strike: *"office,"* and in lieu thereof insert the word *"or"* and after the word *"more"* insert: *"of such"*; line 25, strike the word *"or"* after the word *"office"* and in lieu thereof insert *","*.

4. In the bill, section 3, line 10, strike: "emoluments had been" and in lieu thereof insert: *"the* emoluments *thereof* had been *were"*; line 9, strike ", when" and in lieu thereof insert: *", when if"*.

5. In the bill, section 4, strike the comma and in lieu thereof insert *","* in lines 3 and 5; line 6, strike: ", which" and in lieu thereof insert: *", which . Such salary"*; strike: "such a" in lines 8 and 9, and in lieu thereof insert: "such a *the"*; line 10, after the word "of" insert the word *"the"*.

6. In the bill, title, 4th line, after the word "for" insert the word "the"; strike all of the 5th line after "merger of", all of the 6th line and "and merged office;" in the 7th line, and in lieu thereof insert:

"elective and appointive offices and employments, except as prescribed, of such cities and villages, at the discretion of the governing bodies thereof under the prescribed method, construction and effect; to provide for the maximum salary of such combined

or merged office or employment; to eliminate cities of the second class and villages from the provisions of said section 19-1601, relating to the merger of the offices of clerk and treasurer in second-class cities and villages;" ;

also strike General File amendment to line 5 of the title.

(Signed) Roy B. Carlberg, Chairman

LEGISLATIVE BILL 164. Placed on Select File as amended.

E and R amendments to L. B. 164:

1. In the bill, section 1, line 10, strike: *"less than"*; line 11, after the word *"inhabitants"* insert: *"or less"*.

2. In the bill, title, 5th line, strike: "less than" and after the word "inhabitants" insert: "or less".

(Signed) Fred A. Seaton, Vice-Chairman

LEGISLATIVE BILL 54. Placed on Select File as amended.

E and R amendment to L. B. 54:

1. In the bill, section 1, line 12, strike: *"that,"* and in lieu thereof insert: "that,"; line 21, after the figures "48-147" insert: *", inclusive,"*.

(Signed) Roy B. Carlberg, Chairman

LEGISLATIVE BILL 160. Placed on Select File as amended.

E and R amendments to L. B. 160:

1. In Standing Committee amendment 1, strike "striking the" in the 1st line, and all of the 2nd line up to the word "inserting" (original bill shows the comma stricken).

2. In the bill, section 1, line 4, after the word "and" insert *"(1)"*; line 5, strike the word "or" and in lieu thereof insert: *"or (2)"* and strike the word "fail" and in lieu thereof insert: *"fail fails"*; line 6, strike the word *"where"* and in lieu thereof insert: *"(3) if"*; line 7, strike: *"may find"* and in lieu thereof insert the word *"finds"*; line 26, after the word *"of"* and before the word *"in"* insert a comma.

3. In the bill, title, insert the word "the" in the 3rd line after the word "provide", in the 4th line after the word "when" and after the word "of".

LEGISLATIVE BILL 166. Placed on Select File as amended.

E and R amendment to L. B. 166:

In the bill, section 1, line 14, strike the word "policies" and in lieu thereof insert the word "policy".

LEGISLATIVE BILL 82. Correctly enrolled.

(Signed) Fred A. Seaton, Vice-Chairman

Public Works

LEGISLATIVE BILL 314. Placed on General File.

(Signed) Sidney J. Cullingham, Chairman

Agriculture

LEGISLATIVE BILL 131. Placed on General File as amended.

Standing Committee amendments to L. B. 131:

1. Amend section 2 of the bill, line 27, by striking the words "Carduus Arvensis" and inserting in lieu thereof, the words, "Cirsium Arvense".

2. Amend section 2 of the bill, lines 33 and 34, by striking the following: "wild bromes (Bromus spp.)" and inserting in lieu thereof the following: "dock (Rumex spp.)"

3. Amend section 3 of the bill, line 15, by striking out the following: "(except hybrid corn)"

3a. The word "and" in line 14 and inserting in lieu thereof: "and hybrid corn".

4. Amend section 4 of the bill, line 13, by inserting after the word "seeds" the following: "and wild bromes (Bromus spp.)"

5. Amend section 6 of the bill, line 8, by striking the word "and".

6. Amend section 6 of the bill, line 10, by striking the following: "millets,"

7. Amend section 6 of the bill, line 11, by inserting a comma after the word "sorghum".

8. Amend section 6 of the bill, line 11, by inserting after the word "sudangrass" the following: "and millets,"

9. Amend section 6 of the bill, line 19, by striking the punctuation following the word "act", and inserting the following: "; and (4) To sugar beet seed (Beta Vulgaris) used for production of sugar.

LEGISLATIVE BILL 62. Placed on General File as amended.

Standing Committee amendments to L. B. 62:

1. Amend section 1 of the bill by striking all of lines 1 to 8 and inserting therein the following:

"Section 1. It shall be unlawful, except as provided in section 2, to set or place any explosive trap or device, operating by the use of poison gas or by explosion of gunpowder or other explosives, for the purpose of taking, stunning or destroying wild animals. Any person who sets or places any such trap or device, except as provided in section 2 of this act, shall, upon conviction thereof, be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment for not less than five days nor more than ninety days, or both fine and imprisonment."

2. Amend the bill by inserting immediately after section 1, the following additional section:

"Sec. 2. It shall be lawful to use any device which is operated by the explosion of small amounts of gunpowder or other explosive, and which device is designed to discharge poison into the mouth of a wolf, coyote, fox, wildcat or other predatory animal upon the grabbing or seizing of the bait attached to such device by such predatory animal, and which device does not discharge any ball, slug, shot or other missile, and endanger the life and limb of any human being or animal, during the legal trapping season for fur-bearing animals; *Provided,* such device may be used at any time by any agency of the Game, Forestation and Parks Commission or federal government, or by written permission of the Game, Forestation and Parks Commission. Such lawful device when used shall be set not less than two hundred yards from any federal, state or approved county highway, and not less than one thousand yards from any rural school while functioning, or any inhabited dwelling without written permission of the resident of said building; nor may such device be used on the land without the written permission of the owner or operator."

3. Amend the title of the act, line 3, by striking the following:

"to prohibit the use"

and insert in lieu thereof the following:

"to provide for the setting and placing"

(Signed) Arthur Carmody, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 46. Indefinitely postponed.
LEGISLATIVE BILL 47. Indefinitely postponed.
LEGISLATIVE BILL 80. General File, as amended.

Standing Committee amendments to L. B. 80:

Amend L. B. 80 by repealing Section 71-1902, Revised Statutes of Nebraska, 1943, and substituting therefor the following:

"Sec. 71-1902. No person shall furnish, or offer to furnish, child care for two or more children from different families,"

include the balance of original section hereafter.

Add the names of Senator Cullingham and Senator Foster as co-introducers.

LEGISLATIVE BILL 133. Indefinitely postponed.

(Signed) Carl P. Jeffords, Chairman

Judiciary

LEGISLATIVE BILL 181. Placed on General File.

(Signed) John E. Mekota, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 82

MESSAGE FROM THE GOVERNOR

February 8, 1945

Mr. President, Mr. Speaker
and Members of the Legislature:

I am submitting herewith a suggested bill relating to the affairs of war veterans and I recommend that it be introduced, considered by one of your committees and then that something along this line be enacted.

This bill provides for a temporary Veterans' Service Coordinating Committee to be in existence until June 30, 1947, when it shall expire by the terms of this act. The purpose of the committee is to act as a coordinating committee in studying matters in relation to the federal law generally described as "The G.I. Bill of Rights". Under the terms of this act there are many ways in which the State Government of Nebraska is expected to cooperate. These cover general education, vocational education, employment, rehabilitation, and many other activities. My thought is that there is need of a State Committee to cooperate with veterans' organizations and with other patriotic groups who are very much interested in all of these matters.

This bill also provides that this State Committee be authorized to appoint in each county a County Committee to carry out the same program there and then go further and provide for a "Veterans' Service Officer" or a "Service Center" in the county where veterans may be cared for and have their rights explained. Veterans' organizations have largely taken care of this local need but the load may become so large in the several counties that it will be necessary that some public funds be expended along this line. This suggested bill, therefore, authorizes that counties may expend some funds for assisting with this activity.

The people of Nebraska are vitally interested in this problem and it has been called to my attention that many civic, religious and patriotic organizations are expending much money to try to see that this job is properly done. For instance, the Elks Lodges of Nebraska have done a great deal along this line. But some of those who are most interested feel that some over-all coordinating committee is needed for the state and in each county to help to see that money is not wasted and that the public is not imposed upon.

If this suggested bill is passed, it is my plan to appoint as members of the State Committee the head officer in the state of the larger veterans' organizations, of the Elks, and other citizens who are similarly interested, and I feel that some such plan will be very much worthwhile. The need is rather indefinite as no one can look ahead and see what may arise and perhaps two years from now it may

be found necessary to provide for some more permanent arrangement. This bill is of a temporary nature only. I desire to recommend, however, that the enclosed bill be introduced and properly considered.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 351. By Cliff N. Ogden of Douglas, Lester H. Anderson of Hamilton and Joseph C. Reavis of Richardson (By request of the Governor).

A bill for an act relating to the affairs of veterans of all wars; to create the "Veterans' Service Coordinating Committee"; to prescribe its functions, powers and duties; to provide for the appointment of county committees to carry out within each county the same functions, powers and duties as the state committee and to assist the state committee in its work; to authorize expenditures from the general fund of each county to assist a county committee in carrying out its work; to provide an appropriation; and to declare an emergency.

Bill Referred to Standing Committee

L. B.	Committee
350	Banking, Commerce and Insurance

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 38.

A bill for an act to amend sections 16-630, 16-653 and 16-724, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide that the maximum interest on bonds of such city shall not be greater than six per cent per annum; to reduce the maximum interest on curbing, guttering, and grading bonds to six per cent per annum; to provide that all bonds issued by such a city

for any purpose shall be redeemable at the option of the city at any time after five years from their date; and to repeal the original sections.

Whereupon the President stated, "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Brodahl	Foster	Lusienski	Reavis
Burney	Garber	Mekota	Ryan
Burnham	Hanna	Mueller	Schultz
Carmody	Heiliger	Norman	Seaton
Conklin	Hern	Ogden	Tvrdik
Cronin	Hoyt	Peterson	Wood
Crossland	Hubka		

Voting in the negative, 0.

Not voting, 5:

Babcock	Lee	Sorrell	Weborg
Carlberg			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 88. Special Order at 11:00 a. m.

Laid over until Wednesday for Special Order, at Mr. Schultz' request.

LEGISLATIVE BILL 66. Special Order, Wednesday, February 14, at request of Mr. Seaton.

LEGISLATIVE BILL 108.

Referred to E and R for review.

LEGISLATIVE BILL 115. Special Order on Thursday, February 15, at request of Mr. Hanna.

LEGISLATIVE BILL 97. Laid over.

LEGISLATIVE BILL 122. Special Order, Thursday, February 15, at request of Mr. Tvrdik.

LEGISLATIVE BILL 95. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Messrs. Reavis and Tvrdik offered the following amendments, which were adopted:

Amend Section 2 by striking semicolon after the word "commission" and insert a period in line 21 and striking the words "provided, further, that catfish" in line 21. Strike all of lines 22 and 23 and the words "by commission regulation" in line 24.

Amend the title by striking after the semicolon in line 6 the word "to" and all of lines 7 and 8, and the words "or seines from the Missouri River".

Referred to E and R for review.

Approved By the Governor

February 12, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 48	L. B. 23	L. B. 36
L. B. 69	L. B. 63	

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor.

GENERAL FILE (Continued)

LEGISLATIVE BILL 312. Laid over.

Adjournment

At 12:00, noon, Mr. Kain made a motion that the Legislature adjourn until 9:00 a. m. Tuesday, February 13.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 13, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the thirtieth day was approved as corrected.

Communications

A petition to Mr. Crossland, signed by sixty-three residents of Wayne County, favoring the passage of Legislative Bill 33.

Announcement of Nebraska Legislative Ladies League banquet and dance on February 22 at Student Union Building. Tickets may be purchased from wives of the senators or from Miss Tyler, telephone operator.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 309	Tuesday, February 27, 1945	2:00 p. m.
L. B. 349	Tuesday, February 27, 1945	2:00 p. m.
L. B. 212	Tuesday, February 27, 1945	2:00 p. m. (Continued)

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 135. Placed on General File.

LEGISLATIVE BILL 128. Placed on General File.
LEGISLATIVE BILL 141. Indefinitely postponed.

(Signed) Don E. Hanna, Chairman

Education

LEGISLATIVE BILL 158. Placed on General File as amended.

Standing Committee amendments to L. B. 158:

1. Amend section 1 of the bill, lines 9 to 14, inclusive, by striking all of the new matter contained in such lines.

2. Amend section 1 of the bill, line 17, by striking the new matter and restoring the old matter shown as stricken in said line.

3. Amend section 1 of the bill, line 18, by inserting after the punctuation following the word "placed" the following:

"When a river has changed or changes its channel so that the original boundaries of the school district have been changed and the district is less in area than four full sections of land, exclusive of accreted lands, and the school has fewer than twenty persons of school age, the county superintendent shall attach such remainder or portion to an adjoining or adjoining districts."

4. Amend the title, line 7, by striking the words "reduced in size to" and inserting in lieu thereof, the word "is".

5. Amend the title, lines 9 to 14, by striking the word "to" in line 9, all of lines 10, 11 and 12, and the words and punctuation "in which pupils are to be placed", in line 13.

(Signed) Cliff N. Ogden, Chairman

Appropriations

LEGISLATIVE BILL 317. Placed on General File.
LEGISLATIVE BILL 91. Placed on General File.

(Signed) A. J. Brodahl, Chairman

Enrollment and Review

Presented to the Governor for approval February 13, 1945, 10:00 a. m.

L. B. 82

(Signed) Roy B. Carlberg, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 352. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to amend section 83-353, Revised Statutes of Nebraska, 1943, relating to state hospitals for the insane; to provide that a board of county commissioners or supervisors may, and upon request of the Board of Control shall, sue upon behalf of the state to recover the per capita cost of maintenance of an insane patient confined in a state hospital, and pay over any amount collected to the superintendent of the hospital in which the insane patient is confined; and to repeal the original section.

LEGISLATIVE BILL 353. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to transfer old balances from obsolete funds; to transfer from the state hail fund the sum of one thousand six hundred forty-nine dollars and twelve cents now in the current trust fund, and from the capital fund the sum of forty-nine dollars and thirty cents to the general fund; and to transfer from the gasoline tax fund the sum of two hundred sixty dollars and thirty-four cents to the highway cash fund.

SELECT FILE

LEGISLATIVE BILL 116. To E and R for engrossment.

LEGISLATIVE BILL 12. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 68. E and R amendments, found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 21. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 29. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 57. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 40. Mr. Brodahl asked that L. B. 40 be laid over. No objection, so ordered.

LEGISLATIVE BILL 164. E and R amendments, found in the Legislative Journal for the Thirtieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 160. E and R amendments, found in the Legislative Journal for the Thirtieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 166. E and R amendment, found in the Legislative Journal for the Thirtieth Day was adopted.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS (Continued)

Government

LEGISLATIVE BILL 117. Placed on General File, as amended.

Standing Committee amendments to L. B. 117:

1. Amend section 1 of the bill, line 2, by striking the words "any county office" and inserting in lieu thereof the words:

"the office of any county clerk, county treasurer or county assessor."

2. Amend the bill by adding a new section, to be numbered 2, and reading as follows:

"Sec. 2. The files, records and miscellaneous papers which may be destroyed under this act shall include: (1) Claims either allowed or rejected by the county board twenty-five years after having been approved or rejected by the county board; warrants paid by the county treasurer or cancelled by order of the county board twenty-five years from date of payment or cancellation; quarterly and annual reports made by county officers to the board of county commissioners twenty-five years from date of filing them with the county clerk; statement of nomination and election and expenses after fifteen years from date of election; personal and petition filings for public office, and certificates of school district and village levies after twenty-five years from date of filing; (2) In the office of the county treasurer, after having been audited by the office of the Auditor of Public Accounts, all tax sale stubs, redeemed and cancelled certificates and tax sale records over twenty-five years old; all counter cash books over twenty-five years old showing a summary of daily collections and tabulations of cash or cash items; all distress warrants, duplicates and those returned by the sheriff's office after twenty-five years old; all automobile registration receipts and filing cards pertaining to same after fifteen years old; and (3) In the office of the county assessor, all personal property tax schedules and all precinct assessors' books twenty-five years after they have been transferred to the permanent records."

3. Amend the title, line 3, by inserting the words "certain specified" before the word "files".

4. Amend the title, line 5, by striking the words "any county office" and substituting in lieu thereof:

"the office of any county clerk, county treasurer or county assessor."

LEGISLATIVE BILL 147. Placed on General File.

(Signed) Frank Sorrell, Chairman

Communication

A note of appreciation from Mr. and Mrs. Roy Carlberg was read to the Legislature.

GENERAL FILE

LEGISLATIVE BILL 97. Read and considered.

Mr. J. H. Anderson offered the following amendment, which was adopted:

Amend L. B. 97 by adding a new section as follows:

"Section 2. Since an emergency exists, this act shall be in full force and take effect from and after its passage and approval according to law."

and amend the title to conform.

A record vote was asked on the motion to advance the bill.

Voting in the affirmative, 36:

Adams	Conklin	Hoyt	Pizer
Anderson, J.	Cronin	Hubka	Raasch
Anderson, L.	Crossland	Jeffords	Ryan
Babcock	Cullingham	Kain	Schultz
Brodahl	Dooley	Lee	Seaton
Burney	Doyle	Mekota	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hern	Peterson	Wood

Voting in the negative, 1:

Raecke

Not voting, 6:

Foster	Klaver	Ogden	Reavis
Garber	Lusienski		

The motion having prevailed, the bill was advanced to E and R for review.

LEGISLATIVE BILL 312. Laid over.

LEGISLATIVE BILL 127. Read and considered.

Mr. James Anderson made a motion that L. B. 127 be indefinitely postponed, which lost with 13 ayes, 19 nays and 11 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 157. Laid over.

At Mr. James Anderson's request, L. B. 157 was made a Special Order on February 20.

LEGISLATIVE BILL 171. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

At Mr. Mekota's request, L. B. 171 was laid over for Special Order next Tuesday, February 20.

MOTION—Budgetary Procedures

Mr. President: I move that the Legislative Council be directed to study the problem of budgetary procedures for cities and villages and to present to the next regular legislative session their findings and recommendations for appropriate legislation. (Signed) C. Petrus Peterson

The motion prevailed.

Unanimous Consent

Mr. Reavis asked unanimous consent to lay L. B. 99 over and to make said bill Special Order of Business for Wednesday, February 21.

LEGISLATIVE BILL 129. Laid over.

LEGISLATIVE BILL 154. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 196. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 130. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Mr. Hubka offered the following amendment, which was adopted:

Amend Section 1 of L. B. 130 by inserting after the word "person" in line 5 the following: "Which said property was owned by said person prior to entry into the military service, or which was inherited or received by devise or bequest by said person while in military service, and".

Referred to E and R for review.

LEGISLATIVE BILL 159. Read and considered.

Machine vote was requested on the motion to advance the bill to E and R for review, which prevailed with 30 ayes, 7 nays and 6 not voting.

Referred to E and R for review.

Bill Referred to Standing Committee

L. B.	Committee
351	Government

Mr. Sorrell asked unanimous consent that L. B. 351 be re-referred to the Committee on Judiciary. There was no objection and so ordered.

Member Excused

Mr. Reavis was excused from the session on Friday, February 16, 1945.

Adjournment

At 12:00, noon, Mr. Cullingham made a motion that the Legislature adjourn until 9:00 a. m. Wednesday, February 14.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 14, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the thirty-first day was approved.

Communications

A letter, in poetry form, addressed to Mr. Conklin, from Homer Kelso of Lincoln, concerning the choice of a State tree.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 149	Tuesday, February 27, 1945, 2:00 p. m.
L. B. 228	Tuesday, February 27, 1945, 2:00 p. m.
L. B. 261	Tuesday, February 27, 1945, 2:00 p. m.
L. B. 350	Tuesday, February 27, 1945, 2:00 p. m.
L. B. 211	Thursday, March 1, 1945, 2:00 p. m.
L. B. 331	Thursday, March 1, 1945, 2:00 p. m.
L. B. 344	Thursday, March 1, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 96. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Agriculture

LEGISLATIVE BILL 172. Placed on General File as amended.

Standing Committee amendment to L. B. 172:

1. In line 8, section 1, after the word "Garfield," insert the word "Gosper,"

LEGISLATIVE BILL 232. Placed on General File as amended.

Standing Committee amendments to L. B. 232:

1. In line 11, section 2, insert after the word "forth" the word "above" and strike the following words "in the preceding sentence"

2. In line 29, section 3, strike the word "sureties" and insert in lieu thereof the words "corporate surity"

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 74. Correctly engrossed.
LEGISLATIVE BILL 75. Correctly engrossed.
LEGISLATIVE BILL 67. Placed on Select File.
LEGISLATIVE BILL 109. Placed on Select File as amended.

E and R amendments to L. B. 109:

1. In General File amendments by Mr. James H. Anderson, amendment 5, 1st line, strike "inserting after" and in lieu thereof insert the word "striking"; 3rd line, before the word "the" insert: "and inserting"; (inserted matter) 1st line, strike: "Before any" and in lieu thereof insert: *"; Provided, however, before any public power or"*; 1st and 2nd lines, strike: *"begins trapping"* and in lieu thereof insert: *"shall have"*; 2nd line, after the word *"muskrat"* insert the word *"trapped"*; 9th line, before the word *"receipt"* insert the word *"the"*; 10th line, strike the comma after the word *"approved"* and in lieu thereof insert a period; 12th line, after the word *"such"* insert the following: *"public power or"*; 14th line, strike: *". The"* and in lieu thereof insert: *"; and provided further, that the public power or"*; strike all of the 20th line beginning with the word *"Any"* and strike all of the remainder of said insertion.

2. In General File amendments by Mr. James H. Anderson, amendment 8, (inserted matter) 3rd and 4th lines, strike: "killed

or destroyed by any" and in lieu thereof insert: "trapped by the direction of such a public power or"; strike the word "the" at the end of the 5th line, and strike all of the 6th, 7th, 8th and 9th lines and in lieu thereof insert:

> "such commission; to provide for reports and the fee to accompany the same for each beaver so killed or destroyed; to provide for stamping all pelts of beaver in the possession of any person which were so taken from a public power or irrigation or drainage district, under the prescribed circumstances and conditions, before the same are sold, shipped or otherwise transported outside of the State of Nebraska;".

3. In the bill, section 1, line 3, before the word "It" insert: *"(1)"*; line 4, strike: *"in this section"* and in lieu thereof insert: *"by this act"*; line 5, strike the word "animal" and in lieu thereof insert: "animal *animals"*; line 8, strike: ", as herein provided." and in lieu thereof insert: ", as herein provided *in accordance with this act . (2)";* line 9, after the word "game" insert the word *"farm"*; line 10, strike the word "breeder's" and in lieu thereof insert: "breeder's *culture"*; line 12, after the word "provided" insert: *"in this act or"*; line 13, after the word "commission" insert: *"made in accordance therewith"* and before the word *"It"* insert: *"(3)"*; line 15, after the word *"destroy"* insert: *", or to have trapped by a trapper or trappers,"*; line 16, strike the comma before the word *"which"*; line 18, after the word *"such"* insert: *"public power or"*; line 19, strike the comma after the word *"district"*; line 20, strike the word *"caused"* and in lieu thereof insert: *"done by such beaver or muskrat"*; line 24, strike: *"causing the"* and in lieu thereof insert: *"doing such"*; strike all of line 28 beginning with the word *"Except"*, strike all of line 29, and strike *"required,* when beavers" in line 30, and in lieu thereof insert:

> *"Under such circumstances, no permit shall be required to st kill or destroy such beaver or muskrat, but fees shall be paid for beaver killed, as hereinafter provided. (4)* when beavers *Whenever beaver"* ;

line 31, after the word "property" insert: *", except as is provided in subsection (3) of this section,"*; lines 33 and 34, strike: "such lands" and in lieu thereof insert: "such lands *the land, where such trees or property are being so destroyed or damaged,"*; strike: "beavers," and in lieu thereof insert: "beavers, *beaver"* in lines 35 and 40; strike the word "beavers" and in lieu thereof insert: "beavers *beaver"* in lines 37, 41, 43 and 46; line 40, before the word "authorized" insert the word *"so"*; line 48, strike: "Any pelts of beavers" and in lieu thereof insert: "*(5)* Any *All* pelts of beavers *beaver"*; line 49, after the word "permit" insert:

", as set forth in subsection (4) of this section, or in the possession of any person which were taken from a public power or irrigation or drainage district, as provided in subsection (3) of this section," ;

line 50, strike the comma after the word "stamped" and in lieu thereof insert "~~,~~"; line 52, strike: ", "before" and in lieu thereof insert: "~~,~~" , before *the".*

4. In the bill, title, 6th line, after the word "the" insert the word "prescribed" and after the word "any" insert: "public power or"; 7th line, strike the comma after the word "district" and before the word "notice" insert: "the prescribed"; 8th line, strike the comma after the word "writing" and in lieu thereof insert: "in regard thereto,".

LEGISLATIVE BILL 123. Placed on Select File as amended.

E and R amendments to L. B. 123:

1. Strike Standing Committee amendment 1. (original bill shows same stricken).

2. In the bill, section 1, strike the comma in line 6 after the word "you" and in line 7 after the word "will" and insert a stricken comma; insert a comma in line 7 after the word "year" and in line 10 after the word "person"; line 17, after the word "were" insert the word *"then"*; line 35, strike the colon after the figure "4" and in lieu thereof insert "~~,~~ *:"* ; lines 36 and 37, strike: "moneys there deposited," and in lieu thereof insert: "~~moneys~~ *money* there deposited *therein*~~,~~"; strike line 43 and in lieu thereof insert: "County of.....)" (as shown in the statutes).

3. In the bill, title, 3rd line, strike the word "amend" and in lieu thereof insert: "provide for changes in"; 4th line, strike the word "and"; strike the period at the end of the 5th line and in lieu thereof insert: "; and to declare an emergency.".

LEGISLATIVE BILL 126. Placed on Select File as amended.

E and R amendments to L. B. 126:

1. In the bill, section 1, strike all of line 5 after the word "be", and in lieu thereof, insert: "~~listed in the manner following~~ *made as follows* :"; line 8, strike the word "when" and in lieu thereof insert: "~~when~~ *if*"; line 14, strike the word "the" before "agent" and in lieu

thereof insert "the"; strike all of lines 20 and 21 and in lieu thereof insert:

"the following: *(a)* his *His* guardian; *(b)* if he have *has* no guardian, then by the *his* father, if living; *(c)* if *his father is* not *living* , by the *his* mother, if living; and *(d)* if neither *his* father";

line 25, strike: "; or if he have" and in lieu thereof insert: "; or, if he have *has*"; line 27, after the word "if" insert: *"he is"*; line 33, after the word "of" and also after the word "such", insert: *"a receiver or"*; line 34, after the word "or" insert the word *"the"*; line 37, after the punctuation insert the word *"and"*.

2. In the bill, title, 3rd line, after the word "for" insert: "a complete", and after the word "of" insert: "all personal"; 4th line, strike the semicolon and in lieu thereof insert: "of the year in which the assessment is being made;".

3. In the bill, section 1, strike the word "moneys" and in lieu thereof insert: "moneys *money*" in lines 7, 10, 12 and 15.

LEGISLATIVE BILL 138. Placed on Select File as amended.

E and R amendments to L. B. 138:

1. In Standing Committee amendment 3, 2nd line, strike the word "of" before the word "each".

2. In the bill, section 3, line 3, strike: "the end" and in lieu thereof insert: "bring," and in said line strike: "of bringing" and in lieu thereof insert a comma.

3. In the bill, section 5, line 6, strike the word "cost" and in lieu thereof insert: "charge," and after the word "agency" insert a comma.

4. In the bill, title, 3rd line, strike: "and publication of rules of" and in lieu thereof insert: "of certified copies of and the publication and distribution of printed, typed or mimeographed copies of the rules of the"; 4th line, after the word "agencies" and before the semicolon, insert: "or the State of Nebraska, as prescribed" and in said line strike: "prescribe their" and in lieu thereof insert: "provide the use of and the"; 5th line, strike the period and in lieu thereof insert: "of such certified copies thereof.".

5. In the bill, section 1, line 1, decapitalize the word "Act"; line 2, strike: "(a)" and in lieu thereof insert "(1)"; line 6, strike "(b)" and in lieu thereof insert "(2)".

LEGISLATIVE BILL 156. Placed on Select File as amended.

E and R amendments to L. B. 156:

1. In Standing Committee amendment 4, insertion, 1st line, strike the word "in", and in said line strike: "or are dead or" and in lieu thereof insert: "being deceased or being"; strike the comma after "unavailable", in the last line, and in lieu thereof insert: "because of such service;".

2. In the bill, section 1, line 4, before the word "are" insert "(1)", and in said line, after the word "or", insert the word "are"; line 5, strike: "or as merchant seamen, or", and in lieu thereof insert: "(2) or are in service as merchant seamen or (3)"; line 6, strike the word "or" after the word "dead" and in lieu thereof insert a comma; line 13, strike: "requiring in addition," and in lieu thereof insert: "also requiring"; at the end of line 14 strike: ", or" and in lieu thereof insert: "or the".

3. In the bill, title, 2nd line, after the word "for" insert the word "the"; 5th line, strike the comma after the word "States".

LEGISLATIVE BILL 165. Placed on Select File as amended.

E and R amendments to L. B. 165:

1. In the bill, section 1, line 5, after the comma and before the word "and" insert: *"inclusive,"* and after the figures "79-616" insert: *", inclusive,"*.

2. In the bill, section 2, strike all of lines 7, 8, 9 and 10, and "exceed twenty-two mills" in line 11, and in lieu thereof insert:

> *"Provided,* that ~~such levy shall in no event exceed twenty mills for maintenance and operation of the schools,~~ except for the fiscal year ending June 30, ~~1944~~ *1946*, and *also* for the fiscal year ending June 30, ~~1945~~ *1947*, the aggregate school tax shall not exceed twenty-two mills *and thereafter such levy shall not exceed twenty mills for the maintenance and operation of the schools,"* ;

line 17, strike the period and in lieu thereof insert: *", inclusive."*.

3. In the bill, title, 3rd line, insert a comma after the word "extend"; strike all of the 5th line after the word "for", all of the 6th line and all of the 7th line excepting the words "to repeal the" and in lieu thereof insert:

"increasing the maximum aggregate school tax that may be levied by the prescribed school districts to twenty-two mills;"

LEGISLATIVE BILL 182. Placed on Select File as amended.

E and R amendments to L. B. 182:

In the bill, section 1, line 4, after the word "application" insert: *"therefor, on"*; line 5, insert a comma after the word "him"; line 6, strike the word "the" before the word "fee" and in lieu thereof insert: ~~"the~~ *a*".

LEGISLATIVE BILL 38. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Revenue

LEGISLATIVE BILL 145. Placed on General File.
LEGISLATIVE BILL 173. Placed on General File.
LEGISLATIVE BILL 174. Placed on General File.

(Signed) Walter R. Raecke, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 86. Placed on General File as amended.

Standing Committee amendment to L. B. 86:

Amend section 1, line 11, by inserting the word "or" between the words mutual and assessment.

LEGISLATIVE BILL 121. Placed on General File as amended.

Standing Committee amendments to L. B. 121:

Amend section 1, line 11, by inserting the word "or" being the same and inserting the following in lieu thereof:

"(3) ~~Bonds and securities, political and civil subdivisions.~~ In legally authorized and executed bonds, notes, warrants, securities or other interest-bearing evidences of indebtedness which are direct obligations of or secured by the full faith and credit of any county, parish, incorporated city or town, borough, township, municipality, or of any school, road, water, levee, sewer, irrigation, paving, drainage, park or public improvement district, or other political or civil district or subdivision in any

state or territory of the United States, or in legally executed bonds, and securities of any municipality in the Dominion of Canada, which has not defaulted in the payment of any principal or interest of its bonds, notes, warrants, securities, or other evidences of indebtedness within a period of two years next preceding the date of such investment, or in legally authorized bonds, securities, or other interest-bearing evidences of indebtedness, which are direct obligations of or secured by the full faith and credit or of any state educational, penal, charitable or eleemosynary institution, or any internal improvement state agency, which has not defaulted in the payment of any principal or interest of its bonds, securities, or other evidences of indebtedness within a period of one year *two years* next preceding the date of such investment, *except that an insurance company may invest in a refunding issue of any such bonds where the security for the indebtedness refunded has been increased or the principal or the interest rate reduced or maturities extended, if there has been no default in the payment of any principal or interest thereon since such refunding bonds were issued;* or *in* bonds issued according to law for the purpose of financing the construction of buildings erected and used solely for dormitories and for boarding purposes at the University of Nebraska or at the State Normal Schools, State of Nebraska. No insurance company shall be authorized to make such investments in the bonds, securities, or other evidences of indebtedness designated in subsections (2) and (3) hereof unless the laws authorizing the issuance of such bonds, securities and other evidences of indebtedness provide for sufficient revenue to pay both the principal and interest at their maturities."

2. Amend section 1 of the bill, lines 53 to 72, inclusive, by striking the same and inserting the following in lieu thereof:

"(4) Bonds and securities, government corporations. In legally authorized bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness, and *share certificates,* which have been, or which may be issued by a Federal Home Loan Bank, or Home Owners' Loan Corporation, or by any Federal Savings and Loan Association, or by the Reconstruction Finance Corporation, or by the Federal Farm Loan Board, or by any Federal Land Bank, *or by any housing authority organized under the public housing laws of this state, or of any state of the United States, or the District of Columbia,* or in notes or bonds secured by mortgage or deed of trust insured under the provisions of the National Housing Act, *as amended, or guaranteed pursuant to the provisions of Title III of an Act of Congress of the United States of June 22, 1944, cited as the "Servicemen's*

Readjustment Act of 1944", as heretofore or hereafter amended, or by any entity, corporation or agency which has been or which may be created by or authorized by any act which has been enacted, or which may hereafter be enacted, by the Congress of the United States, or any amendment thereto, which has for its purpose the relief of, refinancing of, or assistance to owners of mortgaged or encumbered homes, farms and other real estate."

3. Amend section 1 of the bill, lines 91 to 110, inclusive, by striking the same and inserting the following in lieu thereof:

"(b) In legally issued bonds or notes secured by first mortgage on leasehold estates, ~~or combined leasehold estates and in fee,~~ in improved real property located in any state or territory of the United States or District of Columbia, ~~where the unexpired term of the leasehold exceeds forty-nine years and~~ where such real property is unencumbered except by rentals to accrue therefrom to the owner of the fee, and where there is no condition or right of re-entry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed, so long as lessee is not in default, provided the ~~amount loaned on~~ *value of* such leasehold, ~~or combined leasehold and fee,~~ *with improvements thereon* shall *be at least* ~~not exceed~~ fifty per cent *more than the amount loaned thereon as shown by* of the appraised value thereof at the time of the making of the loan. *Such mortgage loan shall be completely amortized during the unexpired portion of the lease or leasehold estate.* Real property shall not be deemed to be encumbered within the meaning of this section by reason of the existence of *a lease upon which periodical payments are required or* instruments ~~preserving~~ *reserving or granting* rights-of-way, sewer rights,"

4. Amend section 1 of the bill, lines 137 to 148, inclusive, by striking the same and inserting the following in lieu thereof:

"(c) An insurance company may acquire and hold an unencumbered fee in real estate, which is leased under a lease contract wherein the lessee contracts to pay all assessments, taxes, maintenance and operating costs and the net amount of the annual lease payments to the owner of the fee are sufficient to pay three per cent annual interest on the cost of the fee and an additional amount sufficient to amortize the cost of the fee within the duration of the lease, but in no event for a longer period than forty years. The amount invested in any such fee shall in no case exceed its appraised value."

5. Amend section 1 of the bill, lines 149 to 157, inclusive, by striking the same and inserting in lieu thereof the following:

"(6) Bonds, railroads. *(a)* In any mortgage bonds or debentures of any railroad corporation, wholly or partly in any of the United States, or in equipment trust certificates *of any equipment trust created on behalf of any such* issued under the Philadelphia plan by a railroad; *Provided, there have been no defaults in the payment of principal or interest on the issue purchased or equal or prior liens during the period of five years last past, or at any time since said bonds were issued, if the bond issue is less than five years old.*

(b) In mortgage bonds or debentures of any corporation or corporations, other than a railroad corporation, created under the laws of the United States or any state thereof, or the District of Columbia, or the Dominion of Canada or any province thereof; Provided, (1) no company shall invest in any one issue of such obligations an amount in excess of three per cent of its assets; (2) the net earnings of the issuing corporation available for its fixed charges for a period of five fiscal years next preceding the date of acquisition by such insurance company shall have averaged yearly, and during the last year of said five-year period shall have been not less, than one and one-half times its annual fixed charges at the time of the investment, or, if a new issue, as shown by the pro forma statement of the corporation; and (3) there shall have been no defaults in principal or interest thereon, or on any such obligations of such corporation which are of equal or higher priority with those purchased, during the period of five years next preceding the date of acquisition, or, if outstanding for less than five years, at any time since said obligations were issued.

"The term "net earnings available for fixed charges" as used herein shall mean the net income after deducting all operating and maintenance expenses and taxes other than federal and state income taxes, but non-recurring items of income and expense may be eliminated. The term "fixed charges" as used herein shall include interest on all of the fixed interest-bearing debt of the corporation outstanding and maturing in more than one year, as of the date of acquisition, and in case of investment in contingent interest obligations, said term shall also include maximum annual contingent interest as of said date. The earnings of all predecessor, merged, consolidated or purchased companies may be included through the use of consolidated or pro forma statements providing the fixed charges of all such companies are also included.

5(a) Amend lines 158 to 261, inclusive, by striking all new matter and showing as stricken all old matter.

6. Amend section 1 of the bill, lines 262 to 275, by striking the same and inserting the following in lieu thereof:

"~~(9)~~ ~~Bonds, public works.~~ *(7) (a).* In revenue bonds or debentures of waterworks plants, electric light plants, gas plants designed for heating and or illumination, highway bridges or municipal or district sewage disposal plants, *telephone systems, and street car or other public transportation systems in municipalities, or in any bonds of a Corporate Authority authorized or created by an Act of Congress or a state legislature, or both,* where the estimated *net* earnings *available for debt service* show a coverage equivalent to one and three-fourths times the fixed charges; *or (b) In legally issued bonds or other obligations which are payable from revenues specifically pledged therefor of a public utility, operated by any municipality, governmental agency, or political subdivision authorized or created by an Act of Congress or by the laws of any state or of the Dominion of Canada or any province thereof; Provided, that the laws authorizing the issuance of such bonds or other obligations require, or that such municipality, agency or subdivision is legally authorized to and does obligate itself, that rates for service shall be fixed, maintained and collected at all times so as to produce sufficient revenue or earnings to pay all operating and maintenance charges and both principal and interest of such bonds or obligations according to their terms, and provided further, that none of the issue of the bonds or obligations purchased shall be in default at the date of such investment. The term "public utility" as used herein shall include, without being limited thereto, all of the enterprises described in part (a) hereof."*

7. Amend section 1 of the bill, lines 280 to 293, inclusive, by striking the same, and inserting in lieu thereof:

"~~(11)~~ *(9)* ~~Preferred stocks.~~ In the preferred ~~stocks~~ *stock* of any ~~company~~ *corporation* which has *earned and* paid regular dividends *at the regular prescribed rate* of at least ~~three hundred and fifty thousand dollars, or four per cent, whichever is the greater,~~ each year, upon its *preferred stock* or ~~common stocks~~ for not less than five years next preceding the purchase of such preferred ~~stocks~~ *stock, or during such part of said five year period as it shall have had preferred stock outstanding, and which corporation or its predecessor shall have earned each year during said five year period dividends upon its stocks of at least one hundred thousand dollars.* or the stocks of any company which are guaranteed by a company which has paid regular dividends of not less than five hundred thousand dollars, or four per cent, whichever is the greater, per year, upon its preferred or common stocks for not less than five years next preceding the purchase of such guaranteed stocks; Provided, that the amount of stocks so guaranteed is not in excess of fifty per cent of the

amount of the preferred or common stocks, as the case may be, of the guaranteeing company.

8. Amend section 1 of the bill, lines 294 to 305, inclusive, by striking the same and inserting the following in lieu thereof:

"(12) *(10)* Common stocks. In the common stocks of any company or corporation upon which regular dividends of at least five hundred thousand dollars, or four per cent, whichever is the greater, per annum, or in the case of stocks of no par value, of at least four dollars per share per annum have been paid for the seven years next preceding the purchase of such stocks; Provided, that *which shall have earned regular common dividends of at least four per cent on the par value (or on the declared value in case of no par stocks) and amounting to not less than two hundred fifty thousand dollars per annum, for not less than seven years next preceding the purchase of such stocks, except that in cases of corporations having a majority of their operations in the State of Nebraska, the requirement as to the amount of dividends shall be twenty-five thousand dollars per annum.* not more than two per cent of the common stock and not more than two per cent of the total issue of the stocks of any company shall be purchased by any such insurance company, and that no company shall be permitted to invest in its own shares or in the shares of another insurance company, if any".

9. Amend section 1 of the bill, lines 325 to 345, inclusive, by striking the same and inserting the following in lieu thereof:

"(13) *(11) In shares, interests, or participation certificates in any management type of investment trust, corporate or otherwise, which has been in existence for a period of at least ten years. Provided, that the assets of such investment trust shall be not less than ten million dollars at the date of purchase, and provided further, that no more than five per cent of the assets of any insurance company may be invested in such shares, interests, or participation certificates."*

10. Amend the bill, by inserting a new section numbered 2, reading as follows:

"Sec. 2. *In addition to the investments permitted in section 44-309, any domestic stock fire insurance company may invest an amount equal to sixty per cent of its capital, less the minimum capital required by law, and its surplus, and any other domestic fire insurance company may invest an amount equal to sixty per*

cent of its surplus over all liabilities, in the shares of the capital stock, either common or preferred, of any solvent corporation other than a corporation engaged solely in the business of operating real estate or a corporation having substantially all of its assets invested in the shares of such corporations; Provided, however, such companies may not invest in the shares of a manufacturing corporation, commonly known as "industrial," unless such corporation has earned during any three years of the five-year period next preceding the date of the investment, a sum applicable to dividends equal in the aggregate to not less than twelve per cent of the par value (or, in the case of shares having no par value, the issued value) of its outstanding shares, or if such shares have been issued less than five years, has earned a sum applicable to dividends during the tenure of such issue, equal to not less than four per cent per annum of the par value (or, in the case of shares having no par value, the issued value) of its outstanding shares, but such companies shall not invest in more than five per cent of the total number of shares of any one such manufacturing corporation, or more than five per cent of its admitted assets in the shares of any one such manufacturing corporation; nor shall such companies invest either directly or indirectly in the shares of an insurance company. Such companies may also invest not to exceed twenty per cent of their surplus over all liabilities in chattel mortgage notes secured by chattel mortgages upon fire fighting trucks and equipment when such mortgage notes and mortgages are given by a municipal corporation, a volunteer firemen's association or corporation, or a rural fire protection district created under the laws of the State of Nebraska."

11. Amend the bill, by inserting a new section numbered 3, reading as follows:

"Sec. 3. That section 44-310, Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-310. *(1)* No insurance company shall be permitted to invest in or loan upon the preferred or common stocks of any company other than one organized under the laws of the United States or a state or territory thereof or the District of Columbia, ~~or to a combined total amount of preferred or common stocks in excess of ten per cent of its assets.~~

(2) Not more than five per cent of the common stocks and not more than five per cent of the total issue of the stocks of any company shall be purchased by any such insurance company, and

no company shall be permitted to invest in its own shares or in the shares of another insurance company.

(3) No life insurance company shall be permitted to invest (a) more than ten per cent of its assets in the securities described in subsection 9 of section 44-309, as amended by this act, or (b) a combined total amount of more than ten per cent of its assets in the securities described in subsection 10 and 11 of section 44-309, as amended by this act."

12. Amend the bill, by inserting a new section numbered 4, reading as follows:

"Sec. 4. *Nothing in this act shall render unauthorized the retention by any such insurance company of any mortgages, bonds, debentures, or other securities now owned by it, if investment therein by such company was authorized by law at the time of acquisition."*

13. Amend the bill by renumbering original sections 2, 3 and 4 as sections 5, 6 and 7, respectively.

14. Amend the bill, present section 3, renumbered section 6 by striking the same and inserting the following in lieu thereof:

"Sec. 6. That original sections 44-309 and 44-310, Revised Statutes of Nebraska, 1943, and also section 44-311, Revised Statutes of Nebraska, 1943, are repealed."

15. Amend the title, line 2, by striking the words and figures "section 44-309" and inserting in lieu thereof "sections 44-309 and 44-310".

16. Amend the title, line 6, by striking the word "section" and inserting in lieu thereof the word "sections".

(Signed) Earl J. Lee, Chairman

Appropriations

LEGISLATIVE BILL 322. Placed on General File.
LEGISLATIVE BILL 321. Placed on General File.

(Signed) A. J. Brodahl, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 38

MOTION—To Delay Bill

Mr. President: I move that L. B. 159 be held in E and R Committee until the Legislature has acted upon 173 and 174. (Signed) Edwin Schultz

The motion prevailed.

MOTION—To Raise Bill

Mr. President: I move that L. B. 46 be raised from the Committee of Public Health and Miscellaneous Subjects and placed on General File. (Signed) Daniel Garber

A record vote was requested.

Mr. Sorrell moved a call of the house.

A call of the House was ordered and after call the roll showed all members present.

Mr. Klaver made a motion to raise the call.

The motion prevailed.

The Garber motion prevailed, with the following vote:

Voting in the affirmative, 23:

Adams	Cullingham	Hubka	Raecke
Anderson, J.	Doyle	Klaver	Reavis
Babcock	Garber	Mekota	Seaton
Brodahl	Hanna	Ogden	Sorrell
Conklin	Heiliger	Peterson	Wood
Cronin	Hoyt	Raasch	

Voting in the negative, 13:

Anderson, L.	Crossland	Kain	Ryan
Burnham	Foster	Lee	Tvrdik
Carlberg	Jeffords	Pizer	Weborg
Carmody			

Not voting, 7:

Burney	Hern	Mueller	Schultz
Dooley	Lusienski	Norman	

Bills Referred to Standing Committees

L. B.	Committee
352	Appropriations
353	Appropriations

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 84

A bill for an act to amend sections 60-102, 60-103, 60-104, 60-105 and 60-301, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to make the provisions of the certificate of title act applicable to semi-trailers, commercial trailers and cabin trailers; to provide for the assigning of distinguishing motor numbers to motors in motor vehicles and serial numbers to such trailers under the prescribed circumstances and procedure; to provide for using such numbers for registration purposes; to provide the duties of the owner or owners of such a motor vehicle or trailer so assigned such a number; to provide when all motor vehicles and trailers, except as prescribed, which do not have a certificate of title must have the same; to except semi-trailers and trailers of farmers and ranchers, used for specified purposes, from the certificate of title act; to define cabin trailers; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Doyle	Klaver	Reavis
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Lusienski	Seaton
Burney	Hanna	Norman	Sorrell
Burnham	Heiliger	Ogden	Tvrdik
Carlberg	Hern	Peterson	Weborg
Conklin	Hoyt	Pizer	Wood

Voting in the negative, 2:

Cronin	Schultz

Not voting, 5:

Carmody	Jeffords	Mekota	Mueller
Dooley			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 52.

A bill for an act to amend sections 33-123, 33-124, 33-125 and 33-126, Revised Statutes of Nebraska, 1943, relating to the fees of county judge; to provide for the amount of fees that shall be charged by county judges; to define "gross estate"; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 110.

A bill for an act to repeal Article 8, Chapter 37, Revised Statutes of Nebraska, 1943, relating to upland game birds.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams	Cronin	Kain	Raasch
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Reavis
Babcock	Dooley	Lusienski	Ryan
Brodahl	Doyle	Mekota	Schultz
Burney	Foster	Mueller	Seaton
Burnham	Hanna	Norman	Sorrell
Carlberg	Heiliger	Ogden	Tvrdik
Carmody	Hern	Peterson	Weborg
Conklin	Hoyt	Pizer	Wood

Voting in the negative, 2:

Garber	Jeffords

Not voting, 1:

Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 137. With emergency.

A bill for an act relating to schools; to provide for the extension of the teacher's certificate of any person who has served in the armed forces of the United States during World War II and to prescribe the terms and conditions thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz

Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 152. With emergency.

A bill for an act to amend section 79-1006, Revised Statutes of Nebraska, 1943, relating to county high schools; to increase the maximum aggregate tax for a county high school, exclusive of the levy for paying bonds or interest on bonds, to four and three-tenths mills as prescribed; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

February 13, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 82.

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor.

SPECIAL ORDER OF THE DAY

10:30 a. m.

LEGISLATIVE BILL 24.

Mr. Hoyt offered the following amendments, which were adopted:

1. Amend section 1 of the bill by striking all of lines 1 to 23 and inserting in lieu thereof the following:

"The board of education of any junior college is authorized to erect on the campus of such college, or upon lands it may acquire adjacent to the campus of any such college by donation, or upon lands it may acquire by purchase, through the use of funds donated for that purpose, dormitories, dining rooms and housing or student activity buildings. The board of education of such college shall pay for the cost of construction of such buildings from donations, and if such donations are insufficient, by issuing and selling revenue bonds and securing the payment thereof by pledging and hypothecating the revenue of such buildings as may be proper and necessary. Such revenue bonds shall not be general obligations of the school district issuing the same and no taxes shall be levied for their payment but said bonds shall be a lien only upon the revenues and earnings of such buildings owned by the district and which are pledged for their payment."

2. Amend section 2 of the bill by striking all of lines 1 to 14.

3. Amend section 3 of the bill by striking the number "3" and renumbering the section as "2".

4. Amend the title of the bill by striking lines 3 to 7 and inserting in lieu thereof the following:

"colleges to erect on the campus of such college, or upon lands acquired by it through donation, or upon lands acquired by purchase through use of funds donated for that purpose, dormitories, dining rooms and housing or student activity buildings; to provide for the payment of such building in excess of donations by issuing and selling revenue bonds and securing the payment thereof by"

Referred to E and R for review.

LEGISLATIVE BILL 90.

Referred to E and R for review.

LEGISLATIVE BILL 66.

Mr. Seaton and Mr. Schultz offered the following amendment, which was adopted.

1. Amend the bill, by striking all of section 1 and amendments thereto, and substituting the following in lieu thereof:

"Section 1. The State Fire Marshal, his deputies or assistants, may, when requested by the owner of the property, make inspections of new electrical installations in rural areas on farmsteads. A new installation shall mean the first wiring of the buildings on the farmstead to receive electrical current. The fee for such service shall not exceed two dollars and fifty cents, and in addition thereto mileage at the rate of four cents per mile for the distance actually travelled to and from the installation to be inspected but the total charge for mileage shall not exceed the sum of four dollars. Inspections of new electrical installations, other than those made by the State Fire Marshal, his deputies or assistants, may be made by the electric utility furnishing electric current for such installations, or by other qualified persons, at the expense of the owner, where such inspection will satisfy the electric utility furnishing electric current for such installations. Inspection of extensions of new installations shall be made in such manner as may be specified by the electric utility furnishing electric current therefor."

2. Amend the bill by striking all of section 2, and all amendments thereto.

3. Amend section 3 of the bill by renumbering same as section 2.

4. Amend section 3 of the bill, renumbered section 2, by striking the following appearing in lines 1 to 4, inclusive:

"The State Fire Marshal is empowered to prescribe and charge a uniform schedule of such fees for performing the services of inspection as will cover the cost thereof, including the administration of this act."

5. Amend section 4 of the bill by striking the same, and inserting a new section to be numbered 3, in lieu thereof:

"Sec. 3. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than twenty-five dollars."

6. Amend the title to the bill by striking the same, and all amendments, and substituting the following in lieu thereof:

"A BILL

FOR AN ACT relating to fire protection; to provide for inspection of new rural electrical installations by the State Fire Marshal, his deputies or assistants, when requested by the owner of the property; to establish fees and mileage to be charged in making such inspections; to provide for distribution of fees now held by the State Fire Marshal for previous inspections and also received from future inspections; to provide for inspections of new installations of electrical equipment in rural areas by persons other than the State Fire Marshal, his deputies or assistants; to provide for inspection of extensions of new installations in such areas; and to provide a penalty."

Mr. Schultz requested that L. B. 66 be laid over for Special Order on Friday, February 16, for examination of the amendments.

No objection was made and so ordered.

LEGISLATIVE BILL 88.

Mr. Raecke offered the following amendment, upon which no action was taken, in order that members may examine the amendment made.

1. Amend section 1 of the bill, line 16, by striking the punctuation after the word "payment" and inserting the following:

"; *Provided,* no bonds shall be issued until the question of issuing such bonds shall have been submitted to the electors of such city or village at a special election called for that purpose or at a general city election, notice of which shall be given by publication in a legal newspaper published or of general circulation in such city or village three consecutive weeks, and a majority of the qualified electors of the city or village equal in number to a majority of the electors of the city or village who voted at the last preceding general state election voting upon the proposition shall have voted in favor of issuing such bonds."

2. Amend section 2 of the bill, line 10, by inserting after the word "notice" the words "of the election".

3. Amend section 2 of the bill, line 21, by striking the punctuation at the end of the line and inserting a period in lieu thereof.

4. Amend section 2 of the bill by striking all of lines 22 to 35.

5. Amend section 3 of the bill by striking all of lines 1 to 14.

6. Amend section 4 of the bill by renumbering section 4 as section 3.

At Mr. Sorrell's request, L. B. 88 was laid over as Special Order of the Day for Friday, February 16.

LEGISLATIVE BILL 312.

Referred to E and R for review.

GENERAL FILE

LEGISLATIVE BILL 129. Read and considered.

Mr. Doyle made a motion to refer to E and R for review.

Mr. Garber made a motion to indefinitely postpone 129.

A record vote was requested.

Voting in the affirmative, 28:

Anderson, J.	Carmody	Hubka	Mueller
Anderson, L.	Conklin	Jeffords	Peterson

Babcock	Crossland	Kain	Raasch
Brodahl	Foster	Klaver	Raecke
Burney	Garber	Lee	Reavis
Burnham	Hanna	Lusienski	Schultz
Carlberg	Hern	Mekota	Weborg

Voting in the negative, 10:

Adams	Heiliger	Ryan	Sorrell
Cronin	Hoyt	Seaton	Tvrdik
Doyle	Pizer		

Not voting, 5:

Cullingham	Norman	Ogden	Wood
Dooley			

Mr. Garber's motion prevailed.

Member Excused

Mr. Cronin was excused Thursday and Friday, February 15 and 16.

Adjournment

At 12:03 p. m., Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 15, 1945

Pursuant to adjournment, the Legislature met at 9:03 a. m., President Johnson presiding.

Prayer was offered by Reverend O. W. Matzke, Evangelical Pastor at Milford, Nebraska, introduced by the Chaplain.

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

The Journal for the thirty-second day was approved as corrected.

Communications

A petition addressed to Mr. Pizer, bearing nine signatures of residents of North Platte, Nebraska, favoring Legislative Bills 249 and 250.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 168	Monday, February 26, 1945	2:00 p. m.
L. B. 186	Monday, February 26, 1945	2:00 p. m.
L. B. 240	Monday, February 26, 1945	2:00 p. m.
L. B. 213	Monday, February 26, 1945	2:00 p. m.

Public Health and Miscellaneous Subjects

Continued Hearings

L. B. 180	Wednesday, February 21, 1945	2:00 p. m.
L. B. 42	Wednesday, February 28, 1945	2:00 p. m.

Public Works

L. B. 208	Wednesday, February 21, 1945	2:00 p. m.
L. B. 209	Wednesday, February 21, 1945	2:00 p. m.
L. B. 221	Wednesday, February 21, 1945	2:00 p. m.
L. B. 282	Wednesday, February 21, 1945	2:00 p. m.
L. B. 333	Wednesday, February 21, 1945	2:00 p. m.
L. B. 205	Friday, February 23, 1945	2:00 p. m.
L. B. 277	Friday, February 23, 1945	2:00 p. m.
L. B. 291	Friday, February 23, 1945	2:00 p. m.
L. B. 292	Friday, February 23, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 176. Placed on General File.
LEGISLATIVE BILL 223. Placed on General File.
LEGISLATIVE BILL 185. Placed on General File.
LEGISLATIVE BILL 93. Placed on General File, as amended.

Standing Committee amendment to L. B. 93:

1. Amend by striking out in line 9, section 1 after the word "legislation" the words "or other" and in line 10 the words "public policy".

(Signed) Sidney J. Cullingham, Chairman

Enrollment and Review

LEGISLATIVE BILL 73. Placed on Select File as amended.

E and R amendments to L. B. 73:

1. In the bill, section 1, line 107, strike the period after "48-185" and in lieu thereof insert: ", *inclusive.*".

2. In the bill, title, strike the word "benefits" and in lieu thereof insert the word "compensation" in the 4th and 6th lines; 7th line, after the word "week" insert: "for life"; 8th line, strike ", for life", and in said line strike: "death benefits" and in lieu thereof insert: "compensation for injuries resulting in death"; strike "to provide salary" in the 9th line, all of the 10th, 11th and 12th lines, and "the Governor, determine;" in the 13th line.

LEGISLATIVE BILL 97. Placed on Select File as amended.

E and R amendments to L. B. 97:

1. In General File amendment by Mr. Anderson, (inserted matter), 1st line, strike the word "Section" and in lieu thereof insert "Sec." and in said line, strike the word "the" before "act" and in lieu thereof insert the word "this"; insert a comma in the 2nd line after "effect" and in the 3rd line, after "approval"; strike the quotation mark before "Since" in 1st line.

2. In the bill, title, 3rd line, strike the period and in lieu thereof insert: "; and to declare an emergency.".

LEGISLATIVE BILL 111. Placed on Select File as amended.

E and R amendments to L. B. 111:

1. In Standing Committee amendment 1, underscore the word "or" and in amendment 2, before the period, insert: "and show the same as stricken matter".

2. In Specific Amendment by Mr. Tvrdik (inserted matter) 1st line, strike "Provided" and in lieu thereof insert: "*; Provided,*"; 2nd line, strike "breeder's" and in lieu thereof insert: "*-farm*"; 7th line, strike: ". And" and in lieu thereof insert: "*; and*"; 8th line, insert a comma before the word "that"; strike all of the 9th line beginning with the word "game" and strike all of the remainder of said amendment, and in lieu thereof, insert:

"such birds but such dogs shall be kept under control by handlers using only blank ammunition; and provided still further, that no game, their nests or young, other than that purchased from holders of game-farm permits, shall be injured or destroyed during such trials or training. No game birds shall be molested or pursued from April 1st to August 1st".

3. In the bill, section 1, line 16, strike the colon and in lieu thereof insert: "~~,~~ : ".

4. In the bill, section 2, strike all of line 3 after the word "for" and all of lines 4, 5, and 6, and in line 7, up to the word "A" and in lieu thereof, insert:

"*a* game ~~farms~~ *farm, or a* fur ~~farms~~ *farm, or to be a game farmer or a fur farmer,* private fish hatcheries or game fanciers may be issued to citizens of this state under the regulations herein provided~~,~~ and such further regulations as the Game, Forestation and Parks Commission may adopt by authority of law. *Such a permit shall be known as a "game-farm" permit but any reference in this*

act to a permit for any of such purposes refers to the above permit, which shall cover and include all of such purposes.";

line 13, strike: "fifty or less and" and in lieu thereof insert: "*fifty or less and*" and in said line, after the word "ten" insert: "*but not more than fifty*".

5. In the bill, section 4, line 9, strike: "or fish breeder's" and in lieu thereof insert: "*-farm* or fish-*culture* breeder's"; line 11, after the word "in" insert: "*this act or*"; strike the word "beavers" and in lieu thereof insert: "*beavers beaver*" in lines 13, 20, 24, 26 and 29; strike "beavers," and in lieu thereof insert: "*beavers, beaver*" in lines 18 and 23; line 17, strike: "such lands" and in lieu thereof insert: "*such the lands land, where such trees or property are being so destroyed or damaged,*"; line 22, strike: "*provided,*" and in lieu thereof insert: "*, provided,*"; line 23, before the word "authorized" insert the word "*so*"; line 31, strike: "Any pelts of beavers" and in lieu thereof insert: "*Any All* pelts of beavers *beaver*"; line 32, strike the comma after the word "stamped" and in lieu thereof insert "*,*" ; line 34, strike: "," before" and in lieu thereof insert: "*,*" , before *the*".

6. In the bill, section 5, line 11, before the word "Every" insert "*(1)*"; line 13, insert a comma after the word "*season*"; line 16, before the word "every" insert "*(2)*"; line 17, before the word "every" insert "*(3)*"; line 18, insert a comma after the word "commission".

7. In the bill, section 6, line 7, insert a comma after the word "act"; line 25, strike: "37-305" and in lieu thereof insert: "*37-305 37-304, as amended by this act*".

8. In the bill, section 7, line 4, before the word "to" insert "*(1)*"; line 7, strike: "or to allow the same to run loose" and in lieu thereof insert: "*or to allow the same to run loose*"; line 8, strike: "in which" and in lieu thereof insert: "*in which where*"; line 9, strike the comma after the word "found" and in lieu thereof insert "*,*", and strike the comma after the word "birds" and in lieu thereof insert: "*, or (2) to allow such a dog or dogs to run loose in such fields or upon such lands*".

9. In the bill, section 8, lines 9 and 10, strike: "by the terms of this act" and in lieu thereof insert: "*by the terms of this act*"; line 12, strike: ", and upon", and in lieu thereof insert: "*, and , upon the*"; line 13, strike the word "of" after the word "person" and in lieu thereof insert "*of for*"; line 20, strike: "such person" and in lieu thereof insert: "*such any* person *or persons*".

10. In the bill, section 10, line 1, strike "these acts" and in lieu thereof insert "this act"; line 2, strike the word "their" and in lieu thereof insert the word "its".

11. In the bill, title, 5th line, strike the word "and" and in lieu thereof insert "required and the"; 8th line, strike: "now definitely fixed by law", and in lieu thereof insert: "prescribed herein"; 9th line, insert a comma after the word "kept"; strike all of the 10th line and all of the remainder of the title and in lieu thereof insert:

"to the purchase and sale of raw furs, and the availability and use thereof; to make it unlawful to have such raw furs in possession unless shown in such record; to provide for the establishing of a storage season for certain fish and game in the prescribed storage places after the close of the open season thereon; to make holding the same in such storage places after such storage season unlawful; to require shipments of raw furs to be accompanied by a tag furnished by the Game, Forestation and Parks Commission, containing the prescribed information, and to require a duplicate thereof to be furnished to the secretary of such commission; to make unlawful the training or running of hunting dogs between April 1 and August 1 of each year except as prescribed; to permit game birds, obtained from the holder of a game-farm permit, to be pursued and taken by dogs in sporting-dog trials, as prescribed; to permit sporting dogs to run or be trained under the prescribed conditions, limitations and prohibitions; to provide for the forfeiting and delivery of all guns and lawful nets while being used illegally to the Game, Forestation and Parks Commission, under the prescribed conditions; to prescribe certain penalties; to define certain terms; to repeal the original sections; and to declare an emergency."

LEGISLATIVE BILL 196. Placed on Select File as amended.

E and R amendments to L. B. 196:

1. In the bill, section 1, line 4, strike the word "over" and in lieu thereof insert: "over *more*".

2. In the bill, title, 4th line, after the word "the" insert the word "monthly".

LEGISLATIVE BILL 95. Placed on Select File as amended.

E and R amendments to L. B. 95:

1. In Standing Committee amendment 1, 2nd line, before the word "sturgeon" insert the word "*or*"; in amendment 2, strike the word

"waters" and in lieu thereof insert: "~~stream~~ *waters*"; in amendment 4, strike the word "Section" and in lieu thereof insert "Sec."; in amendment 5, insert a period after the word "emergency".

2. In General File amendment by Mr. Reavis and Mr. Tvrdik, 2nd line, strike: "insert a period in line 21 and striking"; strike the period after the figure "24" in the 5th line, and in lieu thereof insert:

"and insert, in lieu thereof, the following: "~~, provided, further,~~ that catfish shall not be taken with nets or seines from March 16 to May 1 of each year." ".

3. In the bill, section 1, line 40, reinsert the stricken period after the word "~~fee~~"; insert a comma in line 40 after the word "permittee" and in line 41 after the word "each"; line 41, after the word "expense" insert the word "*of*"; line 42, strike the comma after "issuance" and in lieu thereof insert ",".

4. In the bill, section 2, line 3, strike the comma after the word "barter" and in lieu thereof insert ","; line 4, strike the word "or" after the word "bird" and in lieu thereof insert: "or ,"; line 17, strike "37-206" and in lieu thereof insert: "*37-206 37-502 as amended by this act*"; line 19, strike the comma after the word "length" and in lieu thereof insert: ", ; "; line 27, before the word "*fifteen*" insert: "*at least*" and before the word "*section*" insert the word "*said*".

5. In the bill, title, 9th line, strike: "; and" and in lieu thereof insert:

"to make it unlawful to take, catch, kill, destroy or attempt to take or catch gar, carp, buffalo, quill back and sturgeon under the prescribed conditions; to eliminate the provision that catfish shall not be taken with nets or seines from the Missouri river from March 16 to May 1 of each year;"

and strike the period in the 10th line, after "sections" and insert a semicolon.

6. In the bill, section 2, lines 10 and 11, and line 15, strike: "or fish breeder", and in lieu thereof insert: "*farm* or *a person having a* fish ~~breeder~~ *culture permit*"; line 28, strike the word "moneys" and in lieu thereof insert: "~~moneys~~ *money*".

LEGISLATIVE BILL 57. Correctly engrossed.
LEGISLATIVE BILL 116. Correctly engrossed.
LEGISLATIVE BILL 160. Correctly engrossed.

LEGISLATIVE BILL 164. Correctly engrossed.
LEGISLATIVE BILL 166. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 56.

A bill for an act to amend section 83-101, Revised Statutes of Nebraska, 1943, relating to the Board of Control; to provide that each member of the board shall be chairman thereof during the last two years of his regular term unless the board unanimously agrees otherwise; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Conklin	Jeffords	Pizer
Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Foster	Lusienski	Ryan
Brodahl	Hanna	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Weborg
Carmody	Hubka		

Voting in the negative, 0.

Not voting, 9:

Cronin	Garber	Norman	Schultz
Cullingham	Lee	Reavis	Wood
Doyle			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 124. With emergency.

A bill for an act to amend section 76-413, Revised Statutes of Nebraska, 1943, relating to escheats; to permit aliens and foreign cor-

porations to acquire title to or lease as much real estate as shall be necessary for the purpose of erecting and maintaining manufacturing establishments or establishments primarily operated for the storage, sale and distribution of petroleum products; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams	Carmody	Hubka	Pizer
Anderson, J.	Conklin	Jeffords	Raasch
Anderson, L.	Crossland	Kain	Ryan
Babcock	Dooley	Klaver	Seaton
Brodahl	Doyle	Lusienski	Sorrell
Burney	Foster	Mekota	Tvrdik
Burnham	Heiliger	Mueller	Weborg
Carlberg	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 11:

Cronin	Hanna	Norman	Reavis
Cullingham	Hern	Ogden	Schultz
Garber	Lee	Raecke	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Record Vote

Mr. President: Had I been present at the time L. B. 56 and 124 were voted on, I would have voted "yes". (Signed) Edwin Schultz

LEGISLATIVE BILL 87.

A bill for an act to amend section 18-1101, Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that any city or village which has unpaid outstanding pledge warrants, revenue bonds or revenue debentures, some of which are secured by a pledge of the revenue and earnings of one public utility and others secured

by a pledge of the revenue and earnings of another public utility of such city or village, may refund such pledge warrants, revenue bonds or revenue debentures by issuing combined revenue bonds secured by a pledge of the revenue and earnings of any two or more of said public utilities; to authorize said city or village to contract in regard thereto; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Klaver	Ryan
Babcock	Doyle	Lusienski	Schultz
Brodahl	Foster	Mekota	Seaton
Burnham	Garber	Mueller	Sorrell
Carlberg	Hanna	Norman	Tvrdik
Carmody	Heiliger	Ogden	Weborg
Conklin	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Burney	Hern	Lee	Reavis
Cronin	Kain	Peterson	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 98. With emergency.

A bill for an act relating to game and fish; to provide that all members of the armed forces of the United States who were residents of the State of Nebraska at the time they were inducted into such service shall be exempt from the payment of fees provided by the laws of the State of Nebraska for the privilege of hunting and fishing in Nebraska until the cessation of hostilities in the war in which the United States is now engaged; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Foster	Lee	Reavis
Babcock	Garber	Lusienski	Schultz
Brodahl	Hanna	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Carlberg	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Crossland	Jeffords	Pizer	

Voting in the negative, 0.

Not voting, 4:

Burnham	Cronin	Doyle	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Confirm Action of Committee

Mr. President: I move that this Legislative Body confirm the action of your standing Committee on Labor and Public Welfare that was taken in executive session on L. B. 100 on January 29, 1945, to wit: "Moved by Sen. C. P. Peterson and seconded by Sen. Wm. Hern that L. B. 100 be indefinitely postponed", which was carried by a 7 to 0 vote, 2 members of said committee not voting. (Signed) Ed F. Lusienski

Mr. Peterson made a motion to table Mr. Lusienski's motion, which prevailed.

GENERAL FILE

Special Order of the Day

Speaker Peterson Presiding

LEGISLATIVE BILL 115. Amendments considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-seventh Day were adopted.

Mr. Hanna offered the following amendment:

1. Amend section 1 of the bill by striking all of lines 3 to 59 and inserting the following in lieu thereof:

That section 80-401, Revised Statutes of Nebraska, 1943, be amended to read as follows:

"80-401. The Board of Educational Lands and Funds is directed to purchase bonds or notes issued by the government of the United States, or the State of Nebraska, or any county, school district or municipality therein, to the aggregate amount of not more than two million dollars, as shall be found necessary to carry out the provisions of sections 80-401 to 80-405, and to place them in the custody and control of the State Treasurer of the State of Nebraska under the same conditions as other state moneys, subject, however, to disposition as provided in section 80-403. The Board of Educational Lands and Funds is constituted a board of trustees for the purpose of managing and disposing of such fund. The board shall administer the fund as required by the provisions of section 80-403, and the State Treasurer shall reinvest the fund from time to time as designated by the board, and in the manner provided by law for investment of other state moneys and funds. The interest accumulations of the fund so held in trust *and all moneys raised by taxation under section 4 of this act,* or so much thereof as shall be found necessary to carry out the purposes stated in section 80-403, shall be *placed in a separate fund by the State Treasurer to be known as the Nebraska Veterans' Aid Fund and shall be disbursed, as hereinafter provided, and* paid to the treasurer of some organization admitting to its membership all ~~soldiers, sailors, marines, and nurses, who entered any branch of the service of the United States or her allies in~~ *honorably discharged, or its equivalent, resident veterans of both* World War I ~~,~~ and *World War II, including citizens of the United States who served with allied forces.* ~~who have been honorably discharged therefrom, and are residents of this state.~~ This organization, when approved by the Board of Educational Lands and Funds, shall disburse the same, provided not more

than one such organization shall be approved by said board, and provided it shall be so completed by April 23, 1922. The payments of interest shall be made at such definite and stated periods as shall be necessary to meet the convenience of such organization and the board of trustees, but each payment shall be made on the order of the treasurer of such organization, duly approved by at least two executive officers thereof, or of a special committee of such organization thereunto specially authorized. No part of the interest accumulation of said fund shall be expended for the purpose of organizing and maintaining such organization or association as approved; *Provided,* with the approval of said Board of Educational Lands and Funds, there shall be expended for the employment of necessary clerical employees and for the employment and expenses of a competent person or persons to prepare and present meritorious cases of ex-service men for relief before the United States Veterans' Bureau *Administration* or the United States Bureau of Pensions at such reasonable compensation as may in each particular case be fixed by the board, such sum or sums as may be specifically appropriated by the Legislature for that purpose, and no part of such sum or sums is to be paid out of the two million dollar trust fund or the income therefrom. *Upon the completion of said trust the principal fund so held by the State Treasurer shall revert to the treasury of the state."*

2. Amend section 5 of the bill by striking all of lines 1 to 8 and inserting the following in lieu thereof:

Sec. 4. *To augment and supplement the funds available to assist in the care and relief of veterans and to carry out the provisions of this act, the State Board of Equalization and Assessment shall, during the years 1945 and 1946, make a levy of one-twentieth of a mill, and thereafter annually a levy of one-tenth of a mill, upon the dollar actual valuation of all taxable property in this state, except intangible property, such levy to be known as the Nebraska Veterans' Aid Fund Levy. The taxes collected from such levy shall be placed by the State Treasurer in the Nebraska Veterans' Aid Fund."*

3. Amend the title of the act, lines 4 and 5, by striking the following:

"of eight million dollars".

4. Amend the title of the act, lines 31 to 33, by striking the following:

"for the years 1945 to 1950, inclusive, so as to raise one million dollars in each year so as to establish a fund of eight million dollars".

A record vote was requested and Mr. Hanna's amendment lost with 9 ayes, 24 nays and 10 not voting.

Voting in the affirmative, 9:

Anderson, L.	Burnham	Garber	Hern
Babcock	Doyle	Hanna	Jeffords
Burney			

Voting in the negative, 24:

Brodahl	Dooley	Norman	Schultz
Carlberg	Hoyt	Pizer	Seaton
Carmody	Kain	Raasch	Sorrell
Conklin	Klaver	Raecke	Tvrdik
Crossland	Lee	Reavis	Weborg
Cullingham	Lusienski	Ryan	Wood

Not voting, 10:

Adams	Foster	Mekota	Ogden
Anderson, J.	Heiliger	Mueller	Peterson
Cronin	Hubka		

Mr. Sorrell asked to be excused for the remainder of the morning.

Mr. Lester Anderson offered the following amendment which was discussed but no action taken:

1. Amend section 1 of the bill, lines 23 to 36, by striking the word "some organization" in line 23 and all of lines 24 to 36, and inserting in lieu thereof the following:

"~~some organization admitting~~ a committee, *six members of which shall be appointed from members of veteran organizations char-*

tered by the Congress of the United States since January 1, 1918, and functioning in the State of Nebraska, which admits to its membership all *any of the following:* soldiers, sailors, marines and *or* nurses, who entered any branch of the service of the United States or her allies in *either* World War I *or World War II,* and who have been honorably discharged therefrom, and are residents of this state. ~~this organization, when approved by the Board of Educational Lands and Funds,~~ *The committee shall consist of seven members, residents of the state and veterans of either World War I or World War II, who shall be appointed by the Governor. When the committee is first established each organization as above set forth shall recommend to the Governor a list of five members from its organization and from the names submitted, he shall appoint two members for a term of one year, two for two years, and two for three years. He shall not appoint more than two members from any such organization. The seventh member shall be selected by the Governor for a term of three years from the veterans of the state who have served in either World War I or World War II. Thereafter as their terms expire, all members shall be appointed for a term of three years. Each year before the terms of office of the members of the committee representing the aforesaid organizations expire, each organization as above set forth shall recommend to the Governor the names of three members from its organization for such appointment; from said lists he shall appoint two members, each to represent separate organizations. The seventh member shall be appointed each time as in the first instance. The committee shall designate one of its members to be the chairman, one the secretary and one the treasurer of such committee. The committee* shall disburse the ~~same, provided not more than one such organization shall be approved by said board, and provided it shall be so completed by April 23, 1922~~ *said fund.*"

2. Amend section 1 of the bill, line 39, by striking the word "organization" and inserting in lieu thereof the word "*committee*".

3. Amend section 1 of the bill, line 41, by striking the word "organization" and inserting in lieu thereof, the word "*committee*".

4. Amend section 1 of the bill, lines 42 and 43, by striking the following:

~~", or of a special committee of such organization thereunto especially authorized,"~~

and inserting a period in lieu thereof.

5. Amend section 1 of the bill, line 45, by striking the words "organization or association" and inserting in lieu thereof the word "*committee*".

6. Amend section 2 of the bill, line 2, by striking the word "organization" and inserting in lieu thereof the word "*committee*".

7. Amend section 2 of the bill, lines 7 to 9, by striking all of lines 7 and 8 and in line 9 the following:

~~"in section 80-401"~~

and inserting in lieu thereof:

~~"soldiers, sailors, marines or nurses who are eligible to membership in such association or organization as stated in section 80-401~~ *veterans of World War I or World War II residents of the state, or who are now serving in the armed forces of the United States or her allies in World War II*".

8. Amend section 2 of the bill, line 10, by striking the word "*eighteen*" and reinstating the word "sixteen".

9. Amend section 2 of the bill, lines 12 to 13 by striking the following:

~~"organization~~ *through a committee to be known as "Nebraska Veterans' Aid Committee", whose appointment, tenure of office and duties shall be established*"

and inserting in lieu thereof the word "*committee*".

10. Amend section 2 of the bill, lines 16 to 18, by striking the following:

"Such committee shall consist of five members, at least two of whom shall be World War II veterans."

11. Amend section 2 of the bill, line 21, by striking the word "organization" and inserting the word "*committee*".

12. Amend section 2 of the bill, lines 3 and 4, by striking the following:

~~"organization approved by the Board of Educational Lands and Funds as herein authorized"~~

and inserting in lieu thereof:

"committee appointed"

13. Amend section 3 of the bill, lines 7 and 8, by striking the following words "this act and all" and inserting in lieu thereof the following:

"sections 80-401 to 80-405. All"

14. Amend section 3 of the bill, line 11, by reinstating the following:

"soldiers, sailors, marines or nurses"
and striking the word *"veterans"*

15. Amend section 3 of the bill, line 12, by striking the words "this act" and inserting in lieu thereof:

"section 80-403"

16. Amend section 4 of the bill by striking the following:

", to be known as the Nebraska Veterans' Aid Fund Levy,"

17. Amend the title of the act, lines 5 to 14, by striking the word "resident" in line 5, all of lines 6 to 13, and the following in line 14:

"dren under eighteen years of age;"

and insert in lieu thereof the following:

"veterans of World War I and World War II, or persons who are now serving in the Armed forces of the United States or her allies in World War II, or to their wives, widows, or dependent children under sixteen years of age who are residents of Nebraska; to provide for a committee, and the appointment thereof, to administer the income from such fund; to provide for organization of the committee, its duties and powers;"

18. Amend the title of the act, lines 15 to 25, by striking the words to provide "for the establishment of" in line 15, all of lines 16 to 24, and the following in line 25:

"tional Lands and Funds;"

Adjournment

At 12:00, noon, Mr. Doyle moved to adjourn. The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 16, 1945

Pursuant to adjournment, the Legislature met at 9:04 a. m., President Johnson presiding.

The Chaplain introduced two guests, Reverend Benjamin Hillier, of Monroe, who presented a poem, and Reverend J. H. Oehlerking of Murdock who offered prayer.

The roll was called and all members were present except Messrs. Burnham, Cronin and Reavis, who were excused.

The Journal for the thirty-third day was approved as corrected.

Communications

A letter from the York Ministerial Alliance favoring the Teachers' Pension Bill.

A letter from Mrs. Grace Votaw of Lincoln County favoring the choice of the Cedar as the State tree.

MOTION—To Suspend Rules for Bill Introduction

Mr. President: I move that the rules be suspended to allow the introduction of a new bill. (Signed) Don Hanna

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

MOTION—To Suspend the Rules for Bill Introduction

Mr. President: I move to suspend the rules and introduce a Bill to correct an error in transcribing the '29 statutes to the '43 statutes

allowing chiropractors to sign death certificates. (Signed) Carl P. Jeffords.

The motion lost with 24 ayes, 0 nays and 19 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 137. Correctly enrolled.
LEGISLATIVE BILL 152. Correctly enrolled.
LEGISLATIVE BILL 110. Correctly enrolled.
LEGISLATIVE BILL 84. Correctly enrolled.
LEGISLATIVE BILL 52. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Agriculture

LEGISLATIVE BILL 132. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 137	L. B. 110	L. B. 52
L. B. 152	L. B. 84	

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 354. By Don Hanna of Cherry.

A bill for an act to amend sections 54-147 and 54-152, Revised Statutes of Nebraska, 1943, relating to livestock; to provide that the Nebraska brand committee may charge and collect a fee of not to exceed ten cents per head on all cattle inspected by it; to provide that all cattle sold at any livestock sales ring within any brand area shall be required to be first inspected for brands by the Nebraska brand committee; and to repeal the original sections.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval February 15, 1945, 4:15 p. m.

L. B. 38

(Signed) Roy B. Carlberg, Chairman

Government

LEGISLATIVE BILL 134. Placed on General File.
LEGISLATIVE BILL 151. Indefinitely postponed.
LEGISLATIVE BILL 94. Indefinitely postponed.
LEGISLATIVE BILL 200. Placed on General File.
LEGISLATIVE BILL 119. Placed on General File.
LEGISLATIVE BILL 184. Placed on General File as amended.

Standing Committee amendments to L. B. 184:

1. Amend section 1 of the bill by striking all of lines 61 to 80 and inserting in lieu thereof the following: "District No. 8.

Includes the following territory in the county of Douglas and the city of Omaha: north from Woolworth Avenue to Pacific Street, between 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Streets; north from Spring to Pacific, between 52nd and 60th Streets; north from ~~F~~ *Grover* to Pacific, between ~~46th Avenue~~ *50th* and 52nd ~~Street~~ *Streets;* north from ~~F to Pacific, between 42nd Street to 46th Avenue~~ *C to Grover, between 48th and 50th Streets; north from Spring to Pacific, between 46th Avenue and 50th Street; north from Spring to Leavenworth, between 45th Street and 46th Avenue; north from Grover to Leavenworth, between 42nd and 45th Streets; north from F to C, between 42nd and 45th Streets;* north from F to Center, between 42nd Street and the Burlington R. R.; north from Center to Leavenworth, between 30th and 42nd Street; north from Poppleton Avenue to Pacific Street, between 28th and 30th Streets; north from Woolworth to Poppleton, between 29th and 30th Streets; north from Hickory to Woolworth, between Park Avenue and 30th Street; north from Center to Hickory, between 25th Avenue and 30th Street; north from H to F, between 42nd Street and the Burlington R. R.; north from H to G, between 24th and 27th Streets; north from Madison to H, between 42nd and 24th and its extension to the R. R.; north from Harrison to Madison, between 45th Street and the Burlington R. R."

2. Amend the title to the bill, line 4, by striking the word "change" and inserting in lieu thereof the following: "correct errors in the description of"

3. Amend the title of the act, line 5, by striking the following: "and 9" and inserting in lieu thereof, the following: ", 9 and 10"

LEGISLATIVE BILL 143. Placed on General File as amended.

Standing Committee amendments to L. B. 143:

1. Amend section 2 of the bill, lines 2 to 5, inclusive, by striking the same and inserting in lieu thereof:

"by a council composed of three members. Members of the council shall be legal"

2. Amend section 5 of the bill, line 4, by inserting after the punctuation following the word "act" the following:

"The director shall be a person who has had training and experience in a field related to merit system administration, and who has known sympathies with the merit principle in government service. The director shall be selected by open competitive examination held by the council."

3. Amend section 6 of the bill, lines 9 to 13, by striking from line 9 the following:

"(13) Game,"

and by striking all of lines 10 to 13, and inserting in lieu thereof:

"(13) Nebraska Liquor Control Commission; (14) Board of Pardons and Paroles; (15) Nebraska Public Library Commission; (16) Workmen's Compensation Court; (18) Nebraska Merit"

4. Amend section 6 of the bill, line 15, by inserting after the punctuation the following:

"The provisions of this act shall not apply to any agency, or division thereof, receiving funds from the government of the United States under laws or regulations of the United States which require maintenance of a merit system or personnel plan by such agency or division as a condition for receiving funds from the

government of the United States, except that the Nebraska Merit System Council shall administer any merit system or personnel plan established by such agency or division."

5. Amend section 7 of the bill, line 5, by inserting after the punctuation following the word "agencies" the following:

"When complete, the classification plan shall include for each class of position an appropriate title, a description of the duties and responsibilities, and the minimum requirements of training, experience and other qualifications."

6. Amend section 9 of the bill, lines 3 and 4, by striking the following:

", except for one temporary appointment of not to exceed six months in duration."

7. Amend section 14 of the bill, by striking after the section number all of line 1, and all of lines 2 to 8, inclusive.

8. Amend section 14 of the bill, line 9, by striking the word *"the"* and inserting in lieu thereof *"The"*.

9. Amend section 14 of the bill, by striking all of lines 14 to 29, inclusive.

10. Amend section 15 of the bill, line 3, by striking the same and inserting in lieu thereof:

"and conduct for positions in such agency examinations which may"

11. Amend section 16 of the bill, lines 5 to 6, by striking all of the same after the punctuation following the word *"proper"*

12. Amend section 17 of the bill, line 6, by striking the word *"proportionate"*.

13. Amend section 17 of the bill, line 10, by striking the word *"proportionate"*.

14. Strike all of sections 21, 25, 26 and 29, and renumber sections 22, 23, 24, 27, 28, 30, 31, 32 and 33 as sections 21, 22, 23, 24, 25, 26, 27, 28 and 29, respectively.

15. Amend original section 33, renumbered section 29, line 1, by striking the figures and punctuation "48-609".

16. Amend original section 33, renumbered section 29, line 2, by striking the figures and punctuation "68-316, 79-2205," and also "81-809,".

17. Amend the title, line 7, by striking the figures and punctuation "48-609," and also "68-316, 79-2205,".

18. Amend the title, line 8, by striking the figures and punctuation "81-809,".

(Signed) Frank Sorrell, Chairman

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 351 Friday, February 23, 1945, 2:00 p. m.

Appropriations

L. B. 353 Thursday, February 22, 1945, 2:00 p. m.
L. B. 352 Thursday, February 22, 1945, 2:15 p. m.

SELECT FILE

LEGISLATIVE BILL 40. E and R amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 54. E and R amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 67. Laid over and retains place.

Mr. Hoyt asked unanimous consent to adopt the following amendments, and the bill was laid over pending mimeographing of the amendments.

1. Strike all of section 1 and substitute the following in lieu thereof:

"Section 1. That section 66-522, Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-522. No vehicle, for which a permit has been issued under the provisions of sections 66-516 to 66-518, *inclusive,* shall be operated on the highways of this state unless it be manned by a driver, *until March 1, 1947,* more than sixteen years of age and less than sixty-five years of age, *and after March 1, 1947, more than twenty-one years of age and less than* sixty years of age, authorized and qualified to operate motor vehicles under the laws of this state as now or hereafter enacted. Such driver shall be considered to be on duty at all times while on or about the vehicle, and shall not be on duty, *until March 1, 1947,* more than fourteen hours in any twenty-four hour period*, and after March 1, 1947, twelve hours in any twenty-four hour period.* When not on duty such driver shall not be permitted to engage in any other gainful work or gainful occupation and, after being on duty a total of fourteen hours *until March 1, 1947, or twelve hours after March 1, 1947,* in any twenty-four hour period, the driver shall have not less than ten hours off duty for necessary rest before again going on duty. In case of a breakdown, the driver of the disabled vehicle shall be exempted from the provisions of this section for such period as may be reasonably necessary to move such disabled vehicle to the next point where repairs can be made."

2. Strike all of section 2 and substitute the following in lieu thereof:

"Sec. 2. That section 66-521, Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-521. No *After March 1, 1947, no* vehicle for which a permit has been issued under the provisions of sections 66-516 to 66-518, *inclusive,* shall be operated while loaded in part or in whole with motor vehicle fuel, kerosene, distillate or other petroleum products of a highly inflammable character on the highways of this state between the hours of six o'clock a. m. and midnight next following on the following days: Sundays, Independence Day and Labor Day; *Provided,*

that if such vehicle shall at ~~said~~ six o'clock a. m. on any of said days be not more than fifty miles from its final destination, it shall proceed immediately to such final destination, and such movement shall not be a violation of this section; *Provided,* in case of a breakdown on the highway, the movement of the disabled vehicle to the next point where repairs can be made shall not be a violation of this section."

3. Insert a new section, to be numbered 3, reading as follows:

"Sec. 3. That section 66-523, Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-523. ~~Any~~ *After March 1, 1947, any* person who shall by himself, or his employee, servant or agent, for himself or any person, company or corporation, receive or have delivered into any storage *tank or* tanks or any equipment of a dealer, any motor vehicle fuel, gasoline, kerosene, naphtha, fuel oil, benzol or distillate, between the hours of nine o'clock in the evening and five o'clock in the morning shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars and not more than five hundred dollars, or imprisoned in the county jail not exceeding six months; *Provided, however,* that in case of emergency the Department of Agriculture and Inspection may in its sound discretion, issue a permit to any person, firm, corporation or association to receive or have delivered into storage tanks or other equipment within ~~said~~ *such* hours and dates as the department shall specify, after receipt of an application from any person, firm, corporation or association, stating the nature of the emergency and the specific quantity and kinds of motor vehicle fuel involved; *Provided, however,* the terms of this section shall not apply to a delivery of motor vehicle fuels *made* by a licensed dealer ~~which may be made~~ to any person for his own use and benefit and not for purposes of resale."

4. Insert a new section, to be numbered 4, reading as follows:

"Sec. 4. That original sections 66-522, 66-521 and 66-523, Revised Statutes of Nebraska, 1943, are repealed."

5. Renumber present section 3 as section 5.

6. Amend the title by striking all of the same after the word "ACT" and insert in lieu thereof:

"to amend sections 66-522, 66-521 and 66-523, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to prescribe the age limits of drivers of vehicles transporting motor vehicle fuels and petroleum products after March 1, 1947; to prescribe the hours during which such vehicles may be operated on the highways of this state after March 1, 1947; to regulate the hours of unloading and delivery of motor vehicle fuels and petroleum products from such motor vehicles after March 1, 1947; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 109. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

At Mr. James Anderson's request the bill was laid over.

LEGISLATIVE BILL 123. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 126. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 138. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 156. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 165. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 182. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 73. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 111. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Laid over.

SPECIAL ORDER OF THE DAY

Speaker Peterson Presiding

LEGISLATIVE BILL 115.

Mr. Heiliger offered an amendment to Mr. L. Anderson's amendment. The chair ruled that it was not germane.

Mr. James Anderson offered an amendment to Mr. Lester Anderson's amendment, which was not adopted.

The vote was 14 ayes, 20 nays and 9 not voting.

A record vote was called for on Mr. Lester Anderson's amendment, found in the Legislative Journal for the Thirty-third Day.

Voting in the affirmative, 9:

Adams	Dooley	Heiliger	Klaver
Anderson, J.	Hanna	Hern	Raasch
Anderson, L.			

Voting in the negative, 23:

Babcock	Cullingham	Mekota	Seaton
Brodahl	Doyle	Norman	Sorrell
Burney	Hoyt	Pizer	Tvrdik
Carmody	Kain	Raecke	Weborg
Conklin	Lee	Ryan	Wood
Crossland	Lusienski	Schultz	

Not voting, 11:

Burnham	Foster	Jeffords	Peterson
Carlberg	Garber	Mueller	Reavis
Cronin	Hubka	Ogden	

Mr. Lester Anderson's amendment was lost with 9 ayes, 23 nays and 11 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 66.

Mr. Heiliger offered an amendment which was not adopted.

Mr. Seaton offered the following amendment to the amendment offered by Mr. Seaton and Mr. Schultz, found in the Legislative Journal for the Thirty-second Day, which was adopted.

Amend the amendment to L. B. 66, Sec. 1, after the words "expense of the owner," by striking the balance of section and inserting in lieu thereof "such inspection to comply with the code established by the State Fire Marshall. Inspection of extensions to original installations shall be at the option of the owner and electric utility furnishing current therefor."

Referred to E and R for review.

LEGISLATIVE BILL 122. New matter read.

Standing Committee amendments, found in the Legislative Journal for the Twenty-fourth Day were adopted.

Referred to E and R for review.

KVVO Transcription

Mr. Lee presented to the Legislature an offer from two legislators from Oklahoma and two from Kansas to come with Mr. Ken Miller, News Editor of radio station KVVO, to Lincoln on February 23 to visit the Legislature and make a study of its procedure. Mr. Miller offers to bring with him and rebroadcast for the Legislature a transcript of the panel discussion between legislators of Kansas and Oklahoma.

MOTION—To Accept Offer

Mr. President: I move that the legislators of Kansas and Oklahoma be invited before this body on February 23 and that a record of their panel discussion be broadcast. (Signed) John F. Doyle

The motion prevailed.

Adjournment

At 11:50 a. m., Mr. Mueller made a motion to adjourn until Monday, February 19, 1945.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 19, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs Burney, Cronin, Raecke and Reavis, who were excused.

The Journal for the thirty-fourth day was approved as corrected

Communications

A letter to the Clerk from five units of the Parent-Teachers Association of Norfolk, Nebraska, favoring Teachers' Retirement Bill.

A petition addressed to Mr. Hanna from thirty-two residents of Sheridan County opposing the State Sales Tax Bill.

A resolution addressed to Mr. Seaton from the Board of Supervisors of Adams County favoring additions and improvements to the State Hospital at Ingleside.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 246	Friday, March 2, 1945	2:00 p. m.
L. B. 284	Wednesday, March 7, 1945	2:00 p. m.
L. B. 285	Wednesday, March 7, 1945	2:00 p. m.
L. B. 249	Friday, March 9, 1945	2:00 p. m.
L. B. 250	Friday, March 9, 1945	2:00 p. m.
L. B. 199	Wednesday, March 14, 1945	2:00 p. m.

L. B. 215	Wednesday, March 14, 1945	2:00 p. m.
L. B. 225	Friday, March 16, 1945	2:00 p. m.
L. B. 236	Friday, March 16, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 112. Indefinitely postponed
LEGISLATIVE BILL 150. Indefinitely postponed.
LEGISLATIVE BILL 113. Placed on General File.

(Signed) Carl P. Jeffords, Chairman

Judiciary

LEGISLATIVE BILL 264. Placed on General File as amended.

Standing Committee amendments to L. B. 264:

1. Amend the bill, section 1, line 10, by striking the word "*two*" and inserting in lieu thereof the word "*five*".

2. Amend the bill, section 1, line 15, by striking the word "*two*" and inserting in lieu thereof the word "*five*" and by inserting after the word and punctuation "*years,*" the following: "*or within five years from the effective date of this act,*".

3. Amend the bill, section 1, line 16, by inserting after the word "*ment*" and before the word "*that*" the words "*signed by the creditor or his attorney*" and by inserting a period after the word "*satisfied*" in line 16 and striking the remainder of the section.

4. Amend the title, line 4, by striking the word "two" and inserting in lieu thereof the word "five".

LEGISLATIVE BILL 170. Indefinitely postponed.
LEGISLATIVE BILL 175. Placed on General File.
LEGISLATIVE BILL 325. Placed on General File as amended.

Standing Committee amendment to L. B. 325:

1. Amend the bill, section 1, line 25, by striking the word "*for*" after the word "*publication*".

LEGISLATIVE BILL 178. Indefinitely postponed.

LEGISLATIVE BILL 235. Placed on General File as amended.

Standing Committee amendment to L. B. 235:

1. Amend the bill, section 1, line 12, by inserting after the word "or" and before the word "*who*" the words "*any person*".

LEGISLATIVE BILL 226. Placed on General File.

(Signed) John E. Mekota, Chairman

Agriculture

LEGISLATIVE BILL 233. Placed on General File as amended.

Standing Committee amendments to L. B. 233:

1. Amend section 1 of the bill by striking all of lines 1 to 8.

2. Amend section 2 of the bill by striking the present number 2 and inserting in lieu thereof the figure "1".

3. Amend section 2 of the bill, lines 1 and 2, by striking the words "Bond Approval Board" and inserting in lieu thereof the words: "Board of Educational Lands and Funds".

4. Amend section 2 of the bill, line 16, by striking the words "Bond Approval Board" and inserting in lieu thereof, the words "Board of Educational Lands and Funds".

5. Amend section 3 of the bill by striking the present number 3 and inserting in lieu thereof the figure "2".

6. Amend section 3 of the bill, line 4, by striking the words "Bond Approval Board" and inserting in lieu thereof, the words "Board of Educational Lands and Funds".

7. Amend section 3 of the bill, line 7, by striking the words "Bond Approval Board" and inserting in lieu thereof the words "Board of Educational Lands and Funds".

8. Amend section 3 of the bill, line 11, by striking the words "Bond Approval Board" and inserting in lieu thereof, the words "Board of Educational Lands and Funds".

9. Amend the title of the act, lines 3 and 4, by striking the following: "to create the Bond Approval Board; to prescribe its powers and duties;" and inserting in lieu thereof: "to provide that the Board of Educational Lands and Funds shall in addition to its present duties, act as a bond approval board and to prescribe its powers and duties as such;"

10. Amend the title of the act, lines 6 and 7, by striking the words "Bond Approval Board" and inserting in lieu thereof, the words "Board of Educational Lands and Funds".

11. Amend the title of the act, line 10, by striking the words "Bond Approval Board" and inserting in lieu thereof, the words "Board of Educational Lands and Funds".

12. Amend the bill by adding after Section 3 the following:

"Section 4. The secretary of the Board shall, prior to each regular session of the Legislature, file with the clerk of the Legislature a complete list of the officers and employees who are bonded and the amount of each bond."

Amend the title to conform to the amendment last above.

LEGISLATIVE BILL 216. Placed on General File as amended.

Standing Committee amendments to L. B. 216:

1. Amend section 1 of the bill, line 5, by inserting after the word "state", the words *"at retail"*.

2. Amend section 1 of the bill, line 21, by striking the word "and".

3. Amend section 1 of the bill, line 22, by striking after the word "ingredient" the following: ". In" and inserting in lieu thereof: "; (10) in"

4. Amend section 1 of the bill, line 27, by inserting after the punctuation following the word "nutrition" the following:

"the name of each ingredient used in its manufacture, and in setting forth such name, the official names of all materials which have been so defined by the Association of American Feed Control officials shall be used in the declaration of the names of ingredients, the maximum percentage of calcium including the maximum percentage by weight of limestone, shall, and each other ingredient of primary calcium content,".

5. Amend section 1 of the bill, line 28, by striking the following: "Calcium (Ca),"

6. Amend section 1 of the bill, line 33, by inserting after the punctuation following the word "omitted", the following:

"Labels showing analysis of bulk feeds shall be posted where bulk feeds are offered for sale."

7. Amend section 2 of the bill, line 10, by inserting after the word "agent", the words *"if requested"*.

8. Amend section 3 of the bill, line 30, by striking the word *"and"* and inserting in lieu thereof the following: ".".

9. Amend section 3 of the bill, line 31, by striking the word "July" and inserting in lieu thereof the following:

"May and the fifteenth day of September".

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 12. Correctly engrossed.
LEGISLATIVE BILL 21. Correctly engrossed.
LEGISLATIVE BILL 29. Correctly engrossed.
LEGISLATIVE BILL 68. Correctly engrossed.
LEGISLATIVE BILL 43. Placed on Select File as amended.

E and R amendments to L. B. 43:

1. In Standing Committee amendment 1, (inserted matter), subsection (1), 2nd line, strike: ", or to" and in lieu thereof insert "or"; in subsection (2), 2nd line, strike the word "owing" and insert the word "owning" (correct in mimeographed copy).

2. In Standing Committee amendment 5 (inserted matter), 2nd line, strike the word "for" and in lieu thereof insert: "to authorize", and in the last line, strike the period and in lieu thereof insert:

"; to require a vote of the electorate of any city or village to authorize the sale, lease or transfer of such plant, system, line or equipment to any person, firm, association or corporation or any public power district; to provide certain requirements and procedure for such elections; to prescribe the vote necessary to ap-

prove such sale, lease or transfer at such an election; and to repeal the original section."

3. In the bill, section 1, line 38, formerly line 33, strike: "three weeks' notice" and in lieu thereof insert: "Three weeks' notice *Notice*"; line 39, formerly 34, strike: "in some", and in lieu thereof insert: "*thereof three consecutive weeks* in some *a*"; lines 40 and 41, formerly 35 and 36, strike: "electric light and" and in lieu thereof insert: "electric light and".

LEGISLATIVE BILL 44. Placed on Select File as amended.

E and R amendments to L. B. 44:

1. In Standing Committee amendment 1, 3rd line, before the word "Revised" insert: "inclusive,", and after the figure "1943" insert a comma.

2. In the bill, section 1, line 8, strike the word "where" and in lieu thereof insert the word "if"; line 9, strike the period after "70-623.01" and in lieu thereof insert: ", Revised Statutes of Nebraska, 1943."; line 10, insert a comma after "district" and in line 11 after "Administration"; line 12, after the word "file" insert: "a copy of"; line 15, after the word "as" insert the word "are"; line 16, before the word "sections" insert the word "said"; lines 16 and 17, strike: "for the audit of public power districts," and in lieu thereof insert: ", inclusive,".

3. In the bill, title, 4th line, after the word "by" insert the word "the"; strike the period in the 5th line and insert the following:

"in lieu of the audit provided for by the sections of the statutes referred to in this act; to provide that such a public power district may file a written copy of the audit, made by or under the authority of the said administration, with the Auditor of Public Accounts within the prescribed time if such audit contains and shows the prescribed items; to provide that if such a copy of said audit is not so filed, that such books shall be audited as prescribed; to require that copies of such audits be placed and kept on file at the principal place of business of such a district so audited."

LEGISLATIVE BILL 77. Placed on Select File as amended.

E and R amendments to L. B. 77:

1. In General File amendments by Mr. Hubka, amendment 1, 1st line, strike the figure "2" and in lieu thereof insert "4"; (inserted

matter) 1st line, after the quotation mark and before the word "the" insert "it"; 9th line, strike the word "*visit*" and in lieu thereof insert "*vest*".

2. In General File amendment 3, by Mr. Hubka, 1st line, strike the figure "14" and in lieu thereof insert "13"; in amendment 4, 1st line, after the word "lines" insert: "4,"; in the inserted matter, last line, after the word "repeal" insert the word "the".

LEGISLATIVE BILL 90. Placed on Select File as amended.

E and R amendments to L. B. 90:

1. In the bill, section 1, line 8, strike "(a)" and in lieu thereof insert "*(a) (1)*"; line 13, strike "(b)" and in lieu thereof insert "*(b) (2)*"; line 15, strike "(c)" and in lieu thereof insert "*(c) (3)*"; line 18, strike "(d)" and in lieu thereof insert "*(d) (4)*".

2. In the bill, section 4, line 2, strike the word "their" and in lieu thereof insert the word "its".

3. In the bill, title, 6th line, strike: "in aid of reconversion of" and in lieu thereof insert: "to aid in reconversion to".

LEGISLATIVE BILL 118. Placed on Select File as amended.

E and R amendments to L. B. 118:

1. In Standing Committee amendment 2, 2nd line, strike: "*"amount"* and before the word *"that"* ", and in lieu thereof insert the word *"treasurer";* insert a comma in the 3rd line, after the quotation mark and before the word *"to"*, also in the 4th line after the word *"village"*.

2. In General File amendments by Mr. Foster, strike amendment 4, because amendment 2 was stricken.

3. Strike General File amendment by Mr. Hanna, adopted February 7, amending amendment 2 by Mr. Foster, because this amendment was stricken.

4. In the bill, section 1, line 9, original bill, strike the word *"and"* before the word *"amount"* and in lieu thereof insert the word *"an"*. (Correct in the printed bill); line 17, after the word "county" insert: *", to be recovered"*, and after the word "action" insert a comma.

LEGISLATIVE BILL 312. Placed on Select File.

Presented to Governor

Presented to Governor for Approval February 19, 1945, 9:30 a. m.

L. B. 52	L. B. 110	L. B. 152
L. B. 84	L. B. 137	

(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 355. By Committee on Public Health and Miscellaneous Subjects, Carl P. Jeffords, Chairman.

A bill for an act to amend section 71-182, Revised Statutes of Nebraska, 1943; to restore to chiropractors the privilege of signing death certificates; to repeal the original section; and to declare an emergency.

Bill Referred to Standing Committee

L. B.	Committee
354	Agriculture

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 96. With emergency.

A bill for an act to create the office of Revisor of Statutes; to impose upon the Reporter of the Supreme Court additional duties; to give such revisor the prescribed authority and powers; to provide for certain supervision, recommendations and approval of and to certain of the official actions of such revisor by the Supreme Court or the judges thereof, as prescribed; to provide for payment of additional compensation for the added duties imposed; to provide necessary assistance to carry out the duties imposed; to provide for publication, distribution and sale of supplements and replacement volumes to the statutes of Nebraska; to provide that such Revisor of Statutes shall prescribe the price at which the State Librarian shall sell the same; to provide that

the State Librarian shall have such supplements and replacement volumes copyrighted in the manner and for the purposes prescribed; to provide an appropriation; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Adams	Cullingham	Hubka	Ogden
Anderson, J.	Dooley	Jeffords	Peterson
Babcock	Foster	Kain	Pizer
Brodahl	Hanna	Klaver	Ryan
Burnham	Heiliger	Lee	Seaton
Carlberg	Hern	Lusienski	Tvrdik
Carmody	Hoyt	Norman	Wood
Conklin			

Voting in the negative, 5:

Doyle	Schultz	Sorrell	Weborg
Raasch			

Not voting, 9:

Anderson, L.	Crossland	Mekota	Raecke
Burney	Garber	Mueller	Reavis
Cronin			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 74. With emergency.

A bill for an act relating to the practice of nursing; to provide for the issuance, by the Bureau of Education and Registration for Nurses, of a temporary permit to registered nurses who have been licensed or registered under the laws of another state, territory, foreign country or the District of Columbia to engage in the practice of nursing in the State of Nebraska under the prescribed limitations and conditions; to fix a fee for such permits; to provide for crediting such fee upon the fee for a permanent license to engage in such practice; to provide that this act shall be in effect until March 15, 1947; to repeal and supersede all other acts or parts of acts not in conformity with the

provisions of this act, to the extent stated and that no other statute of this state shall be a limitation upon the provisions of this act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lee	Schultz
Burnham	Hanna	Lusienski	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Crossland	Hubka	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Cronin	Mekota	Reavis
Burney	Garber	Raecke	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 75. With emergency.

A bill for an act to amend sections 71-1,109 and 71-1,120, Revised Statutes of Nebraska, 1943, relating to the practice of nursing; to provide that an applicant for a license to practice nursing, who heretofore graduated from an accredited school of nurses at a time when the laws of the State of Nebraska did not require such a person to be a graduate of a four-year high school to matriculate in or graduate from such school for nurses, shall not be required to present evidence of such preliminary education; to provide for the expenses and fix the maximum annual salary of the State Director of Nursing Education and that the same shall be paid out of the fund provided for in section 71-1,119; to provide for the per diem for members of the Division of Registration for Nurses; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Dooley	Kain	Pizer
Anderson, J.	Doyle	Klaver	Raasch
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Lusienski	Schultz
Burnham	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Crossland	Hubka	Peterson	Wood
Cullingham	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Cronin	Raecke	Reavis
Burney			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 57.

A bill for an act to amend section 37-505, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide, by an exception to the provisions of said section, that it shall be lawful to buy, sell or barter the flesh of raccoon; to change the number of one section, referred to therein, to section 37-502 of said statutes; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Dooley	Kain	Pizer
Anderson, J.	Doyle	Klaver	Raasch
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Lusienski	Schultz

Burnham	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Crossland	Hubka	Peterson	Wood
Cullingham	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Cronin	Raecke	Reavis
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 88. Laid over.

SELECT FILE

LEGISLATIVE BILL 67. Mr. Hoyt's amendments, found in the Legislative Journal for the Thirty-fourth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 97. E and R amendments, found in the Legislative Journal for the Thirty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 196. E and R amendments, found in the Legislative Journal for the Thirty-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendments, found in the Legislative Journal for the Thirty-third Day were adopted.

Laid over.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in passing L. B. 57 and that the bill be called back to Final Reading File. (Signed) John E. Mekota

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

GENERAL FILE

LEGISLATIVE BILL 301. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-ninth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 32. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 314. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

I move that the bill, line 2, Section 3, be amended by adding after the word and punctuation "Nebraska," the following figures and punctuation: "1943,".

Referred to E and R for review.

LEGISLATIVE BILL 131. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirtieth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 62. Laid over.

LEGISLATIVE BILL 80. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirtieth Day were adopted.

Mr. Crossland offered the following amendment, which was adopted:

"I move that the title of the bill be amended to conform with the bill as amended."

Referred to E and R for review.

LEGISLATIVE BILL 181. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 135. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 128. Read and considered.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 182. Correctly engrossed.
LEGISLATIVE BILL 165. Correctly engrossed.
LEGISLATIVE BILL 126. Correctly engrossed.
LEGISLATIVE BILL 54. Correctly engrossed.
LEGISLATIVE BILL 56. Correctly enrolled.
LEGISLATIVE BILL 87. Correctly enrolled.
LEGISLATIVE BILL 98. Correctly enrolled.
LEGISLATIVE BILL 124. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 56 L. B. 98 L. B. 124
L. B. 87

Approved By the Governor

February 19, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 38	L. B. 110	L. B. 152
L. B. 52	L. B. 137	

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

Member Excused

Mr. Schultz was excused for Tuesday, February 20.

Mr. Jeffords announced that L. B. 42 is set for hearing February 28, 1945.

Announcement was made that the sale of tickets for the Legislative Ladies' Banquet and Dance closes at noon Tuesday. Anyone wishing tickets see Mrs. Knickrehm, Mrs. Walter Johnson, Mrs. Ed Schultz or Mrs. Art Carmody.

Adjournment

At 11:55 a. m., Mr. Heiliger made a motion that the Legislature adjourn until 9:00 a. m. Tuesday.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 20, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hubka, Raecke, Schultz and Sorrell, who were excused.

The Journal for the thirty-fifth day was approved as corrected.

Communications

A resolution from the Geneva Community Club to Messrs. Burney, Mekota and the Clerk, favoring Legislative Bill 339.

A letter to Mr. Mueller from the Loup City Woman's Unity Club favoring the Cottonwood for the State tree.

A letter to the Clerk from the University of Nebraska inviting the members of the Legislature to the basketball game held at the Coliseum on Tuesday evening, February 20.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 144. Placed on General File as amended.

Standing Committee amendments to L. B. 144:

1. Amend section 1 of the bill, lines 11 and 12, by reinstating the following stricken matter: ", and to purchase suitable equipment for the same,"

2. Amend section 2 of the bill, line 10, by striking the words "*That not*" and inserting in lieu thereof the word "*Not*".

3. Amend section 2 of the bill, line 16, by inserting after the word "and" the following: "*by furnishing a bond in an amount to be fixed by the county board, and*"

4. Amend section 2 of the bill, line 7, by striking the words "*That after*" and inserting in lieu thereof the word "*After*".

5. Amend section 4 of the bill, line 10, by inserting after the words "*additions thereto*" the following: "*and equipment, including the authority to contract for any improvements or additions thereto and equipment*"

6. Amend section 2 of the bill, line 15, by striking the words "*That said*" and inserting in lieu thereof the word "*The*".

7. Amend section 4 of the bill, lines 16 to 25, inclusive, by striking the same and inserting in lieu thereof: "*of trustees shall have power to pay all current bills, claims and salaries of all employees of said hospital by order upon its treasurer, signed by the superintendent of the hospital and countersigned by the chairman and secretary of the board of trustees.*"

8. Amend the bill, by adding a new section, to be numbered 6, reading as follows: "*The board of hospital trustees shall have power to accept gifts, devises and bequests of real and personal property to carry out the purposes for which such board was established, and, to the extent of the powers conferred upon such board by this act, to execute and carry out such conditions as may be annexed to any gift, devise or bequest.*"

9. Renumber present sections 6, 7, 8, 9 and 10 as sections 7, 8, 9, 10 and 11 respectively.

10. Amend the title of the act, line 8, by inserting after the punctuation following the word "trustees" the following: "to provide for bond of trustees;"

(Signed) Don E. Hanna, Chairman

Enrollment and Review

LEGISLATIVE BILL 80. Placed on Select File as amended.

E and R amendments to L. B. 80:

1. Strike all of the Standing Committee amendments except as to co-introducers.

2. In the bill, strike section 1 and in lieu thereof insert:

"Section 1. That section 71-1902, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1902. ~~No~~ *Every* person *who* shall furnish, or offer to furnish, child care for ~~three~~ *two* or more children from different families, ~~without having~~ *shall have* in full force and effect a written license issued by the board, upon such terms and conditions as may be prescribed by general rules and regulations promulgated by the board. All licenses issued under section 71-1901 to ~~71-1906~~ gated by the board. All licenses issued under sections 71-1901 to ~~71-1906~~ *71-1905, inclusive,* shall expire on December 31 of each year, and shall be subject to renewal under the same terms and conditions as the original license. For the issuance or renewal of each license the board shall charge a fee of one dollar. A license may be revoked for cause, after notice and hearing, in accordance with such rules and regulations as may be prescribed by the board.

Sec. 2. That original section 71-1902, Revised Statutes of Nebraska, 1943, and also section 71-1906, Revised Statutes of Nebraska, 1943, are repealed."

3. In the bill, section 2, line 1, strike the figure "2" and in lieu thereof insert the figure "3" .

4. In the bill, title, 2nd line, strike the word "repeal" and in lieu thereof insert the word "amend", and strike: "71-1906" and in lieu thereof insert: "71-1902" ; strike all of the 3rd line beginning with the word "expiration"; 4th line, after the semicolon and before the word "and" insert:

"to change the number of children cared for by a person from three or more to two or more for the purpose of determining if such person requires a license to care for such children; to repeal said original section and also section 71-1906, Revised Statutes of Nebraska, 1943;"

LEGISLATIVE BILL 108. Placed on Select File as amended.

E and R amendments to L. B. 108:

1. In General File amendment by Mr. Dooley, (inserted matter) 1st line, strike the word "*passage*" and in lieu thereof insert: "*effective date*".

2. In the bill, title, 4th line, strike: "for renewal thereof;" and in lieu thereof insert:

"that such license shall be renewed on September 1, 1945 and on September 1 of each odd numbered year thereafter; to provide that all such licenses in force at the time of the effective date of this act shall be valid until September 1, 1945;"

LEGISLATIVE BILL 130. Placed on Select File as amended.

E and R amendments to L. B. 130:

1. Strike General File amendment by Mr. Hubka and in the bill, section 1, strike lines 7 and 8 and in lieu thereof insert:

"by the act of Congress, referred to as the Soldiers' and Sailors' Civil Relief Act of 1940, and amendments thereto, is hereby waived and remitted; *Provided, however*, that this act shall only apply to such interest and penalties on such taxes so levied on property which was owned by said person prior to entry into the military service or which was inherited or received by devise or bequest by said person while in such military service."

2. In the bill, section 1, insert a comma in line 1 after the word "penalties" and in line 3 after the word "levied"; strike the comma in line 2 after "1941"; line 4, strike the word "for"; line 5, after the word "property" insert: ", hereinafter set forth," .

3. In the bill, title, 4th line, insert a comma after the word "taxes"; 6th line, before the word "property" insert: "the prescribed".

LEGISLATIVE BILL 73. Correctly engrossed.
LEGISLATIVE BILL 123. Correctly engrossed.
LEGISLATIVE BILL 156. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Bill Referred to Standing Committee

L. B.	Committee
355	Public Health and Miscellaneous Subjects

MOTION—To Instruct Sergeant-at-Arms

Mr. President: I move that the Sergeant-at-Arms be instructed to arrange to exclude the public from the space of the legislative

chamber occupied by the first eight rows of seats from four o'clock to six o'clock of each legislative day. (Signed) Earl J. Lee

The motion prevailed unanimously.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval February 20, 1945, 9:30 a. m.

L. B. 56 L. B. 98
L. B. 87 L. B. 124

(Signed) Roy B. Carlberg, Chairman

Education

LEGISLATIVE BILL 179. Placed on General File.
LEGISLATIVE BILL 120. Placed on General File as amended.

Standing Committee Amendments to L. B. 120:

1. Amend section 1 of the bill, line 17, by striking the following:

"section 6"

and inserting in lieu thereof:

"sections 20 to 23, inclusive,"

2. Amend section 1 of the bill, line 21, by striking the figure "9" and inserting in lieu thereof the figure "30".

3. Amend section 1 of the bill, line 34, by striking the words "on that date".

4. Amend section 1 of the bill, line 35, by striking the word "a" and inserting in lieu thereof the word "the".

5. Amend section 1 of the bill, lines 35 and 36, by striking the following:

"within the State of Nebraska between the dates of September 1, 1945, and June 30, 1946"

and insert in lieu thereof:

"1945-1946".

6. Amend section 1 of the bill, line 59, by inserting after the word "compensation" the following:

"not exceeding twenty-four hundred dollars per annum".

7. Amend section 1 of the bill, line 60, by striking the figure "36" and inserting in lieu thereof the figure "37".

8. Amend section 1 of the bill, line 76, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

9. Amend section 1 of the bill, lines 79 to 81, by striking the following:

", his deputy, or his chief administrative assistants who are required by law to hold teachers' certificates,"

and inserting in lieu thereof:

"and his professional staff and".

10. Amend section 1 of the bill, line 85, by striking the figure "28" and inserting in lieu thereof the figure "27".

11. Amend section 2 of the bill, line 11, by inserting after the word "property" the words "as herein provided".

12. Amend section 5 of the bill, line 7, by striking the words "to fill vacancies".

13. Amend section 7 of the bill, lines 4 to 7, by striking in line 4 the following:

", and no member of the school retirement"

and by striking all of lines 5 to 7 and inserting in lieu thereof a ". ".

14. Amend section 8 of the bill, line 4, by striking the word "section" and inserting in lieu thereof, the word "act".

15. Amend section 9 of the bill, line 7, by inserting after the punctuation following the word "act", the following:

"The secretary shall invest funds belonging to the retirement system by direction of the board."

16. Amend section 13 of the bill, line 3, by striking the word "the" at the end of the line and inserting in lieu thereof the word "an".

17. Amend section 14 of the bill, line 2, by striking the word "shall".

18. Amend section 14 of the bill, lines 3 and 4, by striking the following:

"except those defined in this act as present senior school employees and".

19. Amend section 14 of the bill, line 7, by striking the word "and".

20. Amend section 14 of the bill, line 9, by inserting after the words "as of" at the end of the line, the words "effective date of this act, unless prior to".

21. Amend section 14 of the bill, line 10, by striking the words "unless prior to that date".

22. Amend section 17 of the bill, line 4, by striking the figure "19" and inserting in lieu thereof the figure "57".

23. Amend section 20 of the bill by striking line 1 to 16 and inserting in lieu thereof the following:

"Sec. 20. Under such rules and regulations as the retirement board shall adopt, each person who was a school employee at any time prior to the establishment of this retirement system and who becomes a member of the retirement system shall within two years after becoming a member file a detailed statement of all service as a school employee rendered by him, prior to the date of establishment of the retirement system; *Provided,* that in order to qualify for prior service credit toward a service annuity a school

employee, unless temporarily out of service for further professional education, for service in the armed forces, or for temporary disability, must have completed four years of service on a part or full-time basis during the five calendar years immediately preceding the effective date of this act; or such school employee must complete, unless temporarily out of service for further professional education, for service in the armed forces, or for temporary disability, four years of service within the five calendar years immediately following effective date of this act; *Provided further,* that any person in the armed forces with teaching service prior to the establishment of this retirement system who becomes a member of the retirement system may qualify for prior service credit toward a service annuity if he becomes a member of the retirement system within one calendar year following the date of his discharge or within one year from the date of completion of training provided in Public Law No. 346 of the 78th Congress of the United States. In addition to any prior teaching service credit, such member shall also receive credit toward service annuity for time spent in the armed forces."

24. Amend section 27 of the bill by striking all of lines 7 to 12 and inserting in lieu thereof the following:

"*provided further,* on the request of such member and his employer, such member may with the approval of the retirement board be continued in service for a period of not to exceed five additional school years; *and provided further,*"

25. Amend section 28 of the bill, line 12, by inserting after the punctuation following the word "dollars", the following:

"Under such rules and regulations as the board may prescribe a member, upon retirement, may receive not to exceed ten years of creditable teaching service outside the state if such member shall have paid into the school retirement system of the State of Nebraska an amount equal to the required deposits he would have paid had he been employed in this state; such required deposits to be paid as the board may direct within three years after membership in the retirement system begins."

26. Amend section 30 of the bill, lines 2 to 6, by striking in line 2 the following:

"school retirement allowance under the provisions" and by striking all of lines 3 to 6 and inserting in lieu thereof:

"disability retirement allowance which shall consist of a savings annuity and a service annuity computed in the manner specified in section 28 of this act."

27. Amend section 32 of the bill, line 10, by inserting after the word "ment" the words "for disability".

28. Amend section 33 of the bill, lines 4 and 5, by striking the following:

"said contributor in such manner as he may direct and the retirement board may approve."

and insert in lieu thereof the words "such member".

29. Amend section 33 of the bill, line 7, by inserting after the word "fund" the words "less his pro rata share of the costs of administration,"

30. Amend section 33 of the bill, line 12, by inserting after the word "contributions", the following:

", less his pro rata share of the costs of administration,"

31. Amend section 34 of the bill, line 2, by inserting after the word "contributions", the following:

", less his pro rata share of the costs of administration,"

32. Amend section 34 of the bill, line 5, by striking the word "apply" and insert in lieu thereof the words "or beneficiary designated in writing applies".

33. Amend section 34 of the bill, line 6, by striking the words "one year" and inserting in lieu thereof the words "five years".

34. Amend section 36 of the bill, lines 17 to 22, by striking in line 17 the following:

"*Provided,* that the retirement board",

by striking all of lines 18 to 21 and by striking in line 22 the following:

"allowance; *and provided further*"

and inserting in lieu thereof the word "*Provided*".

35. Amend section 39 of the bill, line 14, by striking the words "be liable to" and insert in lieu thereof the word "bear".

36. Amend section 39 of the bill, line 15, by striking the word "eight" and insert in lieu thereof the word "six".

37. Amend section 39 of the bill, lines 17 and 18, by striking the following:

", but the minimum amount of such interest shall be five dollars".

38. Amend section 41 of the bill, line 2, by striking the following:

"September 1, 1945"

and insert in lieu thereof the words "effective date of this act".

39. Amend section 45 of the bill, line 2, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

40. Amend section 46 of the bill, lines 5 and 6, by striking the following:

"as soon after July 1 as shall be practicable"

and inserting in lieu thereof the following:

"on or before July 1".

41. Amend section 46 of the bill, line 7, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

42. Amend section 46 of the bill, line 11, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

43. Amend section 47 of the bill, line 6, by striking the word "hereinafter" and inserting in lieu thereof the word "herein".

44. Amend section 47 of the bill, line 8, by striking the word "now".

45. Amend section 47 of the bill, line 10, by inserting after the word "insure" the following:

"against the hazards of loss by fire, burglary, robbery or theft,"

46. Amend section 47 of the bill, line 12, by striking after the word "holds" the following:

"against burglary, robbery or theft".

47. Amend section 48 of the bill, by striking lines 1 to 6 and inserting in lieu thereof the following:

"as soon as practicable after the effective date of this act, and as often thereafter as may be necessary, the retirement board shall cause to be made a thorough investigation of the several funds of the retirement system, for the purpose of determining the rates at which the benefits shall be granted; and shall make ad-".

48. Amend section 48 of the bill, line 12, by inserting after the word "savings" the words "to the several funds".

49. Amend section 49 of the bill, line 5, by inserting after the words "provide the" the word "service".

50. Amend section 49 of the bill, line 6, by striking the words "funds to the guarantee fund and ex-"
and inserting in lieu thereof the words "the contingent fund and the ex-".

51. Amend section 49 of the bill, line 10, by inserting the word "written" after the word "upon".

52. Amend section 50 of the bill, line 4, by inserting after the word "complaint" the words "of a member".

53. Amend section 51 of the bill, line 4, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

54. Amend section 51 of the bill, line 5, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

55. Amend section 52 of the bill, line 3, by striking the words "for the purchase of" and inserting in lieu thereof the words "to provide savings".

56. Amend section 52 of the bill, lines 8 and 9, by striking the words "by the failure of the estate of a former member to claim the same".

57. Amend section 52 of the bill, line 11, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

58. Amend section 53 of the bill, line 1, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

59. Amend section 53 of the bill by striking line 2 and inserting in lieu thereof the words "fund deposited by the state".

60. Amend section 53 of the bill, line 6, by striking the words "state's accumulation" and inserting in lieu thereof the words "service annuity".

61. Amend section 54 of the bill, line 8, by inserting the word "remaining" after the word "his" at the end of the line.

62. Amend section 55 of the bill, line 1, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

63. Amend section 55 of the bill by striking lines 4 and 5 and inserting in lieu thereof the following:

"fund, and to provide a fund to cover any special requirements of the service annuity fund or the expense fund, insofar as the state is responsible for these funds. All".

64. Amend section 55 of the bill, line 8, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

65. Amend section 55 of the bill, line 9, by inserting after the word "gifts" the following:

", devises".

66. Amend section 55 of the bill, line 14, by striking the words "whose disposition" and inserting in lieu thereof "the disposition of which".

67. Amend section 55 of the bill, line 15, by striking the word "guarantee" and inserting the word "contingent".

68. Amend section 55 of the bill by striking all of lines 18 to 21 and inserting in lieu thereof the following:

"contingent fund. Any deficit occurring in the service annuity fund or in the expense fund, insofar as the state is responsible for these funds, shall be met by payments to the fund in question from the contingent fund. Annually the retire-".

69. Amend section 55 of the bill, line 23, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

70. Amend section 55 of the bill, line 28, by striking the word "guarantee" and inserting in lieu thereof the word "contingent".

71. Amend section 56 of the bill, line 14, by striking the words "and members" and inserting in lieu thereof ". Members".

72. Amend section 58 of the bill, line 10, by striking the words "be unassignable" and insert in lieu thereof "not be assignable".

73. Amend section 59 of the bill, line 7, by inserting a comma at the end of the line after the word "employee".

74. Amend section 59 of the bill, line 8, by striking the words "or employer" and inserting in lieu thereof "school board member".

75. Amend section 59 of the bill, line 9, by striking the word "send" and insert in lieu thereof "furnish".

76. Amend section 60 of the bill, lines 3 and 4, by striking the words "whatever amount is needed" and insert in lieu thereof the words "eighty-five thousand dollars".

(Signed) Cliff N. Ogden, Chairman

Appropriations

LEGISLATIVE BILL 348. Placed on General File.

(Signed) A. J. Brodahl, Chairman

MOTION—To Re-refer Bills

Mr. President: I move that all bills set before the Government Committee for hearing on March 14 and March 16 be reassigned to Judiciary Committee. (Signed) C. Petrus Peterson

The motion prevailed.

Mr. President: I move L. B. 326, 338, 340, and 343 be transferred from Committee on Labor to Committee on Judiciary. (Signed) Hanna

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Re-referred from Government Committee

L. B. 307	Monday, February 26, 1945	2:00 p. m.
L. B. 303	Monday, February 26, 1945	2:00 p. m.
L. B. 316	Monday, February 26, 1945	2:00 p. m.
L. B. 347	Monday, February 26, 1945	2:00 p. m.

Re-referred from Public Health and Miscellaneous Subjects Committee

L. B. 225	Wednesday, February 28, 1945	2:00 p. m.
L. B. 236	Wednesday, February 28, 1945	2:00 p. m.

MOTION—Program Washington's Birthday

Mr. President: I move that the Chaplain arrange a suitable Washington Day program for Thursday morning at the opening of the session. (Signed) C. Petrus Peterson

The motion prevailed.

Approved by the Governor

February 20, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 56 L. B. 87 L. B. 98

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 57.

A bill for an act to amend section 37-505, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide, by an exception to the provisions of said section, that it shall be lawful to buy, sell or barter the flesh of raccoon; to change the number of one section, referred to therein, to section 37-502 of said statutes; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Conklin	Hoyt	Ogden
Anderson, J.	Crossland	Jeffords	Pizer
Anderson, L.	Cullingham	Kain	Raasch
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Tvrdik
Burnham	Hanna	Mekota	Weborg
Carlberg	Heiliger	Mueller	Wood
Carmody	Hern	Norman	

Voting in the negative, 0.

Not voting, 8:

Cronin	Hubka	Raecke	Seaton
Garber	Peterson	Schultz	Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 116.

Mr. Pizer asked unanimous consent to offer an amendment to L. B. 116, which was not granted.

MOTION—Move Back Bill

Mr. President: I move to return L. B. 116 to select file for specific amendment. (Signed) Harry A. Foster

The motion did not prevail, with 11 ayes, 12 nays and 20 not voting.

A bill for an act to amend section 74-905, Revised Statutes of Nebraska, 1943, relating to railroads; to provide that side bay windows may be provided on a caboose instead of a cupola; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Adams	Conklin	Klaver	Raasch
Anderson, J.	Cullingham	Lee	Reavis
Anderson, L.	Dooley	Lusienski	Ryan
Babcock	Doyle	Mekota	Seaton
Brodahl	Foster	Mueller	Tvrdik
Burney	Hanna	Norman	Weborg
Burnham	Heiliger	Ogden	Wood
Carlberg	Kain		

Voting in the negative, 2:

Hoyt	Pizer

Not voting, 11:

Carmody	Garber	Jeffords	Schultz
Cronin	Hern	Peterson	Sorrell
Crossland	Hubka	Raecke	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 160.

A bill for an act to amend section 26-1,143, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide the procedure for trial in replevin suits when the possession of the property has been delivered to the plaintiff; to provide for judgment; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Peterson
Anderson, J.	Cullingham	Kain	Pizer
Anderson, L.	Dooley	Klaver	Raasch
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Hanna	Mekota	Seaton
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Hubka	Schultz	Sorrell
Garber	Raecke		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 164. With emergency.

A bill for an act to amend section 33-107, Revised Statutes of Nebraska, 1943, relating to bailiffs; to provide compensation for the services of bailiffs in counties having a population of sixty thousand inhabitants or less; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Peterson
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Ryan
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Garber	Raecke	Schultz	Sorrell
Hubka			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 166. With emergency.

A bill for an act specifically to appropriate the sum of ten thousand one hundred seventy-eight dollars and twenty-seven cents, or so much thereof as may be necessary, out of the general fund of the State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy state treasurer for the term commencing January 4, 1945; to pay the premiums for policy of insurance on money and securities in connection with the office of the State Treasurer, for the period ending January 9, 1947; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Peterson
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Ryan
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 0:

Not voting, 5:

Garber	Raecke	Schultz	Sorrell
Hubka			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Place on General File

Mr. President: I move that L. B. 132 be placed on General File. (Signed) C. Petrus Peterson

A record vote was called for.

Mr. Klaver moved a call of the house.

A call of the House was ordered and after call the roll showed 39 members present.

Mr. Jeffords made a motion to raise the call, which prevailed with 32 ayes, 0 nays and 11 not voting.

Mr. Peterson's motion prevailed with 22 ayes, 14 nays and 7 not voting.

Voting in the affirmative, 22:

Adams	Crossland	Klaver	Reavis
Anderson, J.	Dooley	Lee	Ryan
Brodahl	Foster	Mueller	Seaton
Carmody	Heiliger	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Wood
Cronin	Kain		

Voting in the negative, 14:

Anderson, L.	Carlberg	Jeffords	Pizer
Babcock	Doyle	Mekota	Raasch
Burney	Garber	Norman	Weborg
Burnham	Hanna		

Not voting, 7:

Cullingham	Hubka	Raecke	Sorrell
Hern	Lusienski	Schultz	

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 157. Laid over.

LEGISLATIVE BILL 171. Laid over.

Visitor

Mr. James Anderson presented to the Legislature Mr. L. B. Murphy, a former member from Scottsbluff, who addressed the Legislature briefly.

MOTION—For Specific Amendment

Mr. President: I move that Legislative Bill 80 be recommitted to General File for the purpose of making the following specific amendments. (Signed) William A. Crossland, Sidney Cullingham and William Foster

The motion prevailed.

The following amendments were adopted:

1. To strike section 1, and all amendments to the bill, and substitute in lieu thereof the following:

"Section 1. That section 71-1901, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1901. As used in sections 71-1901 to 71-1906 *71-1905, inclusive,* (1) The term "person" shall include a partnership, firm, agency, association or corporation;

(2) The term "child care" shall mean engaged in the business of exercising the care, supervision, custody or control over children under sixteen years of age, for compensation or hire, in lieu of the care or supervision normally exercised by parents in their own home but shall not include casual care at irregular intervals;

(3) The term "board" shall mean the Board of Control of the State of Nebraska.

Sec. 2. That section 71-1902, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1902. No person shall furnish, or offer to furnish, child care for ~~three~~ *two* or more children from different families, without having in full force and effect a written license issued by the board, upon such terms and conditions as may be prescribed by general rules and regulations promulgated by the board. All licenses issued under sections 71-1901 to ~~71-1906~~ *71-1905, inclusive,* shall expire on December 31 of each year, and shall be subject to renewal under the same terms and conditions as the original license. For the issuance or renewal of each license the board shall charge a fee of one dollar. A license may be revoked for cause, after notice and hearing, in accordance with such rules and regulations as may be prescribed by the board.

Sec. 3. That section 71-1903, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1903. The board, before issuance of a license, shall cause such investigation to be made, as it shall deem necessary, to determine if the character of the applicant or person in charge of the business, and the place where the child care is to be furnished, is such as to insure the proper care and treatment of children. The board may also, at any time it sees fit, cause an inspection to be made of the place where any licensee is furnishing child care, to see that such business is being properly conducted.

Sec. 4. That section 71-1904, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1904. The board shall make such rules and regulations, consistent with sections 71-1901 to ~~71-1906~~ *71-1905, inclusive,* as it shall deem necessary for (1) the proper care and protection of children by licensees under said sections, (2) the issuance, suspension and revocation of licenses to carry on the business of child care, and (3) the proper administration of said sections.

Sec. 5. That section 71-1905, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1905. Any person who shall violate any of the provisions of sections 71-1901 to 71-1904, *inclusive*, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not more than thirty days.

Sec. 6. That original sections 71-1901, 71-1902, 71-1903, 71-1904 and 71-1905, Revised Statutes of Nebraska, 1943, and also section 71-1906, Revised Statutes of Nebraska, 1943, are repealed."

2. Renumber original section 2 as section 7.

3. Amend the title, by striking the same and inserting in lieu thereof:

"A BILL

FOR AN ACT to amend sections 71-1901, 71-1902, 71-1903, 71-1904 and 71-1905, Revised Statutes of Nebraska, 1943, relating to board and care of children; to re-enact the foregoing provisions so as to remove the status of such sections as a temporary act; to re-define the persons required to have a license to furnish child care; to repeal the original sections and also section 71-1906, Revised Statutes of Nebraska, 1943, and to declare an emergency."

Mr. Tvrdik then made a motion to advance L. B. 80 to E and R for review, and the bill was advanced.

MESSAGE FROM THE GOVERNOR

February 20, 1945

MR. PRESIDENT, MR. SPEAKER AND
MEMBERS OF THE LEGISLATURE:

The Board of Educational Lands and Funds recently arranged for an audit of the Permanent University Fund covering the period from January 1, 1872 to January 1, 1945. It will be noted that all shortages reported by the auditor were created prior to 1900 and that they amount to $25,575.93.

The Board of Educational Lands and Funds is also having an audit made of the Agricultural College Endowment, the Normal Endowment and the Soldiers Relief Fund. When completed, a report will be made to you.

The report of the audit of the Permanent University Fund follows:

February 2, 1945

Board of Educational Lands and Funds,
Lincoln, Nebraska.

Gentlemen: I have completed an audit of the Permanent University Fund from January 1, 1872 to January 1, 1945. I have checked all available State Treasurer Receipt Books, checked receipts belonging to the fund into the cash books and from the cash books into the general ledgers. I have carried forward the balances and at all times they have agreed with the Treasurer's balance and the balance of $573.25 is correct as of December 31, 1944.

The fund invested $1,905,907.33 in warrants which were repaid in full as shown by my summary. The fund invested $1,512,771.46 in bonds, a profit of $223.90 was made and the repayment on bonds was $1,204,701.36 which leaves the bond investment held on December 31, 1944 $308,300.00 as shown on the summary. The transfer out item on the summary in the amount of $46,337.21 may seem somewhat large but the largest part is made up of $23,128.33, $9,775.93 and $6,199.63. For a number of years payments on the Agricultural College Endowment land principal was credited to the Permanent University Fund but in 1886 and 1887 the Permanent University Fund was charged with $23,128.33 and properly credited to the Agricultural College Endowment Fund. The $9,775.93 was the State Treasurer Bartley loss charged off in 1897. The $6,199.63 was charged out in the correction of a bookkeeping error. The balance of the $46,337.21 is made up in the correction of numerous bookkeeping errors.

In addition to the Bartley loss of $9,775.93, there were two notes, one for $4,800.00 dated July 22, 1874 and one for $4,000.00 dated July 22, 1874, both signed by T. B. Gailey. There was also a note for $7,000.00 dated June 25, 1875 and signed by W. H. B. Stout. In regard to the Gailey notes, it seems that sometime prior to 1872 two sections of Saline land were given to the State University and a Model Farm set up. However, the Legislature of 1879 passed H. R. No. 166 which reads as follows:

AN ACT

"To provide for the payment of the indebtedness of the model farm of the State University; to direct the regents thereof to cover into state treasury all securities and moneys in their possession on account of sales of the two sections of saline land, set apart for a model farm, and to repeal an act entitled "An act to provide for the sale of lands set apart for a model farm."

"Be it enacted by the Legislature of the State of Nebraska:

"Section 1. That the sum of eight thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the state treasury, not otherwise disposed of, for the payment of the remaining indebtedness of the model farm of the state university, to be drawn by the regents thereof upon the warrant of the auditor of public accounts.

"Section 2. And the regents aforesaid, shall within thirty days after the taking effect of this act, transmit to the state treasury all moneys or evidences of indebtedness arising from the sale of any lands set apart for the purposes of a model farm."

On the bond record book, under the heading of the Gailey $4,000.00 note, appears the following notation:

"This note was paid in full November 17, 1879 and $800.00 in interest."

Under the heading of the Gailey $4,800.00 note, appears the following notation:

"Cancelled December 28, 1883 by order of Board of Regents, dated February 2, 1883."

However, there is no record of the $4,800.00 having been credited to the fund. Under the heading of the W. H. B. Stout $7,000.00 note, appear the following notations:

"The above note was returned to W. H. B. Stout by order of the Board of Regents April 4, 1877."

It seems that in 1879 Mr. Stout leased the penitentiary ground and convict labor for a term of ten years. In this connection, there

was a scandal and an attempt was made to impeach several state officials. Mr. Selleck, Secretary of the Board of Regents of the State University, has been unable to locate any records pertaining to the action taken by the Regents as to the three notes, and it seems that they were a direct loss to the fund. Loss to the Permanent University Fund consists of the following:

T. B. Gailey note	$4,800.00
T. B. Gailey note	4,000.00
W. H. B. Stout note	7,000.00
Bartley shortage	9,775.93
Total	$25,575.93

In checking the State Treasurer's receipt books, I was unable to find the following receipt books:

Date	Rec. No.
1-20-05 to 11-20-05	
2-1-07	**49,501 to 51,501**
10-2-07	52,500 to 53,001
1-29-09	58,271 to 59,261
6-26-09	60,760 to 62,261
11-15-09	62,760 to 63,261
1-29-10	63,760 to 64,771
7-2-10	66,269 to 67,270
5-8-11	70,700 to 71,701
8-23-11	72,700 to 74,201
5-20-12	77,700 to 78,201

Had I been able to get tumbler pads my work would be in better order to inspect. I herewith submit my work sheets, bond transaction record, and summary.

Respectfully submitted,

A. N. Strunk, Auditor."

Respectfully submitted,

Dwight Griswold, Governor,
Chairman, Board of Educational
Lands and Funds.

SELECT FILE

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 95. Laid over.

LEGISLATIVE BILL 43. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 44. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 77. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 90. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 118. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Hanna offered the following amendments, which were adopted.

1. In the bill section 1, line 7, strike the comma and insert:

"or which city or village is a part of or all of a school district which has such bonded indebtedness,";

line 9, after the amendment 2 of the standing committee, as it is amended by Enrollment and Review committee, insert:

"school district or city or village and school district, as the case may be. " ;

line 10, insert after *"village"* as follows:

"if such city or village has such bonded indebtedness, " :
line 14, strike the period and insert, in lieu thereto:

"or, if such school district has such outstanding bonded indebtedness, an amount which is a similar proportion of the assessed valuation of such building sought to be removed to the total outstanding bonded indebtedness of such school district, or both such amounts, as the case may be.";

line 18, strike ". The" and insert, in lieu thereof:

". The and to such city or village for the amount of said proportion of any outstanding bonded indebtedness of such city or village to be recovered in the name of such city or village and also to such school district for the amount of said proportion of any outstanding bonded indebtedness of such school district to be recovered in the name of such school district; Provided, however, such action may be brought in the name of such county, city, village or school district for such delinquent taxes and also for such proportion or proportions, if the one bringing such action has an interest in any of such taxes or amounts, for the benefit of all those interested in the same. Such proportion of such indebtedness in either or all of such cases is hereby made and shall be a lien upon such building so removed from such city or village and said lien and the "; and

line 25, strike the period and in lieu thereof insert:

"The provisions of this section shall be cumulative with and shall not prevent any such county, city, village, school district or any other proper person or persons from bringing an action for an injunction or any other remedy which any of them may be entitled to in regard to such removal.".

2. In the bill, title, 5th line, after the word "which" insert: "city or village or the school district in which such city or village is located"; and in line 9 strike "; to provide a penalty;" and insert in lieu thereof:

"or school district or city or village and school district; to make such proportionate amount a lien upon such buildings so removed, as prescribed; to provide penalties; to provide that the penalties or remedies provided shall be cumulative as prescribed;".

Referred to E and R for engrossment.

Adjournment

At 12:02 p. m. Mr. Mueller made a motion to adjourn. The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 21, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the thirty-sixth day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 354	Thursday, March 1, 1945	2:00 p. m.
L. B. 356	Thursday, March 1, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 259. Placed on General File.
LEGISLATIVE BILL 308. Placed on General File.
LEGISLATIVE BILL 330. Placed on General File.
LEGISLATIVE BILL 104. Indefinitely postponed.

(Signed) John E. Mekota, Chairman

Agriculture

LEGISLATIVE BILL 219. Placed on General File as amended.

Standing Committee amendments to L. B. 219:

1. Amend section 1 of the bill, line 11, by inserting after the figures "2-922" the following:

"; *Provided, in no event shall the number of landowners that is required to form a district, exceed fifty-one per cent.*"

2. Amend the bill by striking all of sections 9 and 22 and renumbering sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 to be sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 each respectively.

3. Amend original section 10 of the bill, amended to be section 9, line 19, by striking the word "secretary" and inserting in lieu thereof the words "*county clerk of county in which the treasurer resides*".

4. Amend the bill by adding a new section to be known as section 22, as follows:

"Sec. 22. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

5. Amend the title of the act, lines 11 to 13, by striking the following:

"to authorize counties, cities and villages to appropriate funds to assist certain districts; and"

6. Amend the title of the act, line 14, by inserting after the figure "1943" the following:

" ; and to declare an emergency".

LEGISLATIVE BILL 283. Placed on General File.

(Signed) Arthur Carmody, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 190. Placed on General File.
LEGISLATIVE BILL 262. Placed on General File as amended.

Standing Committee amendment to L. B. 262:

Amend section 1, line 9, by striking the word "and" and inserting in lieu thereof the word "or".

(Signed) Earl J. Lee, Chairman

Enrollment and Review

LEGISLATIVE BILL 127. Placed on Select File as amended.

E and R amendments to L. B. 127:

1. In the bill, section 1, line 3, strike the word "gases" and in lieu thereof insert "gas"; strike the hyphen at the end of line 4; strike all of lines 6 to 11, inclusive, and in lieu thereof insert:

"lages, hereinafter referred to in this act as the pipe-line company, shall furnish natural gas, at rates which are equal to the rates established in that area, to any individual or person who resides within five hundred feet of the natural gas pipe line of such pipe-line company and who applies for a physical connection with and service from such pipe line, hereinafter referred to in this act as the customer, if material to be used for making the physical connection is available.".

2. In the bill, section 2, line 1, strike: "or applicant shall make" and in lieu thereof insert: "shall make an".

3. In the bill, section 3, strike all of said section and in lieu thereof insert:

"Sec. 3. If such pipe-line company and the customer cannot agree as to what is a just and equitable fee for making the physical connection with such pipe line, such customer may file an application with the Nebraska State Railway Commission alleging that such pipe-line company is not treating all customers fairly and equally and without discrimination or favoritism and asking it to fix a just and equitable fee for making a physical connection so such customer may receive such service. Such pipe-line company may also file an application with the commission asking it to fix such fee. Upon the filing of either of such applications, the commission shall proceed to make an investigation in regard thereto, hold any necessary hearings and make a finding and order as to what would be a proper, just and equitable fee for

making such physical connection with such natural gas pipe line.".

4. In the bill, strike all of section 4 and in lieu thereof insert the following:

"Sec. 4. The rights and restrictions in regard to pipe lines on roads and highways, set forth in section 75-607, Revised Statutes of Nebraska, 1943, shall apply to pipe lines used for such connections.".

5. In the bill, title, strike all of the 5th line and strike all of the remainder of the title and in lieu thereof insert the following:

"villages, who reside within five hundred feet of a pipe line and apply for such gas, at rates equal to those established in such area; to provide for the expense of the physical connection to furnish such service; to provide for filing an application with the Nebraska State Railway Commission and hearing thereon when the customer cannot agree with the pipe-line company on the fee for making the physical connection; to provide for a hearing and order by such commission in regard thereto; to define certain terms as used in this act; and to provide for the same rights, as to such connections, on roads and highways as are set forth in section 75-607, Revised Statutes of Nebraska, 1943.".

LEGISLATIVE BILL 80. Placed on Select File as amended.

E and R amendments to L. B. 80:

1. Show Sidney J. Cullingham and Harry A. Foster as cointroducers (stricken by Specific Amendment 1 by Mr. Crossland).

2. In Specific Amendments by Mr. Crossland, amendment 1, Section 1, line 4, insert a stricken colon before "(1)"; section 3, line numbered 7, strike the comma and insert a stricken comma after "furnished", also in section 5, line 5 after "misdemeanor" and line 7 after "dollars".

LEGISLATIVE BILL 24. Placed on Select File as amended.

E and R amendments to L. B. 24:

1. In General File amendments by Mr. Hoyt, amendment 1, inserted matter, 1st line, after the quotation mark and before the word

"The" insert: "Section 1."; 2nd line, strike the word "or" before the word "upon"; 4th line, after the word "lands" insert the word "which"; 5th line, strike the comma after "purchase"; 9th line, strike: ", and" and in lieu thereof insert: "and,".

2. In General File amendments by Mr. Hoyt, amendment 4, 2nd line, after the figure "7" insert: ", inclusive,"; (inserted matter) 2nd line, strike the word "or" at the beginning of the line before the word "upon"; 3rd line, strike the word "acquired" and in lieu thereof insert: "which it may acquire", and after the word "through" insert the word "the"; 6th line, after the word "of" and before the word "such" insert: "the construction of"; 7th line, after the word "bonds" insert: "as prescribed".

LEGISLATIVE BILL 75. Correctly enrolled.
LEGISLATIVE BILL 74. Correctly enrolled.
LEGISLATIVE BILL 96. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 75 L. B. 74 L. B. 96

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 356. By Committee on Agriculture, Arthur Carmody, Chairman

A bill for an act to amend section 54-113, Revised Statutes of Nebraska, 1943, relating to livestock; to provide for giving of notice by registered mail to owner of brand or mark before forfeiture of same for nonpayment of assessments; and to repeal the original section.

LEGISLATIVE BILL 357. By Committee on Labor and Public Welfare, Don E. Hanna, Chairman

A bill for an act to amend section 74-581, Revised Statutes of Nebraska, 1943, relating to railroads; to authorize the State Railway Commission to require lights or other signals on switch stands; to provide for substitution of signals with reflex lenses in place of

lighted lamps under regulation prescribed by the State Railway Commission; and to repeal the original section.

Approved by the Governor

February 20, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 84 L. B. 124

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 99. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Mr. Reavis offered the following amendment, which was adopted.

"1. Amend section 1 of the bill, line 3, by striking the words "*ten thousand*" and inserting in lieu thereof, the words "*eighty-five hundred*".

2. Amend section 2 of the bill, lines 2 and 3, by striking the words "*seventy-five hundred*" and inserting in lieu thereof, the words "*six thousand*".

3. Amend the bill by striking all of sections 4 to 11, inclusive, as amended by standing committee amendment February 8, 1945.

4. Amend the title by striking the same as amended by standing committee amendment February 8, 1945, and inserting the following in lieu thereof:

"A BILL

FOR AN ACT relating to the salaries of the judges of the Supreme and district courts; to fix the salaries of judges of Supreme and district courts." "

Mr. Schultz offered the following amendment to Mr. Reavis' amendment, which was adopted.

Amend the Reavis amendment by striking "eighty-five hundred" and inserting "seventy-five hundred".

A record vote was requested.

Mr. Reavis moved a call of the house.

A call of the house was ordered and after call the roll showed 36 members present.

Mr. Schultz made a motion to raise the call, which prevailed with 24 ayes, 7 nays and 12 not voting.

Mr. Schultz' amendment was adopted with 19 ayes, 14 nays and 10 not voting.

Voting in the affirmative, 19:

Adams	Carlberg	Garber	Mueller
Anderson, L.	Carmody	Hoyt	Raasch
Babcock	Cronin	Jeffords	Schultz
Burney	Crossland	Kain	Weborg
Burnham	Doyle	Lusienski	

Voting in the negative, 14:

Anderson, J.	Hubka	Peterson	Ryan
Cullingham	Klaver	Pizer	Seaton
Foster	Lee	Reavis	Tvrdik
Hern	Ogden		

Not voting, 10:

Brodahl	Hanna	Norman	Sorrell
Conklin	Heiliger	Raecke	Wood
Dooley	Mekota		

Mr. Reavis made a motion to advance the bill.

Mr. Garber made a motion to indefinitely postpone.

A record vote was requested and the motion lost with 7 ayes, 29 nays and 7 not voting.

Voting in the affirmative, 7:

Burnham	Carmody	Jeffords	Raasch
Carlberg	Garber	Lusienski	

Voting in the negative, 29:

Adams	Crossland	Hern	Pizer
Anderson, J.	Cullingham	Hoyt	Reavis
Anderson, L.	Dooley	Hubka	Ryan
Babcock	Doyle	Kain	Schultz
Brodahl	Foster	Klaver	Seaton
Burney	Hanna	Lee	Tvrdik
Conklin	Heiliger	Norman	Weborg
Cronin			

Not voting, 7:

Mekota	Ogden	Raecke	Wood
Mueller	Peterson	Sorrell	

Mr. Mueller offered the following amendment, which was not adopted with 13 ayes, 22 nays and 8 not voting.

> Amend Mr. Reavis' amendment to L. B. 99 by striking "six thousand" and inserting in lieu thereof "five thousand, five hundred".

A record vote was requested.

Voting in the affirmative, 13:

Brodahl	Carmody	Lusienski	Raasch
Burney	Garber	Mekota	Schultz
Burnham	Heiliger	Mueller	Weborg
Carlberg			

Voting in the negative, 22:

Adams	Cullingham	Hubka	Pizer
Anderson, J.	Doyle	Kain	Reavis
Anderson, L.	Foster	Klaver	Ryan
Babcock	Hanna	Lee	Seaton
Cronin	Hern	Norman	Tvrdik
Crossland	Hoyt		

Not voting, 8:

Conklin	Jeffords	Peterson	Sorrell
Dooley	Ogden	Raecke	Wood

Mr. Reavis renewed his motion to advance to E and R for review, which prevailed.

LEGISLATIVE BILL 157. Read and considered.

Mr. Cullingham Presiding

Speaker Peterson Presiding

Mr. James Anderson offered the following amendments, which were adopted.

1. Amend section 1 of the bill, lines 5 to 8, by striking the present subdivision "(a)" and inserting in lieu thereof a new subdivision "(a)" as follows:

"(a) "Motor vehicle" means all vehicles propelled by any power other than muscular power, excepting, however, traction engines, road rollers, auto glides, which shall be construed to mean any two-wheeled vehicle propelled by an engine of less than two-horsepower rated capacity, and any vehicles which run only on rails or tracks;"

2. Amend section 1 of the bill, lines 23 and 24, by striking the words *"enclosed building or structure"* and inserting in lieu thereof: *"location"*.

3. Amend section 1 of the bill, line 24, by inserting a "," after the word "leased".

4. Amend section 1 of the bill, line 30, by inserting after the word "services" the following:

"or a contract with a qualified motor vehicle repairer as defined in this act to perform such repair services".

Mr. James Anderson made the following amendment, which was adopted.

Amend Sec. 11 of the bill by adding after the period in line 27, the following: "The aggregate liability of the surety, however, shall in no event exceed the penalty of said bond."

Mr. James Anderson offered the following amendment, which was adopted.

Amend line 21, Sec. 3, by striking the words "of the" after the word "address".

Mr. Anderson asked unanimous consent to have L. B. 157 made Special Order of the Day on Thursday, February 22. No objection was offered, and it was so ordered.

Unanimous Consent

Mr. Crossland asked unanimous consent to revert to Select File for consideration of L. B. 80.

No objection. So ordered.

SELECT FILE

LEGISLATIVE BILL 80.

Mr. Crossland made a motion to suspend the rules and adopt the E and R amendments found in today's Journal.

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 95. Advanced to E and R for engrossment.

LEGISLATIVE BILL 312. Advanced to E and R for engrossment.

LEGISLATIVE BILL 108. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day were adopted.

Mr. Hubka asked unanimous consent to have the following amendment adopted. No objection was offered and it was so ordered.

> Amend L. B. 108 as follows: Strike the Dooley amendment adopted on February 9, 1945, then insert at the end of Section 1 the following: "All licenses valid at the time of the passage of this act, and which would otherwise expire on or before September 1, 1945, shall remain valid until September 1, 1945; all licenses valid at the time of the passage of this act and which do not expire until after September 1, 1945, may be renewed until September 1, 1947, upon the payment of twenty-five cents for each eight months, which shall elapse between the expiration date of such license and September 1, 1947, with a minimum of twenty-five cents for each eight months or fraction thereof"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 130. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Suspend the Rules

Mr. President: I move that we suspend the rules and allow the Committee on Banking, Commerce and Insurance to hold an executive session on February 21, 1945 at 1:00 p. m. (Signed) Earl J. Lee

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

GENERAL FILE

LEGISLATIVE BILL 62. Laid over.

Bill and Standing Committee amendments read. No action was taken.

Adjournment

At 12:10, p. m. Mr. Klaver made a motion to adjourn. The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 22, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Reverend Russell M. Bythewood of the Tabernacle Christian Church of Lincoln.

The roll was called and all members were present.

Washington Memorial Program

Reverend Bancroft Presiding

Quartet—American Legion

Address—Dr. Benjamin F. Schwartz, Chancellor, Wesleyan University

Trio—Misses Marion Johansen, Lucille Nider and Evelyn Schuerman
Accompanied by Miss Lola Dagefoerde

Reverend Bancroft thanked those who participated in the program and invited the guests to remain for the day's session.

President Johnson Presiding

MOTION—To Appoint Committee

Mr. President: I move that the Lieutenant Governor appoint a committee of three to invite and escort the Hon. Herbert Brownell to the Legislature for a short address while in Nebraska the first of March. (Signed) Schultz

The motion prevailed unanimously.

The Journal for the thirty-seventh day was approved as corrected.

Communications

A petition to Mr. Hoyt from forty-three residents of the Thirty-third district favoring L. B. 33.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 210	Monday, March 5, 1945	2:00 p. m.
L. B. 218	Monday, March 5, 1945	2:00 p. m.
L. B. 230	Monday, March 5, 1945	2:00 p. m.
L. B. 357	Monday, March 5, 1945	2:00 p. m.

Judiciary

L. B. 299	Wednesday, February 28, 1945	2:00 p. m.
L. B. 300	Wednesday, February 28, 1945	2:00 p. m.
L. B. 320	Friday, March 2, 1945	2:00 p. m.
L. B. 326	Friday, March 2, 1945	2:00 p. m.
L. B. 329	Friday, March 2, 1945	2:00 p. m.

Public Works

L. B. 161	Wednesday, February 28, 1945	2:00 p. m.
L. B. 153	Wednesday, February 28, 1945	2:00 p. m.
L. B. 234	Wednesday, February 28, 1945	2:00 p. m.
L. B. 298	Friday, March 2, 1945	2:00 p. m.
L. B. 220	Friday, March 2, 1945	2:00 p. m.
L. B. 346	Friday, March 2, 1945	2:00 p. m.
L. B. 224	Wednesday, March 7, 1945	2:00 p. m.
L. B. 334	Wednesday, March 7, 1945	2:00 p. m.
L. B. 146	Wednesday, March 7, 1945	2:00 p. m.
L. B. 297	Friday, March 9, 1945	2:00 p. m.
L. B. 339	Friday, March 9, 1945	2:00 p. m.
L. B. 222	Wednesday, March 14, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval February 22, 1945, 9:30 a. m.

L. B. 74 L. B. 75 L. B. 96

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 342. Placed on General File as amended.

Standing Committee amendments to L. B. 342:

1. Amend the bill, section 4, line 1, by striking the word "section" and inserting in lieu thereof the word "sections", and by inserting after the figures "64-101" the words and figures "and 64-110"

2. Amend the bill, section 4, line 2, by striking the word "is" and inserting in lieu thereof the word "are".

3. Amend the bill by adding a new section as follows:

"Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title, line 2, by inserting after the figures "64-101" the following: "and to repeal section 64-110".

5. Amend the title, line 12, by striking the word and punctuation "section." and inserting in lieu thereof the following:

"sections; and to declare an emergency."

LEGISLATIVE BILL 305. Placed on General File.
LEGISLATIVE BILL 241. Placed on General File.
LEGISLATIVE BILL 289. Indefinitely postponed.

(Signed) John E. Mekota, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 337. Indefinitely postponed.
LEGISLATIVE BILL 100. Indefinitely postponed.

(Signed) Don E. Hanna, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 33. Placed on General File.

(Signed) Earl J. Lee, Chairman

Enrollment and Review

LEGISLATIVE BILL 122. Placed on Select File as amended.

E and R amendments to L. B. 122:

1. In Standing Committee amendment 2, 3rd line, strike the period after the quotation mark and before "as for" and in lieu thereof insert: "; .". In amendment 5, 3rd line, strike the comma after "77-1627" and in lieu thereof insert the word "and", and in said line, before the figures "77-1629" insert the word "section".

2. In the bill, section 2, line 5, strike: "under the emergency act" and in lieu thereof insert: "under the emergency act", and at the end of said line, after "*1944*," insert "*under*"; strike all of line 8 after the word "and", also the words "money collected" in line 9, and in lieu thereof insert: "county boards are also authorized to expend the money collected"; line 12, strike: ", as provided in either of said acts," and in lieu thereof insert: "; as provided in either of said acts,"; lines 13 and 14, strike: "of said acts," and in lieu thereof insert: "of said acts, *said sections or this act*"; line 13, after the word "money" insert the word "so".

3. In the bill, section 3, formerly 4, line 1, strike the comma after the figures "77-1627" and in lieu thereof insert the word "and"; line 2, after the word "and" and before "77-1629" insert the word "section".

4. In the bill, title, 10th line, strike the word "moneys" and in lieu thereof insert the word "money"; 11th line, after the word "under" insert the word "either"; 12th line, after the figure "1944" and before the semicolon, insert: "or this act.".

LEGISLATIVE BILL 80. Correctly engrossed.
LEGISLATIVE BILL 97. Correctly engrossed.
LEGISLATIVE BILL 196. Correctly engrossed.
LEGISLATIVE BILL 57. Correctly enrolled.
LEGISLATIVE BILL 116. Correctly enrolled.
LEGISLATIVE BILL 160. Correctly enrolled.
LEGISLATIVE BILL 164. Correctly enrolled.
LEGISLATIVE BILL 166. Correctly enrolled.
LEGISLATIVE BILL 314. Placed on Select File as amended.

E and R amendments to L. B. 314:

1. In the bill, section 1, line 11, after the word "*provided*" insert ";"; strike all of lines 12 to 20, inclusive, and in lieu thereof insert:

"*ther,* that *(1)* all persons *any person* who shall have possessed *had* a motor vehicle operator's license *issued*

in this state prior to August 15, 1937, *or (2) who (a) served in the armed forces of the United States during World War II, (b) had an operator's license which was in force on the day of induction and (c) has no apparent physical or mental defects or impairments at the time of seeking a renewal certificate,* ~~and who shall present the same to the examining officer or officers of his county,~~ shall be delivered a successful applicant's certificate *upon presenting such license or certificate and, in the case of World War II veterans, evidence of such service to the examining officer or officers of applicant's county*, unless the examiner";

insert a comma in line 29 after the word "applications" and in line 31 after the word "applicants"; line 30, strike: "and with" and in lieu thereof insert: ", and with"; line 35, strike: "without charge," and in lieu thereof insert: "without charge,"; line 37, strike: ", on" and in lieu thereof insert: "~~,~~ on *without charge upon*".

2. In the bill, title, 6th line, strike the word "certificate" and in lieu thereof insert: "operator's license"; 7th line, after the word "and" and before the word "at" insert: "who,"; 8th line, strike: "the applicant" and in lieu thereof insert a comma.

LEGISLATIVE BILL 128. Placed on Select File as amended.

E and R amendments to L. B. 128:

1. In the bill, section 1, strike all of lines 4 to 7, inclusive, and in lieu thereof insert:

"relative of such *dependent* child may ~~make~~ *file with the local board a written* application in writing in triplicate for financial assistance *for* ~~with reference to~~ such child, on forms furnished by the Board of Control, ~~through the local board, and such application shall be filed with the board.~~";

line 17, strike the word "then" and in lieu thereof insert "then"; line 29, strike: ", and an" and in lieu thereof insert: "~~,~~ and an . *An*".

2. In the bill, title, 3rd line, strike the word "of" and in lieu thereof insert the word "for"; 4th line, strike the word "amount" and in lieu thereof insert: "and minimum amounts"; 5th and 6th lines, strike: "with reference to" and in lieu thereof insert the word "for".

(Signed) Roy B. Carlberg, Chairman

Government

LEGISLATIVE BILL 163. Placed on General File.
LEGISLATIVE BILL 162. Placed on General File.
LEGISLATIVE BILL 169. Placed on General File.
LEGISLATIVE BILL 188. Placed on General File.
LEGISLATIVE BILL 203. Indefinitely postponed.

(Signed) Frank Sorrell, Chairman

Appropriations

LEGISLATIVE BILL 198. Indefinitely postponed.

(Signed) A. J. Brodahl, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 57 L. B. 116 L. B. 160 L. B. 164 L. B. 166

Bills Referred to Standing Committees

L. B.	Committee
356	Agriculture
357	Labor and Public Welfare

Unanimous Consent

Mr. Sorrell asked unanimous consent to take up L. B. 88, which was set for Special Order.

No objection was offered and it was so ordered.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 88. Mr. Reavis offered the following substitute amendment to Mr. Raecke's amendment, found in the Legislative Journal for the Thirty-second Day.

1. Amend section 3 of the bill, line 2, by striking the words "a majority of" and inserting in lieu thereof the words "forty per cent of the". Line 3, strike the word "state" and insert "municipal".

2. Amend section 3 of the bill, lines 6 to 14, by striking in line 6 the following:

"the proceed-"

and by striking all of lines 7 to 14 and inserting in lieu thereof the following:

"the governing body shall submit such proposition of issuing such bonds to the electors of such city or village at a special election called for that purpose or at a general city election, notice of which shall be given by publication in a legal newspaper published or of general circulation in such city or village three consecutive weeks. If a majority of the qualified electors of the city or village voting upon the proposition shall have voted in favor of issuing such bonds, the governing body may issue and sell such combined revenue bonds and pledge for the payment of same the revenues and earnings of the public utilities owned and operated by the city or village as proposed in such notice and enter into such contracts in connection therewith as may be proper and necessary. Such bonds shall draw interest from and after the date of issuance at the rate of not more than six per cent per annum. In the event the electors fail to approve the proposition by such majority vote, such proposition shall not be submitted to the electors again for their consideration until one year has elapsed from the date of said election."

Mr. Reavis' amendment was adopted.

Advanced to E and R for review.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 12. With emergency.

A bill for an act to amend sections 52-501, 52-502 and 52-503, Revised Statutes of Nebraska, 1943, relating to liens; to provide that the owner of a mechanical corn picker or mechanical corn husker shall have a lien upon the corn picked or husked with such a machine; to provide for the procedure for perfecting, enforcing and foreclosing such a lien; to provide that such lien shall shift from the corn to the purchase price thereof under the prescribed circumstances and conditions; to provide that such lien shall not attach to such corn or the purchase price thereof in the event the corn is sold or consigned, under

the prescribed conditions, unless a notice is given the purchaser as prescribed; to provide that a person, for whom such picking or husking was done, who has refused to pay for such services and who sells, secretes or disposes of property covered by such lien shall, under the prescribed conditions, be deemed guilty of a misdemeanor; to provide a penalty; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cronin			

Voting in the negative, 1:

Doyle

Not voting, 1:
Kain

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 21.

A bill for an act to amend section 79-2816, Revised Statutes of Nebraska, 1943, relating to junior colleges; to provide that the prohibition of said section against any appropriation of state funds or financial aid in the organization, maintenance and support of junior colleges shall not be construed to prevent a junior college from receiving federal funds or equipment; to change the section number in regard to estimates, referred to in said section, from 79-2819 to 79-2815; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 4:

Carlberg	Garber	Mekota	Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. Reavis was excused until Monday, February 26, 1945.

LEGISLATIVE BILL 29.

A bill for an act to provide for the administration of estates of absentees; to provide the procedure for the administration of estates of persons absent for a period of seven years under the prescribed circumstances and procedure; to provide for the appointment of a conservator for the estate of a person who absents himself without known cause under the prescribed circumstances and procedure; and to repeal sections 30-1901 to 30-1914, inclusive, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka		

Voting in the negative, 0.

Not voting, 1:

Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 68. With emergency.

A bill for an act to create a "Post War Construction Fund"; to provide for appropriation and transfer from the general fund of three million dollars to such fund; to provide for the investment of the fund; to prescribe the general class of projects to be carried out by expenditures from such fund; to except the appropriation and transfer to this fund and appropriations from this fund, as herein prescribed, from the provisions of sections 50-203 and 77-513, Revised Statutes of Nebraska, 1943; to provide for expenditures from this fund only after and pursuant to further appropriation by the Legislature within the specified classes; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Lusienski	Schultz

Burney	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Cronin	Hubka	Peterson	Wood
Crossland			

Voting in the negative, 0.

Not voting, 2:

Burnham Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 182. With emergency.

A bill for an act to amend section 79-1303, Revised Statutes of Nebraska, 1943, relating to schools; to increase the fee for each teacher's certificate to two dollars; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Ryan
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Garber Mueller Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 165. With emergency.

A bill for an act to amend sections 79-212 and 79-2528, Revised Statutes of Nebraska, 1943, relating to schools; to extend, for the fiscal years ending June 30, 1946 and June 30, 1947, the provisions for increasing the maximum aggregate school tax that may be levied by the prescribed school districts to twenty-two mills; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Conklin	Hern	Ogden	Weborg
Cronin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Carmody	Hubka	Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 126.

A bill for an act to amend section 77-1201, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for a complete listing of all personal property held or owned on April 1 of the year in which the assessment is being made; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Ryan
Babcock	Dooley	Lee	Schultz
Brodahl	Doyle	Lusienski	Seaton
Burney	Foster	Mekota	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Carmody	Hern	Peterson	Wood
Conklin	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Garber	Jeffords	Norman	Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Speaker Peterson was excused to meet Mr. Frank Bane, Executive Director of the Council of State Governments, who was to appear before the Legislature.

LEGISLATIVE BILL 54.

A bill for an act to amend section 48-106, Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to except from the act employers of ranch laborers; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Hoyt	Ogden
Anderson, L.	Cullingham	Hubka	Pizer
Babcock	Dooley	Jeffords	Raasch
Brodahl	Doyle	Kain	Raecke

Burney	Foster	Klaver	Schultz
Burnham	Garber	Lee	Seaton
Carlberg	Hanna	Lusienski	Sorrell
Carmody	Heiliger	Mueller	Weborg
Conklin	Hern	Norman	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Peterson	Ryan	Tvrdik
Mekota	Reavis		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 157. Laid over.

GENERAL FILE

LEGISLATIVE BILL 62. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Mr. Jeffords made a motion to indefinitely postpone, which was lost with 5 ayes, 22 nays and 16 not voting.

Mr. Jeffords asked unanimous consent to remove his name as introducer of L. B. 62. No objection was offered and it was so ordered.

Mr. Hern asked unanimous consent to have his name put on L. B. 62 as the introducer. No objection was offered and it was so ordered.

Advanced to E and R for review.

MOTION—To Refer To Rules Committee

Mr. President: I move that the Rules committee take under advisement the amending of Rule 5, Sec. 7, to carry out the original intention of the rule to prohibit lobbying on third reading, and not for the purpose of confining members to their seats. (Signed) John F. Doyle

The motion lost with 8 ayes, 9 nays and 26 not voting.

Speaker Peterson's Report

Mr. Peterson informed the Legislature that Mr. Frank Bane would not be able to appear before the Legislature.

GENERAL FILE

LEGISLATIVE BILL 158. Laid over.

LEGISLATIVE BILL 317. Laid over.

LEGISLATIVE BILL 91. Read and considered.

Unanimous consent was granted to take up the bill without the committee statement attached.

Mr. Hubka offered the following amendment, which was adopted.

Amend L. B. 91, Section 1, by striking the last word in line 4 and the words "Institution for the Feeble-Minded" in line 5 and by inserting in lieu thereof the following: "Beatrice State Home".

Amend, also, by adding to Section 2 the following: wherever the words "Nebraska Institution for the Feeble-Minded" occur in the statutes, it shall be taken to mean and refer to the "Beatrice State Home".

Advanced to E and R for review.

MOTION—Adjournment

Mr. Foster made a motion to adjourn.

The motion lost with 2 ayes, 25 nays and 16 not voting.

LEGISLATIVE BILL 117. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Advanced to E and R for review.

Adjournment

At 11:58 a.·m., Mr. Garber made a motion to adjourn.

The motion prevailed with 18 ayes, 12 nays and 13 not voting.

Hugo F. Srb
Clerk of the Legislature

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 23, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the thirty-eighth day was approved as corrected.

RESOLUTION

LEGISLATIVE RESOLUTION 6. Re: Amendment of Rule 5, Section 7.

Introduced by John F. Doyle of Greeley.

WHEREAS, one of the rules of the Legislature has been interpreted with a drastic effect upon the members, and

WHEREAS, one of the rules should be amended,

THEREFORE, BE IT RESOLVED BY THE LEGISLATURE that Rule 5, Section 7, be amended to read as follows:

> "Members shall remain in their seats during the final reading of a bill and until the vote thereon has been announced, except to leave the floor of the Legislature."

That this resolution be referred to the Committee on Rules.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 148. Placed on General File as amended.

Standing Committee amendments to L. B. 148:

1. Amend section 1 of the bill, lines 3 and 4, by striking the following: "outside of incorporated cities and towns,"

2. Amend section 1 of the bill, line 5, by striking the word "rural"

3. Amend section 2 of the bill, line 1, by striking the words "sixty per cent" and inserting in lieu thereof: "a majority"

4. Amend section 2 of the bill, line 3, by striking the word "rural"

5. Amend section 2 of the bill, line 4, by striking the following: "by mass meeting or otherwise,"

6. Amend section 3 of the bill, line 2, by striking the word "rural"

7. Amend section 5 of the bill, line 9, by striking the word "rural"

8. Amend section 5 of the bill, line 9, by inserting after the word "cemetery" the following: "in the district"

9. Amend section 5 of the bill, line 13, by striking the word "rural"

10. Amend section 7 of the bill, line 2, by striking the word "rural"

11. Amend section 7 of the bill, line 3, by striking the words "at the rate of", and insert in lieu thereof: ", but not to exceed"

12. Amend the title of the act, line 3, by striking the word "rural"

13. Amend the title of the act, line 6, by inserting after the word "duties", the following: "; to provide for issuance of warrants"

14. Amend section 5 of the bill, by striking lines 6 to 16 and inserting in lieu thereof the following:

"estimate shall be certified by the president and secretary to the proper county clerk, or county clerks, who shall levy a tax, which may not exceed one-fourth mill, upon the taxable property within said district for the maintenance of the cemetery in the district

for the fiscal year as provided by law. Such tax shall be collected as other taxes are collected in the county by the county treasurer and shall be placed to the credit of the cemetery district so authorizing the same, and shall be paid to the treasurer of the cemetery district upon warrants drawn upon the fund by the board of directors of the district, bearing the signature of the president and the counter-signature of the secretary of the cemetery"

15. Amend section 6 of the bill by striking lines 1 to 7 and inserting in lieu thereof the following:

"Sec. 6. The board of trustees of the cemetery district are hereby empowered to adopt such by-laws as may be deemed necessary for the government of said district."

16. Amend section 7 of the bill, lines 4 and 5, by striking the words "county treasurer" and inserting in lieu thereof: "Cemetery District Treasurer"

17. Amend the bill by adding a new section to be known as section 8 to read as follows:

"Sec. 8. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

18. Amend the title of the act, line 6, by striking the word "and" before the words "to provide"

19. Amend the title of the act, line 7, by inserting after the word "districts" the following: "; and to declare an emergency"

LEGISLATIVE BILL 187. Placed on General File as amended.

Standing Committee amendment to L.B. 187:

In the bill, section 4, line 12, strike the word *"husband"* and insert in lieu thereof the word *"spouse"*.

(Signed) Carl P. Jeffords, Chairman

Revenue

LEGISLATIVE BILL 255. Placed on General File.
LEGISLATIVE BILL 248. Placed on General File.
LEGISLATIVE BILL 201. Placed on General File.
LEGISLATIVE BILL 195. Placed on General File.
LEGISLATIVE BILL 207. Indefinitely postponed.
LEGISLATIVE BILL 125. Indefinitely postponed.

(Signed) Walter R. Raecke, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 313. Indefinitely postponed.
LEGISLATIVE BILL 287. Indefinitely postponed.
LEGISLATIVE BILL 19. Indefinitely postponed.

(Signed) Earl J. Lee, Chairman

Appropriations

LEGISLATIVE BILL 352. Placed on General File.
LEGISLATIVE BILL 353. Placed on General File.

(Signed) A. J. Brodahl, Chairman

Enrollment and Review

LEGISLATIVE BILL 312. Correctly engrossed.
LEGISLATIVE BILL 138. Correctly engrossed.
LEGISLATIVE BILL 118. Replaced on Select File as amended.

E and R amendment to L. B. 118:

1. In the bill, section 1, line 25, reinsert the period stricken by General File amendment.

LEGISLATIVE BILL 115. Placed on Select File as amended.

E and R amendments to L. B. 115:

1. In the original bill, section 1, pages 3 and 4, correct the numbering of the lines, beginning with "14" to "60" inclusive, and in lieu thereof, number said lines "13" to "59". (Printed bill is correctly numbered and Standing Committee amendments are made with line numbers as shown in the printed bill.)

2. In Standing Committee amendment 3, inserted matter, 7th line, after the word *"when"* insert the word *"a"*.

3. In the bill, section 1, line 4, strike *","* and in lieu thereof insert *"."*; line 6, strike the comma after the word "States" and insert a stricken comma; line 9, strike the word *"to"* and in lieu thereof insert: ", to"; line 10, strike the word "section" and in lieu thereof insert "sections" and in said line, after the comma and before the word "and" insert: *"inclusive, as amended by this act,"*; line 13, strike the word "moneys" and in lieu insert: *"money"*; line 14, after "80-403" and before the period, insert: *", as amended"*; line 17, after the comma and before the word "and" insert: *"as amended,"*; line 18,

insert a comma after the word "time" and before the word "as"; line 19, strike the word "and" and in lieu thereof insert "and"; line 20, strike the word "moneys" and in lieu thereof insert: "moneys *money*"; line 23, after the comma and before the word "shall" insert: *"as amended,"*; line 27, strike the word *"both"* and in said line, strike the word *"and"* and in lieu thereof insert the word *"or"*; line 34, strike the word "provided" and in lieu thereof insert: ", provided ; *Provided,"*; line 36, strike: ", and provided" and in lieu thereof insert: ", ; *and provided further,"*; lines 42 and 43, strike the word "thereunto" and in lieu thereof insert: "thereunto"; line 43, strike the period and in lieu thereof insert: *"for such purpose."*; line 45, strike the word "as" and in lieu thereof insert: "as *so*"; line 55, strike the word "or" and in lieu thereof insert the word "of", (as in the statute).

4. In the bill, section 2, line 3, strike the word "moneys" and in lieu thereof insert: "moneys *money,"*; line 9, after "80-401," and before Standing Committee amendment 4, insert: *"as amended,"*; line 11, strike: ", provided" and in lieu thereof insert: ", provided ; *Provided,"*; line 15, strike: ", which", and in lieu thereof insert: ", which . *Such bylaws"*, and in said line, after the word "by" and before the word "the" insert: *"and a copy filed with"*; line 16, strike: ", and a copy filed with it" and in lieu thereof insert: ", and a copy filed with it"; line 19, after the word "payments" strike the word "shall" and in lieu thereof insert: *"and the treasurer of such organization* shall *each"*; strike all of line 22 and all of line 23 except the words "shall account" and in lieu thereof insert: "shall be required to give a bond in an amount not less than ten thousand dollars to be approved by said board, and"; line 25, strike the word "moneys" and in lieu thereof insert: "moneys *money"*; line 29, strike the period and in lieu thereof insert: ", ; " ; line 35, strike the word "purpose" and in lieu thereof insert the word "purposes". (as in statute).

5. In the bill, section 3, strike all of lines 3 to 12, inclusive, and in lieu thereof insert:

"80-404. The organization approved by the Board of Educational Lands and Funds may receive or hold in trust testamentary or other gifts, and may purchase or receive gifts of such real estate as may be necessary or advantageous for the carrying out of the provisions of sections 80-401 to 80-405, *inclusive, as amended*. All property so held or owned by it shall be free from taxation during the period of time it shall be held or used by it for the purpose of furnishing the relief *aid* to such soldiers, sailors, marines or nurses, *veterans* and their dependents, as authorized by the provisions of section 80-403, *as amended."*

6. In the bill, section 4, strike all of line 8, and in lieu thereof insert: *"years to be used to establish said fund."*.

7. In the bill, title, 17th line, strike the word "the" before the word "special" and in lieu thereof insert the word "a". 25th line, after the semicolon and before the word "to" insert: "to provide for the state service officer and necessary assistants handling cases as prescribed; 31st line, strike "so as"; strike "so as to establish" in the 32nd line, all of the 33rd line and "of this act;" in the 34th line, and in lieu thereof insert: "to be used to establish said fund;".

LEGISLATIVE BILL 66. Placed on Select File as amended.

E and R amendments to L. B. 66:

1. In General File amendments by Mr. Seaton and Mr. Schultz, adopted February 14, 1945, amendment 1, inserted matter, 7th line, strike: ", and" and in lieu thereof insert: "and,"; 8th line, insert a comma after the word "thereto". In amendment 5, inserted matter, 3rd line, strike: ", and" and in lieu thereof insert: "and,".

2. In the bill, section 2, formerly 3, line 8, strike the comma after the word "village" and strike the word "in" after the word "paid"; line 10, after the word "of" and before the word "inspections" insert: "making such", and in said line, strike the word "made".

(Signed) Roy B. Carlberg, Chairman

Approved by the Governor

To the President, the Speaker and Members of the Legislature. February 23, 1945

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 74 L. B. 75

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 73.

A bill for an act to amend sections 48-121 and 48-122, Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to

increase disability compensation to not more than eighteen dollars per week; to increase disability compensation to not more than twelve dollars per week for life, after three hundred weeks of total disability; to increase compensation for injuries resulting in death to not more than eighteen dollars per week; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Doyle	Kain	Raasch
Anderson, J.	Foster	Klaver	Raecke
Anderson, L.	Garber	Lee	Ryan
Brodahl	Hanna	Lusienski	Schultz
Burney	Heiliger	Mekota	Seaton
Carlberg	Hern	Mueller	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Weborg
Cronin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Babcock	Cullingham	Norman	Reavis
Burnham	Dooley		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 123. With emergency.

A bill for an act to amend section 77-1231, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for changes in the oath on personal property schedules; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Crossland	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Ryan
Babcock	Foster	Lusienski	Schultz
Brodahl	Hanna	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Carmody	Garber	Norman	Reavis
Cullingham			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 156. Laid over.

SELECT FILE

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 127. E and R amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Mr. Hubka offered the following amendment, which was adopted.

In lines 4 to 6, inclusive, of the inserted matter of the E and R amendment 1, strike: "who resides within five hundred feet of the natural gas pipe line of such pipe-line company and"; and in the title, as set forth in E and R amendment 5, lines 1 and 2 of the inserted matter, strike "reside within five hundred feet of a pipe line and".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 24. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 122. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day were adopted.

Laid over.

LEGISLATIVE BILL 128. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 314. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 158. Laid over.

LEGISLATIVE BILL 317. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 147. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 172. Read and considered.

Standing Committee amendments, found in the Legislative Journal of the Thirty-second Day were adopted.

Mr. Kain offered the following amendment, which was adopted:

Amend the title of L. B. 172 by inserting in line 5, after the word "county" the words "and Gosper".

Unanimous consent was granted to add Mr. Kain's name as co-introducer to L. B. 172.

Advanced to E and R for review.

LEGISLATIVE BILL 232. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 145. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 173. Read and considered.

Mr. Conklin offered the following amendment, which was adopted.

Amend Section 1, line 32, by inserting after the word "work" the following:

"plus mileage at five cents per mile and actual expenses."

Advanced to E and R for review.

LEGISLATIVE BILL 174. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 86. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 121.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day were adopted.

Mr. Peterson made a motion that the bill be reprinted as amended.

The motion prevailed.

Laid over.

LEGISLATIVE BILL 46. Laid over.

LEGISLATIVE BILL 321. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 322. Read and considered.

Laid over for Special Order February 26, 1945.

KVVO Transcription

Speaker Peterson introduced to the Legislature Mr. Ken Miller, News Editor, and Mr. Howard Hamilton of the Engineering Department of radio station KVVO, who played a transcription of the Southwest Forum, discussing tax problems of Kansas and Oklahoma.

There will be a forum, in which representatives from Oklahoma, Kansas and Nebraska Legislatures will take part, presented over KFAB at 10:15 p. m., Saturday, February 24.

Speaker Peterson, in behalf of the Nebraska Legislature, expressed the appreciation of the members to Mr. Miller and Mr. Hamilton for bringing this transcription and for their part in bringing about this exchange of ideas.

Members Excused

Messrs. Cullingham, Doyle and Sorrell were excused for Monday, February 26, 1945.

Adjournment

Mr. Mueller made a motion to suspend the rules and adjourn until 10:00 a. m., Monday, February 26.

The motion lost with 20 ayes, 9 nays and 14 not voting.

At 12:10 a. m., Mr. Schultz made a motion to adjourn.

The motion prevailed with 16 ayes, 15 nays and 12 not voting.

Hugo F. Srb
Clerk of the Legislature.

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 26, 1945

Pursuant to adjournment, the Legislature met at 9:03 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carlberg and Weborg, and Messrs. Cullingham and Doyle, who were excused.

The Journal for the thirty-ninth day was approved as corrected.

Communications

A message from the Legion Auxiliary of Post No. 32, Papillion, Nebraska, favoring Legislative Bill 128.

NOTICE OF COMMITTEE HEARINGS

Agriculture

Re-referred from Public Health and Miscellaneous Subjects

L. B. 215 Tuesday, March 6, 1945, 2:00 p. m.
L. B. 199 Tuesday, March 6, 1945, 2:00 p. m.

Banking, Commerce and Insurance

L. B. 358 Tuesday, March 6, 1945, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval February 24, 1945, 9:00 a. m.

L. B. 57 L. B. 116 L. B. 160 L. B. 164 L. B. 166

(Signed) Fred A. Seaton, Vice-Chairman

SELECT FILE

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 122. E and R amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 118. E and R amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115. E and R amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Laid over and retains place.

LEGISLATIVE BILL 66. E and R amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Advanced to E and R for engrossment.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 322. Special Order Tuesday, February 27.

Mr. Conklin made a motion to indefinitely postpone.

Mr. Ogden asked unanimous consent to lay the bill over for Special Order Tuesday, February 27.

Mr. Conklin withdrew his motion and unanimous consent was granted to lay the bill over.

LEGISLATIVE BILL 157. Special Order Tuesday, February 27.

MOTION—To Re-commit Bills

Mr. President: I move that L. B. 199 and L. B. 215 be re-referred to the Committee on Agriculture, from Public Health and Miscellaneous Subjects. (Signed) Carl P. Jeffords, Chairman

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 158. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day were adopted.

Advanced to E and R for review.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 171. Laid over.

Mr. Mekota made a motion to reconsider action in adopting Standing Committee amendments to the bill.

Mr. Mekota moved a call of the house.

A call of the house was ordered and after call the roll showed 36 members present.

Mr. Klaver made a motion to raise the call, which prevailed with 31 ayes, 0 nays and 12 not voting.

Mr. Mekota's motion prevailed, with 24 ayes, 9 nays and 10 not voting.

Mr. Mekota then made a motion that Committee amendment No. 2 be rejected.

The motion prevailed.

Mr. Mekota then made a motion that Committee amendments 1 and 3 be adopted.

The motion prevailed.

Mr. Mekota then asked unanimous consent to lay the bill over. No objection was offered and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 121. Laid over.

LEGISLATIVE BILL 46.

Mr. James Anderson offered the following amendment, which was adopted:

Amend the title to L. B. 46 as follows: In line 3 of the title, after the word "Nebraska" and the punctuation "comma", insert the figures "1943" and punctuation "comma".

Mr. Jeffords offered the following amendments, which were adopted, with 16 ayes, 15 nays and 12 not voting:

Amend line 4 of the title of said bill by striking out the word "physician" and inserting in the place thereof the words "any person".

Amend the title to the bill in line 9 by adding after the numerals 71-1,139, the following: "Who has taken and passed the regular examination before the Board of Examiners in Medicine and Surgery and has been granted a license to practice medicine and surgery."

Amend line 8 of section 1 by striking out the word "physician" and inserting in place thereof the word "person".

Amend line 9 of section 2 by inserting immediately following the numerals 71-1,139, the following: "Who has taken and passed the regular examination before the Board of Examiners in Medicine and Surgery and has been granted a license to practice medicine and surgery."

Amend line 5 of section 2 by striking out the word "physician" and inserting in place thereof the word "person".

Amend line 6 of section 2 by inserting immediately following the numerals 71-1,139, the following: "Who has taken and passed the regular examination before the Board of Examiners in Medicine and Surgery and has been granted a license to practice medicine and surgery."

Mr. Garber made a motion to indefinitely postpone, which prevailed with 20 ayes, 15 nays and 8 not voting.

LEGISLATIVE BILL 176. Read and considered.

Mr. Schultz made a motion to indefinitely postpone, which did not prevail.

Advanced to E and R for review, with 15 ayes, 11 nays and 17 not voting.

LEGISLATIVE BILL 223. Read and considered.

Laid over.

Member Excused

Mr. Sorrell was excused for the remainder of the day and for Tuesday, February 27.

MESSAGE FROM THE GOVERNOR

February 24, 1945

To the President, the Speaker and
Members of the Legislature

Gentlemen:

While the law does not appear to demand confirmation of the Governor's Committee of the Nebraska Commission on Intergovernmental Cooperation, I wish to inform your honorable body of the following appointments:

Walter R. Johnson, Chairman; Robert M. Armstrong, C. C. Fraizer, Wayne O. Reed and Wardner G. Scott.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Approved By the Governor

February 24, 1945

To the President, the Speaker and
Members of the Legislature

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 164	L. B. 166	L. B. 96
L. B. 57	L. B. 116	

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

MESSAGE FROM THE GOVERNOR

February 26, 1945

Mr. President, Mr. Speaker and
Members of the Legislature

I am submitting herewith a bill for introduction which would provide for escheating to the State of Nebraska abandoned deposit accounts in State banks, providing that this money shall be credited to the permanent school fund of this state.

Some other states have similar laws and I believe it is a fair provision, although it cannot apply to deposits in National banks. A survey made in a few of the banks in Nebraska shows that this sum might total more than $100,000.00 and would be a fine addition to the permanent school fund. I do not believe the banks will object as the money does not come out of their profits. In the banks there are many old time dormant accounts, many many years old, which will never be called for and I feel it is a proper use of the power of government to put this money to constructive use. Provision is made in the bill that if the depositor appears at some later time and lays claim to his deposit, he can file a claim and undoubtedly future legislatures will return the money to him. I feel that this bill deserves your careful consideration.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 358. By Cliff N. Ogden of Douglas, Ray E. Babcock of Cheyenne and J E Conklin of Thayer. (By request of the Governor)

A bill for an act relating to banks and banking; to define abandoned deposit accounts; to provide for escheat to the State of Nebraska of such abandoned deposit accounts; to prescribe the procedure to be followed to escheat such abandoned deposit accounts to the State of Nebraska; to provide that the proceeds of abandoned deposit accounts which have escheated to the State of Nebraska shall be deposited in the state treasury to the credit of the permanent school fund; to provide for the filing of a claim for a refund with the Sundry Claims Board; and to provide a penalty.

GENERAL FILE—Continued

LEGISLATIVE BILL 185. Special Order on February 28.

LEGISLATIVE BILL 93. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend the bill, section 2, line 5, by striking the words "penitentiary or".

2. Amend the bill, section 2, lines 5 and 6, by striking the words "one year" and inserting in lieu thereof the words "ninety days".

3. Amend the bill, section 2, line 6, by striking the words "one thousand" and inserting in lieu thereof the words "five hundred".

4. Amend the bill, section 2, line 12, by striking the word "ten" and inserting in lieu thereof the word "thirty".

5. Amend the title to conform to the above amendments.

Advanced to E and R for review.

LEGISLATIVE BILL 134. Read and considered.

Advanced to E and R for review.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and L. B. 353 be referred to a committee. (Signed) Earl J. Lee

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Bill Referred to Standing Committee

L. B.	Committee
L. B. 358	Banking, Commerce and Insurance

Adjournment

At 12:10 p. m. Mr. Hern made a motion to adjourn.
The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 27, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the fortieth day was approved as corrected.

Communication

A letter addressed to the Legislature from Joe Westman, Bridgeport, Nebraska, now in New Guinea, concerning laws regarding hours of business establishments.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 306 Wednesday, March 14, 1945 2:00 p. m.

Appropriations

L. B. 89 Monday, March 5, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 258. Placed on General File as amended.

Standing Committee amendments to L. B. 258:

1. Amend section 4 of the bill, line 30, by striking the same, and inserting the following in lieu thereof:

"of the sinking funds, and the borrowing capacity, *and a summary, to be furnished by the county treasurer to the budget making authority, of the uncollected taxes arising from the last three annual levies.* In addition"

2. Amend section 5 of the bill, line 8, by striking the words *"supervise and direct"* and inserting in lieu thereof:

"act in an advisory capacity"

3. Amend section 9 of the bill, line 43, by striking the words *"seventy-five"* and inserting in lieu thereof:

"fifty"

4. Amend section 14 of the bill, line 24, by inserting after the punctuation the following:

"Any such county may, however, by an affirmative vote of a majority of all the members of the county board elect to change its fiscal year from a period of twelve months commencing January 1 to a period commencing July 1, and to become subject to all the terms of sections 23-901 to 23-919, inclusive."

5. Amend the title, line 8, by striking the words "supervision of" and inserting in lieu thereof:

"acting in an advisory capacity in the"

6. Amend the title to the bill, line 16, by inserting after the punctuation following the word "counties" the following:

"to authorize counties having a population of two hundred thousand inhabitants or more to change to a fiscal year corresponding with other counties."

LEGISLATIVE BILL 238. Placed on General File.
LEGISLATIVE BILL 20. Indefinitely postponed.

(Signed) Frank Sorrell, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 240. Indefinitely postponed.
LEGISLATIVE BILL 168. Placed on General File as amended.

Standing Committee amendments to L. B. 168:

Amend Section 1, by restoring the stricken matter in lines 28 and 29; by striking all the new matter in lines 29 and 30; and by striking the word *thirty* in line 30, and inserting in lieu thereof the word *forty*.

(Signed) Don E. Hanna, Chairman

Enrollment and Review

LEGISLATIVE BILL 43. Correctly engrossed.
LEGISLATIVE BILL 44. Correctly engrossed.
LEGISLATIVE BILL 67. Correctly engrossed.
LEGISLATIVE BILL 77. Correctly engrossed.
LEGISLATIVE BILL 90. Correctly engrossed.
LEGISLATIVE BILL 130. Correctly engrossed.
LEGISLATIVE BILL 12. Correctly enrolled.
LEGISLATIVE BILL 21. Correctly enrolled.
LEGISLATIVE BILL 73. Correctly enrolled.
LEGISLATIVE BILL 62. Placed on Select File as amended.

E and R amendments to L. B. 62:

1. In Standing Committee amendment 1, inserted matter, line 2, strike the word "operating" and in lieu thereof insert the word "operated"; line 3, after the word "by" insert the word "the"; line 5, strike the word "provided" and in lieu thereof insert: "is permitted"; line 8, after the word "both" insert the word "such".

2. In Standing Committee amendment 2, inserted matter, line 1, after the word "which" insert "(1)"; line 2, strike: "explosive, and which device" and in lieu thereof insert: "explosives, (2)"; line 4, strike the word "animal" and in lieu thereof insert the word "animals"; line 5, strike: "animal, and which device" and in lieu thereof insert: "animals, (3)"; line 6, strike: ", and endanger" and in lieu thereof insert: "and (4) endangers"; line 9, before the word "federal" insert: "of the", and in said line strike: ", or by" and in lieu thereof insert: "or by persons having the"; line 12, strike the comma after "highway" and insert a comma at the end of the line after "school".

3. Strike Standing Committee amendment 3 and in the bill, title, 2nd line, before the word "use" insert the word "the", strike

all of the 3rd line and in lieu thereof insert: "to make it unlawful to use the prescribed explosive traps or devices using" and in the 4th line, after the word "animals" insert: "except as prescribed".

LEGISLATIVE BILL 91. Placed on Select File as amended.

E and R amendments to L. B. 91:

1. In General File amendments by Mr. Hubka, last line, strike " ." " and in lieu thereof insert " ". "; also in the bill, section 2, line 3, after "School" and line 5, after "Children".

2. In the bill, section 1, line 11, strike the comma after the word "Reformatory".

3. In the bill, section 2, line 7, strike the word "statute" and in lieu thereof insert the word "statutes".

4. In the bill, title, 3rd line, strike: "," and in lieu thereof insert a semicolon; 4th line, after the word "that" insert: "the prescribed".

LEGISLATIVE BILL 135. Placed on Select File as amended.

E and R amendments to L. B. 135:

1. In the bill, section 1, line 5, after "68-206," insert: "*inclusive,*"; line 9, strike: "which will" and in lieu thereof insert: "which will *to*"; strike the period in line 13, and in lieu thereof insert the following:

> "; *Provided, that, for the purpose of fixing the time for appeal as referred to in this section and as set forth in section 68-227, if such copy is mailed, it shall be conclusively presumed that such copy so mailed was received by the applicant five days after the date of such mailing.*" ;

line 14, before the word "mailed" insert the word "*forthwith*"; line 15, strike the word "forthwith" and in lieu thereof insert: "forthwith"; line 17, after the word "appeal" insert: "*is taken*", and in said line, strike: "is taken" and in lieu thereof insert: "is taken"; strike all of line 18 and in lieu thereof insert the following:

> "days from *after* the receipt by the applicant of the *such* copy thereof *by the applicant*, and" ;

line 25, after the word "and" insert the word "*the*"; line 26, strike the word "copy" and in lieu thereof insert: "*of such certified copies* copy"; lines 27 and 29, strike: "copy shall be" and in lieu thereof insert: "copy shall be".

2. In the bill, section 2, line 3, after the word "making" insert the word "*a*"; line 4, insert a comma after the word "assistance", also in line 6 after the word "chairman"; line 4, after "68-404," insert: "*as amended,*" ; line 8, strike the words "which will" and in lieu thereof insert: "which will *to*"; line 12, strike the period and in lieu thereof insert the following:

> "; *Provided, that, for the purpose of fixing the time for appeal as referred to in this section and as set forth in section 68-418, if such copy is mailed, it shall be conclusively presumed that such copy so mailed was received by the applicant five days after the date of such mailing.*" ;

line 15, before the word "mailed" insert the word "*forthwith*"; line 16, strike: ", forthwith" and in lieu thereof insert: " , forthwith"; line 17, strike the words "is taken" and in lieu thereof insert: "is taken", and in said line, strike the word "from" and in lieu thereof insert: "from *after*"; line 16, after the word "appeal" insert: "*is taken*"; line 18, strike: "by the applicant of the copy thereof," and in lieu thereof insert the following: "by the applicant of the *such* copy thereof *by the applicant,*" ; line 25, after the word "and" insert the word "*the*", and in said line, after the word "he" insert: "*or she*"; line 26, strike the word "copy" at the beginning of the line, and in lieu thereof insert: "copy *of such certified copies";* in lines 26 and 28, strike the words "copy shall be" and in lieu thereof insert: "copy shall be" .

3. In the bill, title, 4th line, strike the words "board on"; strike all of the 5th line and all of the 6th line except the words "and to repeal", and in lieu thereof insert the following:

> "assistance board and the blind assistance board shall be delivered to the applicant for old age or blind assistance personally or sent to him or her by first class mail, instead of by registered mail; to provide when a copy so mailed shall be conclusively presumed to have been received by the applicant for such assistance;"

LEGISLATIVE BILL 181. Placed on Select File as amended.

E and R amendments to L. B. 181:

In the bill, section 1, line 6, after the word "board" insert: ", *shall,*"; line 7, before the word "guardian" insert the word "*the*"; line 9, strike the word "thereof" and insert in lieu thereof: "*thereof of such land*", and in said line, strike: "shall give such" and in lieu thereof insert: "*shall , give such the*"; line 10, before the word "guardian" insert: "*owners and any such*", and in said line, after the word "resident" insert: "*or residents*"; line 11, after the word "when" insert the word "*the*"; line 13, strike the word "of" after the word "and", and in lieu thereof insert: "*of*"; line 15, strike: "the resident owners" and in lieu thereof insert: "*the any such* resident *owner,* owners *or guardian*"; at the end of line 17, add: "*owners or such*"; line 18, strike: "death, absence," and in lieu thereof insert: "*the* death, *or* absence, *of or the*"; line 20, before the word "vacancies" insert: "*vacancy or*"; line 24, strike the word "to" after the word "truly" and in lieu thereof insert: "*to*"; line 23, after the word "oath" insert the word "*to*" ; line 25, after the word "his" insert: ", *her or their land or*"; at the end of line 27, add: "*a reasonable fee*"; line 28, strike: ", *a reasonable fee*" and in lieu thereof insert ","; line 29, strike: "the same shall be taxed in the bill of costs." and in lieu thereof insert: "*the same shall be taxed in the bill of as* costs *in such proceedings* ." and strike the comma after the word "*judge*" .

LEGISLATIVE BILL 301. Placed on Select File as amended.

E and R amendments to L. B. 301:

1. In the bill, section 1, line 12, strike the word "by" after "Regents," and in lieu thereof insert "*by*"; line 13, strike the word "or" after the word "professor" and in lieu thereof insert: ", *or*"; line 14, strike: "shall first be" and in lieu thereof insert: "*shall is* first *be*"; strike lines 16 and 17, and in lieu thereof insert:

> "trip, *the which* resolution *to shall* be submitted to *the* chancellor, and *by* him approved in writing *by the chancellor* ." .

2. In the bill, section 2, strike the word "moneys" and in lieu thereof insert: "*moneys money*" in lines 4, 8, 16 and 18; line 11, strike the word "*moneys*" and in lieu thereof insert the word "*money*" ; line 20, strike the comma before the word "shall" and in lieu thereof insert ","; line 23, before the word "*provisions*" insert the word "*the*"; line 39, strike: "72-302" and in lieu thereof insert "72-202".

3. In the bill, section 3, line 1, before the word "*The*" insert: "*(1)*"; line 5, strike: "*so derived.*" and in lieu thereof insert: "*de-*

rived. (2)"; line 6, after the word "*invested*" and before the word "*they*" insert a comma, also in line 14, after the word "*instrument*" and also after the word "*bequest*"; line 7, before the word "*provided*" insert the word "*are*"; line 9, strike "*(1)*" and in lieu thereof insert: "*(a)*"; line 10, strike the word "*where*" and in lieu thereof insert: "*if,*"; line 11, strike the word "*said*" and in lieu thereof insert: "*, the*"; line 12, after the word "*only*" insert the word "*the*"; line 13, strike: "*(2) No*" and in lieu thereof insert: "*(b) no*", and in said line, strike: "*in case*" and in lieu thereof insert the word "*if*"; line 15, strike the word "*said*" and in lieu thereof insert the word "*the*"; line 18, strike the word "*Cash*" and in lieu thereof insert : "*(c) cash*"; line 20, strike the period and in lieu thereof insert: "*of the University of Nebraska.*" .

4. In the bill, title, 3rd line, strike the semicolon and in lieu thereof insert: ", 1943, relating to funds of the University of Nebraska;" ; 5th line, after the word "administration" insert: "and investment"; 5th and 6th lines, strike: "to provide for the investment of such fund;" .

(Signed) Roy B. Carlberg, Chairman

Education

LEGISLATIVE BILL 202. Placed on General File.
LEGISLATIVE BILL 265. Placed on General File.
LEGISLATIVE BILL 254. Placed on General File as amended.

Standing Committee amendment to L. B. 254:

1. Insert after the word "may" in line 10 the following: "at the discretion of the board".

(Signed) Dwight W. Burney, Vice-Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 12 L. B. 21 L. B. 73

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 359. By the Committee on Education, by Cliff N. Ogden, Chairman.

A bill for an act to amend sections 79-2503, 79-2527, 79-2606, 79-2620, 79-2706, 79-2722, 79-2810 and 79-2815, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the secretary of boards of education governing schools in metropolitan, primary, first and second class cities and in junior colleges shall publish in a legal newspaper the proceedings of their regular and special meetings and a detailed report of all expenses paid for the past twelve months; to provide a time to publish such data and a rate for publishing; to provide penalties; and to repeal the original sections.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 156. Laid over.

LEGISLATIVE BILL 80. With emergency.

A bill for an act to amend sections 71-1901, 71-1902, 71-1903, 71-1904 and 71-1905, Revised Statutes of Nebraska, 1943, relating to board and care of children; to re-enact the foregoing provisions so as to remove the status of such sections as a temporary act; to re-define the persons required to have a license to furnish child care; and to repeal the original sections and also section 71-1906, Revised Statutes of Nebraska, 1943, and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Mr. Crossland moved a call of the House.

A call of the House was ordered, and after call the roll showed 38 members present.

Mr. Schultz made a motion to raise the call, which did not prevail with 17 ayes, 18 nays and 8 not voting.

Mr. Carmody made a motion to raise the call, which prevailed with 21 ayes, 4 nays and 18 not voting.

Voting in the affirmative, 27:

Adams	Crossland	Hubka	Reavis
Anderson, J.	Dooley	Jeffords	Ryan
Babcock	Doyle	Klaver	Seaton
Brodahl	Foster	Lusienski	Tvrdik

Burnham	Garber	Mekota	Weborg
Carlberg	Heiliger	Norman	Wood
Conklin	Hoyt	Peterson	

Voting in the negative, 12:

Anderson, L.	Hanna	Lee	Raasch
Carmody	Hern	Mueller	Raecke
Cronin	Kain	Pizer	Schultz

Not voting, 4:

Burney	Cullingham	Ogden	Sorrell

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Whereupon the President stated: "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 27:

Adams	Crossland	Hubka	Reavis
Anderson, J.	Dooley	Jeffords	Ryan
Babcock	Doyle	Klaver	Seaton
Brodahl	Foster	Lusienski	Tvrdik
Burnham	Garber	Norman	Weborg
Carlberg	Heiliger	Peterson	Wood
Conklin	Hoyt	Raasch	

Voting in the negative, 12:

Anderson, L.	Cronin	Kain	Pizer
Burney	Hanna	Lee	Raecke
Carmody	Hern	Mueller	Schultz

Not voting, 4:

Cullingham	Mekota	Ogden	Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

Mr. President: Had I been present this morning I would have voted for L. B. 80 on third reading.

(Signed) Sidney J. Cullingham

LEGISLATIVE BILL 97. With emergency.

A bill for an act to repeal Article 19, Chapter 19, Revised Statutes of Nebraska, 1943, relating to Municipal Budget Act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cronin	Hubka	Ogden
Anderson, J.	Crossland	Jeffords	Pizer
Anderson, L.	Dooley	Kain	Raasch
Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lee	Schultz
Burney	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mekota	Tvrdik
Carmody	Hern	Mueller	Weborg
Conklin	Hoyt	Norman	Wood

Voting in the negative, 2:

Raecke	Reavis

Not voting, 5:

Carlberg	Garber	Peterson	Sorrell
Cullingham			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: I feel that to repeal this law outright is a step in the wrong direction. Good government demands a uniform system of budgeting public funds and I think we are wrong in so hastily destroying the first serious attempt to establish this uniform system.

(Signed) Joseph C. Reavis

LEGISLATIVE BILL 196. With emergency.

A bill for an act to amend section 23-1406, Revised Statutes of Nebraska, 1943, relating to county government and officers; to provide for an increase in the monthly salary of the chief auditor of the county comptroller in counties having a population of one hundred fifty thousand or more; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' ".

Voting in the affirmative, 31:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Lee	Ryan
Brodahl	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mekota	Tvrdik
Conklin	Hern	Norman	Weborg
Cronin	Hoyt	Ogden	

Voting in the negative, 0.

Not voting, 12:

Burney	Cullingham	Mueller	Schultz
Carlberg	Garber	Peterson	Sorrell
Carmody	Hubka	Reavis	Wood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 322.

Mr. Ogden asked unanimous consent that L. B. 322 be set at the bottom of General File.

No objection was offered, and it was so ordered.

LEGISLATIVE BILL 157.

Mr. James Anderson offered the following amendments, which were adopted.

1. Amend section 1 of the bill by striking all of lines 30 to 32, including the James H. Anderson amendment of February 21, 1945, and inserting in lieu thereof the following words and punctuation:

"persons to perform such services, or a place where, by contract, such services may be performed, and such place of business shall not mean"

2. Amend section 1 of the bill, lines 35 and 36, by striking the following words and punctuation:

"or any location, that in the administrator's opinion imperils the safety of the public"

3. Amend section 1 of the bill by striking all of subsections (o) and (p), and renumbering subsection (q) as subsection (o).

4. Amend section 2 of the bill, lines 7 and 8, by striking the following words and punctuation:

"and to engage in the business of a motor vehicle repairer."

and reinstate the "." following the word "both" in line 7.

5. Amend section 2 of the bill, lines 14 and 15, by striking the new matter and reinstating the words and punctuation as follows:

"only."

6. Amend section 2 of the bill by striking subsections (h) and (i).

7. Amend section 3 of the bill by striking lines 5 and 6 and inserting in lieu thereof the following words and punctuation:

"manufacturer, factory representative or distributor representative must file"

8. Amend section 4 of the bill, line 14, by striking the "," following the word "fee" and inserting in lieu thereof the word *"and"*.

9. Amend section 4 of the bill by striking all of lines 15 and 16 and inserting in lieu thereof the following words and punctuation:

"dollars. Such"

10. Amend section 5 of the bill by striking all of lines 15 and 16 and inserting in lieu thereof the following words and punctuation:

"distributor, factory representative or distributor representative, as the case"

11. Amend section 6 of the bill by striking all of lines 7 to 9, inclusive, and inserting in lieu thereof the following words and punctuation:

"manufacturer, distributor, factory representative or distributor representative and shall have power to deny any license or revoke *or"*

12. Amend section 7 of the bill by striking all of lines 18 and 19 and inserting in lieu thereof the following words and punctuation:

"sentative or distributor representative, the same as though a license were"

13. Amend section 8 of the bill by striking all of lines 5 and 6 and inserting in lieu thereof the following words and punctuation:

"distributor, factory representative or distributor representative, as defined"

14. Amend the title of the act by striking all of lines 7 to 9, inclusive, and inserting in lieu thereof the following words and punctuation:

"or wholesalers, factory representatives and distributor representatives shall also procure an annual".

Mr. Garber made a motion that the amendments to L. B. 157 be mimeographed in proper place and the re-written bill be placed on the senators' desks, and that L. B. 157 keep its place on the file.

The motion prevailed, and the bill was laid over.

LEGISLATIVE BILL 171. Laid over.

GENERAL FILE

LEGISLATIVE BILL 121. Special Order, Tuesday, March 6.

LEGISLATIVE BILL 223. Read and considered.

Mr. Hoyt offered the following amendments, which were adopted.

Amend L. B. 223, Line 4, Section 1, by striking the words "farm machinery" and inserting in lieu thereof the word "combines".

Amend Line 8, Section 1, by striking the word "public" and inserting in lieu thereof the following: "paved or bituminous surfaced".

Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 200. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 119. Laid over.

LEGISLATIVE BILL 184. Laid over.

LEGISLATIVE BILL 143. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fourth Day were adopted.

Mr. Mekota made a motion to advance the bill to E and R for review.

Mr. Schultz made a motion to indefinitely postpone.

A record vote was called for.

Voting in the affirmative, 17:

Anderson, L.	Crossland	Jeffords	Norman
Burney	Dooley	Kain	Raasch
Carlberg	Foster	Lee	Schultz
Carmody	Garber	Mueller	Weborg
Cronin			

Voting in the negative, 21:

Adams	Heiliger	Mekota	Reavis
Anderson, J.	Hern	Ogden	Ryan
Babcock	Hoyt	Peterson	Seaton
Brodahl	Hubka	Pizer	Tvrdik
Burnham	Lusienski	Raecke	Wood
Cullingham			

Not voting, 5:

Conklin	Hanna	Klaver	Sorrell
Doyle			

Member Excused

Mr. Dooley was excused for Wednesday, February 28.

Adjournment

At 12:20 p. m., Mr. Schultz made a motion to adjourn. The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 28, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the forty-first day was approved as corrected.

APPROVED BY THE GOVERNOR

February 27, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 160.

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

Communications

A petition addressed to Mr. Mueller from twenty-three residents of District 34, favoring Legislative Bill 120.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 263 Monday, March 12, 1945 2:00 p. m.
L. B. 274 Monday, March 12, 1945 2:00 p. m.
L. B. 273 Monday, March 12, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 32. Placed on Select File as amended.

E and R amendments to L. B. 32:

1. In Standing Committee amendment 1, line 1, strike the word "line" and in lieu thereof insert: "by striking lines"; in the inserted matter, 1st line, strike: "," and in lieu thereof insert: ","; 9th line, after *"levy"* insert: *"in any one year"*; 11th line, after the word *"dollar"* insert: *"of the"*, and in said line, strike: *"in any one year upon all"* and in lieu thereof insert: *"of all the"*.

2. In Standing Committee amendment 3, inserted matter, 2nd line, before the word "not" insert the word *"of"*.

3. In Standing Committee amendment 5, inserted matter, line 12, after the word "annually" insert: *"which is"*; line 15, after the word "receive" insert the word *"the"*; line 18, strike the word "an" and in lieu thereof insert: *"an such"*, and in said line, strike: "the purpose aforesaid" and in lieu thereof insert: *"the said* purpose aforesaid"; line 19, before the word "actual" insert the word *"the"*; line 20, after the word "property" insert: *", except intangible property,"* ; line 21, strike the comma after the word "year" and in lieu thereof insert ","; line 26, after the word "by" insert: *"the person or"*, and in said line, strike: "; and the same" and in lieu thereof insert: "and the same . *Such claims*"; line 27, strike the comma after the word "paid" and in lieu thereof insert: ", *in the same manner*"; line 28, strike "; and all" and in lieu thereof insert: "and all . *All*"; line 29, strike the comma after "pro rata" and in lieu thereof insert "," .

4. In Standing Committee amendment 6, inserted matter, line 3, after the word "appropriation" insert the word *"of"*; line 4, after the word "all" insert the word *"taxable"*; line 5, strike: "the city may" and in lieu thereof insert:

"~~the~~ *such* city *or village, except intangible property,* may, *at the discretion of the governing body of such city or village,*" ;

line 10, after the word "city" insert: "*or village*"; line 17, after the word "city" insert: "*or village*"; line 18, strike the word "and" and in lieu thereof insert: "*and provided further,*" ; line 19, strike the word "purposes" and in lieu thereof insert: "~~purposes~~ *purpose*"; line 21, strike: "either by" and in lieu thereof insert: "*or village,* either by *a*" .

5. In Standing Committee amendment 9, inserted matter, 2nd line, after the word "dollar" insert: "of the" ; 3rd line, strike the word "upon" and in lieu thereof insert the word "of"; 5th line, strike "repair of" and in lieu thereof insert "repairing"; 8th line, strike: "and to repeal" and in lieu thereof insert:

"to provide a savings clause; to eliminate the provisions of said sections 17-703 and 17-704 permitting the levies therein authorized to be further or additional levies; to include villages in the provisions of said section 17-704; and to repeal the" .

6. In the bill, section 1, line 3, after the word "have" insert the word "*the*" .

7. In the bill, section 2, line 3, after the word "city" insert: "*of the second class*"; line 6, before the word "tax" insert the word "*the*"; strike all of line 7 and in lieu thereof, insert the following:

"by ~~them~~ *such council or trustees* on the *actual valuation of the* taxable property, *except intangible property,* within the ~~corporation~~ *corporate limits of such city or village* for the" ;

line 10, strike: "; and the" and in lieu thereof insert: "~~;~~ *. The county*"; line 17, strike: "; and such" and in lieu thereof insert: "~~;~~ *. Such*"; line 23, before the word "actual" insert the word "*the*"; line 25, after the word "village" insert: ", *except intangible property,*"; line 32, strike the word "sinking" after the word "or" and in lieu thereof insert "~~sinking~~"; line 33, after "19-1304" and before the period insert: ", *inclusive*".

LEGISLATIVE BILL 99. Placed on Select File as amended.

E and R amendments to L. B. 99:

1. Strike all sections of the bill and all amendments thereto and in lieu thereof insert:

"Section 1. Each judge of the district court shall be paid a monthly salary of five hundred dollars.

Sec. 2. The salary fixed by section 1 of this act shall not become effective, respectively, until after the expiration of the present terms of such judges. Until the provisions of section 1 become effective, the judges of the district court shall be paid, respectively, the salaries provided by law at the time of the beginning of their present terms of office." .

2. Strike the title and all amendments thereto and in lieu thereof, insert the following:

"A BILL

FOR AN ACT relating to the salaries of judges of the district court; and to fix the salaries of the judges of the district court."

LEGISLATIVE BILL 131. Placed on Select File as amended.

E and R amendments to L. B. 131:

1. Strike Standing Committee amendment 1, as the original bill has the words correctly.

2. In Standing Committee amendment 3a, 1st line, add the following, "of section 3"; 2nd line, strike: "inserting in lieu thereof:" and insert in lieu thereof, the following: "and insert in line 15, after "field corn" the following: ".

3. In the bill, section 1, line 2, strike "." " and in lieu thereof insert " ". " .

4. In the bill, section 2, lines 13 and 14, strike: "and shall include" and in lieu thereof insert the word "including"; strike the comma in line 23, after the word "seed", in line 24, after the word "stems", in line 35 after the word "labels" and in line 41, after the word "means"; line 28, before the word "Russian" insert the word "and"; line 33, strike "carolianum" and in lieu thereof insert "carolinense" (correct in printed bill); line 34, before the word "pennycress" insert the word "and", and in said line, strike the word "Thalspi" and in lieu thereof insert the word "thlaspi", (correct in the printed bill); insert a comma in line 37 after the word "seed".

5. In the bill, section 3, insert a comma in line 1, after the word "seed", in line 3, after "purposes" and in line 8, after "component":

strike the comma in line 2, after the word "sale" (in two places), in line 29 after "(a)", line 47, after "seed" and line 61 after "seed"; line 7, strike: "(A) Commonly" and in lieu thereof insert: "(a) The commonly" and in said line, insert the word "the" after the word "of" and also after the word "or"; line 13, strike: "(B) Lot" and in lieu thereof insert: "(b) The lot"; line 14, strike: "(C) Origin" and in lieu thereof insert: "(c) The origin"; line 17, strike: "(D) Percentage" and in lieu thereof insert: "(d) The percentage"; line 18, strike "(E)" and in lieu thereof insert "(e)"; line 21, strike the word "One" and in lieu thereof insert: ", one", also in lines 26 and 29; line 37, strike: "(F) Percentage" and in lieu thereof insert: "(f) The percentage"; line 39, strike: "(G) Percentage" and in lieu thereof insert: "(g) The percentage"; line 40, strike "(H)" and in lieu thereof insert "(h)", and in said line, strike "(a)" and in lieu thereof insert a comma; line 41, strike "(b)"; line 42, strike "(c)"; lines 43 and 44, strike: "(a) and (b)" and in lieu thereof insert: "the percentage of germination and of hard seed,"; line 45, strike "as such,"; line 46, strike: "(I) Name" and in lieu thereof insert: "(i) The name"; line 52, strike: "(A) Name of" and in lieu thereof insert: "(a) The name of the"; line 53, strike "(B)" and in lieu thereof insert "(b)"; line 54, strike the word "by" and in lieu thereof insert the word "of"; line 55, strike "(a)"; line 56, strike "(b)"; line 57, strike "(c)"; line 58, strike "(d)"; line 60, strike: "(C) Name" and in lieu thereof insert: "(c) The name".

6. In the bill, section 4, line 5, strike: "a nine month period" and in lieu thereof insert "nine months"; strike the comma in line 9 after the word "act".

7. In the bill, section 5, line 2, insert a comma after the word "label"; line 3, after the word "or" and before the word "the" insert the word "in"; line 10, strike the word "and" at the end of the line, and in lieu thereof insert the word "or".

8. In the bill, section 6, line 16, strike: ", or if" and in lieu thereof insert: "or if it is"; line 17, insert a comma after the word "carrier".

9. In the bill, section 7, line 2, strike the comma after the word "act"; line 4, strike: "kind," and in lieu thereof insert: "the kind"; line 5, insert the word "the" after the word "giving" and also after the word "or" and before the word "kind"; line 6, insert the word "the" before the word "origin", and in said line strike the word "such".

10. In the bill, section 8, line 13, strike: ", and" and in lieu thereof insert: "and,"; line 16, strike: "analysis, tests and examina-

tion of" and in lieu thereof insert: "analyzing, testing and examining"; line 17, strike the comma after the word "seed".

11. In the bill, section 9, line 3, insert a comma before the word "individually"; line 6, strike the word "the" and in lieu thereof insert the word "this"; line 12, strike the word "which" and in lieu thereof insert: ". Such "stop-sale" order"; insert a comma in line 14 after the word "that" and before the word "in", also in line 17, after the word "county"; line 19, strike: *"provided, further,"* and in lieu thereof insert: *"and provided further,"*; line 22, after the word "sections" insert: "or subsections"; line 30, after the word "tests" insert the word "so".

12. In the bill, section 10, insert a comma in line 1 after the word "seed" and in line 2, after the word "act"; line 3, before the word "complaint" insert the word "the"; line 6, strike the word "that" after the word "finds" and in lieu thereof insert the word "said"; line 7, strike the word "the" before the word "act" and in lieu thereof insert the word "this".

13. In the bill, section 11, line 2, insert a comma after the word "and"; line 3, after the comma and before the word "shall", insert: "the person or corporation violating the same".

14. In the bill, section 12, insert a comma in line 4 after "proceedings", in line 8 after the word "General" and also after the word "prosecution", in line 13 after "evidence", in line 14 after "attorney" and in line 20 after "General"; line 11, strike: "having given" and in lieu thereof insert the word "giving"; line 13, after the word "agent" insert the word "and", and at the end of said line, strike the comma after "hearing", also in line 21 after "violation".

15. In the bill, title, 2nd line, strike the comma after "sale"; 5th line, after the word "authorize" insert the word "the"; strike all of the 8th line and in lieu thereof insert:

> "to fix or define the rights, powers and duties of certain persons, officers, agents and employees; to provide a savings clause; to provide" .

LEGISLATIVE BILL 29. Correctly enrolled.
LEGISLATIVE BILL 54. Correctly enrolled.
LEGISLATIVE BILL 68. Correctly enrolled.
LEGISLATIVE BILL 123. Correctly enrolled.
LEGISLATIVE BILL 126. Correctly enrolled.
LEGISLATIVE BILL 165. Correctly enrolled.
LEGISLATIVE BILL 182. Correctly enrolled.
LEGISLATIVE BILL 127. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Agriculture

LEGISLATIVE BILL 245. Indefinitely postponed.
LEGISLATIVE BILL 212. Placed on General File.
LEGISLATIVE BILL 309. Placed on General File.
LEGISLATIVE BILL 349. Placed on General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

Presented to Governor for approval February 28, 1945, 9:30 a. m.

L. B. 12 L. B. 21 L. B. 73

(Signed) Roy B. Carlberg, Chairman

Government

LEGISLATIVE BILL 239. Placed on General File as amended.

Standing Committee amendments to L. B. 239:

1. Amend section 1 of the bill, lines 7 and 8, by striking the same and inserting in lieu thereof:

"valuation ledgers in counties *that have adopted the use thereof* having a population of two hundred thousand or more, to be provided for that purpose, by"

2. Amend section 1 of the bill, lines 22 and 23, by striking the same and inserting in lieu thereof:

"valuation ledgers in counties *that have adopted the use thereof* having a population of two hundred thousand or more,"

3. Amend section 2 of the bill, line 2, by inserting before the word "be" the following:

"as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945,"

4. Amend section 2 of the bill, lines 24 to 27, inclusive, by striking the same and inserting in lieu thereof:

"stallments; *Provided,* any county board in counties having a population of two hundred thousand or more, may, in its discretion, direct the county clerk *or supervisor of tax lists* to trans-"

5. Amend section 3 of the bill, lines 4 and 5, by striking the same, and inserting in lieu thereof:

"counties *that have adopted the use thereof* having a population of two hundred thousand or more, shall be completed, by"

6. Amend section 4 of the bill, lines 4 and 5, by striking the same and inserting in lieu thereof:

"counties *that have adopted the use thereof* having a population of two hundred thousand or more, in their original compil-"

7. Amend section 5 of the bill, lines 4 and 5, by striking the same, and inserting in lieu thereof:

"counties *that have adopted the use thereof* having a population of two hundred thousand or more, shall be the property of"

8. Amend the title, lines 5 to 7, inclusive, by striking the same and inserting in lieu thereof:

" the privilege and authority to county boards in all counties, in their discretion, to"

(Signed) Frank Sorrell, Chairman

Enrollment and Review

LEGISLATIVE BILL 80. Correctly enrolled.
LEGISLATIVE BILL 196. Correctly enrolled.
LEGISLATIVE BILL 97. Correctly enrolled.
LEGISLATIVE BILL 24. Correctly engrossed.
LEGISLATIVE BILL 314. Correctly engrossed.
LEGISLATIVE BILL 317. Placed on Select File as amended.

E and R amendments to L. B. 317:

1. In the bill, section 1, line 4, strike the word "any" and in lieu thereof insert: "*any each*"; line 11, after "*81-172*" and before the period insert: ", *inclusive*" .

2. In the bill, title, 5th line, after "81-172" and before the semicolon, insert: ", inclusive" .

LEGISLATIVE BILL 147. Placed on Select File as amended.

E and R amendment to L. B. 147:

1. In the bill, title, 3rd line, before "to provide" insert:

"to change the population limits of certain classes of counties of this state for the prescribed purposes;";

4th line, before the word "more" insert: "more than thirteen thousand and not"; 7th line, before the word "inhabitants" insert: "and not more than twenty thousand"; 4th line, strike the word "not".

LEGISLATIVE BILL 145. Placed on Select File as amended.

E and R amendments to L. B. 145:

1. In the bill, section 1, line 9, strike the word "on" and in lieu thereof insert: "~~on~~ *upon*".

2. In the bill, title, 3rd line, after the word "of" insert the word "the"; 4th line, strike the word "permitted".

(Signed) Roy B. Carlberg, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 80

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor for approval February 28, 1945, 11:10 a. m.

L. B. 80

(Signed) Roy B. Carlberg, Chairman

MOTION—Replace on Select File

Mr. President: I move to recommit L. B. 156 to Select File for specific amendments. (Signed) Walter R. Raecke

The motion prevailed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 138.

A bill for an act relating to state government; to define terms; to require the filing of certified copies of and the publication and distribution of printed, typed or mimeographed copies of the rules of the administrative agencies of the State of Nebraska, as prescribed; and to provide the use of and the effect as evidence of such certified copies thereof.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cullingham	Klaver	Raecke
Anderson, J.	Foster	Lee	Reavis
Anderson, L.	Garber	Lusienski	Ryan
Babcock	Hanna	Mekota	Schultz
Brodahl	Heiliger	Mueller	Seaton
Burney	Hern	Norman	Sorrell
Burnham	Hoyt	Ogden	Tvrdik
Carlberg	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin	Kain	Raasch	

Voting in the negative, 0.

Not voting, 4:

Carmody	Crossland	Dooley	Doyle

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 312.

A bill for an act to repeal Article 1, Chapter 70, Revised Statutes of Nebraska, 1943, relating to water power districts, as being obsolete.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Cullingham	Lee	Raecke
Anderson, L.	Doyle	Lusienski	Reavis

Babcock	Foster	Mekota	Ryan
Brodahl	Hanna	Mueller	Schultz
Burney	Heiliger	Norman	Seaton
Burnham	Hern	Ogden	Sorrell
Carlberg	Hoyt	Peterson	Tvrdik
Conklin	Jeffords	Pizer	Weborg
Cronin	Kain	Raasch	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, J.	Crossland	Garber	Klaver
Carmody	Dooley	Hubka	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Return to Select File

Mr. President: I move that L. B. 122 be brought back to Select File to remain there for specific amendment. (Signed) Charles F. Tvrdik

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 156. Mr. Raecke offered the following Specific Amendment, which was adopted by unanimous consent.

1. Amend section 1 of the bill, line 4, by inserting after the word "will" the following words and punctuation:

"are unavailable for any of the following reasons:"

2. Amend section 1 of the bill, line 5, by striking the words and figures "(2) or" and inserting in lieu thereof the following punctuation and figures:

", (2)"

3. Amend section 1 of the bill, line 7, by striking the words "or unavailable because of such service"

4. Amend the title of the bill, lines 7 and 8, by striking the words "or otherwise unavailable because of such service"

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 115. Laid over.

LEGISLATIVE BILL 62. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 109. Laid over.

LEGISLATIVE BILL 91. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 135. E and R amendments, found in the Legislative Journal for the Forty-first Day, were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 181. E and R amendments, found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 301. E and R amendments, found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 143. Mr. Mueller offered the following amendments.

1. Section 7, line 9, strike the balance of the section after the word "concerned" and the period.

2. Section 10, line 7, strike the word "five" and insert in lieu thereof the word "twenty"; line 10, strike the word "ten" and insert in lieu thereof the word "thirty".

3. Section 17, line 2, strike the word "twenty" and insert in lieu thereof the word "ten".

4. Section 19, line 7, strike the word "or" and insert in lieu thereof the word "except" and, line 20, after the word "monthly;" strike the balance of that line and line 21, up to and including "per annum".

Mr. Mekota moved a division of the question.

Amendment 1 was not adopted, with 10 ayes, 17 nays and 16 not voting.

Mr. Schultz offered an amendment, which was not adopted.

Amendment 2 was not adopted.

Speaker Peterson Presiding

Amendment 3 was adopted, with 19 ayes, 18 nays and 6 not voting.

Mr. Cullingham asked for a division of the question on amendment No. 4.

The question of striking the word "or" and inserting the word "except" was withdrawn.

The question, in line 20, after the word "monthly" to strike the balance of that line and line 21, up to and including "per annum", was adopted.

Mr. Mueller offered the following amendment, which was adopted.

Amend Section 19 of the bill as follows:

Line 7, add the word "or" between "deputy, assistant".
Line 10, add the word "or" after the word "deputy".
Line 12, add the word "or" after the word "deputy".
Line 13, add the word "or" after the word "deputies".
Line 18, add the word "or" after the word "deputies".
Line 21, add the word "or" after the word "deputies".

Strike the words "attorney" and "attorneys", wherever they appear in said section.

Mr. Garber offered an amendment, which was not adopted, with 7 ayes, 24 nays and 12 not voting.

A record vote was requested on the motion to advance the bill.

Voting in the affirmative, 25:

Adams	Cullingham	Lee	Reavis
Anderson, J.	Heiliger	Lusienski	Ryan
Babcock	Hoyt	Mekota	Seaton
Brodahl	Hubka	Ogden	Sorrell
Carlberg	Kain	Pizer	Wood
Conklin	Klaver	Raecke	Peterson
Crossland			

Voting in the negative, 14:

Anderson, L.	Foster	Jeffords	Raasch
Burney	Garber	Mueller	Schultz
Carmody	Hanna	Norman	Weborg
Cronin	Hern		

Not voting, 4:

Burnham	Dooley	Doyle	Tvrdik

Advanced to E and R for review.

SPECIAL ORDER OF THE DAY

LEGISLATIVE BILL 157. Laid over.

LEGISLATIVE BILL 171. Laid over.

LEGISLATIVE BILL 185. Read and considered.

Mr. Hoyt offered the following amendments:

Amend line 9, section 5, by striking the words "two dollars" and inserting in lieu thereof the words, "one dollar and fifty cents".

Amend line 7, section 6, by striking the words "two dollars" and inserting in lieu thereof the words "one dollar and fifty cents".

Mr. Lester Anderson offered a substitute amendment, which was lost with 17 ayes, 20 nays and 6 not voting.

Mr. Hoyt's amendments were adopted with 24 ayes, 12 nays and 7 not voting.

Mr. Wood offered the following amendment, which was adopted:

Amend line 5, section 6, by striking the word "daily" and re-inserting the stricken matter.

Mr. Burnham offered the following amendment, which was adopted:

In section 8, line 9, strike the words "one dollar" and insert the words "twenty-five cents".

Mr. Adams offered an amendment, which was not adopted.

Approved by the Governor

February 28, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 12 L. B. 73 L. B. 80
L. B. 21

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

Member Excused

Mr. Cronin was excused for the sessions on Thursday and Friday, March 1 and 2.

Adjournment

At 12:10 p. m., Mr. Jeffords made a motion to adjourn.
The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 1, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin, Cullingham, Hubka, Pizer and Sorrell, who were excused.

The Journal for the Forty-second Day was approved as corrected.

Communication

A petition to Mr. Mueller from the Kearney branch of the American Association of University Women favoring Legislative Bill 120.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 355	Wednesday, March 7, 1945	2:00 p. m.

Judiciary

L. B. 359	Wednesday, March 7, 1945	2:00 p. m.
L. B. 360	Wednesday, March 7, 1945	2:00 p. m.
L. B. 361	Wednesday, March 7, 1945	2:00 p. m.

Agriculture

L. B. 362	Tuesday, March 6, 1945	2:00 p. m.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 196	L. B. 123
L. B. 97	L. B. 126
L. B. 29	L. B. 165
L. B. 54	L. B. 182
L. B. 68	

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 138. Correctly enrolled.
LEGISLATIVE BILL 312. Correctly enrolled.
LEGISLATIVE BILL 128. Correctly engrossed.

LEGISLATIVE BILL 88. Placed on Select File as amended.

E and R amendments to L. B. 88:

1. In substitute amendments by Mr. Reavis, adopted February 22, 1945, inserted matter, amendment 2, 4th line, after the word "city" insert: "or village"; 8th line, strike the word "the" at the end of the line and in lieu thereof insert the word "such"; insert a comma in the 9th line after "village", in the 12th line after "pledge" and also at the end of the line, after "same", in the 14th line after "village" and in the 15th line after "notice"; 10th line, strike: "shall have voted" and in lieu thereof insert: ", vote"; 16th line, strike: "proper and"; 17th line, strike the period and in lieu thereof insert: "or proper."; 18th line, strike: "issuance at the" and in lieu thereof insert: "the issuance thereof, at a "; 21st line, after the word "be" insert the word "again"; 22nd line, strike the word "again".

2. In the bill, section 1, lines 1 and 2, strike: "class, any city of the" and in lieu thereof insert the word "or"; insert a comma in line 2 after "Nebraska" and in line 5 after "system"; line 4, strike the word "or" before the word "water" and in lieu thereof insert a comma, strike the words "or a" after "water system" and in lieu thereof insert a comma, strike the words "or a" after "gas plant" and in lieu thereof insert a comma, and strike the words "or an" at the end of the line, and in lieu thereof insert a comma; line 5, before the word "distribution" insert the word "electric"; line 11, strike: "proper and necessary." and in lieu thereof insert: "necessary or proper.".

3. In the bill, section 2, line 1, strike the word "the" before the word "city" and in lieu thereof insert the word "such"; line 5, strike: "and such" and in lieu thereof insert: ". Such" and in said line, strike the word "and" after the word "plans" and in lieu thereof insert a comma; insert a comma in line 9 after the word "then", in line 10 after "proceedings", in line 27, after "village" and in line 29, after "election"; line 10, after the word "direct" insert the word "that", and in said line, strike the word "which" and in lieu thereof insert: "in regard thereto. This"; line 11, strike the word "the" before the word "general" and in lieu thereof insert the word "The"; line 12, strike the word "and" after the word "made" and in lieu thereof insert: "; (2)" and strike the word "and" after the word "plans" and in lieu thereof insert a comma; line 13, before the word "thereof" insert: "and estimate"; line 14, strike "(2)" and in lieu thereof insert "(3)"; line 15, strike "(3)" and in lieu thereof insert "(4)"; line 16, strike the word "and" after the word "bonds" and in lieu thereof insert: "; (5)"; line 17, strike the word "and" after the word "issue" and in lieu thereof insert: "; (6)" ; line 18, strike the word "they" and in lieu thereof insert: "such bonds", and in said line strike the word "and" and in lieu thereof insert: "; (7)"; line 20, strike: "(naming" and in lieu thereof insert: "; (8) the names of"; lines 21 and 22, strike: "pledged); (4)" and in lieu thereof insert: "so pledged; (9)"; line 25, strike the word "and" and in lieu thereof insert: "; (10)" and strike the word "be" at the end of said line and in lieu thereof insert the word "are"; line 27, strike: "a majority" and in lieu thereof insert: "forty percent"; line 28, strike the word "state" and in lieu thereof insert the word "municipal"; lines 29 and 30, strike: "; otherwise, the governing body will" and in lieu thereof insert the following:

> "unless the issuance of such bonds is otherwise authorized in accordance with law; and (11) that if such objections are not so filed by such percentage of such electors, the governing body of such city or village proposes to";

strike all of line 31 after the word "making" and strike: "holders of said bonds" in line 32, and in lieu thereof insert: "such contracts with reference thereto as may be necessary or proper".

4. In the bill, section 3, line 1, strike the word "the" before the word "city" and in lieu thereof insert: "such a" and insert a comma after the word "village"; line 3, strike the word "shall" and in lieu thereof insert a comma.

5. In the bill, section 4, line 2, strike the word "on" after the word "confers" and in lieu thereof insert: "upon and gives to".

6. Strike all of the title, in the bill, after the words "FOR AN ACT" in the 2nd line, and in lieu thereof insert the following:

"relating to cities of the first and second class and villages; to provide that such cities and villages, which own and operate the prescribed public utilities, may pay for extensions and improvements to any of said public utilities by the issuance of combined revenue bonds; to provide for the procedure and requirements therefor; to provide for filing objections thereto; to provide for elections in regard to issuing bonds for such purpose under certain conditions; to prescribe certain procedure and requirements for such an election; to prohibit another election thereon until one year has elapsed, under certain conditions; to pledge the revenues and earnings of any two or more of such public utilities for the payment of such bonds; to authorize such cities or villages to make certain contracts in connection therewith; to prescribe the maximum interest which such bonds may draw; and to provide that this act shall be supplementary to existing statutes and confers upon and gives to such cities and villages the prescribed additional powers.".

LEGISLATIVE BILL 95. Replaced on Select File as amended.

E and R amendments to L. B. 95:

1. In the bill, section 1, line 34, strike the stricken comma after the word "thereof" and in lieu thereof insert a comma.

2. In section 2, strike Enrollment and Review Committee amendment to line 19, and in said line also strike *"Provided,"* and in lieu thereof insert: "~~provided,~~ *if*".

LEGISLATIVE BILL 108. Replaced on Select File as amended.

E and R amendments to L. B. 108:

To make the title conform to specific amendment of Mr. Hubka, strike the 4th and 5th lines of the inserted matter in Enrollment and Review Committee amendment 2, and in lieu thereof, insert:

"of the passage of this act shall be valid until September 1, 1945, if they expire before that date, or to their expiration dates, if they expire after that date; to provide for the renewal of such licenses, which expire after September 1, 1945, to September 1, 1947 and the fee therefor;".

LEGISLATIVE BILL 93. Placed on Select File as amended.

E and R amendments to L. B. 93:

1. In the bill, section 1, line 7, insert a comma before the word "since" and also after the word "report"; line 8, strike the comma after the word "properties".

2. In the bill, section 2, line 4, strike the word "in" and in lieu thereof insert: "upon conviction thereof, (1) in the ", and in said line, strike the word "punishable" and in lieu thereof insert the word "punished"; line 7, strike: ", and, in" and in lieu thereof insert: "such a fine and imprisonment, and (2) in the"; line 12, strike the word "which" and in lieu thereof insert: "when such".

3. In the bill, title, 7th line, strike: "or other public policy"; 7th and 8th lines, strike: "a penalty" and in lieu thereof insert the word "penalties".

LEGISLATIVE BILL 117. Placed on Select File as amended.

E and R amendments to L. B. 117:

1. In Standing Committee amendment 1, inserted matter, strike the period after the word "assessor", also in amendment 4.

2. In Standing Committee amendment 2, inserted matter, line 2, insert: "which have been"; insert a comma in line 3 after "board", in line 6 after "board", in line 8 after "commissioners" and in line 24 after "books"; strike all of line 4 except the words "years after" and strike the word "board" in line 5, and in lieu thereof insert: "such allowance or rejection"; line 6, strike the word "from" and in lieu thereof insert: "after the"; line 9, strike the word "from" and in lieu thereof insert: "after the"; strike all of lines 10 to 13, inclusive, and "(2) In" in line 14, and in lieu thereof insert the following:

> "personal and petition filings for public office and statements of nomination, election and expenses of candidates, fifteen years after the date of the election to which they pertain; and certificates of school district and village levies, twenty-five years after the date of filing; (2) in";

line 21, strike the word "after" and in lieu thereof insert the word "over", and in said line, before the word "all" insert the word "and"; line 22, strike the word "after" and in lieu thereof insert the word "over".

3. In the bill, section 1, line 1, strike the word "Files" and in lieu thereof insert: "The files", and in said line, after the word "papers" and before the comma, insert: "set forth in section 2 of this act"; line 3, strike: "more than twenty-five years," and in lieu thereof insert: "the respective times stated in section 2 of this act"; line 4, before the word "approval" insert the word "the"; line 9, after the word "be" insert the word "so"; line 10, insert a comma after the word "forth"; line 11, strike: "; the" and in lieu thereof insert: ", the said"; line 12, strike the word "records" and in lieu thereof insert the word "papers"; line 15, strike: "more than twenty-five years old" and in lieu thereof insert the following: "as old or older than is prescribed in section 2 of this act and are included in those listed in said section"; line 18, strike: "their destruction, or"; lines 18 and 19, strike: "such files, records and miscellaneous papers" and in lieu thereof insert: "all or such part thereof"; line 24, strike "." " and in lieu thereof insert " ".".

4. In the bill, title, 5th and 6th lines, strike: "more than twenty-five years; and to provide" and in lieu thereof insert: "the prescribed times and under certain conditions and".

LEGISLATIVE BILL 172. Placed on Select File as amended.

E and R amendment to L. B. 172:

Strike General File amendment by Mr. Kain, and in lieu thereof in the bill, title, 5th line, strike the word "County" and insert, in lieu thereof, the following: "and Gosper counties".

(Signed) Roy B. Carlberg, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 204. Placed on General File.
LEGISLATIVE BILL 244. Placed on General File.
LEGISLATIVE BILL 180. Placed on General File as amended.

Standing Committee amendments to L. B. 180:

1. Amend section 3 of the bill by striking all of lines 4 to 8, inclusive, and inserting in lieu thereof the following:

"house for forty-eight hours after the guest has ceased occupying the premises and paid his bill therefor, which shall terminate the relation of keeper and guest; Provided, how-

ever, such keeper or owner may continue to hold such property at the risk of the owner."

2. Amend section 2 of the bill, line 12, by inserting after the word "property" the following words and punctuation:

", whether such loss or damage is occasioned by the negligence of such proprietor, or his agents, or otherwise

3. Amend the bill by inserting immediately after section 5, the following new section:

"Sec 6. *Except as otherwise provided, in case of loss of, or damage to, personal property brought into any hotel, restaurant, apartment house or rooming house by any of the guests thereof, the liability for the property shall be limited to fifty dollars, whether such loss or damage is occasioned by the negligence of such proprietor or his agents, or otherwise."*

4. Amend sections 6 and 7 of the bill by renumbering them as sections 7 and 8, respectively.

(Signed) Carl P. Jeffords, Chairman

Public Works

LEGISLATIVE BILL 205. Placed on General File.
LEGISLATIVE BILL 282. Placed on General File as amended.

Standing Committee amendments to L. B. 282:

1. Amend Sec. 1, line 33, by adding after the word "Aeronautics" the following: "as defined in subdivisions 1 and 2 of Sec. 3".

2. Amend Sec. 1 of the bill, lines 36 to 38, by striking the following: " 'official' means any commissioner, or the director, or any subordinate employee designated to officially represent them;"

3. Amend Sec. 1, line 111, by striking the word "commission" and inserting in lieu thereof the word "department".

4. Amend Sec. 3, line 6, by inserting after the word "Legislature" the following: "with due regard to his fitness through aeronautical education and by knowledge of and recent practical experience in aeronautics"

5. Amend Sec. 4 of the bill, line 9, by striking the word "commission" and inserting the word "department".

6. Amend Sec. 6 of the bill by striking from lines 9 and 10 the following: "which is not included in the State Airways System as set forth herein,"

7. Amend section 6 of the bill, line 32, by striking the words "by it".

8. Amend Sec. 6 of the bill, line 75, by striking the word "commission" and inserting in lieu thereof the word "department".

9. Amend Sec. 6, line 108, by inserting after the word "to" the following : "maintain airports or"

10. Amend Sec. 6, line 109, by striking out the word "such" and inserting in lieu thereof the word "necessary".

11. Amend Sec. 6, line 110, by striking out the words "as may be deemed necessary".

12. Amend section 7 of the bill, line 43, by striking the word "an" and inserting in lieu thereof the word "as".

13. Amend Sec. 9 by striking out from lines 29, 30 and 31 the words "It may charge a fee for the registration of each federal license, certificate or permit not exceeding one dollar".

14. Amend Sec. 9 by striking out of line 39 the word "It" and by striking out all of lines 40, 41, 42, 43, 44 and 45.

15. Amend Sec. 9, line 51, by striking out the word "shall" and inserting in lieu thereof the word "may" and by striking from line 52 the words "upon payment of the fee therefor".

16. Amend Sec. 9, line 64, by striking out the words "It may" and by striking out all of lines 65, 66, 67 and 68 and add ";".

17. Amend Sec. 9 of the bill, line 130, by striking the comma after the word "official".

18. Amend Sec. 9 of the bill, line 141, by striking the comma after the word "ficial".

19. Amend Sec. 9 of the bill, line 167, by striking the word "to" following the punctuation after the word "person".

20. Amend Sec. 9 of the bill, line 216, by striking the word "of" following the word "approval" and inserting in lieu thereof the word "or".

21. Amend Sec. 10 of the bill, line 16, by striking the comma after the word "officers".

22. Amend Sec. 11 of the bill, lines 52 to 54, by striking the following: "the laws of this state for the acquisition of real property for railroad purposes" and inserting in lieu thereof: "sections 83-601 to 83-607, inclusive, Revised Statutes of Nebraska, 1943"

23. Amend Sec. 11, line 66, by striking out the word "two" and inserting in lieu thereof the word "ten", and line 71 by striking out the word "two" and inserting in lieu thereof the word "ten".

24. Amend Sec. 13, line 11, by striking out the following: "14 and 15" and inserting in lieu thereof the following: "15 and 16".

25. Amend Sec. 15, line 7, by striking out the words "school of flying instruction" and inserting in lieu thereof the following: "air school".

26. Amend Sec. 15, line 8, by striking out the words "approved by the United States of America" and inserting in lieu thereof the following: "licensed by the department".

27. Amend Sec. 15 of the bill, line 9, by striking the figure "12" and inserting in lieu thereof the figure "13".

28. Amend Sec. 15 of the bill, line 10, by striking the word "the" after the word "operating" and inserting in lieu thereof the word "or".

29. Amend Sec. 15 of the bill, line 11, by striking the word "flying" and inserting in lieu thereof the word "air".

30. Amend Sec. 15 of the bill, lines 11 to 13, by striking the following: "except in the operation of motor vehicles upon or over the highways, streets and alleys of the State of Nebraska,"

31. Amend Sec. 16 of the bill, line 11, by striking the figure "12" and inserting in lieu thereof the figure "13".

32. Amend Sec. 16 of the bill, line 12, by striking the word "Aviation" and inserting in lieu thereof the words "Aircraft Fuel Tax".

LEGISLATIVE BILL 92. Placed on General File as amended.

Standing Committee amendments to L. B. 92:

1. Amend section 1 of the bill by striking lines 20 to 32, inclusive.

2. Amend section 1 of the bill, line 37, by inserting after the punctuation following the word "taken" the following matter: *"When the sum that is fair and reasonable shall have been determined as above provided, the court shall deduct therefrom and allow as a credit upon such sum an amount that bears the same proportion to such sum as the amount of the bonds that have been paid, redeemed or liquidated, and reserves established therefor by said district, while such city or village was within and a part of such district, bears to the total amount of the bonded indebtedness of such district issued to finance the purchase price or cost of construction of the entire property of such district."*

3. Amend the title, line 6, by inserting after the word "retired" the following: "and reserves established therefor".

(Signed) James H. Anderson, Vice-Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 350. Placed on General File.
LEGISLATIVE BILL 228. Placed on General File as amended.

Standing Committee amendments to L. B. 228:

1. Amend section 3 of the bill, line 35, by striking the word "records" and inserting in lieu thereof the words *"daily statement"*.

2. Amend section 3 of the bill, line 39, by striking the word *"records"* and inserting in lieu thereof the words *"daily statement"*.

(Signed) Earl J. Lee, Chairman

Public Works

LEGISLATIVE BILL 221. Placed on General File.
LEGISLATIVE BILL 323. Placed on General File as amended.

Standing Committee amendment to L. B. 323:

Amend page 2, section 2, line 3, by striking the word "proposed".

LEGISLATIVE BILL 161. Placed on General File.
LEGISLATIVE BILL 234. Placed on General File.
LEGISLATIVE BILL 333. Indefinitely postponed.
LEGISLATIVE BILL 277. Indefinitely postponed.

(Signed) James H. Anderson, Vice-Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 138 L. B. 312

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 360. By Committee on Public Health and Miscellaneous Subjects, Carl P. Jeffords, Chairman.

A bill for an act relating to hotels and inns; to provide that it shall be unlawful for any person to admit any dog, cat or other pet in any restaurant or sleeping quarters in any hotel, inn, apartment house, rooming house or tourist camp, except when such person is using the hotel, inn, apartment house, rooming house or tourist camp as a permanent home or when such dog is accompanying a blind person; and to provide a penalty.

LEGISLATIVE BILL 361. By Committee on Government, Frank Sorrell, Chairman.

A bill for an act to amend sections 16-216 and 17-527, Revised Statutes of Nebraska, 1943, relating to elections in first class cities, second class cities and villages; to provide for the holding and regulation of general and special elections for such cities and villages; to authorize such cities and villages to designate the same judges and clerks of election where any municipal election in such cities and villages is held upon the same day as any primary or general state election; to provide for payment of additional compensation to judges and clerks of election; to provide for payment to the county to reimburse it for increased cost of holding election; and to repeal the original sections.

LEGISLATIVE BILL 362. By Committee on Education, Cliff N. Ogden, Chairman; and H. P. Heiliger of Lancaster, Thomas H. Adams of Lancaster and C. Petrus Peterson of Lancaster.

A bill for an act to amend section 79-809, Revised Statutes of Nebraska, 1943, relating to schools; to provide for a special meeting of rural high school districts to designate or change a site for a schoolhouse; to provide for adjournment of such special meetings; to provide for notice of a proposed change of site; to repeal the original section; and to declare an emergency.

Bill Referred to Standing Committee

L. B.	Committee
359	Judiciary

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that bills on First Reading be referred to Standing Committees. (Signed) Cliff N. Ogden

The motion prevailed with 36 ayes, 0 nays and 7 not voting.

Bills Referred to Standing Committees

L. B.	Committees
360	Judiciary
361	Judiciary
362	Agriculture

RESOLUTION

LEGISLATIVE RESOLUTION 7. Re: Tax laws of Nebraska

Introduced by Earl J. Lee of Dodge, Ladd J. Hubka of Gage and Fay Wood of Seward.

WHEREAS, the tax laws of Nebraska as now administered result in an unequal and unfair apportionment of the tax burden as between owners of real estate and owners of other forms of wealth, as between different localities within the state, and as between individual owners of the same classes of property; and

WHEREAS, the Legislature at each session is confronted with proposals for improving the assessment and collection of the property tax, for placing limitations upon the property tax, and for the imposition of new taxes either for the purpose of relieving the burden upon property or for raising additional revenues; and

WHEREAS, a comprehensive survey of the entire tax problem of the state and its governmental subdivisions is essential to a proper revision of the tax laws;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

A. That the Legislative Council be directed to examine into and make a study of the following matters:

(1) The assessment and collection of property taxes, including the tax on intangible property;

(2) The reasonableness of the classification of intangible property for tax purposes, and the tax rates imposed upon each class of such property;

(3) The inheritance taxes or estate taxes now imposed by the state, and the desirability of taxing joint tenancies or the succession to property held jointly by decedents and other persons;

(4) The advisability of imposing other form or forms of tax, the probable revenues which could be expected therefrom, and equitable methods of distributing the proceeds thereof, and

(5) All other matters which relate to proposals for a more equitable apportionment of the tax burden.

B. That the Legislative Council be directed to report its findings to the Legislature at the next regular session and to submit therewith concrete proposals for the improvement of the tax structure of the state and its governmental subdivisions.

SELECT FILE

LEGISLATIVE BILL 32. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 99. E and R amendments, found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 131. E and R amendments, found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 122. Laid over.

LEGISLATIVE BILL 317. E and R amendments, found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment, with 17 ayes, 8 nays and 18 not voting.

LEGISLATIVE BILL 147. E and R amendments, found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 145. E and R amendments, found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Hanna asked unanimous consent to bring L. B. 238 to the head of General File.

No objection was offered, and it was so ordered.

Special Order of the Day

LEGISLATIVE BILL 157.

Mr. James Anderson offered the following amendment, which was adopted.

Amend section 4 of the bill, lines 8 and 9, by striking the word "salesman" and inserting in lieu thereof the word "*salesman's*".

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 157 by striking in Section 11, line 7 the following, ", and shall" and striking all of lines 8 to 13 inclusive and inserting in lieu thereof the punctuation, ".".

Mr. Lusienski asked unanimous consent to use the mimeographed bill for consideration.

No objection was offered, and it was so ordered.

Mr. Lusienski Presiding

Mr. Raecke offered the following amendments, which were adopted.

Amend L.B. 157 as follows:

1. In Section 1, by striking all of lines 28 to 38, inclusive, and in line 39 strike the following "rary arrangement;"

2. Renumber the following sub-sections accordingly.

3. In Section 2, lines 7, 8 and 9, strike the following: "no person shall be licensed as a motor vehicle dealer who does not have an established place of business as defined in this act."

4. In Section 2, lines 15, 16 and 17, strike the following: "no person shall be licensed as a used motor vehicle dealer who does not have an established place of business as defined in this act."

Mr. Reavis offered the following amendment, which was adopted.

Amend L. B. 157, mimeographed bill, Section 6, by striking sub-sections A-C-E-H and I, and renumber the sections accordingly.

Mr. Garber made a motion that the bill be again mimeographed with all of the amendments inserted.

The motion prevailed with 17 ayes, 15 nays and 11 not voting.

Laid over, for Special Order on Tuesday, March 6.

Speaker Peterson Presiding

GENERAL FILE CONTINUED

LEGISLATIVE BILL 238. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 119. Laid over.

LEGISLATIVE BILL 184. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Laid over.

Adjournment

At 11:55 a. m., Mr. Weborg made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 2, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Pizer, and Messrs. Cronin and Klaver who were excused.

The Journal for the forty-third day was approved as corrected.

Speaker Peterson announced the marriage of Mr. Sorrell and presented him with a gift from the members.

Members Excused

Mr. Lee asked to be excused for Monday, March 5. Mr. Reavis asked to be excused for Monday and Tuesday, March 5 and 6. No objection, excused.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 193. Placed on General File.
LEGISLATIVE BILL 106. Indefinitely postponed.
LEGISLATIVE BILL 140. Indefinitely postponed.
LEGISLATIVE BILL 271. Indefinitely postponed.
LEGISLATIVE BILL 336. Indefinitely postponed.
LEGISLATIVE BILL 341. Indefinitely postponed.

(Signed) Walter R. Raecke, Chairman

Judiciary

LEGISLATIVE BILL 136. Placed on General File as amended.

Standing Committee amendments to L. B. 136:

1. Amend the bill, section 1, line 1, by inserting after the word and punctuation "faith," the following: "correctly executed and acknowledged,"

2. Amend the bill, section 1, line 15, by striking the word "knowledge" and inserting in lieu thereof "written notice" and, in line 23, by striking the punctuation after the word "therefor" and inserting in lieu thereof the punctuation "," and by adding thereafter the following:

"provided, that if notice of the original assignment, signed by both the assignor and assignee, stating the names and residence or place of business of the parties to the assignment and the fact that an assignment of accounts has been made, which need not state the name or names of the debtor or debtors nor describe the accounts in any manner, is not filed in the office of the county clerk in the county where the assignor resides or maintains an office for the transaction of business prior in time to the filing of a similar notice by the assignors, a subsequent purchaser, assignee or transferee in the office of such county clerk, then the assignor, the original assignee and his successors in interest shall be liable, jointly and severally, in damages to such subsequent purchaser or other subsequent assignee or transferee who first files such notice for any and all damages sustained by reason of having purchased such accounts or extended credit thereon in good faith without notice of the rights of any prior assignee. Any such notice so filed shall be filed and released in the same manner as a chattel mortgage and the county clerk shall be entitled to receive a fee of twenty-five cents for filing the same. The filing of such notice shall not operate as constructive notice to the debtor."

3. Amend the title by adding after the word "assignment," in line 11, the following:

"to provide for the filing of notice of assignments of accounts in the office of the county clerk of the county in which the assignor resides or maintains an office for the transaction of business and to prescribe the affect of giving such notice upon the rights and liabilities of the debtor, of the assignor, of the original assignee and his successors in interest, and of subsequent pur-

chasers, assignees and transferees; to provide for filing fee for filing such notices;"

LEGISLATIVE BILL 300. Indefinitely postponed.
LEGISLATIVE BILL 299. Placed on General File as amended.

Standing Committee amendments to L. B. 299:

1. Amend the bill, section 1, line 8, by striking the word "*fifty*" and inserting in lieu thereof "*twenty-five*"; by striking all matter after the word "shall" in line 9 and the words "of the office and shall" in line 10; and by striking the word "fifty" in line 13 and inserting in lieu thereof "twenty-five"; and by striking all matter beginning with the punctuation and word "; Provided" in line 42, down to but not including the punctuation "." in line 46.

2. Amend the title, line 5, by striking the word "fifty" and inserting in lieu thereof the word "twenty-five", and in line 9 by striking the word "fifty" and inserting in lieu thereof the word "twenty-five".

(Signed) Ladd J. Hubka, Vice-Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 149. Placed on General File as amended.

Standing Committee amendment to L. B. 149:

Amend section 1 of the bill, by striking all of lines 6 to 9, inclusive, and inserting in lieu thereof the following words and punctuation:

"and surplus, nor shall any bank other than savings banks at any time permit its loans and investments, exclusive of its *cash* reserve, and banking house, and fixtures and *direct obligations of United States government,* to exceed in the aggregate fifteen times the amount of its capital and surplus; *Provided, however,*"

LEGISLATIVE BILL 331. Placed on General File.
LEGISLATIVE BILL 211. Placed on General File.
LEGISLATIVE BILL 177. Placed on General File as amended.

Standing Committee amendments to L. B. 177:

1. Amend section 1 of the bill, line 4, by inserting after the punctuation following the word "draft" the following:

"assignment of funds"

2. Amend section 1 of the bill, lines 5 and 6, by striking all new matter now contained therein and by inserting after the word "bank" the following punctuation and words:

", cooperative credit association"

3. Amend section 1 of the bill, line 8, by inserting after the word "bank" the following punctuation and words:

", cooperative credit association"

4. Amend section 3 of the bill, line 8, by inserting after the word "bank" the following punctuation and words:

", cooperative credit association"

5. Amend section 3 of the bill, line 20, by inserting after the word "bank" the following punctuation and words:

", cooperative credit association"

(Signed) Earl J. Lee, Chairman

MOTION—To Refer Back to Select File

Mr. President: I move to refer L. B. 111 back to Select File for Specific Amendment. (Signed) Roy B. Carlberg

The motion prevailed.

Resolution 7

Mr. Lee discussed Legislative Resolution 7. Mr. Lusienski asked that Legislative Resolution 7 be set for Special Order of Business for March 6, 1945. No objection, so ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval March 2, 1945, 9:30 a. m.:

L. B. 29	L. B. 54	L. B. 68	L. B. 97	L. B. 123
L. B. 126	L. B. 138	L. B. 165	L. B. 182	L. B. 196
L. B. 312				

(Signed) Roy B. Carlberg, Chairman

Visitor

Speaker Peterson introduced Mr. Wilson of the Iowa House of Representatives, who spoke briefly to the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 86. Placed on Select File as amended.

E and R amendments to L. B. 86:

1. In the bill, section 1, strike the comma and in lieu thereof insert ";" in line 5 after the word "thereof", line 6 after the word "person" and line 18 after the word "rendered" and before the word "or"; line 11, strike: ", and if" and in lieu thereof insert: "; and, if *the company is*"; line 12, before the word "vote" insert: *"duly cast"*; lines 13 and 14, strike: "those present in person or by proxy, of the policyholders of such company," and in lieu thereof insert the following:

> *"the policyholders of such company who are* those present, in person or by proxy, of the policyholders of such company;";

line 14, strike: ", duly cast" and in lieu thereof insert: "; duly cast"; line 17, insert a comma after the word "that"; line 24, strike: *"provided such plan shall have"* and in lieu thereof insert: *"if such plan has"*.

2. In the bill, title, 3rd line, after the word "a" insert: "domestic insurance"; 5th line, before the word "benefit" insert the word "the", and in said line strike the semicolon and in lieu thereof insert the following:

> "if such plan has been filed with and approved by the Department of Insurance;".

LEGISLATIVE BILL 134. Placed on Select File as amended.

E and R amendments to L. B. 134:

1. In the bill, section 1, line 6, after the word "of" insert the word *"a"*; strike all of line 11 beginning with the word "Such" and "manner:" in line 12, and in lieu thereof insert: "Such ballots shall be

prepared in the following manner:"; line 17, before the word "The" insert *"(1)"*; line 19, before the word "In" insert *"(2)"*; line 21, before the word "In" insert *"(3)"*; insert a comma in line 27 after "ballots" and in line 29 after *"ballots"*.

LEGISLATIVE BILL 158. Placed on Select File as amended.

E and R amendments to L. B. 158:

1. In Standing Committee amendment 3, inserted matter, 5th line, after the word *"school"* insert the word *"district"*; in the 8th line strike: *"or adjoining"* and in lieu thereof insert: *"district or"*.

2. In Standing Committee amendment 4, paragraph 2, 3rd line, strike the comma after the word "placed" and in lieu thereof insert a semicolon.

3. In the bill, section 1, line 8, before the word "change" insert the word *"such"* and in said line, strike: "than two" and in lieu thereof insert: *"in area* than two *full"*; line 15, strike the word "adjoining" and in lieu thereof insert: *"an* adjoining *district or"*.

4. In the bill, title, 4th line, strike the word "adjoining" and in lieu thereof insert: "an adjoining district or"; 6th line, before the word "boundaries" insert the word "original"; 7th line, after the word "less" insert: "in area".

LEGISLATIVE BILL 173. Placed on Select File as amended.

E and R amendments to L. B. 173:

1. In General File amendment by Mr. Conklin, strike the period at the end of the inserted matter.

2. In the bill, section 1, strike all of line 8 and in lieu thereof insert: *"the county board of"*; lines 16 and 17, strike: *"in their judgment shall be"* and in lieu thereof insert: *"such committee believes is"*; lines 21 and 22, strike: *"or any relative"* and in lieu thereof insert: *", any of his relatives"*; lines 22 and 23, strike: *"or any co-partner or"* and in lieu thereof insert: *", his partner or any"*; line 23, strike: *"such committee member"* and in lieu thereof insert: *"he"*; insert a comma in line 26 after the word *"filled"*; strike all of line 27 except *"lands,"* and strike *"county supervisors."* in line 28, and in lieu thereof insert: *"a member or members of the county board."*; line 30, strike: *"which amount shall not"* and in lieu thereof insert: *"but not to"*; strike all of line 33 and *"duty, and"* in line 34, and in lieu thereof insert: *"and the said mileage and expenses"* (due to amendment by Mr. Conklin).

3. In the title, 4th line, after the word "appoint" insert the following: "three residents of the county as"; strike: "; to pro-" in the 7th line and strike all of the 8th, 9th and 10th lines, and in lieu thereof insert the following:

"as prescribed; to provide for the payment of compensation, mileage and expenses to the members thereof as prescribed;";

in the 11th line, strike the word "a", after the word "for" and in lieu thereof insert the word "the"; 20th line, after the word "year" and before the semicolon, insert: "after the first general classification by such committee"; insert the word "the" in the 21st line before the word "filing" and also before the word "tabulation" and in the 22nd line after the word "of"; 21st line, strike the word "the", at the end of the line, and in lieu thereof insert the word "such".

LEGISLATIVE BILL 174. Placed on Select File as amended.

E and R amendments to L. B. 174:

1. In the bill, section 1, line 9, strike the colon and in lieu thereof insert: *"the following information as to the taxable property in the county:* "; line 10, strike: "in the county" and in lieu thereof insert: "in the county"; strike the words *"in the county"* in lines 12, 13, 14, 15, 17, 19, 20, 21, 22, 24, 25, 26 and 29; line 15, strike: "in the county" and in lieu thereof insert: "in the county"; line 27, before the word *"abstract"* insert the word *"an"*.

2. In the bill, title, strike all of the 3rd line after the semicolon and all of the 4th to 10th lines, inclusive, and in lieu thereof insert the following:

"to change the requirements for the information to be shown on the abstract prepared by the county assessor and sent to the State Board of Equalization; to provide it shall show the total number of acres of real estate in specified groups, the total value of buildings and improvements on lands and town lots, the total assessed value of personal property by classes according to the form of abstract to be furnished by the State Tax Commissioner and other information in regard to taxable property in the county as prescribed; to eliminate the form of abstract now".

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 43.

A bill for an act to amend section 70-504, Revised Statutes of Nebraska, 1943, relating to public power districts; to require a vote of the electorate within a public power district, except in certain cases, to authorize the sale, lease or transfer of any electric light or power plant, distribution system or transmission line or surplus equipment; to require a vote of the electorate of any city or village to authorize the sale, lease or transfer of such plant, system, line or equipment to any person, firm, association or corporation or any public power district; to provide certain requirements and procedure for such elections; to prescribe the vote necessary to approve such sale, lease or transfer at such an election; and to repeal the original section.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Cullingham	Jeffords	Raecke
Anderson, J.	Doyle	Kain	Reavis
Anderson, L.	Foster	Lee	Ryan
Babcock	Garber	Lusienski	Schultz
Burney	Heiliger	Mekota	Seaton
Burnham	Hern	Mueller	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Raasch	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 10:

Brodahl	Dooley	Norman	Pizer
Carmody	Hanna	Peterson	Wood
Cronin	Klaver		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 44.

A bill for an act relating to public power districts; to provide for auditing public power districts which are subject to examination and

audit by the United States Rural Electrification Administration in lieu of the audit provided for by the sections of the statutes referred to in this act; to provide that such a public power district may file a written copy of the audit, made by or under the authority of the said administration, with the Auditor of Public Accounts within the prescribed time if such audit contains and shows the prescribed items; to provide that if such a copy of said audit is not so filed, that such books shall be audited as prescribed; to require that copies of such audits be placed and kept on file at the principal place of business of such a district so audited.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 35:

Adams	Cullingham	Kain	Reavis
Anderson, J.	Doyle	Lee	Ryan
Anderson, L.	Foster	Lusienski	Schultz
Babcock	Garber	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Conklin	Hubka	Raasch	Wood
Crossland	Jeffords	Raecke	

Voting in the negative, 0.

Not voting, 8:

Brodahl	Cronin	Hanna	Peterson
Carmody	Dooley	Klaver	Pizer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 67. With emergency.

A bill for an act to amend sections 66-522, 66-521 and 66-523, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to prescribe the age limits of drivers of vehicles transporting motor vehicle fuels and petroleum products after March 1, 1947; to prescribe the hours during which such vehicles may be operated on the highways of this state after March 1, 1947; to regulate the hours of unloading and delivery of motor vehicle fuels and petroleum products

from such motor vehicles after March 1, 1947; to repeal the original sections; and to declare an emergency.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Cronin	Klaver	Pizer

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 77.

A bill for an act to amend section 40-117, Revised Statutes of Nebraska, 1943, relating to homesteads; to provide that homestead rights shall terminate upon the death of the title-holding spouse where the decedent does not leave surviving either a wife or husband, or minor child, or adult dependent blood relative who is mentally incompetent or physically incapacitated from earning a livelihood; and to repeal the original section.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Jeffords	Reavis
Anderson, L.	Doyle	Kain	Ryan

Babcock	Foster	Lee	Schultz
Brodahl	Garber	Lusienski	Seaton
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Klaver	Pizer	Raecke
Dooley	Peterson		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 90. With emergency.

A bill for an act to amend sections 81-904 and 81-905, Revised Statutes of Nebraska, 1943, relating to cooperation with the United States of America; to provide for acceptance by the state of loans and advances of funds from the United States to aid in reconversion to peace-time activities; to extend until March 1, 1947, the expiration date of the provisions of section 81-904, Revised Statutes of Nebraska, 1943, as amended; to repeal the original sections; and to declare an emergency.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Raecke
Anderson, J.	Cullingham	Jeffords	Reavis
Anderson, L.	Dooley	Kain	Ryan
Babcock	Doyle	Lee	Schultz
Brodahl	Foster	Lusienski	Seaton
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hern	Ogden	Weborg
Carmody	Hoyt	Raasch	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Klaver	Peterson	Pizer
Garber	Mueller		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 130. With emergency.

A bill for an act relating to revenue; to provide for the waiver of interest and penalties on all real and personal property taxes, which have accrued since December 8, 1941 or shall hereafter accrue until March 1, 1947, levied upon the prescribed property of persons while in the military service of the United States; and to declare an emergency.

Whereupon the Speaker stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Crossland	Jeffords	Raecke
Anderson, J.	Cullingham	Kain	Reavis
Anderson, L.	Dooley	Lusienski	Ryan
Babcock	Doyle	Mekota	Schultz
Brodahl	Foster	Mueller	Seaton
Burney	Hanna	Norman	Sorrell
Burnham	Heiliger	Ogden	Tvrdik
Carlberg	Hern	Peterson	Weborg
Carmody	Hoyt	Raasch	Wood
Conklin	Hubka		

Voting in the negative, 0.

Not voting, 5:

Cronin	Klaver	Lee	Pizer
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 111.

Mr. Carlberg offered the following specific amendment, which was adopted by unanimous consent:

Strike in line 21 of Section 3 the words: "for use as evidence in any court" and insert in lieu thereof the words, "upon demand".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 88. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 108. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 93. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 117. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 172. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Mr. Mueller offered the following amendment, which was adopted by unanimous consent:

After the word "Brown", line 7, section 1, insert the word "Buffalo".

Advanced to E and R for engrossment.

MOTION—Replace on Select File

Mr. President: I move to move L. B. 317 back to Select File for specific amendment. (Signed) Daniel Garber

The motion prevailed.

LEGISLATIVE BILL 317.

Mr. Garber offered the following specific amendment, which was adopted by unanimous consent:

Amend L. B. 317 as follows: Strike: ". *The words "state officer"* " in lines 8 and 9 and insert the following: "*; Provided, however, that the words, "state officer", as used in this act,*".

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 93.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

Amend L. B. 93 as follows: In section 1, line 2, after the word "writing" insert the following: ", verified under oath by an officer of the district,".

Advanced to E and R for engrossment.

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 171. Laid over.

LEGISLATIVE BILL 185.

Mr. Hubka offered the following amendment:

Amend the Hoyt amendment to L. B. 185, adopted on February 28, 1945, by striking "one dollar and fifty cents" in the first

paragraph and inserting "one dollar and twenty-five cents" and in the second paragraph by striking "one dollar and fifty cents" and inserting "one dollar and twenty-five cents".

Mr. Mueller offered the following amendment to Mr. Hubka's amendment:

Amend Mr. Hubka's amendment to L. B. 185 by striking the words "one dollar and twenty-five cents" and inserting in lieu thereof the words, "one dollar".

A record vote was requested.

Voting in the affirmative, 19:

Anderson, L.	Crossland	Hern	Raecke
Burney	Dooley	Lee	Ryan
Carlberg	Doyle	Mekota	Schultz
Carmody	Garber	Mueller	Weborg
Conklin	Heiliger	Raasch	

Voting in the negative, 13:

Adams	Cullingham	Hubka	Reavis
Anderson, J.	Hanna	Kain	Seaton
Babcock	Hoyt	Ogden	Wood
Brodahl			

Not voting, 11:

Burnham	Jeffords	Norman	Sorrell
Cronin	Klaver	Peterson	Tvrdik
Foster	Lusienski	Pizer	

Mr. Mueller's amendment was adopted with 19 ayes, 13 nays and 11 not voting.

Mr. Hubka's amendment as amended was adopted.

Advanced to E and R for review.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 119. Laid over.

LEGISLATIVE BILL 184. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 113. Read and considered.

Mr. Lester Anderson offered an amendment, which was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 264. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 175. Laid over.

LEGISLATIVE BILL 325. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 235. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 226. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 233. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 233, Section 2, line 9, by striking the word "efficiency" and substituting the word "sufficiency".

Advanced to E and R for review.

LEGISLATIVE BILL 216. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Mekota offered the following amendments, which were adopted.

1. Amend section 3 of the bill, lines 21 to 24, inclusive, by reinstating the following stricken matter:

"No inspection fee shall be required for the sale of unadulterated wheat, rye and buckwheat bran, nor for the sale of wheat, rye and buckwheat shorts sold in this state."

2. Amend section 3 of the bill, line 34, by striking the word "*six*" and inserting in lieu thereof the word "*four*"

3. Amend section 3 of the bill, line 36, by inserting after the punctuation the following:

"*Every manufacturer may, on the first statement required to be filed after this act becomes effective, receive credit on the amount due under such statement for the amount of tags or stamps turned in to the department with such statement, which tags or stamps were issued under the provisions of section 54-810 prior to the amendment thereof by this act.*"

Advanced to E and R for review.

Adjournment

At 12:05, p. m., Mr. Hanna made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 5, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lee and Reavis who were excused.

The Journal for the forty-fourth day was approved as corrected.

Communications

A petition addressed to Mr. Mueller from thirty-five members of the Kearney Kiwanis Club favoring L. B. 120.

A petition to Mr. Mueller from forty-six faculty members of the State Teachers College at Kearney favoring L. B. 120.

Approved by the Governor

March 3, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 196	L. B. 182	L. B. 165
L. B. 138	L. B. 68	L. B. 54
L. B. 97	L. B. 123	L. B. 126
L. B. 312	L. B. 29	

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 40. Correctly engrossed.
LEGISLATIVE BILL 66. Correctly engrossed.
LEGISLATIVE BILL 118. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

Mr. Hanna asked unanimous consent to re-refer L. B. 338 to the committee on Labor and Public Welfare from the committee on Judiciary. No objection, so ordered.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

Re-referred from Judiciary Committee

L. B. 338 Monday, March 12, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 252. Placed on General File.
LEGISLATIVE BILL 42. Indefinitely postponed.
LEGISLATIVE BILL 247. Indefinitely postponed.
LEGISLATIVE BILL 246. Indefinitely postponed.
(Signed) Carl P. Jeffords, Chairman

Government

LEGISLATIVE BILL 269. Placed on General File.
LEGISLATIVE BILL 231. Placed on General File as amended.

Standing Committee amendments to L. B. 231:

1. Amend section 1 of the bill, lines 4 and 5, by striking the word "thirty-six" and inserting in lieu thereof the word "*forty-two*".

2. Amend section 1 of the bill, line 11, by striking the word "thirty-six" and inserting in lieu thereof the word "*forty-two*".

3. Amend section 1 of the bill, lines 12 and 13, by striking the words "not exceed the sum of" and inserting in lieu thereof the word "*be*".

4. Amend section 1 of the bill, lines 13 and 14, by striking the words "and shall be fixed by the city council".

5. Amend the title of the act, line 4, by inserting after the word "of" the words "judges and".

LEGISLATIVE BILL 272. Placed on General File as amended.

Standing Committee amendments to L. B. 272:

1. Amend section 1 of the bill, line 16, by striking the word "five" and inserting in lieu thereof the word "*six*".

2. Amend section 1 of the bill, line 19, by striking the words "thirty-two hundred" and inserting in lieu thereof the words "*four thousand*".

3. Amend the bill by inserting a new section, to be numbered 2, reading as follows:

"Sec. 2. *The provisions of this act shall not apply to an incumbent holding an elective office at the date this act becomes effective, but such incumbent for the balance of his term shall be paid the salary at the rate provided by law when he qualified for the office.*"

4. Amend section 2 by renumbering same as section 3.

5. Amend the title of the act, line 4, by inserting after the word "attorney" the following:

", county judge, county clerk".

(Signed) Frank Sorrell, Chairman

Agriculture

LEGISLATIVE BILL 286. Placed on General File.
LEGISLATIVE BILL 293. Placed on General File as amended.

Standing Committee amendments to L. B. 293:

1. Amend section 1 of the bill, line 12, by inserting the word "official" after the word "all"

2. Amend section 1 of the bill, line 38, by inserting the word "official" after the word "all"

3. Amend section 1 of the bill, line 41, by inserting the word "official" after the word "animals"

4. Amend section 1 of the bill, line 43, by inserting the word "official" after the words "samples for"

5. Amend section 1 of the bill, line 55, by striking the words "control the distribution and" and by inserting in lieu thereof the words "confine official"

6. Amend section 1 of the bill, line 56, by striking the punctuation "." after the word "vaccine" and inserting the following: "to authorized approved and accredited veterinarians."

7. Amend section 1 of the bill, line 62, by striking the words and punctuation "sale, distribution and" and by inserting in lieu thereof the word "official"

8. Amend section 1 of the bill, line 63, by inserting the following after the word "nineteen,":

"under the official vaccination and Bang's disease elimination program"

9. Amend section 1 of the bill, line 64, by inserting the word "authorized" before the word "accredited"

10. Amend the bill by adding the following:

"Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 76. Placed on General File as amended.

Standing Committee amendments to L. B. 76:

1. Strike all of section 1 and insert in lieu thereof:

"Section 1. This act may be cited as the Nebraska Potato Development Act."

2. Strike all of section 2 and insert in lieu thereof:

"Sec. 2. There is hereby established a Division of Potato Development in the Department of Agriculture and Inspection. The

head of such division shall be known as the Chief of the Division of Potato Development. The Governor shall appoint the chief, such deputies and assistants as may be necessary to carry out the provisions of this act."

3. Amend section 3 of the bill, line 4, by striking the word "commission" and inserting in lieu thereof:

"Department of Agriculture and Inspection"

4. Amend section 3 of the bill, lines 6 and 7, by striking the words "the commission shall" and inserting in lieu thereof:
"such department shall have power"

5. Amend section 3 of the bill, lines 14 and 15, by striking the words "board of directors" and substituting in lieu thereof the word "department"

6. Amend section 3 of the bill, line 18, by striking the word "Encourage" and substituting in lieu thereof the words "To encourage".

7. Amend section 3 of the bill, lines 22 and 23, by striking the words "the directors shall have the privilege of conducting" and inserting in lieu thereof the words "to conduct".

8. Amend section 4 of the bill, line 4, by striking the word "commission" and inserting in lieu thereof the words "Department of Agriculture and Inspection".

9. Amend section 4 of the bill by striking lines 5 to 10 inclusive.

10. Amend section 5 of the bill, line 2, by striking the word "commission" and inserting in lieu thereof the words "Department of Agriculture and Inspection"

11. Amend section 5 of the bill, lines 3, 4, 10, 15, 17, 20, 22, and 23, by striking the word "commission" wherever it appears in said lines and inserting in lieu thereof the word "department"

12. Amend section 6 of the bill, line 1, by striking the words "hereinbefore defined" and inserting in lieu thereof the words "defined in section 9".

13. Amend section 6 of the bill, line 2, by striking the word "commission" and substituting in lieu thereof the words "Department of Agriculture and Inspection".

14. Amend section 6 of the bill, lines 5, 9, 12, and 15, by striking the word "commission" wherever it appears in said lines and substituting in lieu thereof the word "department".

15. Amend section 6 of the bill, lines 8, 12, and 16, by striking the word "dealer" wherever it appears in said lines and inserting in lieu thereof the word "shipper".

16. Amend section 7 of the bill, line 3, by striking the word "Commission".

17. Amend section 7 of the bill, line 6, by striking the word "commission" and inserting in lieu thereof the words "Department of Agriculture and Inspection".

18. Amend section 7 of the bill, line 8, by striking the word "commission" and inserting in lieu thereof the words "director of the department".

19. Amend section 8 of the bill, line 1, by striking the word "commission" and inserting in lieu thereof the words "Department of Agriculture and Inspection".

20. Amend section 8 of the bill, lines 3 and 7, by striking the word "commission" wherever it appears in said lines and substituting in lieu thereof the word "department"

21. Amend section 9 of the bill, by striking the same and inserting in lieu thereof:

"Sec. 9. As used in this act:

(1) The term "person" shall mean and include any natural person, firm, copartnership, association or corporation;

(2) The term "potato shipper" shall mean and include any person engaged in the business of buying and selling potatoes who, in any calendar year, shall purchase from producers for resale eighteen thousand pounds of potatoes grown in Nebraska;

(3) The term "potato grower" means the actual grower, within the State of Nebraska, of at least three acres of potatoes during the crop year;

(4) The word "department" means the Department of Agriculture and Inspection of the State of Nebraska;

(5) The word "this act" means and includes sections 1 to 11 of this act, and any amendments thereof."

22. Amend the title by striking lines 3 to 9, inclusive, and substituting in lieu thereof:

"Nebraska; to provide for the creation in the Department of Agriculture and Inspection of a Division of Potato Development; to define the powers and duties of such department in connection therewith; to provide for the licensing of potato shippers and the imposing of an excise tax; to provide for the establishment in the state treasury of the "Nebraska Potato Development Fund"; and to provide penalties for the violation of this act."

(Signed) Arthur Carmody, Chairman

Public Works

LEGISLATIVE BILL 208. Placed on General File as amended.

Standing Committee amendments to L. B. 208:

1. Amend Sec. 2 of the bill, lines 28 to 30, by striking the words "manner provided by the law under which such municipality is authorized to acquire like property for public purposes" and inserting in lieu thereof: "same manner as is provided by sections 16-602 to 16-604, inclusive, Revised Statutes of Nebraska, 1943."

2. Amend Sec. 7, line 11, by inserting after the word "maintenance" the following: ", improvement"

3. Amend Sec. 8, line 42, by striking out the word "two" and inserting in lieu thereof the word "ten".

4. Amend Sec. 8, line 47, by striking out the word "two" and inserting in lieu thereof the word "ten".

LEGISLATIVE BILL 209. Placed on General File as amended.

Standing Committee amendments to L. B. 209:

1. Amend section 1 of the bill, line 14, by inserting after the word "act" and before the punctuation the following: ", but such area shall not extend in any direction a distance in excess of three miles from the adjacent boundary of an airport"

2. Amend section 17 of the bill, line 9, by showing as stricken matter the word and punctuation "airport," so that the same appears therein as follows: "~~airport,~~"

3. Amend section 17 of the bill, lines 11 to 16, inclusive, by striking the same and substituting the following in lieu thereof: "for the manufacture of explosives, arms or munitions. ~~, or any state, city, county or private airport of the public utility class.~~

4. Strike all of section 18.

5. Renumber sections 19 and 20 as sections 18 and 19.

6. Amend original section 19, renumbered section 18, line 1, to read as follows: "Sec. 18. That original section 81-831, Revised Statutes of Nebraska, 1943, and also section 81-833,"

7. Amend the title, lines 11 to 13, inclusive, by striking the same and inserting in lieu thereof: "the authority conferred herein; to amend section 81-831, Revised Statutes of Nebraska, 1943, and to repeal the original section and also section 81-833, Revised Statutes of Nebraska, 1943."

(Signed) Sidney J. Cullingham, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 31. Placed on General File as amended.

Standing Committee amendments to L. B. 31:

1. Amend section 1 of the bill, lines 26 to 30, inclusive, by striking all of the new matter contained therein.

2. Amend section 3 of the bill by striking all of line 4 and inserting in lieu thereof the following:

"Compensation Court shall constitute a quorum *to adopt rules and regulations as provided in sections 48-163 and 48-164,* to transact business *except where by statute or rule adopted by the commission one member thereof may act, and*

3. Amend the bill by striking all of section 8.

4. Amend the bill by renumbering sections 9, 10, 11, 12 and 13 as sections 8, 9, 10, 11 and 12, respectively.

5. Amend section 13 of the bill, line 2, by striking the figures and punctuation "48-173,"

6. Amend the title, line 2, by striking the figures and punctuation "48-173,"

7. Amend the title, lines 5 and 6, by striking the words and punctuation:

"to provide duties of judges of Workmen's Compensation Court".

8. Amend the title, lines 8 and 9, by striking the words "a quorum for the rehearing of any disputed claim for compensation" and inserting in lieu thereof:

"what shall constitute a quorum of the Compensation Court and the matters which may be decided by such quorum;"

9. Amend the title, lines 19 and 20, by striking the following:

"to provide who may file a petition with "Workmen's Compensation Court;"

10. Amend section 2 of the bill by striking all of lines 3 to 14, inclusive, and inserting in lieu thereof the following words and punctuation:

"48-155. ~~Each of the~~ *The* judges of the Nebraska Workmen's Compensation Court shall be *on July 1 of every odd numbered year by a majority vote, select one of their number as* presiding judge ~~during the last~~ *for the next* two years. ~~of his regular term, but should a vacancy occur in the office of the presiding judge, either by death or other cause, or if the presiding judge be absent, then in any such case the judge next in line for presiding judge shall become presiding judge during the unexpired term or during such absence, and he shall not by reason thereof be deprived of his right to become presiding judge for the last two years of his regular term. Provided, however, that the judges may, at any time, by common consent, adopt a different rule and select any one of their number as presiding judge.~~ *The presiding judge shall preside*"

11. Amend the bill by inserting immediately after section 12 the following additional section:

"Sec. 13. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

12. Amend original section 13 of the bill by renumbering to read section 14.

13. Amend the title of the act, line 6, by inserting after the word "Court" the following words and punctuation:

"; to provide the manner of selecting the presiding judge of the Workmen's Compensation Court"

14. Amend the title of the act, line 26, by striking the word "and"

15. Amend the title of the act, line 27, by inserting after the word "sections" the following words and punctuation:

"; and to declare an emergency".

(Signed) Don E. Hanna, Chairman

Enrollment and Review

LEGISLATIVE BILL 91. Correctly engrossed.
LEGISLATIVE BILL 111. Correctly engrossed.
LEGISLATIVE BILL 181. Correctly engrossed.
LEGISLATIVE BILL 145. Correctly engrossed.
LEGISLATIVE BILL 62. Correctly engrossed.
LEGISLATIVE BILL 93. Replaced on Select File as amended.

E and R amendment to L. B. 93:

In the bill, title, 3rd and 4th lines, strike: "report periodically to the Secretary of State all expenditures made" and in lieu thereof insert: "periodically make out and file with the Secretary of State written statements, verified under oath by an officer of the district, setting forth the expenditures made and other prescribed information".

LEGISLATIVE BILL 95. Replaced on Select File as amended.

E and R amendments to L. B. 95:

1. Due to the passing of Legislative Bill 57 since this bill was introduced, strike all of section 2 of the bill and all amendments thereto, and in lieu thereof insert the following:

"Sec. 2. That section 37-505, Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, iFfty-eighth Session of the Nebraska State Legislature, 1945, be amended to read as follows:

37-505. It shall be unlawful to buy, sell or barter any game bird, game animal, except the flesh of raccoon

which has been legally taken, or game fish protected by this act at any time, whether killed or taken within this state or without the *this* state, or for any commercial institution, commission house, restaurant or cafe keeper to have in possession at any time black bass, game birds or game animals protected by this act. Catfish or other game fish except black bass lawfully shipped in from without the state, or game or fish lawfully acquired from a lawful game *farm* or *a person having a* fish breeder *fish-culture permit*, may be sold in this state. The burden of proof shall be upon every such dealer and keeper to show by competent and satisfactory evidence that any game or game fish in his possession or sold by him was lawfully imported from without the state, or was lawfully acquired from a licensed game *farm* or *a person having a* fish breeder *fish-culture permit*; *Provided, however,* fish lawfully taken from the Missouri river, under the provisions of section 37-502 *as amended by this act*, shall be exempt from the provisions of this section, excepting game fish protected by this act and catfish less than thirteen inches in length; Provided, *if* the vendor of such fish shall first procure a permit to *seine and* sell the same from the secretary of the commission; Provided, further, that catfish shall not be taken with nets or seines from March 16 to May 1 of each year. Application *Applications* for such permit *permits* shall be upon forms prescribed by the commission, and the secretary of the commission shall charge and collect for each permit so issued the sum of ten *at least fifteen* dollars *under the provisions of said section 37-502 as so amended.* All money received by the secretary of the commission shall be disposed of as provided in section 37-206.".

2. In the bill, section 1, line 12, strike the comma before and after the word "*provided*" and in lieu thereof insert a stricken comma.

3. In the bill, section 3, lines 1 and 2, strike: "sections 37-502 and 37-505, Revised Statutes of Nebraska, 1943," and in lieu thereof insert: "section 37-502, Revised Statutes of Nebraska, 1943, and original section 37-505, Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, Fifty-eighth Session of the Nebraska State Legislature, 1945,".

4. In the bill, title, 2nd line, strike: "sections 37-502 and 37-505, Revised Statutes of Nebraska, 1943," and in lieu thereof insert: "section 37-502, Revised Statutes of Nebraska, 1943, and section 37-505,

Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, Fifty-eighth Session of the Nebraska State Legislature, 1945,".

5. In the bill, title, strike the last line and amendments thereto and in lieu thereof insert the following:

"original section 37-502, Revised Statutes of Nebraska, 1943, and original section 37-505, Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.".

LEGISLATIVE BILL 147. Replaced on Select File as amended.

E and R amendment to L. B. 147:

In the bill, section 1, strike the word "inhabitants" and in lieu thereof insert "~~inhabitants~~" in lines 7, 9, 11, 15, 17 and 19; insert the word "*inhabitants*" in line 8 after the word "hundred", in line 10 after the word "thousand", in line 12 after the word "*hundred*", in line 14 after the word "thousand", in lines 16, 18 and 20 after the word "thousand".

LEGISLATIVE BILL 156. Replaced on Select File as amended.

E and R amendment to L. B. 156:

In the bill, section 1, line 6, strike: "or (3) are dead," and in lieu thereof insert: ", (3) are dead or (4) are".

LEGISLATIVE BILL 172. Replaced on Select File as amended.

E and R amendment to L. B. 172:

Strike the Specific File amendment by Mr. Mueller and in lieu thereof, in the bill, line 7, after "Brown," insert "*Buffalo,*" and in the title to the bill, 5th line, before the word "Knox" insert "Buffalo,".

LEGISLATIVE BILL 301. Replaced on Select File as amended.

E and R amendment to L. B. 301:

Strike the amendment to section 3, line 18, of the bill.

LEGISLATIVE BILL 113. Placed on Select File as amended.

E and R amendments to L. B. 113:

1. In the bill, section 1, line 4, strike the word "one" and in lieu thereof insert: "*(1)* one *which is*"; line 6, strike: ", *provided, that it is*" and in lieu thereof insert: ", *(2)*"; line 8, strike the word "*and*"; line 10, strike: "*; that it*" and in lieu thereof insert: ", *(3) one which*"; lines 12 and 13, strike: "*; that it is*" and in lieu thereof insert: ", *(4)*"; line 18, strike the word "*no*" and in lieu thereof insert the word "*not*"; lines 19 and 20, strike: "*; and*" and in lieu thereof insert: "*and (5) one*".

2. In the bill, title, 4th line, after the semicolon insert: "to change the requirements thereof;".

LEGISLATIVE BILL 176. Placed on Select File as amended.

E and R amendments to L. B. 176:

In the bill, section 1, line 3, strike "(a)" and in lieu thereof insert "*(a) (1)*"; line 5, strike "(b)" and in lieu thereof insert "*(b) (2)*"; line 7, strike "*(c)*" and in lieu thereof insert "*(3)*"; line 9, strike "(1)" and in lieu thereof insert "*(1) (a)*"; line 10, strike "(2)" and in lieu thereof insert "*(2) (b)*"; line 11, strike "(3)" and in lieu thereof insert "*(3) (c)*"; line 14, strike "*(d)*" and in lieu thereof insert "*(4)*"; line 19, strike: "hazard exists" and in lieu thereof insert: "*hazards exist*"; line 27, strike: "subsection (b) and subdivisions" and strike all of line 28 up to but not including the word "Whenever" and in lieu thereof insert: "*subsection (2) and subdivisions (1) (a)* and *(2) (b)* of this section *subsection (3). (d) (5)*"; insert a comma in line 29 after the word "determine", in line 30 after "investigation" and also after "speed" and in line 31 after "forth"; line 31, after the word "under" insert the word "*the*"; lines 32 and 33, strike: "or other place or upon any" and in lieu thereof insert: "*or other , place or upon any*"; line 35, strike the word "thereat" and in lieu thereof insert: "*thereat for such intersection, place or part of such highway*"; line 37, strike: "or other" and in lieu thereof insert: "*or other,*"; line 43, strike "*(f)*" and in lieu thereof insert "*(6)*"; line 44, strike the comma after the word "complaint" and in lieu thereof insert: "*, and*"; line 48, strike "*(g)*" and in lieu thereof insert "*(7)*"; line 49, after the word "outside" insert the word "*of*"; line 50, after the word "in" insert: "*subdivision (c) of*".

LEGISLATIVE BILL 200. Placed on Select File.
LEGISLATIVE BILL 223. Placed on Select File as amended.

E and R amendments to L. B. 223:

1. In the bill, section 1, line 4, strike the word "or" and in lieu thereof insert: "~~or~~ *and*", and in said line, before the word "having" insert "*(1)*"; lines 5 and 6, strike: ", or any part of which or the load of" and in lieu thereof insert: "~~,~~ or *(2) having* any part ~~of which~~ *thereof* or *having any* ~~the~~ load *thereupon* ~~of~~"; line 7, strike the comma after "chassis" and in lieu thereof insert "~~,~~"; line 12, strike: "; one" and in lieu thereof insert: "~~;~~ ~~one~~ . *One of such lights shall be*"; strike the word "displaying" and in lieu thereof insert: "~~displaying~~ *display*" in lines 13, 15 and 16; insert a comma in line 13 after the word "visible", in line 14 after "conditions", line 16, after "visible" and also after "conditions"; line 15, strike: "; and one" and in lieu thereof insert: "~~;~~ ~~and one~~ . *The other clearance light shall be*"; line 19, strike: "as not to" and in lieu thereof insert: "~~as~~ *so it will* not ~~to~~"; strike the word "the" at the beginning of line 20, and in lieu thereof insert: "~~the~~ *such*"; line 22, insert the word "*the*" before the word "load"; line 24, strike the comma after "*provided*" and in lieu thereof insert "~~,~~"; line 25, after the word "such" insert the word "*a*" and in said line strike the word "shall" after the word "hazard" and in lieu thereof insert: "~~shall~~ *will*".

2. In the bill, title, strike: "to require all vehicles" in the 3rd line and strike all the balance of the title, and in lieu thereof insert the following:

> "to make the provisions thereof apply to every vehicle, as prescribed, instead of only to motor vehicles; to specifically include certain combines with the other prescribed vehicles which are required to display the prescribed clearance lights or reflectors when driven, operated or propelled upon any paved or bituminous surfaced highway at the specified times; and to repeal the original section.".

LEGISLATIVE BILL 238. Placed on Select File.
LEGISLATIVE BILL 130. Correctly enrolled.
LEGISLATIVE BILL 43. Correctly enrolled.
LEGISLATIVE BILL 44. Correctly enrolled.
LEGISLATIVE BILL 67. Correctly enrolled.
LEGISLATIVE BILL 77. Correctly enrolled.
LEGISLATIVE BILL 90. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 130 L. B. 44 L. B. 77
L. B. 43 L. B. 67 L. B. 90

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 296. Indefinitely postponed.
LEGISLATIVE BILL 290. Placed on General File.
LEGISLATIVE BILL 217. Placed on General File as amended.

Standing Committee amendments to L. B. 217:

1. Amend Article 2, section 3, line 1, by inserting after the word "city" the following:

", except cities of the metropolitan class having a home rule charter,"

2. Amend Article 2, section 3, lines 1 and 2, by striking the following:

"any metropolitan utility district,"

3. Amend Article 3, section 1, line 3, by striking the word "the" following the word "within" and substituting in lieu thereof the word "and".

4. Amend Article 3, section 1, line 13, by inserting after the punctuation following the word "included" the following:

"Firemen or policemen shall not be included under this act who are included within the provisions of an existing pension or retirement system created by the municipality or by statute."

5. Amend Article 3, section 2, line 2, by inserting after the word "department" the following words and punctuation:

", other than a fireman or policeman included within the provisions of an existing pension or retirement system created by the municipality or by statute,"

6. Amend Article 6, section 3, by striking lines 5 to 19, inclusive, and substituting the following in lieu thereof:

"United States or state securities, registered county bonds of the counties of this state, registered school

district bonds of school districts of this state, and registered municipal bonds of cities and villages in this state, if such cities or villages have no other bonded indebtedness, or if such cities or villages, having other bonded indebtedness, shall not have been in default of payment of interest or principal for a period of ten years prior to the date of the order of investment."

7. Amend Article 7, section 2, by striking the same and substituting the following in lieu thereof:

"The provisions of this act, however, shall apply to any employee, as of the effective date hereof or of his employment, as the case may be, unless within sixty days thereafter, such employee elects not to participate. Any person so electing not to participate shall forever thereafter be precluded from participating in the retirement system created by this act."

(Signed) Frank Sorrell, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 127.

A bill for an act relating to pipe lines for natural gas; to provide for the furnishing of natural gas to persons outside of the limits of incorporated cities or villages, who apply for such gas, at rates equal to those established in such area; to provide for the expense of the physical connection to furnish such service; to provide for filing an application with the Nebraska State Railway Commission and hearing thereon when the customer cannot agree with the pipe-line company on the fee for making the physical connection; to provide for a hearing and order by such commission in regard thereto; to define certain terms as used in this act; and to provide for the same rights, as to such connection, on roads and highways as are set forth in section 75-607, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Mr. Foster moved a call of the House.

A call of the House was ordered, and after call the roll showed 35 members present.

Mr. Mueller moved to raise the call, which prevailed with 32 ayes, 0 nays and 11 not voting.

Voting in the affirmative, 25:

Adams	Cullingham	Hoyt	Raasch
Anderson, L.	Dooley	Jeffords	Ryan
Babcock	Doyle	Klaver	Schultz
Burnham	Foster	Mueller	Seaton
Carlberg	Heiliger	Norman	Sorrell
Carmody	Hern	Ogden	Weborg
Crossland			

Voting in the negative, 6:

Garber	Kain	Pizer	Raecke
Hanna	Peterson		

Not voting, 12:

Anderson, J.	Conklin	Lee	Reavis
Brodahl	Cronin	Lusienski	Tvrdik
Burney	Hubka	Mekota	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: If I had been present, I would have voted "nay" on L. B. 127. (Signed) J. H. Anderson

LEGISLATIVE BILL 24. With emergency.

A bill for an act relating to junior colleges; to authorize junior colleges to erect on the campus of such college, upon lands acquired by it through donation, or upon lands which it may acquire by purchase through the use of funds donated for that purpose, dormitories, dining rooms and housing or student activity buildings; to provide for the payment of the construction of such buildings in excess of donations by issuing and selling revenue bonds as prescribed and securing the payment thereof by a pledge of the rentals and earnings therefrom; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams	Crossland	Hoyt	Pizer
Anderson, L.	Cullingham	Hubka	Raasch
Babcock	Dooley	Kain	Raecke
Burney	Doyle	Klaver	Ryan
Burnham	Foster	Mueller	Schultz
Carlberg	Hanna	Norman	Seaton
Carmody	Heiliger	Ogden	Weborg
Conklin	Hern	Peterson	

Voting in the negative, 0.

Not voting, 12:

Anderson, J.	Garber	Lusienski	Sorrell
Brodahl	Jeffords	Mekota	Tvrdik
Cronin	Lee	Reavis	Wood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 127 and L. B. 24. (Signed) Charles F. Tvrdik

LEGISLATIVE BILL 314. With emergency.

A bill for an act to amend sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that a person who has served in the armed forces of the United States during World War II, and whose operator's license was in force on the day of induction and who, at the time of renewing the certificate, has no apparent physical or mental defects or impairments, shall be delivered a successful applicant's certificate unless the examiner shall refuse to issue such certificate for cause to be stated in writing; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Crossland	Hoyt	Peterson
Anderson, J.	Cullingham	Hubka	Pizer
Anderson, L.	Dooley	Jeffords	Raasch

Babcock	Doyle	Kain	Raecke
Brodahl	Foster	Klaver	Ryan
Burney	Garber	Mekota	Schultz
Burnham	Hanna	Mueller	Seaton
Carlberg	Heiliger	Norman	Sorrell
Carmody	Hern	Ogden	Weborg
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Lusienski	Tvrdik	Wood
Lee	Reavis		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 314. (Signed) Charles F. Tvrdik

SELECT FILE

LEGISLATIVE BILL 108. Laid over.

LEGISLATIVE BILL 86. E and R amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 134. E and R amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 158. E and R amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 173. E and R amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 174. E and R amendments, found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 119. Laid over.
LEGISLATIVE BILL 264. Laid over.
LEGISLATIVE BILL 175. Read and considered.

Mr. Peterson offered the following amendment, which was adopted.

Amend Section 1 by striking from line 16 the words: "or bank or trust company" and amend section 2 by striking the last sentence thereof.

Advanced to E and R for review.

LEGISLATIVE BILL 325.

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 325, Section 1, lines 7 and 8 by striking the following ", who suffered pecuniary loss by such wrongful death".

Laid over.

LEGISLATIVE BILL 144. Laid over.
LEGISLATIVE BILL 132. Read and considered.

Mr. Schultz offered the following amendment, which was adopted, with 17 ayes, 12 nays and 14 not voting.

1. Amend section 2 of the bill, line 1, by striking the word "officer" and inserting in lieu thereof the word "employee".

2. Amend section 2 of the bill, lines 4 to 7, inclusive, by striking the same and inserting in lieu thereof the following:

"employed by the Nebraska Development Committee created and established by section 7 of this act, with the consent of the Governor. The director shall devote full time to his employment"

3. Amend section 2, lines 11 and 12, after the word "Governor" by striking the same and inserting in lieu thereof the following:

", conditioned to account for all money that may come into his hands and for the faithful discharge of the duties of his employment. The bond shall be filed in the office of"

Mr. Jeffords offered the following amendment, which was not adopted.

Amend Sec. 2 of L. B. 132, by inserting in line 3, after the word "development", the words "at an annual salary, not to exceed $4,000.00."

A record vote was requested.

Voting in the affirmative, 13:

Anderson, L.	Cronin	Hanna	Raasch
Burney	Doyle	Jeffords	Schultz
Burnham	Garber	Makota	Weborg
Carlberg			

Voting in the negative, 22:

Adams	Dooley	Klaver	Ryan
Anderson, J.	Heiliger	Lusienski	Seaton
Brodahl	Hern	Norman	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Raecke	Wood
Cullingham	Kain		

Not voting, 8:

Babcock	Foster	Mueller	Pizer
Crossland	Lee	Ogden	Reavis

Mr. Doyle offered the following amendment, which was not adopted.

I move that the salary be set at not to exceed $6,500.00 per year.

A record vote was requested.

Voting in the affirmative, 9:

Anderson, L.	Doyle	Jeffords	Raasch
Burney	Garber	Mekota	Weborg
Cronin			

Voting in the negative, 23:

Adams	Dooley	Kain	Schultz
Anderson, J.	Hanna	Klaver	Seaton
Brodahl	Heiliger	Peterson	Sorrell
Burnham	Hern	Pizer	Tvrdik
Conklin	Hoyt	Raecke	Wood
Cullingham	Hubka	Ryan	

Not voting, 11:

Babcock	Crossland	Lusienski	Ogden
Carlberg	Foster	Mueller	Reavis
Carmody	Lee	Norman	

Mr. Schultz offered the following amendment, which was adopted.

Amend section 7 of bill, line 5, by inserting after the punctuation following the word "District" the following:

"and at least one from each congressional district shall be a farmer actually residing on and deriving his livelihood from a farm,"

A record vote was requested.

Voting in the affirmative, 35:

Anderson, J.	Cullingham	Hubka	Pizer
Anderson, L.	Dooley	Jeffords	Raasch
Brodahl	Doyle	Kain	Raecke
Burney	Foster	Klaver	Ryan
Burnham	Garber	Lusienski	Schultz
Carlberg	Hanna	Mekota	Seaton
Conklin	Heiliger	Mueller	Tvrdik
Cronin	Hern	Norman	Weborg
Crossland	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 8:

Adams	Carmody	Ogden	Sorrell
Babcock	Lee	Reavis	Wood

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 132 by striking all of Section 9.

Mr. Schultz offered the following amendment, which was adopted.

I move that line 3, section 3 of the bill be amended by adding, after the word "employ", the following: ", with the consent of the Nebraska Development Committee," .

Mr. Mekota offered the following amendment, which was adopted.

I move that L. B. 132 be amended by adding a new section after Section 8, as follows:

"Sec. 9. On January 10, April 10, July 10 and October 10 of each year, the director shall file with the Clerk of the Legislature a detailed statement of all the expenditures of funds under the provisions of this act during the preceding three calendar months."

and that the title of the bill be amended to conform thereto.

Mr. Peterson made a motion to advance the bill to E and R for review.

Mr. Mekota made a substitute motion to indefinitely postpone the bill.

Mr. James Anderson Presiding

A record vote was requested on Mr. Mekota's motion.

Voting in the affirmative, 18:

Anderson, L.	Cronin	Jeffords	Raasch
Babcock	Crossland	Mekota	Raecke
Burney	Doyle	Norman	Schultz
Burnham	Garber	Pizer	Weborg
Carlberg	Hanna		

Voting in the negative, 21:

Adams	Dooley	Kain	Peterson
Anderson, J.	Foster	Klaver	Ryan
Brodahl	Heiliger	Lusienski	Seaton
Carmody	Hern	Mueller	Tvrdik
Conklin	Hoyt	Ogden	Wood
Cullingham			

Not voting, 4:

Hubka	Lee	Reavis	Sorrell

A record vote was requested on Mr. Peterson's motion to advance the bill.

Voting in the affirmative, 22:

Adams	Dooley	Klaver	Raasch
Anderson, J.	Foster	Lusienski	Ryan
Brodahl	Heiliger	Mueller	Seaton
Carmody	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Wood
Cullingham	Kain		

Voting in the negative, 17:

Anderson, L.	Cronin	Hanna	Pizer
Babcock	Crossland	Jeffords	Raecke
Burney	Doyle	Mekota	Schultz
Burnham	Garber	Norman	Weborg
Carlberg			

Not voting, 4:

Hubka	Lee	Reavis	Sorrell

Advanced to E and R for review.

MOTION—Message of Condolence

Mr. President: I move that a committee of three be appointed to prepare suitable messages of sympathy and condolences to be sent to the family of the late Governor Charles W. Bryan. (Signed) Lloyd Kain

The motion prevailed and the President appointed Messrs. Mekota, Doyle and Tvrdik to the committee.

MOTION—Re-commit Bill

Mr. President: I move that L. B. 333 be referred back to the Committee on Public Works for further consideration. (Signed) William A. Crossland

The motion prevailed with 28 ayes, 1 nay and 14 not voting.

Member Excused

Mr. Raecke was excused for Tuesday, March 6.

Adjournment

At 12:20 p. m., Mr. Mueller made a motion to adjourn.
The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 6, 1945

Pursuant to adjournment, the Legislature met at 9:07 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the forty-fifth day was approved as corrected.

Communications

A resolution addressed to Mr. Johnson from Mr. Malcolm McEachin, Secretary of State of the State of Nevada, concerning old-age pensioners.

A letter to Mr. Garber from Mr. and Mrs. George Lautenschlager of Davenport, Nebraska, opposing increase in gas taxes.

A letter to the Clerk of the Legislature from Mr. W. B. Banning favoring the choice of the apple tree as State tree.

Speaker Peterson Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 99. Correctly engrossed.
LEGISLATIVE BILL 159. Placed on Select File as amended.

E and R amendments to L. B. 159:

1. In the bill, section 1, strike all of said section after "Section 1." in line 1, and in lieu thereof insert:

"The register of deeds and the county clerk, if he or she is the ex officio register of deeds, of each county shall, on or before March 1 of each year, transmit to the State Tax Commissioner a report made upon blank forms to be prepared and furnished by the State Tax Commissioner showing all sales or transfers, except judicial sales, of farm lands and town property of and filed for record in the county of such officer during the previous calendar year."

2. In the bill, section 2, insert a comma in line 2 after the word "report" and in line 3, after the word "act"; line 3, strike: "of him in" and in lieu thereof insert the word "by"; line 5, strike: "or boards", and in lieu thereof insert: "of the county of such official"; strike "by the" in line 5 and all of line 6 except the words "and shall"; line 7, before the word "procure" insert the word "otherwise" and before the word "actual" insert: "amount of the"; line 8, before the word "procuring" insert the word "so"; line 10, strike the period after "clerk" and in lieu thereof insert: "of the county of such register of deeds or ex officio register of deeds."; line 11, strike: "county," and in lieu thereof insert: "said county"; line 12, strike the word "the" before the word "county" and in lieu thereof insert the word "said".

3. In the bill, title, 2nd line, strike the word "for" after the word "provide" and in lieu thereof insert: "that a"; 4th line, strike the word "to" before "be" and before the word "State" insert the word "the"; insert the word "the" in the 5th line before "register" and 6th line before "State"; 5th line, strike the semicolon and in lieu thereof insert: "of each county;"; strike all of the 7th line after "Commissioner;" and all of the 8th, 9th and 10th lines, and in lieu thereof, insert:

"to provide that the State Tax Commissioner shall give notice of any failure or refusal of such an officer to transmit such report as prescribed; to provide for the procuring of such report upon such failure or refusal and to provide that the amount of the expense of so procuring such report shall be certified, allowed and paid as prescribed."

(Signed) Roy B. Carlberg, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 186. Indefinitely postponed.
LEGISLATIVE BILL 230. Indefinitely postponed.

LEGISLATIVE BILL 210. Placed on General File.
LEGISLATIVE BILL 218. Placed on General File as amended.

Standing Committee amendment to L. B. 218:

Section 1, lines 17 and 18, strike all new matter.

LEGISLATIVE BILL 213. Placed on General File as amended.

Standing Committee amendments to L. B. 213:

Section 1, line 7, delete after the word "state" all printed material up to the word "more" in line 8.

Section 1, line 17, insert after the word "corporations" the words: "or to employers who regularly employ seven or less in second class cities, villages and rural areas in any manufacturing, mechanical or mercantile establishment, laundry, hotel, restaurant, or in any office in this state"

Section 1, line 27, insert after the word "Labor." these words: "And provided further that, while the United States is engaged in the prosecution of any war, upon the employer obtaining a permit from the Commissioner of Labor, any female may be employed in a manufacturing or processing plant producing material used by the United States government in the prosecution of the war and may work for more than nine hours in any one day, and more than fifty-four hours in one week."

(Signed) Don E. Hanna, Chairman

Education

LEGISLATIVE BILL 304. Placed on General File as amended.

Standing Committee amendment to L. B. 304:

Amend section 3 of the bill, line 44, by striking therefrom the word "sinking" and inserting in lieu thereof the word "site".

LEGISLATIVE BILL 257. Placed on General File as amended.

Standing Committee amendments to L. B. 257:

1. Amend section 3 of the bill, lines 5 and 6, by striking therefrom the following:

"in the discretion of the board of education of such school district"

and by inserting in lieu thereof the following:

"in accordance with the provisions of the Tenure Law, sections 79-2150 to 79-2158."

2. Amend the bill to read as follows:

"Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 251. Placed on General File.

(Signed) Cliff N. Ogden, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 363. By Committee on Education, Cliff N. Ogden, Chairman, H. P. Heiliger of Lancaster, C. Petrus Peterson of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 79-815, Revised Statutes of Nebraska, 1943, relating to schools; to increase to eight per cent of the aggregate actual valuation of the several school districts comprising a rural high school district the limit of bonded indebtedness of such district; to repeal the original section; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that the hearing be held by the Agriculture Committee this afternoon on L. B. 363. (Signed) H. P. Heiliger

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 226. Placed on Select File as amended.

E and R amendments to L. B. 226:

1. In the bill, section 1, line 4, strike the word "to" and in lieu thereof insert: "to , *25-402 or*"; line 8, strike the comma after the word "state" and in lieu thereof insert ","; line 10, strike the word "them" and in lieu thereof insert: "them *such nonresident or foreign corporation*".

2. In the bill, title, 4th line, strike: "district court; to validate" and in lieu thereof insert the following:

"the district court; to permit certain prescribed allegations, authorizing or required for such service, to be set forth either in the petition or other pleading or in the affidavit for service by publication under the prescribed circumstances; to validate actions or";

10th line, before the word "proceedings" insert: "actions or";
12th line, after the semicolon and before the word "and" insert: "to provide a savings clause;".

LEGISLATIVE BILL 233. Placed on Select File as amended.

E and R amendments to L. B. 233:

1. In Standing Committee amendments, strike amendments 9, 10 and 11, and in the bill, title, strike all of the title, after the words "FOR AN ACT" in the 2nd line, and in lieu thereof, insert the following:

"relating to bonds of the officers and employees of the State of Nebraska; to provide that the Board of Educational Lands and Funds shall, in addition to its present duties, act as a bond approval board and to prescribe its powers and duties as such; to provide for the payment of the premiums on such bonds out of the funds of the state upon the order of the Board of Educational Lands and Funds; to prohibit the payment of the premium on the bond of any officer or employee of the state out of public funds unless an order for such payment has been obtained from the Board of Educational Lands and Funds; and to provide that the secretary of said board shall file with the clerk of the Legislature the prescribed information in regard to such bonds prior to each regular session of the Legislature.".

2. In Standing Committee amendment 12, inserted matter, 1st line, strike the word "Section" and in lieu thereof insert: "Sec." and in said line, strike: "the Board" and in lieu thereof insert "said board".

3. In the bill, section 1, (formerly section 2), line 1, strike "Sec." and in lieu thereof insert the word "Section"; line 3, strike the word "what" and in lieu thereof insert the word "which"; lines 6 and 7, strike: "of any bond, and the terms and conditions thereof," and in lieu thereof insert: ", terms and conditions of any bond"; line 14, after the word "all" insert the word "the" and in said line strike: "which are either" and in lieu thereof insert: "whether such bonds are"; line 15, insert the word "a" before the word "specific"; lines 15 and 16, strike: "are authorized and approved to be given"; line 17, insert the word "the" before the word "premiums".

4. In the bill, section 2, (formerly 3), strike all of line 1 after the word "on", all of lines 2 and 3 and all of line 4 up to and except the word "by" and in lieu thereof insert:

"the official bonds of such state officers or employees, whether required to be given by a specific statute or";

line 6, after the word "upon" insert the word "such"; lines 8 and 9, strike: "expend or cause to be expended out of public funds" and in lieu thereof insert: "pay, or cause to be paid, the cost of or"; line 10, strike the word "unless" and in lieu thereof insert: "out of public funds unless an".

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 34. Indefinitely postponed.
LEGISLATIVE BILL 194. Indefinitely postponed.
LEGISLATIVE BILL 35. Placed on General File as amended.

Standing Committee amendments to L. B. 35:

1. Amend the bill, section 1, by striking lines 3 to 9, inclusive, and inserting in lieu thereof the following:

"33-135. Constables shall be allowed the same fees, including mileage, as are allowed sheriffs for like services, *except mileage; for*

each mile actually and necessarily traveled in performance of their official duties constables shall be allowed the sum of ten cents per mile."

2. Amend the title by striking from lines 4, 5 and 6 the words "that in cities having a population of more than fifty thousand inhabitants" and the words "serving municipal courts located in such cities"; and by striking from line 9 the word "fifteen" and inserting in lieu thereof the word "ten".

LEGISLATIVE BILL 276. Placed on General File as amended.

Standing Committee amendments to L. B. 276:

1. Amend the bill, section 3, by striking from line 11 the words "at tax sale" and by striking from lines 39, 40 and 41 the following: "if the amounts of said liens shall not be paid within thirty days from the date of the decree,"

2. Amend the bill, section 4, line 6, by striking the words "lien, claim and demand" and inserting in lieu thereof the words "liens, claims and demands".

LEGISLATIVE BILL 243. Placed on General File as amended.

Standing Committee amendments to L. B. 243:

1. Amend the bill, section 1, by striking from line 1 the following: "Unauthorized wearing of military uniforms."

2. Amend the bill, section 1, line 7, by inserting after the words and punctuation "Coast Guard," the words and punctuation "Red Cross,"

3. Amend the bill, section 1, line 15, by inserting after the word and punctuation "trousers," the following:

"skirts, shirts, blouses,"; and by inserting after the words and punctuation "rain coats," the word and punctuation "overcoats,"

(Signed) John E. Mekota, Chairman

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 128.

A bill for an act to amend section 43-512, Revised Statutes of Nebraska, 1943, relating to assistance for dependent children; to remove the maximum and minimum amounts of assistance which may be paid for such dependent child; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Hubka	Peterson
Anderson, J.	Dooley	Jeffords	Raasch
Babcock	Doyle	Kain	Ryan
Brodahl	Foster	Klaver	Schultz
Burnham	Garber	Lee	Seaton
Carlberg	Hanna	Lusienski	Sorrell
Carmody	Heiliger	Mueller	Tvrdik
Conklin	Hern	Norman	Weborg
Cronin	Hoyt	Ogden	Wood

Voting in the negative, 1:

Pizer

Not voting, 6:

Anderson, L.	Cullingham	Raecke	Reavis
Burney	Mekota		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Raise Bill

Mr. President: I move that L. B. 271 be placed on General File. (Signed) George C. Weborg

After discussion Mr. Hanna moved the previous question.

The President put the question "Shall the debate now close?"

The motion lost, with 16 ayes, 12 nays, and 15 not voting.

After further discussion, Mr. Mueller moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Mr. Weborg's motion lost with 17 ayes, 23 nays and 3 not voting.

President Johnson Presiding

To Record Vote

Mr. President: Had I been present at the session on Monday, March 5, I would have voted for the passage of L. B. 314. (Signed) Earl J. Lee

RESOLUTION

LEGISLATIVE RESOLUTION 8. Re: Memorial to Charles W. Bryan

Introduced by John Mekota of Saline, Charles Tvrdik of Douglas and John F. Doyle of Greeley.

Charles W. Bryan was born at Salem, Illinois, February 10, 1867. He was educated in the public schools of Salem and attended the University of Chicago and the Illinois College. He settled in Nebraska in 1891 and married Bessie Louise Brokaw November 29, 1892. There was born to this marriage two children, a son, Silas M., now a Lieutenant Colonel with the army intelligence service in the European War theater, and a daughter, Mary Louise, wife of William E. Harnsberger, Ashland, Nebraska. He was associate editor of the *Commoner* and for five years was editor and proprietor of the *American Homestead.*

He was a member of the Governor's staff in the years 1892 to 1902. In the years 1915 to 1917 and 1935 to 1937 he was Mayor of the City of Lincoln, and in the years 1921 and 1922 he was City Commissioner. He served this state as Governor three terms, one term in the years 1923 to 1925 and two terms in the years 1931 to 1935. In the year 1924 he was favored with the honorable distinction of being the democratic candidate for Vice-President of the United States.

He always took a prominent part in organization work at Democratic Conventions, dating back to the first of the twentieth century. He was political secretary and business agent for William Jennings Bryan, his brother. He departed this life at Lincoln, Nebraska, March 4, 1945, having been confined to his home for several months, which condition grew gradually worse until his death.

He was kind, affable and generous. A strong sense of duty was the foundation of his actions. Endowed with a keen and analytical mind and easy expression and gifted with an easy flow of speech, he rendered valuable service to this state on many questions affected with the public welfare. His life was full of instruction and points the way to each of us, the science of honor and success. He assisted tremendously in the

building of economy in the conduct of public affairs of Nebraska. He was a faithful servant to the State of Nebraska and to all political subdivisions thereof, and in private life was a devoted husband and father.

The name of Charles W. Bryan was known throughout the world. He was respected nationally. His campaigns were always of principle and not of personalities, and defeat upon occasions did not disturb him. He was ever honest, courageous and faithful. His place in Nebraska will never be filled by any man of more generous impulses nor by anyone more loyal to the interests of his fellowmen and the public welfare.

We recognize that Charles W. Bryan was a public servant of distinguished ability. To this state he was an example worthy of the best emulation for sincerity of purpose, honesty of conviction and untiring zeal. He was always tolerant to others, conceding to all the same independence of thought and action which he exercised for himself. He was truly a friend of the people, considerate of their wishes, conditions and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-EIGHTH SESSION ASSEMBLED that in the death of Charles W. Bryan the state has lost a distinguished citizen of rare ability. The state will ever hold in reverence his attainments and character. His death is to be deplored by all who regret the loss of a good man.

While a mere word of sympathy can never remove grief nor restore loss, yet this Legislature would assure the bereaved family of our deep sorrow and heart-felt sympathy.

That a copy of this resolution be spread at large upon the journals of this Legislature, and that a copy suitably engrossed be prepared and sent by the Clerk of the Legislature to the family of the deceased as an expression of our respect for his memory.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the Resolution be adopted immediately. (Signed) John E. Mekota.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Report of Committee on Legislative Administration

Mr. President: I move that we dispense with the reading of the report since it will be published in the Journal. (Signed) William A. Crossland

The motion prevailed.

LEGISLATIVE EXPENDITURES
OFFICERS' AND EMPLOYEES' SALARIES PAID
DURING THE MONTH OF FEBRUARY, 1945
Covering Last One-half Period of January and First One-half Period of February

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Fed. Taxes	Amt. Paid
L. T. Fleetwood	Asst. Clerk	27 da	8.00	216.00	35.50	180.50
J. W. Lundy	Sgt. at Arms	27 da	5.50	148.50	12.70	135.80
Clarence Linch	Asst. Sgt. at Arms	27 da	5.00	135.00	10.20	124.80
Martin L. Pedersen	Postmaster	27 da	4.50	121.50	7.40	114.10
Wm. P. Bancroft	Chaplain	23 da	4.50	103.50	....	103.50
Delia Rankin	Office Asst.	27 da	6.50	175.50	18.50	157.00
Grace Furst	Engro'g. Clk.	27 da	6.50	175.50	18.50	157.00
Zellma Steenbock	Asst. Engro'g. Clk.	(4 da	6.50			
		(15 da	6.00	116.00	8.20	107.80
Louise F. Sholes	Asst. Jrnl. Clk.	(13 da	6.00			
		(14 da	6.50	169.00	17.30	151.70
Goldie Green	Sec'y. Lt. Gov.	27 da	6.00	162.00	24.40	137.60
Erma Goering	Docket Clk.	28 da	6.00	168.00	25.60	142.40
Nellie von Dorn	Secretary	27 da	6.50	175.50	26.80	148.70
Carol J. Streight	Secretary	27 da	6.00	162.00	24.40	137.60
Mary Morrison	Secretary	27 da	6.00	162.00	24.40	137.60
Margaret Wulf	Secretary	26½ da	6.00	159.00	23.50	135.50
Viola Schmidt	Secretary	27 da	6.00	162.00	24.40	137.60
Katherine Mackiewicz	Secretary	27 da	6.00	162.00	16.00	146.00
Rita Thornton	Secretary	27 da	6.00	162.00	32.70	129.30
Myrtle McKay	Secretary	27 da	6.00	162.00	24.40	137.60

Susan Ogier	Secretary	23 da	6.00	138.00	19.40	118.60
Winifred E. Giles	Secretary	10 da	6.00	60.00	3.70	56.30
Kathryn McCrackin	Secretary	(1 da	4.00			
		(17 da	6.00	106.00	6.50	99.50
Margaret A. Fack	Secretary	(12 da	5.00			
		(16 da	6.00	156.00	14.80	141.20
Hazel Schwarz	Secretary	(11 da	5.00			
		(16 da	6.00	151.00	13.60	137.40
Shirley Grant	Secretary	(10 da	5.00			
		(16 da	6.00	146.00	12.70	133.30
Elsa Fischer	Secretary	(6 da	5.00			
		(10 da	6.00	90.00	6.60	83.40
Eunice Spencer	Secretary	6 da	6.00	36.00	7.00	29.00
Eva Ruff	Secretary	(7 da	5.00			
		(18 da	6.00	143.00	20.30	122.70
Azora Sharp	Secretary	5 da	6.00	30.00	1.60	28.40
Alice M. Davis	Secretary	(12 da	5.00			
		(7 da	6.00	102.00	6.40	95.60
Alice Javorsky	Stenographer	27 da	5.00	135.00	18.60	116.40
Arlene Jelinek	Stenographer	27 da	5.00	135.00	18.60	116.40
Lela Schall	Stencils	21 da	5.00	105.00	5.00	100.00
Marion Marlow	Typist	(15 da	4.00			
		(4 da	5.00	80.00	7.40	72.60
G. F. Martin	Chf. Bill Clk.	27 da	6.50	175.50	26.80	148.70
W. T. Voss	Asst. Bill Clk.	27 da	5.00	135.00	10.20	124.80
F. R. Miller	Asst. Bill Clk.	27 da	5.00	135.00	10.20	124.80
Gus Neuman	Asst. Bill Clk.	26½ da	5.00	132.50	17.80	114.70
Berdena Irwin	Asst. Bill Clk.	17 da	5.00	85.00	8.30	76.70
Nancy J. Halligan	Asst. Bill Clk.	19 da	5.00	95.00	10.30	84.70

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Fed. Taxes	Amt. Paid
Evelyn Schuknecht	Mimeo Oper.	27 da	5.00	135.00	18.60	116.40
Henry Remington	Page & Chief Mess'gr.	20 da	5.00	100.00	4.80	95.20
Betty Fullagar	Page & Mess'gr.	23 da	4.00	92.00	9.90	82.10
Martha Simon	Page & Mess'gr.	21 da	4.00	84.00	8.20	75.80
Richard Cronin	Page & Mess'gr.	20 da	4.00	80.00	7.00	73.00
Martha Bring	Page & Mess'gr.	6½ da	4.00	26.00	.10	25.90
Robt. G. Howard	Page & Mess'gr.	12 da	4.00	48.00	5.40	42.60
O. J. Burckhardt	Asst. Custod.	27 da	4.50	121.50	7.40	114.10
Ezra N. Watt	Asst. Custod.	27 da	4.50	121.50	15.70	105.80
A. J. McCallum	Asst. Custod.	26 da	4.50	117.00		
(To correct excessive deduction Fed. Taxes Jan.				4.10	10.70	110.40
Louis Nelson	Asst. Custod.	(3½ da	5.00			
		(22½ da	4.50	118.75	6.90	111.85
Gertrude Tyler	Tele. Oper.	27 da	4.00	108.00	4.80	103.20
Rosalind Griffin	Proof Reader	172 hrs	.75	129.00	17.00	112.00
Orma Hull Kline	Proof Reader	172 hrs	.75	129.00	8.60	120.40
Claire Hunt	Proof Reader	144 hrs	.75	108.00	13.20	94.80
C. D. Blauvelt	Proof Reader	(144 hrs	.75			
		(1 da	6.00	114.00	1.90	112.10
Continental National Bank	Federal Withholding	Taxes				760.90
Clarence M. Davis	Legal Adviser	1 mo	375.00	375.00		
Overtime allowance		41 hrs	1.80	73.80	69.20	379.60
Evelyn Stroy	Journal Clk.	1 mo	175.00	175.00	26.40	148.60
Marguerite Price	Approp. Committee	1 mo	175.00	175.00	26.40	148.60
Jo Fisher	Revenue Judiciary	1 mo	175.00			

(Correction) omitted in Jan. payroll		1 da	5.65	180.65	36.40	144.25
Hollis S. Thurber	Bookkeeper	1 mo	150.00	150.00	13.10	136.90
Ernest Fouts	Custodian	1 mo	125.00	125.00	16.50	108.50
Continental National Bank Federal Withholding Taxes						188.00
		Totals		$8258.30	$948.90	$8258.30

LEGISLATIVE EXPENDITURES FOR THE MONTH OF FEBRUARY, 1945

Account No. 1 Incidental Expense		
Typewriter Service Company, repairs	$ 36.00	
J. L. Roscoe, printing desk and voting machine cards	39.00	
		$ 75.00
Account No. E-2 Salaries of Members		
February installment salaries	7812.70	
Federal withholding taxes	787.30	
		8600.00
Account E-4 Salaries of Employees		
Amount paid employees	7309.40	
Federal withholding taxes	948.90	
		8258.30
Account E-5 Incidental Expense		
Dickinson Secretarial School, tables	33.09	
C. M. Pierson, attorney fees, election contest	100.00	
Lincoln Telephone Company, phone account	45.40	
Cornhusker Printing Company, stationery for members	312.56	
Purchasing Agent Postage, Bills & Journals	500.00	
Purchasing Agent Postage, First Class Mail	400.00	
Wayne Greenhouses, flowers	7.50	
Lincoln Telephone Company, phone account	97.10	
P. S. Hypse, flowers	3.00	
Railway Express Agency	1.31	
		1499.96
Account No. 5 Intergovernmental Cooperation Commission		
C. Petrus Peterson, Expense Account, St. Louis	41.14	
Peterson & Devoe, Telephone expense	10.08	
		51.22
Account No. 8 Clerk of the Legislature		
Salary for February		289.10
Total		$18773.58

(Signed) John F. Doyle, Chairman

SELECT FILE

LEGISLATIVE BILL 93. E and R amendments, found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendments, found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 147. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 156. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 172. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment

LEGISLATIVE BILL 301. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 176. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Mr. Conklin offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 176 by inserting in line 7 of Section 1, after the word *"hour"* the following: *"unless, by the ordinance of such city or village, a greater rate of speed is specifically permitted."*

Advanced to E and R for engrossment.

LEGISLATIVE BILL 200. Advanced to E and R for engrossment.

LEGISLATIVE BILL 223. E and R amendments, found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Raasch introduced to the Legislature Mr. Watson L. Purdy, a member of the House in 1919 and 1933, and his son, Walter L. Purdy, of Madison, Nebraska. Mr. Purdy spoke a few words of greeting.

MOTION—To Place at Bottom of File

Mr. President: I move that L. B. 161 be placed at the bottom of General File. (Signed) Ed F. Lusienski

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 121. Mr. Peterson asked unanimous consent that L. B. 121 be laid over and made special order Friday, March 9. So ordered.

LEGISLATIVE BILL 171. Mr. Mekota asked unanimous consent that L. B. 171 be laid over. So ordered.

LEGISLATIVE BILL 157.

Mr. James Anderson made a motion to adopt the mimeographed bill dated March 5, and that it be considered by the Legislature.

The motion prevailed.

Mr. Mekota offered the following amendment, which was adopted.

I move that L. B. 157 be amended by striking line 16 of Section 9, beginning with the word "and" and by striking lines 17 and 18 and the following words of line 19: "terms of the guarantee."

Insert the word "and" before the figures and punctuation "(10)" in line 15.

Advanced to E and R for review.

LEGISLATIVE BILL 119. Read and considered.

Extension of Invitation

The Lincoln Chapter of the Nebraska Better Fishing Association extended an invitation to the members and their wives to its annual catfish feed at six o'clock on March 9, at the Welfare Society Building, 1430 North Tenth Street, Lincoln, Nebraska.

In Memoriam

At the request of Mr. Tvrdik the Legislature paused in its deliberations and stood in silence to pay tribute to the memory of the Honorable Charles W. Bryan.

Adjournment

At 12:00, noon, Mr. Jeffords made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 7, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the forty-sixth day was approved.

Communications

A petition addressed to Mr. Kain from fourteen members of a Phelps County unit of the Farm Bureau opposing L. B. 248.

A message from Frank C. Wiese of Denman, Nebraska, favoring L. B. 33.

A petition to Mr. Reavis from seventy-six residents of the first legislative district opposing L. B. 248.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 364 Monday, March 12, 1945 2:00 p. m.

Public Works

L. B. 346 Re-set for hearing Wednesday, March 14, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for approval Tuesday, March 6, 1945, 3:30 p. m.

L. B. 43	L. B. 67	L. B. 90
L. B. 44	L. B. 77	L. B. 130

LEGISLATIVE BILL 24. Correctly enrolled.
LEGISLATIVE BILL 127. Correctly enrolled.
LEGISLATIVE BILL 175. Placed on Select File as amended.

E and R amendments to L. B. 175:

1. In the bill, section 1, line 1, after the word "corporation" insert: ", which is heretofore or hereafter (1)"; lines 3 and 4, strike: "any corporation heretofore organized or hereafter" and in lieu thereof insert "(2)"; line 7, strike the comma after the word "denomination"; line 8, strike the word "whole" and in said line strike the comma after the word "thereof" and in lieu thereof insert: "and which corporation is"; line 11; strike the comma after the word "fiduciary" and before the word "or"; line 13, after the word "in" and before the word "such" insert the following: "or shares or parts of"; line 15, strike the comma after the word "relationship".

2. In the bill, section 2, line 3, insert the word "a" before the word "resolution".

3. In the bill, section 3, line 3, strike "in which" and in lieu thereof insert the word "as" and in said line, after the word "corporation" insert: ", who is" .

4. In the bill, title, 2nd line, strike "certain fiduciaries" and in lieu thereof insert: "a fiduciary of the prescribed type or purpose"; 4th line, strike the word "fiduciaries" and in lieu thereof insert the word "fiduciary"; 5th line, after the word "authorize" insert the word "the"; 6th line, before the word "fiduciaries" insert "co-" and in said line, before the word "common", insert: "or shares or parts of such" .

(Signed) Roy B. Carlberg, Chairman

Agriculture

LEGISLATIVE BILL 362. Placed on General File.
LEGISLATIVE BILL 363. Placed on General File.

(Signed) Arthur Carmody, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 24 L. B. 127

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 364. By Committee on Education, Cliff N. Ogden, Chairman.

A bill for an act to amend sections 79-503, 79-903 and 79-905, Revised Statutes of Nebraska, 1943, relating to schools; to authorize the Superintendent of Public Instruction to prescribe the elementary course of study in common schools and to provide examinations which shall be given at the completion of such course of study; to provide the conditions for issuance of certificate of completion of elementary course of study so as to be entitled to free high school education; and to repeal the original sections.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 135. Correctly engrossed.
LEGISLATIVE BILL 117. Correctly engrossed.
LEGISLATIVE BILL 317. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 324. Placed on General File, as amended.

Standing Committee amendments to L. B. 324:

1. Amend section 2 of the bill, line 10, by inserting after the word "act" the following words and punctuation:

"unless and until such person elects to register his trade name as provided in this act, or until some other person becomes interested therein"

2. Amend section 3 of the bill, line 2, by inserting after the word "shall" the words "register with the Secretary of State"

3. Amend section 3 of the bill, line 3, by striking the words "register by" and inserting in lieu thereof the word "a"

4. Amend the bill by inserting immediately after section 3 a new additional section numbered 4 as follows:

"Sec. 4. Any such trade name registered shall be of such a nature as to distinguish it from that of any other trade name registered in the office of the Secretary of State."

5. Amend section 4 of the bill by striking the number "4" and inserting in lieu thereof the number "5"

6. Amend the renumbered section 5, line 3, by inserting after the word "dollars" the following words and punctuation:

"and any such registration shall remain in force for the period of twenty years, and may be renewed by reregistering in the same manner as an original registration, if renewed within thirty days before the expiration date"

7. Amend section 5 of the bill by striking the number "5" and inserting in lieu thereof the number "6"

8. Amend the renumbered section 6, line 4, by striking the word "posted" and inserting in lieu thereof the word "indexed"

9. Amend the renumbered section 6, line 10, by inserting after the punctuation following the word "county" the following words and punctuation:

"Proof of such publication shall be filed with the county clerk of the county wherein the principal office is located."

10. Amend section 6 of the bill by striking the number "6" and inserting in lieu thereof the number "7"

11. Amend the bill by inserting immediately after renumbered section 7 an additional section:

"Sec. 8. The Secretary of State shall, at least six months prior to the date of expiration of any certificate of registration, notify the registrant by first class mail at his last known address of the

date of expiration and the fact that such certificate of registration will expire unless renewed."

12. Amend the title of the act, line 6, by inserting after the punctuation following the word "registration" the following words and punctuation:

"to provide for length of time which certificates of registration thereof shall remain in force;"

LEGISLATIVE BILL 256. Placed on General File, as amended.

Standing Committee amendment to L. B. 256:

Amend section 1, line 14, by striking therefrom the word "twenty" and inserting in lieu thereof the word "five" .

LEGISLATIVE BILL 310. Indefinitely postponed.

(Signed) Earl J. Lee, Chairman

Judiciary

LEGISLATIVE BILL 83. Indefinitely postponed.
LEGISLATIVE BILL 320. Placed on General File as amended.

Standing Committee amendment to L. B. 320:

Amend the bill, section 1, line 20, by striking the words *"twenty-four"* and inserting in lieu thereof the words *"twenty-one"* .

LEGISLATIVE BILL 225. Placed on General File as amended.

Standing Committee amendments to L. B. 225:

1. Amend section 1 of the bill, line 6, by striking the punctuation after the word "entered" and substituting the following in lieu thereof:

"as to a decree of adoption entered in this state, and the judge of the county court of the county in Nebraska in which the child was born as to a decree of adoption entered by any court of record in another state,"

2. Amend section 1 of the bill, line 8, by inserting after the word "issue" the following:

"a certificate of birth"

3. Amend the title, by striking lines 4 to 6, inclusive, and inserting the following in lieu thereof:

"where a decree of adoption has been entered by any court of record of another state as to a child born in Nebraska, the judge of the county court of the county in Nebraska in which the child was born may issue a certificate of birth and send to the Department of Health a certi-".

LEGISLATIVE BILL 316. Placed on General File as amended.

Standing Committee amendment to L. B. 316:

Amend the bill, section 2, line 4, by striking the first word "more" and inserting in lieu thereof the word "less", and by inserting after the word and punctuation "dollars," the words and punctuation "nor more than five hundred dollars,"; and by inserting after the word "not" the words "less than ten days nor".

LEGISLATIVE BILL 105. Placed on General File as amended.

Standing Committee amendments to L. B. 105:

1. Amend the bill, section 1, line 3, by inserting after the word "executor" the following: *", administrator with the will annexed"*.

2. Amend the bill, section 1, line 11, by inserting after the word *"given"* the word *"general"*.

3. Amend the bill, section 1, line 12, by inserting the word *"the"* after the word *"sell"*; and by inserting after the word *"estate"* the words *"of the deceased"*.

4. Amend the bill, section 1, line 13, by striking the words *"or executrix"* and inserting in lieu thereof the words *"or administrator with the will annexed"*

5. Amend the bill, lines 13 and 14, by striking the word *"or"* at the end of line 13 and the word *"her"* in line 14.

6. Amend the title, line 4, by inserting after the word "executor" the following: ", administrator with the will annexed".

(Signed) John E. Mekota, Chairman

SELECT FILE

LEGISLATIVE BILL 238. Referred to E and R for engrossment.
LEGISLATIVE BILL 159. E and R amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Referred to E and R for engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 9. Re: 134th Infantry Regiment, Nebraska National Guard

Introduced by:

Harry L. Pizer of Lincoln
Lloyd Kain of Dawson
Ladd J. Hubka of Gage
Roy B. Carlberg of Thurston
Sidney J. Cullingham of Douglas
Harry F. Burnham of Custer
Tom Dooley of Sarpy
James A. Ryan of Douglas
John F. Doyle of Greeley
Ernest C. Raasch of Madison
Walter R. Raecke of Merrick
Wm. Hern of Dawes
Charles F. Tvrdik of Douglas
Ed. Hoyt of Red Willow
Don E. Hanna of Cherry
Earl J. Lee of Dodge
Carl P. Jeffords of Hooker
Daniel Garber of Webster
Fay Wood of Seward
Harry A. Foster of Douglas
Frank Sorrell of Otoe
Dwight W. Burney of Cedar
C. Petrus Peterson of Lancaster
A. J. Brodahl of Saunders
Dennis H. Cronin of Holt
H. P. Heiliger of Lancaster
Thomas H. Adams of Lancaster
Sam Klaver of Douglas
William A. Crossland of Wayne
James H. Anderson of Scotts Bluff
Lester H. Anderson of Hamilton
John E. Mekota of Saline
George C. Weborg of Cuming
Ed F. Lusienski of Platte
Ray Babcock of Cheyenne
Joseph C. Reavis of Richardson
Edwin Schultz of Antelope
Fred A. Mueller of Buffalo
Fred A. Seaton of Adams
Arthur Carmody of Hitchcock
William J. Norman of Douglas
C. N. Ogden, Jr., of Douglas
J E Conklin of Thayer

WHEREAS, the 134th Infantry Regiment, Nebraska National Guard, 35th Division, United States Army, has repeatedly distinguished itself on the field of battle, and

WHEREAS, the officers and men of this regiment were drawn from the pursuits of peace to vindicate the right of peaceful men to live in peace, and

WHEREAS, they have valiantly sustained the highest military traditions of their state and their nation, and

WHEREAS, they have buried their dead and tended their wounded from the beaches of Normandy to the banks of the Rhine, and

WHEREAS, by their heroism at Saint Lo, at the Vire River, at Mortain, at Nancy and in the Siegfried Line—names to be forever emblazoned on their battle flags—they have made notable contributions to the ultimate victory of the cause which they were called to defend, and

WHEREAS, the people of Nebraska desire to extend grateful recognition for the services of their sons in this titanic struggle,

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That all officers and men, living or dead, who are serving or have served in the 134th Infantry Regiment in the course of the present war be most highly commended for the patriotism, the courage, the fortitude and the devotion with which they have served their country, and

2. That they be assured of the complete confidence of our people that they will continue to distinguish themselves so long as the continuation of the war may require their services, and

3. That they be further assured of the unceasing prayers of our people that their lives may be spared and that they may soon resume their rightful places in a world of peace, and

4. That this resolution be spread at large upon the journals of the Legislature and that a copy, suitably engrossed, be prepared and sent by the Clerk of the Legislature to Colonel Butler B. Miltonberger, commanding officer of the Regiment, and to each of his battalion commanders, and

5. That printed copies of this resolution be made available, upon request, to the men of the regiment and their families.

MOTION—To Suspend the Rules

Mr. President: I move to suspend the rules and adopt the resolution. (Signed) Harry L. Pizer

The motion prevailed with 41 ayes, 0 nays and 2 not voting.

WOMEN'S ARMY CORPS

Nebraska's first Women's Army Corps "Purple Heart" platoon will be enlisted Wednesday, March 7. General Henninger will administer the oath and the Governor will speak. This group is dedicated to Nebraska's 134th infantry.

Mr. Peterson asked unanimous consent to use the Legislative Chamber for that purpose. No objection was offered, and it was so ordered.

Approved by the Governor

March 7, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 43
L. B. 44
L. B. 67
L. B. 90

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 171. Laid over.

General File Continued

LEGISLATIVE BILL 119.

Mr. Sorrell offered the following amendment, which was adopted.

I move that Sec. 12, line 5 be amended by changing the word "four" to the word "five".

Mr. James Anderson made a motion to indefinitely postpone.

Mr. Peterson asked unanimous consent that the bill be laid over until Monday, March 12, for Special Order.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 264. Advanced to E and R for review.
LEGISLATIVE BILL 325. Advanced to E and R for review.
LEGISLATIVE BILL 144. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-sixth Day were adopted.

Mr. Brodahl offered the following amendment:

Amend section 4 of the bill, line 5, by inserting after the word "board" the following words and punctuation:

"; Provided, however, that any person holding a license to practice any branch of the healing arts in the State of Nebraska shall be permitted to practice in said hospital to the extent of said license, and patients shall not be denied admission to said hospital by reason of their having employed any particular physician, when such physician holds a license to practice some branch of the healing arts".

A record vote was requested.

Voting in the affirmative, 15:

Adams	Burnham	Garber	Raasch
Anderson, J.	Carlberg	Heiliger	Seaton
Babcock	Cullingham	Hubka	Sorrell
Brodahl	Doyle	Klaver	

Voting in the negative, 16:

Anderson, L.	Hanna	Kain	Reavis
Burney	Hern	Lee	Ryan
Crossland	Hoyt	Peterson	Weborg
Dooley	Jeffords	Pizer	Wood

Not voting, 12:

Carmody	Foster	Mueller	Raecke
Conklin	Lusienski	Norman	Schultz
Cronin	Mekota	Ogden	Tvrdik

Mr. Brodahl's amendment was not adopted.

Mr. Hubka offered the following amendment, which was adopted.

Amend L. B. 144, Section 1, line 9 by inserting after the word "construction" the words "or acquisition" .

Mr. Lee asked unanimous consent to adopt the following amendment. No objection was offered and it was adopted.

Correct Standing Committee amendments to L. B. 144 appearing on page 420 of the Legislative Journal by striking the figure "2" in amendment four and inserting figure "4". Also, in amendment 6, strike figure "2" and insert figure "4".

Mr. Lee asked unanimous consent to lay the bill over and make it Special Order Tuesday, March 13. No objection was offered and it was so ordered.

To Record Vote

Mr. President: Had I been present, I would have voted against the Brodahl amendment to Section 4 of L. B. 144. (Signed) Walter R. Raecke

LEGISLATIVE BILL 179. Laid over.
LEGISLATIVE BILL 120. Laid over.
LEGISLATIVE BILL 348. Read and considered.

Mr. James Anderson offered the following amendment, which was adopted.

Amend L. B. 348 by striking in Section 1, line 19 the words "to the" and in line 20 the word "legislature".

Advanced to E and R for review.

Member Excused

Mr. Lusienski was excused from the session of Thursday, March 8, 1945.

Adjournment

At 11:53, a. m., Mr. Foster made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 8, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Conklin, Cronin and Lusienski, who were excused.

The Journal for the forty-seventh day was approved.

Communications

Petitions and messages addressed to Mr. Hern from forty-three signers of Alliance, Chadron and Harrison, Nebraska, opposing L. B. 248.

Petitions to Mr. Burnham from eighty-seven residents of the thirty-fifth legislative district opposing L. B. 248.

A resolution to the Legislature from the Michigan State Legislature to urge the use of prayer for an early victory and a lasting peace.

Petition to Mr. Raecke from thirty members of the Merrick County Farm Bureau opposing L. B. 248.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 32. Correctly engrossed.
LEGISLATIVE BILL 128. Correctly enrolled.
LEGISLATIVE BILL 88. Replaced on Select File as amended.

E and R amendment to L. B. 88:

Section 2, line 10, strike the word "to" after the word "notice".

LEGISLATIVE BILL 216. Placed on Select File as amended.

E and R amendments to L. B. 216:

1. In Standing Committee amendment 2, strike the period and add: "and inserting "and" .".

2. In Standing Committee amendment 3, last line, after the quotation mark and before the semicolon insert "," and underscore the remainder of the insertion.

3. In Standing Committee amendment 7, insert "," before "*if*" and also after "*requested*".

4. Strike Standing Committee amendments 8 and 9.

5. In General File amendment 1, by Mr. Mekota, reinstated matter, 3rd line, (in the bill, line 23) strike: ", nor for the sale" and in lieu thereof insert: "; nor for the sale or"; in the 4th line (in the bill, line 24) strike the word "sold" and in lieu thereof insert "sold".

6. In General File amendment 3, by Mr. Mekota, inserted matter, 1st line, after the word "*the*" insert: "*filing of the*"; 3rd line, strike the word "*under*" and in lieu thereof insert the word "*upon*"; 7th line, before the word "*prior*" insert: ", *Revised Statutes of Nebraska, 1943,*".

7. In the bill, section 1, line 8, strike ": (1) the" and in lieu thereof insert: "*the following:* (1) the *The*"; line 13, after the word "protein" insert "*contained therein*", and insert the same in line 14 after the word "fat" and also after the word "fiber"; line 16, strike: "in the feeding stuff" and in lieu thereof insert: "in the feeding stuff *therein*"; line 32, strike "*percentums*" and in lieu thereof insert "*percentages*".

8. In the bill, section 2, line 8, after "54-803" insert: ", *as amended by this act,*"; line 9, strike ", and shall" and in lieu thereof insert: "; and *also* shall"; line 13, before the word "affidavit" insert: ", *or cause to be made, and file with the department an*"; line 15, strike "*annually a*" and in lieu thereof insert: "*an annual*"; insert a comma in line 17 after "corporation" and in line 18, after "section"; line 18, after the word "requirements" insert: "*which are*"; line 20, strike the word "are" and in lieu thereof insert: "are *were*".

9. In the bill, section 3, strike *"and the"* in line 30 and strike all of lines 31 and 32 and *"which shall set"* in line 33, and in lieu thereof insert the following:

", May and September of each year, make and file with the department a statement under oath, setting";

line 35, strike *"; and"* and in lieu thereof insert *"and,"*, and in said line insert a comma after the word *"statement"*; strike all of line 38 after the word *"application"*, all of line 39 and *"statement of tonnage."* in line 40, and in lieu thereof insert the following:

"permission for the department to verify such applicant's statement of tonnage from the applicant's records.";

insert a comma in line 40 after the word *"corporation"* and in line 41 after *"section"*; line 42, after *"54-803"* insert: *", as amended by this act,"*; line 45, insert a comma after the word *"and"* and in said line, after *" thereof"* insert: *", shall be"*; line 46, strike *"for each violation"*; line 47, strike the period and in lieu thereof insert: *"for each violation."*.

10. In the bill, title, 7th and 8th lines, strike "for sale in this state;" and in lieu thereof insert: "or exposed for sale or distributed within this state at retail;"; 11th line, after the semicolon and before the word "to" insert: "to provide for a credit upon the first payment thereof under the prescribed conditions ;".

LEGISLATIVE BILL 232. Placed on Select File as amended.

E and R amendments to L. B. 232:

1. Strike Standing Committee amendments 1 and 2.

2. In the bill, section 1, line 6, after "88-215" insert: *", inclusive, and amendments thereto,"*; line 7, strike "become thereby" and in lieu thereof insert: "~~become~~ thereby *become*"; line 10, strike: "is declared", and in lieu thereof insert: "~~is declared~~ *shall be construed to be";* line 11, strike: ", and any", and in lieu thereof insert: "~~,~~ ~~and any~~ . *Any*", and in said line, insert a comma after the word "grain"; line 12, after the word "warehouse" insert the word *"and"* and in said line, after the word "which", insert the word *"the"*; line 13, strike: "has not been", and in lieu thereof insert: "~~is has not been~~"; strike all of line 14 and in line 15 strike: *"88-201 to 88-215"*, and in lieu thereof insert the following:

"same, is *construed to be grain* held in storage *within the meaning of said sections. The term "grain", as used in said sections,*".

3. In the bill, section 2, line 3, before the word "Within" insert "*(1)*"; line 6, strike the word "same" and in lieu thereof insert: "*same such purpose*"; line 10, before the word "*Within*" insert "*(2)*"; lines 11 and 12, strike "*than those set forth in the preceding sentence*" and in lieu thereof insert: "*of the year*"; line 14, strike "*the same*" and in lieu thereof insert: "*such purpose*"; at the end of line 19, after the word "*by*" insert the word "*the*"; line 21, strike the period after the word "*houseman*" and in lieu thereof insert the following:

"*; Provided, it shall not be necessary to make such report, which would otherwise be required by this subsection, if no such warehouse receipts have been issued or cancelled since the last report made and filed under either the provisions of subsection (1) or subsection (2) of this section.*".

4. In the bill, section 3, line 4, strike the comma after the word "storage" and in lieu thereof insert "*,*"; line 7, strike the comma after the word "owner" and in lieu thereof insert "*, and*"; line 8, before the word "grain" insert the word "*the*"; line 20, after the word "upon" insert the word "*the*"; strike all of lines 21 to 24, inclusive, and in lieu thereof insert the following:

"fixed by *an order of* the commission ~~by order~~, which fee ~~may be~~ *shall not exceed* fifty cents ~~or less~~ for *the first* one thousand ~~or less~~ bushels of grain*,* *or part thereof and* ~~but the fee shall never be in excess~~ of fifty cents *for each additional* ~~per~~ one thousand ~~or more~~ bushels of grain *or portion thereof*.";

line 29, strike: "*the giving of a bond with sufficient sureties*" and in lieu thereof insert: "*furnishing a bond with corporate surety,*"; line 38, strike the word "*proceedings*" and in lieu thereof insert: "*said proceedings before the commission,*"; strike the period at the end of line 39 and in lieu thereof insert: "*pursuant to said approval by the commission in said proceedings.*"; insert a comma in line 42 after the word "*issued*" and in line 43 after the word "*placed*"; line 46, strike the word "*issue*" and in lieu thereof insert: "*the issuance*".

5. In the bill, title, strike all of the 6th, 7th, 8th and 9th lines, and in lieu thereof insert the following:

"time for filing and the contents of certain reports required to be made by a grain warehouseman as to

grain in storage and warehouse receipts issued and cancelled and other prescribed information; to provide for the issuance of duplicate warehouse receipts under certain conditions and the effect to be given thereto; to define certain terms;".

LEGISLATIVE BILL 143. Placed on Select File as amended.

E and R amendments to L. B. 143:

1. In Standing Committee amendment 2, inserted matter, 1st line, after the word "*shall*" insert "*(1)*"; 3rd line, strike "*and who has*" and in lieu thereof insert "*(2) has*"; 4th and 5th lines, strike ". *The director shall*" and in lieu thereof insert ", *(3)*"; 6th line, strike the period.

2. In Standing Committee amendment 3, 4th line, after the figure "13" insert the word "inclusive".

3. In Standing Committee amendment 7, 1st line, add: "period following the".

4. In Standing Committee amendment 10, inserted matter, insert a comma after the word "*conduct*" and also after the word "*agency*".

5. In Standing Committee amendment 11, 1st line, strike the word "to" and in lieu thereof insert the word "and".

6. In Standing Committee amendment 15, 2nd line, after the figures "48-609" and before the quotation mark insert a comma.

7. In General File amendments by Mr. Mueller, strike all of the amendments to section 19 except the last amendment to lines 20 and 21 and in that amendment, 1st line, after "Line 20," insert "section 19," and strike the period at the end of the 2nd line and in lieu thereof insert: "and show the same as stricken matter.".

8. In the bill, section 2, line 10, strike the word "*member*" and in lieu thereof insert the word "*person*" and in said line insert a comma after "*vacancy*"; line 11, strike "*shall be appointed*" and in lieu thereof insert: "*of a member of the council, shall be appointed as a member*"; line 12, strike the word "*the*" before the word "*term*" and in lieu thereof insert the word "*that*"; strike the word "*or*" at the beginning of line 15, and in lieu thereof, insert a comma; lines 15 and 16, strike "*during his term. No member shall*" and in lieu thereof insert the word "*or*".

9. In the bill, section 3, line 3, after the word "*upon*" insert the word "*the*"; lines 4 and 5, strike ", *but without vote,*"; line 5, strike the period after the word "*council*" and in lieu thereof insert: "*but shall have no vote.*".

10. In the bill, section 4, lines 1 and 2, strike "*a per diem of*"; line 3, strike "*, and shall*" and in lieu thereof insert the word "*and*".

11. In the bill, section 5, line 3, strike "*, and shall*" and in lieu thereof insert the word "*and*"; line 4, strike "*The director shall*" and in lieu thereof insert: "*and (4)*".

12. In the bill, section 6, lines 1 and 2, strike the word "*hereafter*" and in lieu thereof insert the word "*hereinafter*"; line 14, before the word "*such*" insert "*(19)*".

13. In the bill, section 7, lines 2 and 3, strike "*, and*" and in lieu thereof insert "*and,*".

14. Strike the comma in section 8, line 6, before the word "*after*" and in section 9, line 9 after the word "*position*".

15. In the bill, section 10, line 1, before the word "*active*" insert the word "*the*"; line 2, strike "*time of war,*" and in lieu thereof insert: "*a war*"; strike the comma in line 4 after "*honorable*", in line 6 after "*examination*" and in line 7 after "*examination*"; line 7, after the word "*to*" insert "*(1)*"; line 8, strike "*; and if with*" and in lieu thereof insert: "*and (2) a ten-point preference credit if such veteran has*"; strike "*, shall be entitled*" in line 9 and all of line 10 except the period.

16. In the bill, section 11, line 2, after the word "*agency*" insert "*(1)*"; line 3, strike the word "*or*" and in lieu thereof insert "*(2)*"; line 4, strike "*, or*" and in lieu thereof insert: "*or (3)*"; line 11, after the word "*three*" insert:: '*who are certified by the director to be*"; line 12, strike: "*, and so certified by the director*".

17. In the bill, section 12, line 2, strike: "*, from appointment to a position, or from*", and in lieu thereof insert: "*or being appointed to or*"; strike the comma in line 4 after "*opinion*" and insert a comma in line 5 after "*fitness*".

18. In the bill, section 13, line 2, insert a comma after the word "*agencies*"; line 3, after the word "*persons*" insert the word "*so*"; line 6, after the word "*if*" insert: "*an objection or*"; line 7, after the word "*Accounts*" insert: "*to the effect*"; line 8, strike the word "*or*" and in lieu thereof insert a comma.

19. In the bill, section 14, line 10, after the word "*for*" insert the word "*the*"; strike all of lines 11, 12 and 13, and in lieu thereof insert the following:

> "*There shall be a public hearing before such rules and regulations are adopted and, at least ten days before such adoption, copies of the proposed rules and regulations shall be delivered to the heads of the various agencies.*".

20. In the bill, section 15, strike the comma at the end of line 1; line 4, strike the word "*The*" and in lieu thereof insert the word "*Such*".

21. In the bill, section 16, line 1, insert a comma after the word "*year*".

22. In the bill, section 17, line 5, insert a comma after the word "*period*"; line 7, strike "*, and the*" and in lieu thereof insert: "*. Such*".

23. In the bill, section 18, lines 1 and 2, strike "*" The Nebraska Merit System Act." "* and in lieu thereof insert: "*the "Nebraska Merit System Act". "*.

24. In the bill, section 19, line 5, strike "attorneys," and in lieu thereof insert "attorneys,"; line 7, strike the comma after the word "deputy" and in lieu thereof insert "*, or*"; lines 7 and 8, strike "or attorney" and in lieu thereof insert "or attorney"; line 10, strike the comma after the word "deputy" and in lieu thereof insert "*, or*"; line 11, strike "or attorney" and in lieu thereof insert "or attorney"; line 12, strike the comma after the word "deputy" and in lieu thereof insert "*, or*" and in said line strike "or attorney" and in lieu thereof insert "or attorney"; line 13, strike "attorneys," and in lieu thereof insert "attorneys,"; line 15, before the word "supervised" insert "*, which is*", and in said line, before the word "director" insert the word "*a*"; line 16, strike ", and they" and in lieu thereof insert: "*, and they . The deputies, examiners and other assistants*"; line 19, strike "attorneys," and in lieu thereof insert "attorneys,"; line 21, strike "attorneys," and in lieu thereof insert "attorneys,"; line 25, strike the word "and" and in lieu thereof insert: "*and . They shall also*"; line 26, strike the comma after "Governor" and in lieu thereof insert "*, and*"; line 27, strike "; said bond" and in lieu thereof insert: "*. The* said bond *bonds*"; line 28, strike ". Premiums on" and in lieu thereof insert "*, and the* Premiums *premiums* on *the*".

25. In the bill, section 20, line 5, strike "the court" and in lieu thereof insert: "the *such* court ,"; line 6, strike ", and the court" and in lieu thereof insert: "*,* and the court *. It*"; line 10, after "48-190" and before the period insert: "*, inclusive*"; line 14, strike ", which the court may appoint," and in lieu thereof insert: "*,* which the court may appoint,"; line 15, insert a comma after the word "duties" and also after "thereof".

26. In the bill, section 21, formerly 22, line 10, after the word "execute" insert the word "*an*"; line 14, strike "properly to" and in lieu thereof insert: "*to* properly to"; line 15, before "(5)" insert "*inclusive,*"; line 17, after the word "deposit" insert: "*such books and periodicals*"; lines 18 and 19, strike "such books and periodicals" and

in lieu thereof insert: "~~such books and periodicals~~"; line 22, strike the comma after the word "legacies" and in lieu thereof insert "~~,~~".

27. In the bill, section 22, formerly 23, strike the comma and in lieu thereof insert "~~,~~" in line 4 after "Governor" and in line 7 after "act".

28. In the bill, section 23, formerly 24, line 6, strike "and may" and in lieu thereof insert: "*inclusive,* and ~~may~~".

29. In the bill, section 24, formerly 27, line 5, after the word "have" insert the word "*the*"; insert a comma in line 6 after the word "help", and in line 17 after the word "Governor" and also before the word "relative"; line 7, strike the word "but" and in lieu thereof insert ", ~~but~~"; line 10, after the word "have" insert the word "*the*"; line 11, strike "any head of a department or" and in lieu thereof insert: "~~any~~ *the* head of *any* ~~a~~ department or *any*"; line 12, after the word "Such" insert the word "*an*"; line 14, strike "efficient but" and in lieu thereof insert: "*an* efficient ~~but~~ *and*"; line 16, strike ", and they" and in lieu thereof insert: "~~, and they~~ *who*".

30. In the bill, section 26, formerly 30, insert a comma at the end of line 15, after "expenditures"; line 16, strike the comma after the word "provide" and in lieu thereof insert "~~,~~"; line 18, strike "81-829" and in lieu thereof insert: "~~81-829~~ *81-829.02 inclusive*".

31. In the bill, section 27, formerly 31, line 7, strike the word "the" and in lieu thereof insert: "~~the~~ *such*"; strike all of lines 9 and 10, and in lieu thereof insert the following:

> "charge for cause any employee *for cause,* and shall file *a written report* with the board a written report~~,~~ giving his reasons for ~~the~~ *such* discharge. No";

line 13, after the word "cause" and before the period, insert: "*for any such discharge*"; line 15, before the word "shall" insert: "*except as is permitted in this section,*".

32. In the bill, title, 5th line, after the semicolon and before the word "to" insert the following:

> "to except certain agencies or divisions thereof from certain provisions of this act; to remove the maximum limitations as to the salary of the Director of Banking;".

33. In section 8, line 5, strike the word "*State*" before the word "*Tax*".

(Signed) Roy B. Carlberg, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 355. Placed on General File.
LEGISLATIVE BIL 285. Placed on General File as amended.

Standing Committee amendment to L. B. 285:

Amend the bill to read as follows:

"Sec. 11. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.", and amend the title to conform.

LEGISLATIVE BILL 284. Placed on General File as amended.

Standing Committee amendment to L. B. 284:

Amend the bill to read as follows:

"Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.", and amend the title to conform.

(Signed) Carl P. Jeffords, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 128

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 365. By Committee on Judiciary, John E. Mekota, chairman.

A bill for an act relating to decedents' estates; to provide that the county judge shall notify the Governor and Attorney General by mail when upon the filing of a petition for probate or administration, or thereafter in the administration of any estate, it shall appear that all or any part of the estate is devised or will escheat to the State of Nebraska.

MOTION—To Suspend Rules

Mr. President: I move to have L. B. 362 and 363 placed at the head of General File. (Signed) H. P. Heiliger

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 260	Friday, March 16, 1945	2:00 p. m.
L. B. 270	Friday, March 16, 1945	2:00 p. m.

Education

L. B. 364	Monday, March 12, 1945	2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 333. Placed on General File.
LEGISLATIVE BILL 224. Placed on General File as amended.

Standing Committee amendments to L. B. 224:

1. Amend section 1 of the bill by striking all of lines 3 to 7, inclusive, and inserting in lieu thereof the following words and punctuation: "may expend any accumulated reserve funds in its water department for the purpose of laying and relaying water mains and the installation of water equipment for fire protection. The city shall have power and authority to employ the necessary labor without the necessity of advertising for bids and without the necessity of letting contracts therefor."

2. Amend the title of the act, line 4, by striking the words "surplus funds" and inserting in lieu thereof the following words: "accumulated reserve funds in their water department."

3. Amend the title of the act, by striking all of lines 7 and 8, and inserting in lieu thereof the following words and punctuation: "to employ the necessary labor without the necessity of advertising for bids and without the necessity of letting"

LEGISLATIVE BILL 220. Placed on General File.
(Signed) Sidney J. Cullingham, Chairman

Government

LEGISLATIVE BILL 268. Placed on General File.
LEGISLATIVE BILL 275. Indefinitely postponed.
LEGISLATIVE BILL 279. Placed on General File.
LEGISLATIVE BILL 280. Placed on General File.
LEGISLATIVE BILL 281. Placed on General File.

(Signed) Frank Sorrell, Chairman.

Enrollment and Review

LEGISLATIVE BILL 314. Correctly enrolled.

Presented to Governor for approval Thursday, March 8, 1945, 9:30 a. m.

L. B. 24 L. B. 127

(Signed) Roy B. Carlberg,
Chairman.

Appropriations

LEGISLATIVE BILL 89. Placed on General File as amended.

Standing Committee amendments to L. B. 89:

1. Amend section 1 of the bill by striking all of lines 5 and 6 and inserting in lieu thereof the following:

"may employ a secretary at a salary of ~~twenty-six hundred forty~~ *three thousand* dollars a year, to be paid monthly, ~~and may also employ, at~~"

2. Amend the bill by striking all of section 2.

3. Amend the bill by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 2. That original section 83-106, Revised Statutes of Nebraska, 1943, is repealed."

4. Amend section 4 of the bill by striking the section number "4" and inserting in lieu thereof the figure "3".

5. Amend the title of the act by striking the same and inserting the following in lieu thereof:

"A BILL

FOR AN ACT to amend section 83-106, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for the salary of the secretary of the Board of Control; to repeal the original section; and to declare an emergency."

(Signed) A. J. Brodahl, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 314

Approved by the Governor

March 8, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 24 L. B. 77

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 40.

A bill for an act to amend sections 17-108, 17-209, 17-612 and 19-1601, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide for the combination and merger of elective and appointive offices and employments, except as prescribed, of such cities and villages, at the discretion of the governing bodies thereof under the prescribed method, construction and effect; to provide for the maximum salary of such combined or merged office or employment; to eliminate cities of the second class and villages from

the provisions of said section 19-1601, relating to the merger of the offices of clerk and treasurer in second-class cities and villages; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Jeffords	Raecke
Anderson, J.	Dooley	Kain	Reavis
Anderson, L.	Foster	Klaver	Ryan
Babcock	Garber	Lee	Schultz
Brodahl	Hanna	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Norman	Tvrdik
Carlberg	Hoyt	Pizer	Weborg
Carmody	Hubka	Raasch	Wood

Voting in the negative, 0.

Not voting, 7:

Conklin	Cullingham	Lusienski	Peterson
Cronin	Doyle	Ogden	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 66.

A bill for an act relating to fire protection; to provide for inspection of new rural electrical installations by the State Fire Marshal, his deputies or assistants, when requested by the owner of the property; to establish fees and mileage to be charged in making such inspections; to provide for distribution of fees now held by the State Fire Marshal for previous inspections and also received from future inspections; to provide for inspections of new installations of electrical equipment in rural areas by persons other than the State Fire Marshal, his deputies or assistants; to provide for inspection of extensions of new installations in such areas; and to provide a penalty.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33.

Adams	Crossland	Jeffords	Reavis
Anderson, J.	Foster	Kain	Ryan
Anderson, L.	Garber	Klaver	Schultz
Babcock	Hanna	Lee	Seaton
Brodahl	Heiliger	Mueller	Sorrell
Burney	Hern	Norman	Tvrdik
Burnham	Hoyt	Raasch	Weborg
Carlberg	Hubka	Raecke	Wood
Carmody			

Voting in the negative, 0.

Not voting, 10:

Conklin	Dooley	Mekota	Peterson
Cronin	Doyle	Ogden	Pizer
Cullingham	Lusienski		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 118.

A bill for an act to amend section 77-1725, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that, except in metropolitan cities, it shall be unlawful to remove buildings situated within the corporate limits of any city or village, which city or village or the school district in which such city or village is located has an unpaid bonded indebtedness, to a point outside of such city or village, without paying a proportionate share of the outstanding bonded indebtedness of such city or village or school district or city or village and school district; to make such proportionate amount a lien upon such buildings so removed, as prescribed; to provide penalties; to provide that the penalties or remedies provided shall be cumulative as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Foster	Mueller	Schultz
Anderson, J.	Hanna	Norman	Seaton
Anderson, L.	Heiliger	Ogden	Sorrell

Brodahl	Hern	Peterson	Tvrdik
Burnham	Hoyt	Pizer	Weborg
Carlberg	Jeffords	Raasch	Wood
Crossland	Lee	Ryan	

Voting in the negative, 5:

Babcock	Kain	Raecke	Reavis
Hubka			

Not voting, 11:

Burney	Cronin	Doyle	Lusienski
Carmody	Cullingham	Garber	Mekota
Conklin	Dooley	Klaver	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 91.

A bill for an act to designate the official names of institutions under the supervision of the Board of Control; and to provide that the prescribed references in the statutes to other names shall be deemed to apply to the names designated.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Kain	Raecke
Anderson, J.	Dooley	Lee	Reavis
Anderson, L.	Garber	Mekota	Ryan
Babcock	Hanna	Mueller	Schultz
Brodahl	Heiliger	Norman	Seaton
Burney	Hern	Ogden	Sorrell
Burnham	Hoyt	Peterson	Tvrdik
Carlberg	Hubka	Pizer	Weborg
Carmody	Jeffords	Raasch	Wood

Voting in the negative, 0.

Not voting, 7:

Conklin	Cullingham	Foster	Lusienski
Cronin	Doyle	Klaver	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 40, L. B. 66, L. B. 118 and L. B. 91. (Signed) Sidney J. Cullingham

LEGISLATIVE BILL 111. With emergency.

A bill for an act to amend sections 37-204, 37-210, 37-211, 37-304, 37-305, 37-508, 37-513 and 37-610, Revised Statutes of Nebraska, 1943, relating to game and fish; to prescribe changes in kinds of permits required and the fees to be charged therefor; to authorize the Game, Forestation and Parks Commission to prescribe regulations governing certain matters prescribed herein; to prescribe records required to be kept, with reference to the purchase and sale of raw furs, and the availability and use thereof; to make it unlawful to have such raw furs in possession unless shown in such record; to provide for the establishing of a storage season for certain fish and game in the prescribed storage places after the close of the open season thereon; to make holding the same in such storage places after such storage season unlawful; to require shipments of raw furs to be accompanied by a tag furnished by the Game, Forestation and Parks Commission, containing the prescribed information, and to require a duplicate thereof to be furnished to the secretary of such commission; to make unlawful the training or running of hunting dogs between April 1 and August 1 of each year except as prescribed; to permit game birds, obtained from the holder of a game-farm permit, to be pursued and taken by dogs in sporting-dog trials, as prescribed; to permit sporting dogs to run or be trained under the prescribed conditions, limitations and prohibitions; to provide for the forfeiting and delivery of all guns and lawful nets while being used illegally to the Game, Forestation and Parks Commission, under the prescribed conditions; to prescribe certain penalties; to define certain terms; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Cullingham	Lee	Reavis
Anderson, J.	Dooley	Mekota	Ryan
Babcock	Doyle	Mueller	Schultz

Brodahl	Heiliger	Norman	Seaton
Burney	Hern	Ogden	Sorrell
Burnham	Hoyt	Peterson	Tvrdik
Carlberg	Hubka	Pizer	Weborg
Carmody	Kain	Raasch	Wood
Crossland	Klaver	Raecke	

Voting in the negative, 4:

Foster	Garber	Hanna	Jeffords

Not voting, 4:

Anderson, L.	Conklin	Cronin	Lusienski

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 181

A bill for an act to amend section 23-331, Revised Statutes of Nebraska, 1943, relating to eminent domain; to provide that appraisers shall receive for their services a reasonable fee to be fixed by the county judge and taxed as part of the costs; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cullingham	Kain	Raecke
Anderson, J.	Dooley	Klaver	Reavis
Anderson, L.	Doyle	Lee	Ryan
Babcock	Foster	Mekota	Schultz
Brodahl	Hanna	Mueller	Seaton
Burney	Heiliger	Norman	Sorrell
Burnham	Hern	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Weborg
Carmody	Hubka	Pizer	Wood
Crossland	Jeffords	Raasch	

Voting in the negative, 0.

Not voting, 4:

Conklin	Cronin	Garber	Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 145

A bill for an act to amend section 66-305, Revised Statutes of Nebraska, 1943, relating to oils; to reduce the amount of the inspection fee to be charged for inspecting motor vehicle fuels, gasoline, kerosene and other petroleum products; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams	Cullingham	Jeffords	Raasch
Anderson, J.	Dooley	Kain	Raecke
Anderson, L.	Doyle	Klaver	Reavis
Babcock	Foster	Lee	Ryan
Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Crossland	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Conklin	Cronin	Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 62. Read and laid over.

MOTION—Appoint a Committee

Mr. President: I move that a committee of four be appointed by the President to extend an invitation to Herbert Brownell of New York, Governor Blue of Iowa and Governor Vivian of Colorado to visit our session at 11:30 this morning. (Signed) C. Petrus Peterson.

The motion prevailed and the President appointed the following committee: C. Petrus Peterson, Chairman; James H. Anderson, Edwin Schultz and Sam Klaver. Ladd J. Hubka substituted for Mr. Schultz, who was excused.

SELECT FILE

LEGISLATIVE BILL 113. E and R amendments found in the Legislative Journal for the Firty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 226. E and R amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 233. E and R amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent.

1. In the bill, section 1, strike line 36 and all amendments thereto, and in lieu thereof insert: "board ~~, and provided it shall be so completed by April 23, 1922.~~".

2. In the bill, section 2, strike line 7 beginning with the word *"veterans"* and all of lines 8, 9 and 10, and line 11 up to but not including the word "all", and all amendments to such lines or parts of lines, and in lieu thereof insert:

"who came within one of the following classes: (1) All veterans, who are eligible to membership in such association or organization as stated in *accordance with the provisions of* section 80-401 *as amended,* or to their wives, *or* widows, or *and their*

dependent children under ~~sixteen~~ *eighteen* years of age, *(a)* who may be in need of the same *and (b) who shall have had five years of continuous residence in this state immediately preceding the date of application therefor; (2) all veterans (a) who are so eligible for such membership, (b) who were residents of this state at the time of their entry into such military service, (c) who have been residents of this state from that date until the date of such application and (d) who may be in need of such aid; and (3) the wives, widows and dependent children under eighteen years of age of all veterans so eligible to membership in such association or organization who may be in need of such aid and who were (a) residents of this state at the time their husband or father, who was such a veteran, so entered such military service and from said time until the date of such application, (b) were residents of Nebraska at the time of their birth and until the date of such application or (c) were married to such veterans, who were residents of this state when they entered such armed forces, and who then became residents of this state from that date, or shortly thereafter, and continued to be such residents until the time of such application, provided ; Provided,".*

3. In the bill, title, strike the word "resident" at the end of the 5th line and strike all of the 6th to 14th lines, inclusive, and in lieu thereof, insert the following:

"the veterans of World War I and World War II and their wives, widows or dependent children under eighteen years of age who come under the eligibility requirements specified; to include shelter".

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 179. Laid over.
LEGISLATIVE BILL 120. Read through Section 34.

Standing Committee amendments 1 to 33, inclusive, found in the Legislative Journal for the Thirty-sixth Day were adopted.

Laid over.

Members Excused

Messrs. Babcock, Norman, Doyle and Cronin were excused for Friday, March 9, 1945.

Visitors

The committee appointed by the President escorted Governor Griswold and the visitors, Governor Robert D. Blue of Iowa, Governor John C. Vivian of Colorado and Honorable Herbert Brownell of New York to the rostrum. Following the introduction by Governor Griswold, Governor Robert D. Blue and Governor John C. Vivian addressed the Legislature briefly. Speaker Peterson then introduced Honorable Herbert Brownell, a former Nebraskan, National Chairman of the Republican Committee at the last national election, who also addressed the Legislature.

Adjournment

At 12:05 p. m., Mr. Norman made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 9, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Babcock, Cronin and Doyle, who were excused.

The Journal for the forty-eighth day was approved as corrected.

Communications

A message to Mr. Johnson from the Nebraska Grand Council of the United Commercial Travelers opposing L. B. 248.

A petition addressed to Mr. Mueller signed by sixty residents of Kearney, Nebraska, favoring L. B. 33.

A petition to Mr. Mueller from twenty-four members of the Kearney Lions Club favoring L. B. 120.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 215. Placed on General File, as amended.

Standing Committee amendments to L. B. 215:

1. Amend section 3 of the bill, line 6, by striking the words "in an amount".

2. Amend section 3 of the bill, line 7, by striking the words "not exceeding twenty-five thousand dollars".

LEGISLATIVE BILL 199. Placed on General File.
LEGISLATIVE BILL 354. Placed on General File.
LEGISLATIVE BILL 356. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 238. Correctly engrossed.
LEGISLATIVE BILL 200. Correctly engrossed.
LEGISLATIVE BILL 156. Correctly re-engrossed.
LEGISLATIVE BILL 147. Correctly engrossed.
LEGISLATIVE BILL 325. Placed on Select File as amended.

E and R amendments to L. B. 325:

1. In the bill, section 1, line 10, strike ", and the" and in lieu thereof insert: "*, and the . The*"; line 19, strike "; and the" and in lieu thereof insert: "*, and the . The*"; line 23, insert the word *"a"* after the word *"after"* and in said line, before the word *"notice"* insert the word *"after"*; line 24, strike the word *"having"* and in lieu thereof insert: *"and of the time and place thereof has"*; lines 24 and 25, strike: *"of the time and place of the same"*; line 26, strike *", or"* and in lieu thereof insert *"or,"*; line 29, strike the word "claims" and in lieu thereof insert: "~~claim~~ *claims*".

2. In the bill, title, insert the word "the" in the 6th line after the word "for" and in the 7th line before the word "distribution"; in the 7th line, insert the word "a" before the word "notice"; 8th line, strike: "for the protection of the county judge".

LEGISLATIVE BILL 235. Placed on Select File as amended.

E and R amendments to L. B. 235:

1. In the bill, section 1, line 7, strike the word "violate" and in lieu thereof insert: "~~violate~~ *violates*"; insert a comma in line 9 after the word "who" and also after the word "hereunder" and in line 13 after the word "act"; line 13, after the word "which" insert *"a"*; line 17, after "jail" insert *"for"* and in said line after the word "both" insert *"so"*; line 4, insert *"or"* before "distributes".

2. In the bill, title, 3rd and 4th lines, strike: "to provide penalties for violations of" and in lieu thereof insert: "to make it unlawful for any person to violate any provision of the Nebraska Liquor Control Act; to provide penalties for the prescribed violations of the said".

LEGISLATIVE BILL 264. Placed on Select File as amended.

E and R amendments to L. B. 264:

1. In the bill, line 5, strike "from the executor or administrator" and in lieu thereof insert: "~~from the executor or administrator~~ *the payment of*"; line 6, after the word "thereon" insert: "*from the executor or administrator*"; line 7, strike the comma after the word "debts" and in lieu thereof insert "."; line 9, after "tion" and before the comma, insert: "*of such notice*"; line 12, before the word "*order*" insert the word "*an*"; line 14, strike the word "*unenforcible*" and in lieu thereof insert the word "*unenforceable*".

2. In the bill, title, 5th line, insert the word "the" before the word "entry" and in said line, insert the word "an" before the word "order"; 9th line, strike "unenforcible, unless" and in lieu thereof insert: "unenforceable unless,".

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 303. Indefinitely postponed.
LEGISLATIVE BILL 41. Placed on General File as amended.

Standing Committee amendments to L. B. 41:

1. Amend the bill by striking all matter after the enacting clause and inserting in lieu thereof the following:

Section 1. That section 38-110, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-110. Every such guardian shall give bond, with surety or sureties, to the judge of the county court, in such sum as the court shall order, with conditions as follows:

(1) To make a true inventory of all the real and personal estate of the ward that shall come to his possession or knowledge, and to return the same into the court at such time as the law directs;

(2) To dispose of and manage all such estate and effects according to law, and for the best interests of the ward, and faithfully to discharge his trust as such guardian;

(3) To render an account on oath of the property in his hands, including the proceeds of all the real estate which may be sold by

him, and of the management and disposition of such property, within one year after his appointment, and at such other times as the court shall direct; and

(4) At the expiration of his trust, to settle his accounts with the court, or with the ward, or his legal representatives, and to pay over and deliver all the estate and effects remaining in his hands, or due from him on such settlement, to the person or persons who shall be lawfully entitled thereto.

In estates where the assets are valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond.

Sec. 2. That section 38-408, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-408. Before making an appointment under the provisions of this act the court shall be satisfied that the guardian whose appointment is sought is a fit and proper person to be appointed. Upon the appointment being made the guardian shall execute and file a bond to be approved by the court in an amount not less than the sum then due and estimated to become payable during the ensuing year. *In estates where the assets are valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond.* The said bond shall be in the form and be conditioned as required of guardians appointed under the guardianship laws of this state. The court shall have power from time to time to require the guardian to file an additional bond. Where a bond is tendered by a guardian with personal sureties, such sureties shall file with the court a certificate under oath which shall describe the property owned, both real and personal, and that they are each worth the sum named in the bond as the penalty thereof, over and above all their debts and liabilities and exclusive of property exempt from execution.

Sec. 3. That section 38-616, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-616. Every guardian licensed to sell real estate shall, before the sale give bond to the judge of the district court with sufficient surety or sureties, to be approved by such judge or the clerk of said district court, with condition to sell the same in the manner prescribed by law for sale of real estate by executors and administrators, and to account for and dispose of the proceeds of the sale in the manner provided by law. *Whenever the real estate to be sold is valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond.*

Sec. 4. That section 38-623, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-623. When such foreign guardian is authorized to sell more than is necessary to pay the debts and charges, he shall, before making the sale, give bond, with sufficient surety or sureties to the judge of the district court, with condition to account, before such judge, for all the proceeds of the sale that shall remain after payment of the said debts and charges, and to dispose of the same according to law. *Whenever the real estate to be sold is valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond.*

Sec. 5. That section 38-633, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-633. Before any such mortgage can be executed the guardian must give security to the satisfaction of the court or judge, the penalty of which shall be at least double the amount of money to be raised by the mortgage, conditioned that he will faithfully account for and apply all money received by virtue of such mortgage under the direction of the county judge of the county in which such real estate is situated. *Whenever the money to be raised by the mortgage is one thousand dollars, or more, the guardian shall furnish a corporate surety bond.*

Sec. 6. That section 38-638, Revised Statutes of Nebraska, 1943, be amended to read as follows:

38-638. Upon the hearing, the court, if satisfied that the application is made in good faith, that the petitioner is a proper person, and that it is necessary and proper that the interest of the insane person in the real estate should be sold, shall enter a decree fixing the value of the interest of the insane person and authorizing the petitioner to sell the same as the court may direct, at public or private sale, to the highest bidder for cash for a sum not less than the amount fixed as the value of such interest. The decree shall provide that the petitioner, before making the sale shall execute and file with the clerk of the district court a bond, running to the district judge, with sufficient surety or sureties, to be approved either by the district judge or the clerk of the district court, in an amount to be fixed by the court, conditioned for the faithful performance of his duties. *Whenever the real estate to be sold is valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond.* If such interest is sold at public sale, notice of the time and place thereof shall be given in the same manner as for the sale of lands of minors and other persons under guardianship.

Sec. 7. That original sections 38-110, 38-408, 38-616, 38-623, 38-633 and 38-638, Revised Statutes of Nebraska, 1943, are repealed.

2. Amend the title by striking all of same and inserting in lieu thereof the following:

"A BILL

FOR AN ACT to amend sections 38-110, 38-408, 38-616, 38-623, 38-633 and 38-638, Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide that when the assets of guardian estates or money to be raised by sale or mortgage of ward's estate are valued at one thousand dollars, or more, the guardian shall furnish a corporate surety bond; and to repeal the original sections."

LEGISLATIVE BILL 3. Placed on General File as amended.

Standing Committee amendments to L. B. 3:

1. Amend section 2 of the bill, line 1, by striking the word "An" and inserting the following in lieu thereof:

"Except as otherwise provided in section 32-1602, Revised Statutes of Nebraska, 1943, an acting county judge shall receive compensation from the county for services rendered during such time only as the regular county judge is absent by reason of illness and shall be limited to payment of compensation for not to exceed thirty days in any one calendar year. In the case of such illness of a regular county judge, an"

2. Amend the title, line 4, by inserting after the punctuation following the word "judges" the following:

"in case of illness; to provide a limitation upon the amount thus authorized to be paid"

LEGISLATIVE BILL 189. Indefinitely postponed.
LEGISLATIVE BILL 329. Placed on General File as amended.

Standing Committee amendments to L. B. 329:

1. Amend the bill, section 1, lines 27 and 28, by striking the words "two thousand five hundred" and inserting in lieu thereof the words *"twenty-two hundred"*

2. Amend the bill, line 29, by striking the words "two thousand" and inserting in lieu thereof the following:

"two thousand *twenty-two hundred"*

3. Amend the title, line 4, by striking the word "salary" and inserting in lieu thereof the word "salaries" and by inserting after the word "Clerk" the words "and Deputy County Treasurer".

LEGISLATIVE BILL 191. Placed on General File as amended.

Standing Committee amendment to L. B. 191:

Amend the bill, section 1, by striking all of the new matter in lines 12, 13, 14, 15 and 16 and inserting in lieu thereof the following:

"regardless of when or how said property has been or may hereafter be acquired,"

LEGISLATIVE BILL 237. Placed on General File as amended.

Standing Committee amendments to L. B. 237:

1. Amend section 1 of the bill by striking the word *"semi-"* in line 7, and by striking all of line 8 after the word *"January"* and the words *"Tuesday in July"* in line 9.

2. Amend the bill, section 1, line 11, by striking the word *"semi-"*.

3. Amend the bill, section 1, by striking the word *"in"* in line 17 and all of lines 18, 19, 20, 21, 22 and the words *"and traffic dockets"* in line 23, and inserting in lieu thereof the following:

"to re-assign them at any time if in his judgment the efficiency of the court will be improved".

4. Amend the bill, section 1, by striking all of line 41 after the word and punctuation "day." and all of lines 42, 43, 44, 45, and the following from line 46: "five o'clock p. m. of each judicial day." and inserting in lieu thereof the following:

"The presiding judge shall occupy the courtroom designated as Courtroom No. 1 and shall at the beginning of his term as presiding judge assign to the other judges their respective courts. The presiding judge shall be on duty in Courtroom No. 1 from 8:45 o'clock a. m. until five o'clock p. m., of each judicial day."

5. Amend the bill, section 2, line 4, by striking the word *"semi-"*.

6. Amend the bill by striking all of section 3 and renumbering the remaining sections accordingly.

7. Amend the bill by striking all of section 6.

8. Amend the title by striking the words and punctuation "to provide for the appointment of a court reporter;" in lines 5 and 6, and the words and punctuation "; and to declare an emergency" in line 7.

LEGISLATIVE BILL 278. Placed on General File as amended.

Standing Committee amendments to L. B. 278:

1. Amend section 1 of the bill, line 34, by striking the article *"A"* and inserting in lieu thereof:

"For the purposes of this act, a"

2. Amend section 1 of the bill, line 35, by inserting after the word *"judgments"* the following:

"until after the expiration of three years from the date of such discharge in bankruptcy"

(Signed) John E. Mekota, Chairman

Enrollment and Review

LEGISLATIVE BILL 181. Correctly enrolled.
LEGISLATIVE BILL 145. Correctly enrolled.
LEGISLATIVE BILL 118. Correctly enrolled.
LEGISLATIVE BILL 111. Correctly enrolled.
LEGISLATIVE BILL 91. Correctly enrolled.
LEGISLATIVE BILL 66. Correctly enrolled.
LEGISLATIVE BILL 40. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 181	L. B. 118	L. B. 91	L. B. 40
L. B. 145	L. B. 111	L. B. 66	

RESOLUTION

LEGISLATIVE RESOLUTION 10. Re: Memorializing the Congress of the United States to amend the social security act to permit old-age pensioners to earn wages without penalty.

Introduced by: Sam Klaver of Douglas and Fred A. Mueller of Buffalo.

WHEREAS, the American people are engaged in a war which has utilized the services of younger men and women throughout the entire nation; and

WHEREAS, because of this condition an acute labor shortage has developed to such an extent that it has become one of the most serious problems facing our government; and

WHEREAS, this condition of necessity requires that the services of older men and women be employed in furthering the war effort; and

WHEREAS, many old-age pensioners are able to perform many types of work that would relieve the labor situation and permit the transfer of other people into war work who are now otherwise engaged;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Congress of the United States be, and it is hereby memorialized to amend the present restrictions in the social security act to the end that any person who receives or is eligible to receive old-age assistance shall be permitted to do and perform odd jobs of labor, caretaking, and similar classes of casual work not in the general course of a trade or business, at such rates of pay commensurate with their abilities to perform the same, but in any event, in an amount not to exceed twenty-five dollars in any one month without being penalized therefor;

2. That a copy of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to each member from Nebraska in the Senate and House of Representatives of the United States.

RESOLUTION

LEGISLATIVE RESOLUTION 11. Re: Missouri River Development.

Introduced by: Joseph C. Reavis, Richardson; Roy B. Carlberg, Thurston; George C. Weborg, Cuming; Dwight W. Burney, Cedar; Frank Sorrell, Otoe; Sam Klaver, Douglas; Charles F. Tvrdik, Douglas; Harry A. Foster, Douglas.

WHEREAS, the Congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri River, and

WHEREAS, plans are being made for an even greater development of the Missouri River including a great development of irrigation, and

WHEREAS, said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture and commerce caused by recent floods and the continuous waste of valuable water resources within this basin, and

WHEREAS, improvements of the type contemplated have been carried on in the past by the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of Interior, and

WHEREAS, the said government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war, and

WHEREAS, it has been suggested that in order to further the progress of this development, a Missouri Valley Authority should be formed with broad powers similar to the Tennessee Valley Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA:

1. That we endorse the aforementioned improvement program and recommend and urge upon the Congress of the United States of America that the coordinated plan for the control and use of the waters of the Missouri River Basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

2. That we commend the Corps of Engineers and the Bureau of Reclamation for their action in effecting coordination of their activities within the Missouri River Basin.

3. That while it may be necessary to create some permanent administrative coordinating agency to regulate the use of the water resources when development has been further advanced along the Missouri River and there is no objection to calling it a Missouri Valley Authority, we object, however, to granting to such administrative agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and state laws, and in general to do the economic planning for the entire area.

4. That a copy of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to the Vice-President of the United States as presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States, and to the legislature of each state bordering or through which the Missouri River flows.

Unanimous Consent

Mr. Reavis asked unanimous consent to place on the above Resolution 11 the additional names.

No objection was offered and consent was granted.

Reference of Bill

L. B. 365	Committee Judiciary

MOTION—Appropriation Bills

Mr. President: I move that all bills carrying appropriations or requiring appropriations be placed at the head of General File. (Signed) Edwin Schultz

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

MOTION—Recommit Bill

Mr. President: I move to recommit L. B. 62 to Select File for specific amendments. (Signed) William Hern

The motion prevailed.

BILL ON FINAL READING

The following bill was read and put upon final passage.

LEGISLATIVE BILL 99.

A bill for an act relating to the salaries of judges of the district court; and to fix the salaries of the judges of the district court.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Foster	Klaver	Reavis
Anderson, J.	Hanna	Lee	Ryan
Burney	Heiliger	Lusienski	Seaton

Conklin	Hern	Ogden	Sorrell
Crossland	Hoyt	Peterson	Tvrdik
Cullingham	Hubka	Pizer	Wood
Dooley	Kain	Raecke	

Voting in the negative, 4:

Burnham	Carlberg	Carmody	Weborg

Not voting, 12:

Anderson, L.	Cronin	Jeffords	Norman
Babcock	Doyle	Mekota	Raasch
Brodahl	Garber	Mueller	Schultz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Legislative Council

Mr. President: I move that the Legislative Council be directed to survey the present work of the various district courts of the state with a view of ascertaining whether the number of district judges may be reduced so that the increased salaries be offset by such reduction.
(Signed) C. Petrus Peterson

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 62.

Mr. Hern offered the following specific amendments which were adopted.

1. Amend section 2 of the bill by striking the new insertion made by Enrollment and Review to line 6 of Standing Committee Amendment number 2 and inserting in lieu thereof the following:

"and (4) does not endanger"

2. Amend section 2 of the Standing Committee Amendment, line 7, by inserting after the word "animal" the following words and punctuation:

", other than a predatory animal".

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 122.

Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent.

1. Amend section 1 of the bill, lines 4 and 5, by striking the same and inserting in lieu thereof:

"this state may, at their option, during each of the years 1943 and 1944, and during said years only, levy an"

2. Amend the title of the act, lines 5 and 6, by striking the words and punctuation:

", only during each of the years 1945 and 1946,"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 175. E and R amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 88. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 216. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 232. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 143. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Heiliger asked unanimous consent to consider L. B. 362 and L. B. 363 before continuing with L. B. 120.

No objection was offered.

LEGISLATIVE BILL 362. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 363. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 120. Read from section 35.

Standing Committee amendments 34 through 76, found in the Legislative Journal for the Thirty-sixth Day were adopted.

Mr. Ogden offered the following amendment, which was adopted:

Amend Sec. 39, line 3, by striking "or" and inserting "on".

Speaker Peterson Presiding

Mr. Raecke made a motion to reconsider the adoption of Standing Committee amendments 29 and 30.

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Mr. Raecke made a motion that Standing Committee amendments 29 and 30 be rejected.

The motion prevailed.

Mr. Raecke made a motion to reconsider the adoption of Standing Committee amendment 31.

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

Mr. Raecke made a motion to reject Standing Committee amendment 31.

The motion prevailed.

Mr. Raecke offered the following amendment, which was adopted:

Amend L. B. 120 as follows:

1. In section 50, line 9, by striking the words "petition in" in line 9, and striking all of lines 10, 11, 12 and by striking in line 13 the following "trict court, then", and inserting in lieu thereof the word "appeal".

2. In section 50, line 15, strike the words "review by petition in error" and insert in lieu thereof the words "appeal in civil cases from county court to district court".

Mr. Lee offered the following amendments which were adopted:

1. Amend section 47 of the bill by striking all of line 2 and inserting in lieu thereof the following:

"hold and invest all deposits by"

2. Amend section 47 of the bill, line 6, by inserting after the word "provided" the words "and pay out such funds according to law"

Mr. Conklin offered the following amendment, which was adopted:

Amend L. B. 120, Sec. 27, by inserting after the word and punctuation "employer," in line 4 the words "given from year to year;"; by striking the words "until the end of the school year following the date on which" in lines 5 and 6, and by inserting the word "after" before the word "he" in line 6; by striking the word "and" in line 6 and by striking lines 7, 8, 9, 10, 11 and the words "on attaining the age of seventy years" in line 12.

President Johnson Presiding

L. B. 120 advanced to E and R for review.

LEGISLATIVE BILL 121. Laid over.
LEGISLATIVE BILL 179. Read.

Laid over.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 365 Friday, March 16, 1945, 2:00 p. m.

Appropriations

L. B. 197 Wednesday, March 14, 1945, 2:00 p. m.
L. B. 155 Wednesday, March 14, 1945, 2:15 p. m.

Re-arrangement of General File

In accordance with Mr. Schultz' motion, Speaker Peterson asked unanimous consent to instruct the Chairman of the Committee on Committees to call a meeting of the Committee on Order and Arrangement for the purpose of electing a Chairman.

No objection was offered and it was so ordered.

Members Excused

Messrs. Mueller, Hanna and Lee were excused for Monday, March 12, 1945.

Adjournment

At 11:50 a. m., Mr. Foster made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 12, 1945

Pursuant to adjournment, the Legislature met at 9:05 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lester Anderson, Hanna, Lee, Mueller, and Weborg, who were excused.

The Journal for the forty-ninth day was approved as corrected.

MESSAGES FROM THE GOVERNOR

March 9, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 128 L. B. 314

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

Veto L. B. 130

March 9, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I return, herewith, L. B. 130 without my signature. This Act attempts to provide for the waiver of interest and penalties on unpaid

taxes levied against the property of persons while they are in the Military Service of the United States during this war.

It is a hard bill for me as Governor to veto. The purpose is entirely laudable and I trust that no one will feel that I am opposing this purpose. It is intended by the introducers as only a slight partial payment on the debt of gratitude we owe to the men who are fighting for us today. I would be most happy to approve the bill if I thought it was workable.

I would like to point out that no provision is made as to the proof necessary for the county treasurer to make the exemption of interest and penalties. No provision is made as to what shall be deemed proper information to the county treasurer as to when a person enters the Service or when he is discharged. In order to be properly operative, the county treasurer would need to be officially notified at the time of the induction and discharge of the Serviceman, and this Act makes no provision as to what he could accept as an official notice.

It should be remembered that much property in this State is owned by people living without the State. Much of it is owned by heirs and other joint owners and in these cases especially the county treasurer could have no personal knowledge as to whether or not the parties are in the Military Service. In other words, it would appear to me that to place the administration of this bill upon the county treasurers would be entirely unfair to them. They might be forced into many law suits in the years to come because they did not obey the law. It might even be impossible for them to furnish a bond under this condition.

Property is often sold for taxes. Our laws provide for that. Tax titles are foreclosed and inasmuch as this bill makes no provision by which the county treasurer, purchaser, or the foreclosing officials might be informed of the induction of the property owner, it would appear that they would simply refuse to go ahead in any case, whether or not the owner is in the Service.

I repeat again that this bill appears to be entirely unfair to the county treasurers of the State, and it would seem to be my duty to withhold my signature from this bill.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Communications

A petition to Mr. Carmody from twenty-seven residents of Hamlet, Nebraska, favoring L. B. 33.

A petition addressed to Mr. Raecke from eight members of the Hall County Farm Bureau Booster Club opposing L. B. 248.

A petition to the Legislature from fifty-nine signers from the Scotia Community Club and Greeley County opposing L. B. 248.

A petition to Mr. Mueller from the Kearney Ministerial Association, bearing thirteen signatures, favoring L. B. 120.

A petition to Mr. Mueller from twenty-one members of the Pre-School Study Group, Legislative District 34, favoring L. B. 120.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 366. By Committee on Government, Frank Sorrell, Chairman.

A bill for an act to amend section 39-514, Revised Statutes of Nebraska, 1943, relating to highways; to provide for salary of county highway commissioner; and to repeal the original section.

MOTION—To Adopt Resolution

Mr. President: I move that Legislative Resolution 11 be adopted.
(Signed) Joseph C. Reavis

The motion prevailed.

The name of Ed. Hoyt was added as introducer of Resolution 11 by unanimous consent.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval, March 12, 1945, 9:30 a. m.

L. B. 40	L. B. 111	L. B. 181
L. B. 66	L. B. 118	L. B. 145
L. B. 91		

(Signed) Roy B. Carlberg, Chairman

Government

LEGISLATIVE BILL 328. Placed on General File.
LEGISLATIVE BILL 288. Placed on General File as amended.

Standing Committee amendments to L. B. 288:

1. Amend section 2 of the bill, line 1, by striking the figures "18-1202" and inserting in lieu thereof the figures "18-1201"

2. Amend the title of the act, line 8, by striking the figures "18-1202" and inserting in lieu thereof the figures "18-1201"

LEGISLATIVE BILL 315. Placed on General File.
LEGISLATIVE BILL 53. Placed on General File.

(Signed) Frank Sorrell, Chairman

Enrollment and Review

LEGISLATIVE BILL 88. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Public Works

LEGISLATIVE BILL 139. Placed on General File as amended.

Standing Committee amendments to L. B. 139:

1. Amend the bill by adding the following: "Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the title, line 4, by striking the period and in lieu thereof, insert the following: "; and to declare an emergency."

LEGISLATIVE BILL 297. Indefinitely postponed.
LEGISLATIVE BILL 298. Indefinitely postponed.
LEGISLATIVE BILL 334. Indefinitely postponed.
LEGISLATIVE BILL 291. Indefinitely postponed.
LEGISLATIVE BILL 292. Indefinitely postponed.

(Signed) Sidney J. Cullingham, Chairman

Order and Arrangement

Mr. President: Pursuant to directions of the Legislature the Committee on Order and Arrangement met on March 9th under the provisions of Section 13 of Rule 6; John E. Mekota was elected as chairman and Sidney J. Cullingham was elected as secretary.

Arrangements were made to report to the Legislature within a few days on bills carrying appropriations.

The committee adjourned subject to call by the chairman.

(Signed) John E. Mekota, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 135. Laid over.
LEGISLATIVE BILL 117.

A bill for an act relating to counties and county government; to authorize the destruction of certain specified files, records and miscellaneous papers which have been filed, made or deposited in the office of any county clerk, county treasurer or county assessor for the prescribed times and under certain conditions and the procedure therefor.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 33:

Adams	Crossland	Kain	Raasch
Anderson, J.	Doyle	Klaver	Raecke
Babcock	Foster	Lusienski	Reavis
Brodahl	Garber	Mekota	Ryan
Burney	Heiliger	Norman	Schultz
Burnham	Hern	Ogden	Seaton
Carlberg	Hoyt	Peterson	Sorrell
Carmody	Jeffords	Pizer	Tvrdik
Conklin			

Voting in the negative, 0.

Not voting, 10:

Anderson, L.	Dooley	Lee	Weborg
Cronin	Hanna	Mueller	Wood
Cullingham	Hubka		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 317. With emergency.

A bill for an act to amend section 81-165, Revised Statutes of Nebraska, 1943, relating to central mailing room; to exclude members of the Legislature from the requirements of sections 81-164 to 81-172, inclusive, during the time the Legislature is not in actual session; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Mr. Doyle moved a call of the House.

A call of the House was ordered and after call the roll showed 36 members present.

Mr. Schultz moved that the call be raised, which prevailed with 19 ayes, 0 nays and 24 not voting.

Voting in the affirmative, 19:

Adams	Dooley	Hern	Ogden
Anderson, J.	Doyle	Jeffords	Raasch
Brodahl	Foster	Klaver	Ryan
Conklin	Garber	Lusienski	Sorrell
Cullingham	Heiliger	Norman	

Voting in the negative, 13:

Babcock	Hoyt	Peterson	Schultz
Carmody	Kain	Pizer	Seaton
Cronin	Mekota	Raecke	Wood
Crossland			

Not voting, 11:

Anderson, L.	Carlberg	Lee	Tvrdik
Burney	Hanna	Mueller	Weborg
Burnham	Hubka	Reavis	

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Whereupon the President stated: "Shall the bill pass with the emergency clause stricken?"

Mr. Doyle moved a call of the House.

A call of the House was ordered, and after call the roll showed 38 members present.

Mr. Doyle moved that the call be raised, which prevailed with 28 ayes, 0 nays and 15 not voting.

Voting in the affirmative, 17:

Adams	Dooley	Hern	Ogden
Anderson, J.	Doyle	Jeffords	Raasch
Brodahl	Foster	Klaver	Ryan
Conklin	Heiliger	Lusienski	Sorrell
Cullingham			

Voting in the negative, 13:

Babcock	Hoyt	Peterson	Schultz
Carlberg	Kain	Pizer	Seaton
Carmody	Mekota	Raecke	Wood
Crossland			

Not voting, 13:

Anderson, L.	Garber	Lee	Reavis
Burney	Hanna	Mueller	Tvrdik
Burnham	Hubka	Norman	Weborg
Cronin			

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

LEGISLATIVE BILL 135.

A bill for an act to amend sections 68-208 and 68-405, Revised Statutes of Nebraska, 1943, relating to public assistance; to provide that the findings of the old age assistance board and the blind as-

sistance board shall be delivered to the applicant for old age or blind assistance personally or sent to him or her by first class mail, instead of by registered mail; to provide when a copy so mailed shall be conclusively presumed to have been received by the applicant for such assistance; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Garber	Mekota	Schultz
Burnham	Heiliger	Norman	Seaton
Carlberg	Hern	Ogden	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Hanna	Mueller	Weborg
Dooley	Lee		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 119. Laid over until March 15.

GENERAL FILE

LEGISLATIVE BILL 179.

Mr. Burney offered an amendment, which was not adopted, with 8 ayes, 27 nays and 8 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 259. Read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 2 by striking from lines 5 and 6 the words, "within two months after the adjournment of the Legislature" and by inserting in lieu thereof the words "each month during the legislative session and upon the adjournment of such session"

Mr. Peterson offered the following amendment, which was adopted:

Strike from line 14 of Section 2, the words "last previous" and insert the word "legislative".

Advanced to E and R for review.

LEGISLATIVE BILL 308. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 330. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 219. Laid over.

LEGISLATIVE BILL 283. Read and considered.

Mr. Hern offered the following amendment, which was adopted:

1. Amend section 1 of the bill, by striking all of line 5 and inserting in lieu thereof the following words:

"partment of the Interior of the United States and state agencies in the control and".

2. Amend the title of the act by striking all of line 5 and inserting in lieu thereof the following words:

"of the Interior of the United States and state agencies in the control and".

Mr. Jeffords offered an amendment, which was not adopted.

Advanced to E and R for review.

MESSAGE FROM THE GOVERNOR

Veto L. B. 127

March 12, 1945

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I return herewith Legislative Bill 127 without my signature. This act as passed provides for the furnishing of natural gas from all pipe lines regardless of whether the pipe line is used for retail purposes, and regardless of whether the operator is engaged in the retail business. It is expected that following the war we will have further expansion of natural gas in the state. This will necessitate many more main lines into and across the state to places of distribution. This act would place an unwarranted burden on main lines and might keep them from expanding in Nebraska, and it will serve but a small group of people. As passed, the act would apply to a privileged few.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

MOTION—Lobbyists

Mr. President: I move that the Secretary of State be requested to furnish for each member of the Legislature a current list of the registered lobbyists and for whom registered. (Signed) William Hern

The motion prevailed.

MOTION—Suspend Rules

Mr. President: I move that we suspend the rules and adjourn until 8:30 tomorrow morning. (Signed) Edwin Schultz

The motion did not prevail with 7 ayes, 21 nays and 15 not voting.

Adjournment

At 11:55 a. m., Mr. Hern made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 13, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the fiftieth day was approved.

Communications

A letter to Mr. Mueller from the Farmers Union Non-Stock Co-operative Transport Association of Ravenna, Nebraska, opposing L. B. 248.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 263. Placed on General File as amended.

Standing Committee amendment to L. B. 263:

Amend Section 1, line 13, by inserting after the word "deceased" the following: "or if such guardian or person has the legal and actual custody of such minor"

LEGISLATIVE BILL 274. Indefinitely postponed.
LEGISLATIVE BILL 273. Indefinitely postponed.
LEGISLATIVE BILL 30. Indefinitely postponed.
LEGISLATIVE BILL 357. Indefinitely postponed.

(Signed) C. Petrus Peterson, Vice-Chairman

Education

LEGISLATIVE BILL 266. Placed on General File.
LEGISLATIVE BILL 267. Placed on General File as amended.

Standing Committee amendment to L. B. 267:

Delete the figures "70-602" in line 18 after the word "section" and insert in lieu thereof the figures "79-602".

(Signed) C. N. Ogden, Chairman

Enrollment and Review

LEGISLATIVE BILL 132. Placed on Select File as amended.

E and R amendments to L. B. 132:

1. In General File amendments by Mr. Schultz, amendment 2, 1st line, before the figure 7, insert: "the period in line", and in the inserted matter, 1st line, after "Committee" insert a comma. Strike all of amendment 4.

2. In General File amendment by Mr. Mekota, inserted matter, 5th line, strike "preceding three" and in lieu thereof insert: "three preceding".

3. In the bill, section 3, line 4, strike the comma after the word "assistants" and insert a comma after the word "expenditures"; line 5, insert a comma after the word "provide".

4. In the bill, section 4, strike the word "to" in line 6, before the word "maximum" and in lieu thereof insert: "and cities to a"; line 8, strike the word "to"; line 18, strike the word "preparation" and in lieu thereof insert "preparations"; line 19, strike "state and local governments" and in lieu thereof insert: "this state and the local governmental subdivisions thereof"; line 22, strike the word "in".

5. In the bill, section 5, line 4, strike the word "with" and in lieu thereof insert: ", with such"; strike "with respect to the" in line 5, all of line 6, and "future development," in line 7, and in lieu thereof insert: "in regard to"; strike all of line 10, and in lieu thereof insert: "labor supply, training and relations, human resources and the"; line 15, before the word "future" insert: "the purposes of this bill insofar as any or all of such matters or subjects pertain or are related to"; line 17, strike the word "to" before the word "chambers" and also before the word "public"; line 18, strike the word "to" before the word "individuals", strike the words "as regards" and in lieu thereof insert the words "in regard to".

6. In the bill, section 6, line 2, insert a comma after the word "facilities"; line 7, strike ", and all" and in lieu thereof insert: ". All"; line 9, strike the word "the" before the word "department" and in lieu thereof insert the word "this"; line 10, strike "the department as they shall" and in lieu thereof insert: "it upon".

7. In the bill, section 7, line 3, insert a comma at the end of the line; line 4, strike ", at least two of whom shall" and strike all of line 5 up to the word "appointed" and in lieu thereof insert: "to be"; line 6, after the period and before the word "The" insert the following:

"At least two of the members thereof shall be residents of each of the present congressional districts and at least one of the members from each of such districts shall be a farmer who is actually residing upon and deriving his livelihood from a farm.";

line 9, before the word "political" insert the word "their"; line 16, insert the word "the" before the word "written"; line 18, strike the word "relative" and in lieu thereof insert: "in regard"; line 19, strike ", and shall" and in lieu thereof insert the word "and".

8. In the title, strike all of the 11th line after the word "director" and strike all of the balance of the title, and in lieu thereof insert the following:

"and for the qualification and residence of its members; to provide an appropriation; and to provide for the prescribed quarterly reports.".

LEGISLATIVE BILL 173. Replaced on Select File as amended.

E and R amendments to L. B. 173:

1. In the bill, section 1, line 27, after "*lands,*" insert the word "*by*"; in line 20, strike the word "*State*".

2. In the bill, title, 16th line, strike the word "State".

LEGISLATIVE BILL 185. Placed on Select File as amended.

E and R amendments to L. B. 185:

1. In the bill, section 1, line 7, after the word "such" insert the word "*an*"; line 8, strike the comma after the word "oath" and also after the word "affirmation" and in lieu thereof insert ";"; line 10, strike the word "and" and in lieu thereof insert: ", *patrolman examiners* and *any*"; lines 10 and 11, strike "; and such standard" and in

lieu thereof insert: "~~,~~ and such . *The* standard *application*"; strike all of lines 13 to 16, inclusive, and up to but not including the word "long" in line 17, and in lieu thereof insert the following:

"~~The blank application~~ *They* shall *contain,* ~~present~~ in addition to all *any* other *information and* questions necessary to *comply with* the *requirements and* purposes of this act, the ~~following:~~ ~~(a)~~ ~~Name~~ *name* of ~~applicant,~~ , ~~age,~~ , post office address, and place of residence, , *date of birth, sex and a brief description of the applicant and the following specific questions: ~~(b)~~ (1)* ~~For how~~ *How*";

line 18, strike "(c)" and in lieu thereof insert: "~~(c)~~ *(2)*"; line 20, strike "safely to" and in lieu thereof insert: "*to* safely to", and at the end of line 20 strike "(d)" and in lieu thereof insert: "~~(d)~~ *(3)*"; line 22, strike "(e)" and in lieu thereof insert: "~~(e)~~ *(4)*"; line 23, strike "(f)" and in lieu thereof insert "*(5)*"; line 27, strike "(g)" and in lieu thereof insert "*(6)*", and in said line strike "(h)" and in lieu thereof insert "*(7)*"; line 28, strike "(i)" and in lieu thereof insert "*(8)*"; line 30, strike the period and in lieu thereof insert "?"; strike all of line 31 beginning with the word "*passage*" and strike all of lines 32 to 36, inclusive, and in lieu thereof insert the following:

"*effective date of this act and which expire on or before September 1, 1945 will remain valid until September 1, 1945. All operator's licenses which are valid on the effective date of this act and which do not expire until after September 1, 1945, shall be valid until their expiration dates and may be renewed until September 1, 1947, upon the payment of the fee provided for by section 60-408, as amended by this act.*".

2. In the bill, strike all of section 2, and in lieu thereof insert the following:

"Sec. 2. That section 60-404, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945, be amended to read as follows:

60-404. In and for each county in the State of Nebraska the director of motor vehicles shall appoint as his agents one or more ~~examining officers~~ *patrolman examiners* who shall examine all applicants for license to operate motor vehicles as provided in section 60-408 , *as amended by this act, and may, in his discretion, also appoint one or more examining officers with similar powers as is set forth in section 60-408, as amended by this act; Provided,* the same ~~examining~~

officer *patrolman examiner* may be assigned to one or more counties by the director. The examining officer *patrolman examiner* shall actually conduct the examination of the applicants and shall deliver to each successful applicant a certificate *entitling such applicant to secure an operator's license as hereinafter set forth.* , and provided further, that (1) any person who had a motor vehicle operator's license issued in this state prior to August 15, 1937, or (2) who (a) served in the armed forces of the United States during World War II, (b) had an operator's license which was in force on the day of induction and (c) has no apparent physical or mental defects or impairments at the time of seeking a renewal certificate, shall be delivered a successful applicant's certificate upon presenting such license or certificate and, in the case of World War II veterans, evidence of such service to the examining officer or officers of applicant's county, unless *The patrolman examiner shall also check in regard to and, if he deems it necessary, examine persons who served in the armed forces during World War II and who are applying for a renewal of their operator's licenses. If such patrolman examiner shall find that such a person (1) served in the armed forces of World War II, (2) had an operator's license in this state which was in force on the day of induction into such forces and expired while in such service and (3) has no apparent physical or mental defects at the time of seeking such renewal of such license, he shall issue and deliver to such World War II veteran a successful applicant's certificate. If* the *patrolman* examiner shall refuse to issue such certificate for cause to be stated *he shall state such cause* in writing by such examiner and delivered *deliver the same* to the former holder of such operator's license *applicant* . The successful applicant shall present his certificate to the county treasurer of his county, who shall forthwith issue the license to operate a motor vehicle and collect the fee therefor. *The county treasurer shall report the issuance of such licenses to the Department of Roads and Irrigation within five days.* The director of motor vehicles shall furnish to the examining officer or officers *patrolman examiner* in every county in this state a sufficient supply of the blank applications, provided for in section 60-403, *as amended by this act,* and a sufficient supply of blank certificates for successful applicants, as provided for in this section, to cover all probable requirements of applicants in each of such counties. The examining officer or examining officers shall furnish to each resident of his county or counties, as the case may be, a copy or copies of such blank application for license to operate a

motor vehicle without charge upon request of such resident by mail or in person,".

3. In the bill, section 3, line 4, insert a comma after the word "vehicle" and also after the word "county"; line 7, strike the word "where" and in lieu thereof insert: ", where *the*"; insert the word "*a*" in line 14 after the word "upon" and in line 17 after the word "for"; line 17, strike the word "the" and in lieu thereof insert: "*the a*".

4. In the bill, section 4, insert a comma in line 4 after the word "applicant", in line 11 after the word "If" and also after the word "applicant", in line 25 after the word "applicant", in line 26 after "director", in line 45 after "school", in line 54 after "*years*", in line 57 after "*individual*", in line 59 after "*license*" and in line 65 after "thereof"; insert the word "*the*" in line 15 after the word "require" and in line 16 after the word "that"; line 17, after the word "eyesight" insert: "*for such purpose*"; line 27, strike "safely to" and in lieu thereof insert: "*to* safely to", also in line 29; line 28, strike "be satisfied, after" and in lieu thereof insert: "*be is* satisfied, after *such*"; line 31, after the comma and before the word "to" insert: "*at the discretion of the director,*"; lines 32 and 33, strike "at the discretion the director" and in lieu thereof insert: "at the discretion of the director"; line 37, after the word "*qualify*" insert: "*at such examination*", and in said line strike the word "*privileges*" and in lieu thereof insert: "*license and privilege*"; line 40, strike the word "full" and in lieu thereof insert "full"; line 41, strike the word "and" and in lieu thereof insert: ". *Minors who have not attained that age but are* and"; line 43, strike all of said line except "cities," and strike "such child" in line 44 and in lieu thereof insert: "*may be issued by* the county treasurer may issue a limited permit to such child"; line 46, strike "providing such person" and in lieu thereof insert: "providing *if* such person *child*"; line 48, strike the word "and" and in lieu thereof insert: ". *Such permit shall be used* and"; line 49, strike the word "*provided*" and in lieu thereof insert: "*; Provided, such a permit shall not be issued until*"; line 53, strike "*who having*" and in lieu thereof insert: ", *who shall have*"; line 55, strike the word "*provided*" and in lieu thereof insert the word "*if*"; line 58, strike the word "*making*" and in lieu thereof insert: "*who is making an*"; line 60, before the word "*guardian*" insert the word "*his*"; line 64, strike ", and" and in lieu thereof insert: ", and ,".

5. In the bill, section 5, line 6, strike ", and" and in lieu thereof insert: ", and ,"; line 7, insert a comma before the word "shall", and in said line, strike "in this section hereinafter set" and strike the word "out" at the beginning of line 8, and in lieu thereof insert: "*is* in this section hereinafter set out *in this section*"; line 10, after the word "*hereunder*" insert the following:

", except that the fee for the renewal of a license which is valid on the effective date of this act and which expires after September 1, 1945, shall be twenty-five cents for the first six months or fraction thereof and an additional twenty-five cents for each additional six months or fraction thereof which shall elapse between the expiration date of such operator's license and September 1, 1947";

line 14, strike the word *"Each"* and in lieu thereof insert the word *"All"*; line 16, after "60-409" and before the period, insert: *", as amended by this act"*; line 17, strike "appoint as examiners," and in lieu thereof insert the following:

", in his discretion, appoint *one or more* as examiners *examining officers in a county , such as"*;

line 19, strike "and such" and in lieu thereof insert the following:

"who shall have similar rights and duties to those which are given to patrolman examiners by this act. Patrolman and such";

strike all of line 21 and in lieu thereof insert: "duly issued prior to said date, and all applicants whose li-"; lines 22 and 23, strike "subsequent to said date" and in lieu thereof insert: "subsequent to said date"; line 26, strike "(a)" and in lieu thereof insert "(a) *(1)*"; line 28, strike "(b)" and in lieu thereof insert "(b) *(2)*"; line 29, strike ", (c)" and in lieu thereof insert: "*, and* (c) *(3)*"; line 32, strike "applicant be" and in lieu thereof insert: *"an* applicant be *is"*; strike the word "officers" and in lieu thereof insert: "officers *patrolman examiners*" in lines 33 and 35; line 34, strike the word "of" and in lieu thereof insert: "of *to an*"; lines 37 and 38, strike "and in any event the finding shall be rendered within a period of" and in lieu thereof insert: "and *to be made* in any event the finding shall be rendered within a period of *not later than*".

6. In the bill, section 6, lines 3 and 4, strike "license provided for herein" and in lieu thereof insert: *"operator's* license *licenses* provided for herein"; strike the word "shall" at the end of line 4 and in lieu thereof insert: "shall *is required to*"; line 9, strike the period after the word *"act"* and in lieu thereof insert:

"except for the renewal licenses excepted by section 60-408, as amended by this act. The lesser fee provided by that section for such renewals shall be paid before such a renewal license shall be issued.";

lines 19 and 20, strike ", by the county treasurer, be remitted" and in lieu thereof insert: ", by the county treasurer, be remitted *by the county treasurer*"; line 20, strike the word "shall" and in lieu thereof insert "shall"; line 22, strike " ." " and in lieu thereof insert ".". "; insert a comma in line 23 after the word "draw" and also after the word "Treasurer"; lines 25 and 26, strike ", and the" and in lieu thereof insert: ", and the . *The*".

7. Strike all of section 7, in the bill, and in lieu thereof insert the following:

"Sec. 7. That section 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945, be amended to read as follows:

60-411. The original motor vehicle operator's license contemplated by this act shall be for the period of two years *from September 1, 1945,* and shall be renewable by the licensee *on or before September 1, 1947, and on or before September 1 of each odd numbered year thereafter without it being necessary to take an examination therefor* every two years after the date of its original issuance except as provided in section 60-404, *as amended by this act; Provided, all such licenses which are valid on the effective date of this act shall be valid until their expiration dates as set forth in section 60-403, as amended by this act; and provided further, where an application for a renewal is made within sixty days after the expiration of such license, the applicant will not be required to take the prescribed examination.*".

8. In the bill, section 8, line 6, after the word "treasurer" insert the word "*an*"; line 7, strike "the fact of loss; and, upon" and in lieu thereof insert: "the fact of *such* loss; and, upon . *Upon*"; line 10, after the word "*which*" insert the word "*fee*"; lines 12 and 13, strike "by the county treasurer" and in lieu thereof insert: "*by the county treasurer*"; line 13, after the word "for" insert: "*by the county treasurer*"; line 15, after "60-409" and before the period, insert: "*, as amended by this act*".

9. In the bill, section 9, line 1, strike "60-404,"; line 2, strike "60-411"; line 3, after the comma and before the word "are" insert the following:

"and original sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945,".

10. In the bill, title, strike all of the title after the words "FOR AN ACT" in the 2nd line, and in lieu thereof insert the following:

"to amend sections 60-403, 60-405, 60-407, 60-408, 60-409 and 60-415, Revised Statutes of Nebraska, 1943, and sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to motor vehicles; to provide the manner of making an application for, the examination for and the issuance of a motor vehicle operator's license or permit; to prescribe the fees to be charged therefor; to require renewal of motor vehicle operator's licenses on September 1, 1945, and each two years thereafter; to provide the effect to be given to existing licenses; to provide for the examination of a person having an operator's license and also for the revocation of such a license under the prescribed circumstances; to provide that certain persons may operate a motor vehicle without a license or permit under the prescribed conditions; to provide under what circumstances it shall be unnecessary to take an examination for the renewal of a license; and to repeal original sections 60-403, 60-405, 60-407, 60-408, 60-409 and 60-415, Revised Statutes of Nebraska, 1943, and original sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945.".

11. In the bill, section 8, lines 6 and 7, strike "therefor, together with an" and insert in lieu thereof: "therefor, together with an *and*"; line 11, strike "*receipts*" and in lieu thereof insert "*fees*".

LEGISLATIVE BILL 232. Replaced on Select File, as amended.

E and R amendments to L. B. 232:

1. In Enrollment and Review Committee amendment 3, strike the amendment as to line 21 of section 2 of the bill.

2. In Enrollment and Review Committee amendment 4 to lines 21 to 24, inclusive, of section 3 of the bill, in line 4 of the newly inserted matter, after the word "*and*" insert: "*not to exceed*".

LEGISLATIVE BILL 348. Placed on Select File, as amended.

E and R amendments to L. B. 348:

1. In the bill, section 1, lines 3 and 4, strike "for any such warrants" and in lieu thereof insert: "~~for any such warrants~~"; line 4, strike the word "when" and in lieu thereof insert: "*for any such warrants* when *they are*"; line 5, strike ", either from want of moneys" and in lieu thereof insert: "*due to (1) insufficient money* ~~, either from want of moneys~~"; line 6, strike "or because not" and in lieu thereof insert: "~~or~~ *(2)* ~~because~~ not *being*"; lines 8 and 9, strike ", or because there are not sufficient moneys" and in lieu thereof insert: "~~,~~ or *(3)* ~~because there are not sufficient moneys~~ *insufficient money*"; line 11, after the word "have" insert the word "*the*".

2. In the bill, title, 4th line, after the word "require" insert the word "the"; 7th line, insert the word "a" before the word "failure"; 9th line, strike "for presentation of" and in lieu thereof insert: ", however, that" and in said line, after the word "warrants" insert: "may be presented"; 10th line, insert the word "its" after the word "for" and strike the word "determination" and in lieu thereof insert the word "recommendation".

LEGISLATIVE BILL 99. Correctly enrolled.
LEGISLATIVE BILL 86. Correctly engrossed.
LEGISLATIVE BILL 113. Correctly engrossed.
LEGISLATIVE BILL 131. Correctly engrossed.
LEGISLATIVE BILL 158. Correctly engrossed.
LEGISLATIVE BILL 172. Correctly engrossed.
LEGISLATIVE BILL 301. Correctly engrossed.
LEGISLATIVE BILL 62. Correctly re-engrossed.

(Signed) Roy B. Carlberg, Chairman

MOTION—To Adopt Resolution

Mr. President: I move that we adopt Resolution No. 10. (Signed) Sam Klaver

The motion prevailed.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 367. By Committee on Labor and Public Welfare, Don E. Hanna, Chairman.

A bill for an act to amend sections 68-202 and 68-402, Revised Statutes of Nebraska, 1943, relating to paupers and public assistance; to limit relatives to parents and children whose ability to support

must be determined; to provide that assistance may be paid, in the discretion of the board, to an applicant for a period not to exceed sixty days while the ability of parents and children to support is being investigated; and to repeal the original sections.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 367 be referred to a standing committee for hearing. (Signed) Don E. Hanna

The motion prevailed with 29 ayes, 0 nays, and 14 not voting.

Bills Referred to Standing Committees

L. B.	Committee
366	Government
367	Labor and Public Welfare

Approved by the Governor

March 12, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 145	L. B. 111	L. B. 181
L. B. 118	L. B. 91	L. B. 66

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 367 Monday, March 19, 1945 2:00 p. m.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 122. Correctly engrossed.
LEGISLATIVE BILL 93. Correctly engrossed.
LEGISLATIVE BILL 95. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Unanimous Consent

Mr. Brodahl asked unanimous consent to recall L. B. 40 for further consideration.

No objection was offered and it was so ordered.

MESSAGE FROM THE GOVERNOR

March 13, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen: Re: L. B. 40.

Pursuant to your request under date of March 13, 1945, I return, herewith, the above bill for your further consideration.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

MOTION—To Reconsider Action

Mr. President: I move to place L. B. 40 on Final Reading and reconsider our action. (Signed) A. J. Brodahl

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Unanimous Consent

Mr. President: I ask unanimous consent to refer L. B. 40 to Select File for the following specific amendment:

Section 1, line 23 and 24, strike the following:
"shall receive such salary or compensation as".

Section 2, line 23, strike the following: "shall receive such salary or compensation as".

(Signed) A. J. Brodahl

No objection was offered and it was so ordered.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 32.

A bill for an act to amend sections 17-508, 17-702, 17-703 and 17-704, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to authorize an annual levy of not to exceed three mills on the dollar of the actual valuation of all taxable property, except intangible property, within such cities and villages for the purpose of grading and repairing streets, avenues and alleys and the construction of bridges, culverts and sewers; to prescribe the maximum tax levies for all purposes by second-class cities and villages; to provide a savings clause; to eliminate the provisions of said sections 17-703 and 17-704 permitting the levies therein authorized to be further or additional levies; to include villages in the provisions of said section 17-704; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Raecke
Brodahl	Foster	Lusienski	Schultz
Burney	Hanna	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Peterson	Wood
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Garber	Reavis	Ryan
Doyle			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 121.

Mr. Peterson asked unanimous consent to consider reprinted bill, containing the amendments.

Unanimous consent granted.

Laid over.

MOTION—To Suspend Rules

Mr. President: I move that L. B. 320 be advanced to the head of General File for immediate consideration. (Signed) C. Petrus Peterson

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

LEGISLATIVE BILL 320. Read and considered.

Standing Committee Amendments found in the Legislative Journal for the Forty-seventh Day were not adopted.

Advanced to E and R for review.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 171.

Mr. Mekota offered the following amendments, which were adopted.

1. Amend section 1 of the bill, lines 10 and 11, by striking the same and inserting in lieu thereof:

"are involved through a probation officer, *or where there is no regularly appointed probation officer or where all regularly appointed probation officers within the county are found by*

the court to be disqualified, or county superintendent of child welfare or other agency, through an individual, to be"

2. Amend section 1 of the bill, line 41, by striking the punctuation after the word "*action*" and substituting the following in lieu thereof:

"*, and such fee, where charged for the services of a probation officer who is paid a regular salary by the county, shall be paid by the clerk of the district court, when collected, to the county treasurer and become a part of the general fund of the county in which such divorce action is brought, and in all other cases such fee shall be paid by the clerk of the district court, when collected, to the officer or individual making the investigation.*"

3. Amend the title to the act, line 13, by inserting after the punctuation following the word "costs" the following:

"to provide for disposition of such fee;"

Mr. Adams offered the following amendment, which was adopted.

Strike the Emergency clause in L. B. 171.

Advanced to E and R for review.

LEGISLATIVE BILL 144.

Mr. Lee offered the following amendments, which were adopted.

1. Amend section 2 of the bill, line 3, by inserting after the word "county" the word "*community*"

2. Amend section 3 of the bill, line 2, by inserting after the word "such" the words "*county community*"

3. Amend section 4 of the bill, line 1, by striking the words "*such hospital trustees*" and inserting in lieu thereof the following words "*trustees of such county community hospital*"

4. Amend section 4 of the bill, lines 10 and 11, by striking the words "*to exceed one hundred thousand dollars*" and inserting in lieu thereof the words:

"shall cost more than fifty per cent of the cost of the original hospital building or building and equipment"

5. Amend section 5 of the bill, line 1, by striking the words *"hospital trustees"* and inserting in lieu thereof the words *"trustees of such county community hospital"*

6. Amend new numbered section 6 of Standing Committee Amendment of February 20, 1945, line 1, by striking the words *"hospital trustees"* and inserting in lieu thereof the words *"trustees of such community hospital"*

7. Amend renumbered section 7, line 1, by striking the words *"hospital trustees"* and inserting in lieu thereof the words *"trustees of such community hospital"*

8. Amend the bill by inserting immediately after renumbered section 7 the following additional section:

"Sec. 8. *The board of county commissioners, or board of supervisors, as the case may be, in counties in this state in which a county community hospital has been established as provided in section 23-343, may, by majority vote of the board, issue and sell bonds of the county in such sums as the county board may deem advisable to defray the cost of improvements or additions thereto and equipment. But such bonds shall not exceed the amount authorized for improvements, additions or equipment, as provided in section 4 of this act. Such bonds shall be payable in not exceeding twenty years from date of issue, shall bear interest at not to exceed five per cent per annum, payable annually or semiannually, and shall contain an option to the county, at any time after five years, to pay all or any part thereof. When such bonds have been issued, the county board shall cause to be levied and collected annually a tax upon all taxable property of such county sufficient to pay the interest and principal of the bonds as the same become due and payable.*"

9. Amend renumbered sections 8, 9, 10 and 11 of the bill by renumbering as 9, 10, 11 and 12 respectively.

10. Amend renumbered section 10, line 3, by inserting after the word "said" the words *"county community"*

11. Amend renumbered section 10, line 3, by inserting after the punctuation following the word "hospital" the following words and punctuation:

"Any trustee who shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any material to be used or supplied for said hospital, shall upon conviction thereof be fined in a sum not less than one hundred dollars nor more than one thousand dollars."

12. Amend the title of the act, line 12, by inserting after the punctuation following the word "hospital" the following words and punctuation:

"to provide for the procedure to issue and sell county bonds by majority vote of the county board for improvements or additions thereto and equipment; to provide for the limitation on amount of bonds that may be issued and sold; to provide for the levy of a tax upon all taxable property of such county to pay the interest and principal of such bonds; to provide that no trustee shall have a personal pecuniary interest, either directly or indirectly, in the purchase of any material to be used or supplied for a county community hospital, and upon conviction therefor to provide a penalty;"

Advanced to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that we place L. B. 317 on final reading and reconsider our action. (Signed) Joseph C. Reavis

The motion prevailed with 33 ayes, 4 nays and 6 not voting.

Unanimous Consent

Mr. President: I ask unanimous consent to refer L. B. 317 to Select File for the following specific amendment. (Signed) Joseph C. Reavis

Amend Section 1 by striking all new matter contained in lines 8 to 12 inclusive and insert in lieu thereof:

"Provided, however, members of the Legislature shall be specifically exempt from the provisions of Sections 81-164 to 81-172, Revised Statutes of Nebraska, 1943, for and during the time the Legislature is not in actual session".

Amend title, line 5 by striking the semicolon after the word "inclusive" and insert the following "during the time the Legislature is not in actual session"

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 317.

Mr. Reavis' amendment, found in this day's Journal was adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 40.

Mr. Brodahl's amendment, found in his motion in this day's Journal was adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 325. E and R amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 235. E and R amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 264. E and R amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Laid over.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 219. Read and considered.

Mr. Weborg offered the following amendment, which was adopted.

Strike the word "infestion" in Sec. 3, line 13 and insert the word "infestation" in lieu thereof.

Standing Committee amendments 1 and 6 found in the Legislative Journal for the Thirty-seventh Day were adopted.

Standing Committee amendments 2 and 5 were rejected.

Mr. Conklin offered the following amendments to Standing Committee amendments 3 and 4, which were adopted.

Amend Amendment 3, line 1 by striking the word "original" and the words "amended to" and in line 2 by striking "be section 9,".

Amend Amendment 4, line 2 by changing "22" to "24" and in line 3 by changing "22" to "24".

Standing Committee amendments 3 and 4 were adopted as amended.

Mr. Conklin made the following amendment, which was adopted:

"Amend Standing Committee amendment No. 6 by amending the title to conform to the amendments adopted."

Advanced to E and R for review.

Adjournment

At 12:02 p. m., Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 14, 1945

Pursuant to adjournment, the Legislature met at 9:02 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the fifty-first day was approved as corrected.

Communications

Petition to Mr. Crossland from thirty residents of Schuyler, Nebraska, favoring L. B. 33.

Petition to Mr. Cronin from seventy-one residents of Boyd county favoring L. B. 33.

Three petitions to Mr. Burnham, one each from Sargent and Callaway, Nebraska, favoring L. B. 33, and one from Sargent, opposing L. B. 33.

Resolution to the Legislature from the Nebraska Sheriffs' and Peace Officers' Association favoring L. B. 185.

Petition to Mr. Lee from thirty-one residents of Hooper, Nebraska favoring L. B. 33.

NOTICE OF COMMITTEE HEARING

Government

L. B. 366 Wednesday, March 21, 1945, 2:00 p. m.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 99

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval March 9, 1945, 9:30 a. m.

L. B. 128 L. B. 314

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 307. Placed on General File.

(Signed) John E. Mekota, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 302. Placed on General File as amended.

Bill, with amendments included, reprinted in lieu of printing in Journal.

LEGISLATIVE BILL 344. Placed on General File as amended.

Standing Committee amendments to L. B. 344:

1. Amend section 1, line 125, by striking the word "Stocks" and inserting in lieu thereof "Where the principal amount of the trust is in excess of $50,000 stocks"

2. Amend section 1, line 125, by inserting following the word "of" the words "management type"

3. Amend section 1, line 130, by striking the words "twenty-five" and inserting in lieu thereof the word "twenty"

4. Amend section 1, lines 133 and 134, by striking the words "thirty-five" and inserting in lieu thereof the word "thirty"

5. Amend the title, line 5, by inserting after the word "of" the words "management type"

6. Amend the title, line 11, by inserting following the word "such" the words "management type"

(Signed) Earl J. Lee, Chairman

Order and Arrangement

Mr. President:

Your Committee on Order and Arrangement hereby reports that the following bills on General File pertain to appropriations:

195	282	89
248	353	119
293		

Your Committee recommends that said bills should be placed at the top of General File in the order in which they now appear on said file, so that the work of the Appropriations Committee may be expedited. (Signed) John E. Mekota, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Order and Arrangement be adopted and that the bills mentioned in said report be raised to the top of General File in the order in which they now appear on said file. (Signed) John E. Mekota

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 175. Correctly engrossed.
LEGISLATIVE BILL 176. Correctly engrossed.
LEGISLATIVE BILL 223. Correctly engrossed.
LEGISLATIVE BILL 226. Correctly engrossed.
LEGISLATIVE BILL 32. Correctly enrolled.
LEGISLATIVE BILL 117. Correctly enrolled.
LEGISLATIVE BILL 135. Correctly enrolled.
LEGISLATIVE BILL 115. Replaced on Select File as amended.

E and R amendments to L. B. 115:

1. In amendment 2, by Mr. Raecke, 1st line, strike the word "with" and in lieu thereof insert the word "after". In the inserted matter, 13th and 14th lines, strike: *"have been residents of this state from that date until"* and in lieu thereof insert: *"are legal residents of this state on"*; strike the word *"were"* in the 23rd line after *"(b)"* and at the beginning of the 25th line; 28th line, strike *"continued to be"* and in lieu thereof insert the word *"are"*; 29th line, strike the word *"until"* and in lieu thereof insert the word *"at"*.

LEGISLATIVE BILL 157. Placed on Select File as amended.

E and R amendments to L. B. 157: (Second mimeographed bill dated March 5, 1945)

1. In section 1, line 5, strike "(a)" and in lieu thereof insert: *"(a) (1)"*; line 13, strike "(b)" and in lieu thereof insert: *"(b) (2)"*; line 15, strike "(c)" and in lieu thereof insert: *"(c) (3)"*; line 17, strike "(d)" and in lieu thereof insert: *"(d) (4)"*; line 19, strike "(e)" and in lieu thereof insert: *"(e) (5)"*; insert a comma in line 20 after the word "who" and also after the word "kind" and in line 22 after the word "occasionally"; line 24, strike "(f)" and in lieu thereof insert: *"(f) (6)"*; line 27, strike "(g)" and in lieu thereof insert: *"(g) (7)"*; line 28, strike "(h)" and in lieu thereof insert: *"(h) (8)"*; line 29, strike the word *"the"* and in lieu thereof insert the word *"this"*, and in said line after the word *"or"* and before the word *"part"* insert the word *"in"*; line 32, strike *"(i)"* and in lieu thereof insert *"(9)"*; line 33, before the word *"part"* insert the word *"in"*; strike the comma in line 34 after the word *"state"*, in line 45 after the word *"branch"* and in line 46 after the word *"vehicles"*; line 35, strike *"(j)"* and in lieu thereof insert *"(10)"*; line 39, strike the word *"vehicle"* and in lieu thereof insert: *"vehicles to"*, and in said line, insert a comma after the word *"supervising"*; line 40, strike *"(k)"* and in lieu thereof insert *"(11)"*; line 42, strike *"(l)"* and in lieu thereof insert *"(12)"*; line 47, strike *"(m)"* and in lieu thereof insert *"(13)"*; line 49, strike *"(n)"* and in lieu thereof insert *"(14)"*.

2. In section 2, line 4, strike "(a)" and in lieu thereof insert: *"(a) (1)"*; line 6, after the word "exchanging" insert: *"new, used, or"*; line 7, strike "or both" and in lieu thereof insert: "or both"; line 9, strike "(b)" and in lieu thereof insert: *"(b) (2)"*; line 13, strike "(c)" and in lieu thereof insert: *"(c) (3)"*; line 16, strike *"(d)"* and in lieu thereof insert *"(4)"*; line 18, strike *"(e)"* and in lieu thereof insert *"(5)"*; line 21, strike *"(f)"* and in lieu thereof insert *"(6)"*; line 23, strike *"(g)"* and in lieu thereof insert *"(7)"*.

3. In section 3, line 3, insert a comma after the word "person", also in line 18 after the word "license"; line 7, strike ", the" and in lieu thereof insert: "~~,~~ ~~the~~ . *The*", and in said line strike the word "to" and in lieu thereof insert: "~~to~~ *shall*"; line 9, strike "(a) the" and in lieu thereof insert: "*the following information: (1) The* ~~(a) the~~", and in said line strike the word "or" and in lieu thereof insert: "~~or~~ *and*"; line 10, strike the word "and" and in lieu thereof insert: "~~and~~ *Provided, that*"; line 11, after the word "copartnership" insert: ", *it shall set forth*"; line 13, strike the word "and" and in lieu thereof insert: "*and provided further, that*", and in said line, after the comma and before the word "the" insert: "*it shall set forth*"; line 15, strike "(b)" and in lieu thereof insert: "~~(b)~~ *(2)*"; line 16, strike ", with" and in lieu thereof insert: "~~,~~ ~~with~~ *and*"; line 18, strike "(c)" and in lieu thereof insert: "~~(c)~~ *(3)*"; line 19, strike the word "that" and in lieu thereof insert: ", ~~that~~ *which*"; line 20, strike the comma after the word "exchange" and in lieu thereof insert "~~,~~"; lines 22 and 23, strike: ". Applications for either class of dealer's licenses shall designate" and in lieu thereof insert the following:

"~~,~~ *; and (4), if the* ~~Applications~~ *application is* for ~~either~~ *any of the above named classes* ~~class~~ of dealer's licenses shall ~~designate~~ ," ;

line 24, after the word "person" insert: "*who is*".

4. In section 4, line 7, strike "(a) motor" and in lieu thereof insert: "~~(a)~~ *(1)* ~~motor~~ *Motor*", and in said line strike ", (b)" and in lieu thereof insert: "~~,~~ ~~(b)~~ *; (2)*"; line 8, strike ", (c)" and in lieu thereof insert: "~~,~~ ~~(c)~~ *; (3)*"; line 9, strike ", (d)" and in lieu thereof insert: "~~,~~ ~~(d)~~ *; (4)*"; line 11 strike ", *(e)*" and in lieu thereof insert: "*; (5)*"; line 12, strike ", *(f)*" and in lieu thereof insert: "*; (6)*"; line 14, strike "*and (g)*" and in lieu thereof insert: "*; and (7)*"; line 16, after the word "of" insert the word "*the*"; line 18, strike the word "license" and in lieu thereof insert: "~~license~~ *licenses*"; line 19, strike the words "schedule of" and in lieu thereof insert "~~schedule of~~"; line 20, after the word "accompany" insert the word "*the*".

5. In section 5, line 7, before the word "shall" insert the word "*which*"; line 8, strike the word "shall" and in lieu thereof insert "~~shall~~"; line 10, before the word "display" insert the word "*conspicuously*", and in said line, strike the word "conspicuously" after the word "display" and in lieu thereof insert "~~conspicuously~~"; line 16, strike ", and each" and in lieu thereof insert: "~~,~~ ~~and each~~ . *Each*".

6. In section 6, line 4, after the word "upon" insert the word "*a*"; line 9 before the word "license" insert the word "any"; line 11, strike "," after "*licensee*" and in lieu thereof insert ","; line 16, strike

"*(a)*" and in lieu thereof insert "*(1)*"; line 21, strike "*(b)*" and in lieu thereof insert "*(2)*"; line 25, strike "*(c)*" and in lieu thereof insert "*(3)*"; line 26, strike "*(d)*" and in lieu thereof insert "*(4)*"; line 27, insert a comma after the word "damage"; line 36, strike "*(e)* willful failure" and in lieu thereof insert: "willful failure *(5) willfully failing*"; line 37, strike "*(f)*" and in lieu thereof insert "*(6)*"; line 38, strike "*(g)*" and in lieu thereof insert "*(7)*"; line 39, strike "*(h)*" and in lieu thereof insert "*(8)*"; line 46, strike "*(i)*" and in lieu thereof insert "*(9)*"; line 56, strike "*(j)*" and in lieu thereof insert "(10)".

7. In section 7, insert a comma in line 4 after the word "determination", in line 5 after the word "hearing"; line 7, strike ", and if" and in lieu thereof insert: "; and if . *If*"; line 13, strike the comma after the word "dollars" and in lieu thereof insert ";"; line 14, after the word "Pending" insert the word "*the*".

8. In section 8, line 6, insert a comma after the word "act"; line 8, strike ", and" and in lieu thereof insert "; and ," and in said line, insert a comma after the word "thereof"; line 10, after the word "both" and before the period insert: "*such a fine and imprisonment*".

9. In section 9, line 2, insert the word "*a*" before the word "*manufacturer*" and before the word "*dealer*" and also after the word "*between*"; line 3, insert the word "*an*" before the word "*enfranchised*"; line 11, after the word "*credited*" insert the word "*to*"; line 12, before the word "*vehicle*" insert the word "*the*"; line 13, insert the word "*a*" before the word "*description*"; line 14, insert the word "*the*" before the word "*insurance*"; line 15, after the semicolon insert the word "*and*"; line 16, strike the semicolon and in lieu thereof insert ".".

10. In section 10, line 6, after the word "*both*" and before the period insert: "*such a fine and imprisonment*".

11. In section 11, line 3, insert a comma after the word "*application*" and also at the end of line 2 after the word "*shall*"; line 4, strike ", *the*" and in lieu thereof insert "*on a*"; line 6, strike ", *which*" and in lieu thereof insert ". *The*" and in said line after the word "*provide*" insert "*(1)*"; lines 8 and 9, strike ". *The bond shall further provide*" and in lieu thereof insert: ", *(2)*"; line 11, strike the word "*for*" and in lieu thereof insert: "*because of (a)*"; line 12, strike "*; or by*" and in lieu thereof insert: ", *(b)*"; line 14, strike "*; or by reason of*" and in lieu thereof insert: ", *(c)*"; line 15, strike "*; or by reason of*" and in lieu thereof insert: ", *(d)*"; line 17, strike "*; or by reason*" and the word "*of*" in line 18, and in lieu thereof insert: "*and (e)*"; line 19, strike the comma after the word "*whatever*" and in lieu thereof insert the word "*in*", and in said line strike "*; and*" and in lieu thereof insert: ", *and (3)*".

12. In the title, 9th and 10th lines, strike "application and contents thereof for license" and in lieu thereof insert: "the application for a license and the contents thereof"; 12th line, insert the word "the" after the word "that", after the word "by" and after the word "of" and before "De-", also at the end of the 13th line after the word "how"; 15th line, strike the word "or" and in lieu thereof insert a comma; insert the word "the" in the 17th line before the word "investigations", in the 18th line before the word "administrator", on page 2, 1st line, before the word "procedure", 2nd line, before the word "findings", 6th line, before the word "contents", 9th line before the word "time"; 3rd and 4th lines (page 2) strike "between dealer and enfranchised dealer" and in lieu thereof insert: "as prescribed"; insert the word "an" at the end of the 4th line (page 2), after "by", in the 6th line before "invoice", in the 9th line before "application"; insert the word "a" in the 10th line (page 2) before "motor", in the 11th line before "corporate", in the 14th line before "bond" and in said 14th line, after the word "prescribe" insert: "certain of".

LEGISLATIVE BILL 179. Placed on Select File as amended.

E and R amendment to L. B. 179:

In the bill, line 7, insert a comma after the word "pupils"; line 16, after "79-916" and before the period, insert: ", *inclusive*".

LEGISLATIVE BILL 308. Placed on Select File.

LEGISLATIVE BILL 317. Replaced on Select File as amended.

E and R amendments to L. B. 317:

In specific file amendments by Mr. Reavis, 2nd line, strike "line 8 to 12 inclusive" and in lieu thereof insert: "the original bill, lines 8 to 11 inclusive, and amendments thereto, except the stricken period"; in the 3rd line, insert a semicolon after the quotation mark and before the word "Provided"; in the 6th line, insert a period after the word "session" and before the quotation mark. Underscore new matter to be inserted in the bill.

In specific file amendments by Mr. Reavis, amendment to the title, 2nd line, insert a comma after the quotation mark and before the word "during"; 3rd line, insert a semicolon after the word "session" and before the quotation mark.

LEGISLATIVE BILL 362. Placed on Select File, as amended.

E and R amendment to L. B. 362:

In the bill, title, 4th line, before the word "rural" insert: "the qualified voters of"; 6th line, strike "special meetings;" and in lieu thereof insert: "a special meeting called for the purpose of designating a site for a school house, for the specified purpose;"; 5th line, at the end of the line, after the word "for" insert the word "the".

LEGISLATIVE BILL 363. Placed on Select File as amended.

E and R amendments to L. B. 363:

1. In the bill, section 1, line 4, after the word "all" insert the word "*the*"; 6th line, strike ", or" and in lieu thereof insert: "; or ,"; line 7, strike the comma after the word "each" and in lieu thereof insert: "*of said districts* ,"; line 9, strike the words "to provide" and in lieu thereof insert: "to provide".

2. In the bill, title, strike all of the 4th line and in lieu thereof insert: "the limit of the aggregate bonded indebtedness"; 6th and 7th lines, strike "the limit of bonded indebtedness of such district;" and in lieu thereof insert: "to eight per cent of the aggregate actual valuation of the several districts so united for high school purposes;".

LEGISLATIVE BILL 233. Replaced on Select File as amended.

E and R amendments to L. B. 233:

1. In Standing Committee amendment 12, 2nd line, strike the figure "4" and in lieu thereof insert the figure "3".

2. In the bill, section 1, formerly 2, line 14, after the word "state" and before the comma insert: "who are required to furnish bonds".

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 32 L. B. 117 L. B. 135

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 368. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to amend section 2-103, Revised Statutes of Nebraska, 1943, relating to agriculture; to provide what items shall be included in the annual report of the State Board of Agriculture to the Governor; and to repeal the original section.

LEGISLATIVE BILL 369. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to amend section 2-1604, Revised Statutes of Nebraska, 1943, relating to agriculture; to require sponsoring organizations of county extension work to pay into its treasury annual membership dues; to provide that no appropriation out of county funds shall be made for county extension work unless sponsoring organization has specified membership and contributes specified amount to support of county extension work; and to repeal the original section.

MOTION—To Raise Bill

Mr. President: I move that L. B. 297 be referred back to the Committee on Public Works for further consideration. (Signed) C. Petrus Peterson

Mr. Sorrell moved the previous question.

The motion prevailed with 26 ayes, 2 nays and 15 not voting.

Mr. Peterson's motion prevailed with 35 ayes, 0 nays and 8 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 238. With emergency.

A bill for an act to amend section 83-412, Revised Statutes of Nebraska, 1943; to extend until March 1, 1947, the payment of salary to the warden of the state penitentiary at the rate of not to exceed three thousand dollars per annum; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Adams	Cullingham	Klaver	Raasch
Anderson, J.	Dooley	Lee	Raecke
Babcock	Doyle	Lusienski	Reavis
Burney	Foster	Mueller	Ryan
Burnham	Hanna	Norman	Seaton
Conklin	Hoyt	Peterson	Tvrdik
Cronin	Hubka	Pizer	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 14:

Anderson, L.	Garber	Kain	Schultz
Brodahl	Heiliger	Mekota	Sorrell
Carlberg	Hern	Ogden	Wood
Carmody	Jeffords		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been present I would have voted "aye" on L. B. 238. (Signed) H. P. Heiliger

LEGISLATIVE BILL 200.

A bill for an act to repeal section 81-139, Revised Statutes of Nebraska, 1943, relating to letting of contracts for purchases of supplies by departments of the state government.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Burney	Doyle	Lusienski	Ryan
Burnham	Garber	Mekota	Schultz
Carlberg	Hanna	Mueller	Seaton

Carmody	Hern	Norman	Sorrell
Conklin	Hoyt	Peterson	Tvrdik
Cronin	Hubka	Pizer	Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Foster	Kain	Wood
Brodahl	Heiliger	Ogden	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 156. With emergency.

A bill for an act relating to decedent's estates; to provide for the manner of proving wills where it appears that subscribing witnesses are unavailable by reason of service in the armed forces of the United States or service as merchant seamen, being deceased or being mentally or physically incapable of testifying; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Cullingham	Jeffords	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Burney	Foster	Lusienski	Ryan
Burnham	Garber	Mekota	Schultz
Carlberg	Hanna	Mueller	Seaton
Carmody	Hern	Norman	Sorrell
Conklin	Hoyt	Peterson	Tvrdik
Cronin	Hubka	Pizer	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Heiliger	Ogden	Wood
Brodahl	Kain		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 147.

A bill for an act to amend section 23-1101, Revised Statutes of Nebraska, 1943, relating to county officers; to change the population limits of certain classes of counties of this state for the prescribed purposes; to provide that counties of class (4) shall have a population of more than thirteen thousand and not more than sixteen thousand five hundred inhabitants; to provide that counties of class (4a) shall have a population of more than sixteen thousand five hundred and not more than twenty thousand inhabitants; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Dooley	Klaver	Raecke
Anderson, J.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Burney	Garber	Mueller	Schultz
Burnham	Hanna	Norman	Seaton
Carmody	Heiliger	Ogden	Sorrell
Conklin	Hern	Peterson	Tvrdik
Cronin	Hoyt	Pizer	Weborg
Crossland	Jeffords	Raasch	Wood
Cullingham	Kain		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Carlberg	Hubka	Mekota
Brodahl			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Raise Bill

Mr. President: I move that L. B. 292 be placed on General File.
(Signed) Walter R. Raecke and Fred A. Mueller

A record vote was requested.

Voting in the affirmative, 7:

Burney	Cronin	Lee	Raecke
Burnham	Crossland	Mueller	

Voting in the negative, 15:

Carmody	Hanna	Peterson	Seaton
Cullingham	Hoyt	Pizer	Sorrell
Dooley	Kain	Reavis	Wood
Garber	Lusienski	Ryan	

Not voting, 21:

Adams	Conklin	Hubka	Ogden
Anderson, J.	Doyle	Jeffords	Raasch
Anderson, L.	Foster	Klaver	Schultz
Babcock	Heiliger	Mekota	Tvrdik
Brodahl	Hern	Norman	Weborg
Carlberg			

The motion did not prevail.

Member Excused

Mr. Hern was excused for Thursday, Friday, Monday and Tuesday.

Adjournment

At 12:00 noon, Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 15, 1945

Pursuant to adjournment, the Legislature met at 9:03 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the fifty-second day was approved as corrected.

Communications

A petition to Mr. Crossland from eight residents of Schuyler, Nebraska, favoring L. B. 33.

A letter to Mr. Raecke from eight members of the Hall County Farm Bureau Board opposing L. B. 248.

A message to the Legislature opposing L. B. 248 from two residents of Lincoln.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 369	Thursday, March 22, 1945	2:00 p. m.

Public Works

L. B. 297	Wednesday, March 21, 1945	2:00 p. m. (re-hearing)

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 49. Placed on General File as amended.

Standing Committee amendment to L. B. 49:

Amend line 7, section 1, by striking the word "twenty-five" and inserting in lieu thereof the word "*eighteen*"

LEGISLATIVE BILL 311. Placed on General File.
LEGISLATIVE BILL 146. Placed on General File as amended.

Standing Committee amendments to L. B. 146:

1. Amend section 1 of the bill, lines 9 to 12, by striking the same and inserting in lieu thereof the following: "*All warrants or orders issued by the proper authority of any sanitary district whose area is located partly within a municipality shall draw interest from and after the date of presentation for payment at such rate as is fixed by the issuing authority and endorsed on the warrant, but not more than six per cent per annum.* All warrants or orders"

2. Amend the title of the act by striking all of line 5 and inserting in lieu thereof, the following: "any sanitary district whose area is located partly within a municipality shall not exceed"

LEGISLATIVE BILL 222. Placed on General File as amended.

Standing Committee amendment to L. B. 222:

Amend line 36, section 1, by striking the word "manner", and inserting in lieu thereof the following words: "*same as that*"

LEGISLATIVE BILL 153. Placed on General File as amended.

Standing Committee amendments to L. B. 153:

1. Amend section 1 by striking all new matter in lines 9 to 13 inclusive, and inserting in lieu thereof the following: "*and may, whenever conditions warrant, gravel in similar manner a highway not more than two miles in length from the nearest city or village to any cemetery maintained by a city or village cemetery association*"

2. Amend the title to conform therewith.

LEGISLATIVE BILL 346. Indefinitely postponed.

(Signed) Sidney J. Cullingham, Chairman

Enrollment and Review

LEGISLATIVE BILL 147. Correctly enrolled.
LEGISLATIVE BILL 156. Correctly enrolled.
LEGISLATIVE BILL 200. Correctly enrolled.
LEGISLATIVE BILL 238. Correctly enrolled.
LEGISLATIVE BILL 40. Correctly re-engrossed.
LEGISLATIVE BILL 154. Placed on Select File.

(Signed) Roy B. Carlberg, Chairman

Government

LEGISLATIVE BILL 167. Placed on General File as amended.

Standing Committee amendments to L. B. 167:

1. Amend the bill by striking all of sections 1 to 7, inclusive, and renumbering sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31 as sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, respectively.

2. Amend renumbered section 1 of the bill, line 6, by striking the words *"twenty-seven hundred and fifty"* and inserting in lieu thereof the words *"sixteen thousand five hundred"*

3. Amend renumbered section 1 of the bill, lines 10 and 11, by striking the words *"twenty-seven hundred and fifty"* and inserting in lieu thereof the words *"sixteen thousand five hundred"*

4. Amend renumbered section 3 of the bill by striking all of lines 8 and 9, and inserting in lieu thereof the following:

"having a population of more than fifty *sixteen* thousand *five hundred* inhabitants and less than one hundred and fifty"

5. Amend renumbered section 23 of the bill, lines 1 and 2, by striking the figures and punctuation "23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109,"

6. Amend the title of the act, lines 2 and 3, by striking the figures and punctuation "23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109,"

7. Amend the title of the act, lines 8 to 10, inclusive, by striking the words and punctuation "to provide salaries to be paid to county assessors and deputy;"

8. Amend the title of the act, line 16, by inserting after the punctuation following the word "inhabitant" the following:

"to provide that counties having a population
of sixteen thousand inhabitants or less shall
at their option elect an assessor;"

LEGISLATIVE BILL 327. Placed on General File as amended.

Standing Committee amendments to L. B. 327:

1. Amend section 1 of the bill, lines 22 and 23, by striking the words "*to assist it in performing its duties*"

2. Amend section 1 of the bill, lines 24 and 25, by striking the words "*also assist soldiers, sailors and marines*" and inserting in lieu thereof the words "*assist all war veterans*"

3. Amend section 1 of the bill, line 26, by striking the words "*soldiers, sailors and marines*" and inserting in lieu thereof the words "*war veterans*"

4. Amend section 1 of the bill, line 27, by striking the words "*and all*"

5. Amend section 1 of the bill, line 29, by striking the word "*in*"

6. Amend section 2 of the bill, lines 13 and 14, by striking the words "*and expenses for administration*"

7. Amend section 2 of the bill, line 15, by inserting after the word "county" the following words and punctuation "*and expenses for administration, not exceeding three-tenths of a mill on the taxable property of such county*"

LEGISLATIVE BILL 345. Indefinitely postponed.
LEGISLATIVE BILL 242. Indefinitely postponed.

(Signed) Frank Sorrell, Chairman

Bills Referred to Standing Committees

L. B.	Committee
368	Appropriations
369	Agriculture

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 370. By Committee on Government, Frank Sorrell, Chairman.

A bill for an act to amend sections 23-1103, 23-1104, 23-1105, 23-1107, 23-1108, 23-1109, 23-1110, 23-1211, 29-2212 and 43-207, Revised Statutes of Nebraska, 1943, and section 23-1106, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 10, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to salaries of county officers and deputies; to provide for salaries of certain officers and deputies as set forth therein; to provide that the provisions of this act shall not apply to an incumbent holding an elective office; and to repeal the original sections.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 88.

A bill for an act relating to cities of the first and second class and villages; to provide that such cities and villages, which own and operate the prescribed public utilities, may pay for extensions and improvements to any of said public utilities by the issuance of combined revenue bonds; to provide for the procedure and requirements therefor; to provide for filing objections thereto; to provide for elections in regard to issuing bonds for such purpose under certain conditions; to prescribe certain procedure and requirements for such an election; to prohibit another election thereon until one year has elapsed, under certain conditions; to pledge the revenues and earnings of any two or more of such public utilities for the payment of such bonds; to authorize such cities or villages to make certain contracts in connection therewith; to prescribe the maximum interest which such bonds may draw; and to provide that this act shall be supplementary to existing statutes and confers upon and gives to such cities and villages the prescribed additional powers.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Crossland	Klaver	Raasch
Anderson, J.	Dooley	Lee	Reavis
Anderson, L.	Doyle	Lusienski	Ryan
Babcock	Foster	Mekota	Schultz
Brodahl	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin	Kain		

Voting in the negative, 0.

Not voting, 5:

Burney	Garber	Hern	Raecke
Cullingham			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 264.

Mr. Mekota offered the following amendments, which were adopted by unanimous consent.

1. Amend section 1 of the bill, line 18, by inserting after the punctuation the following:

"(3) After a claim has been on file for five years and no order of allowance thereof has been entered by the court, such claim shall be deemed disallowed, wholly barred and unenforceable, and the entry of an order barring such claim shall be unnecessary, unless the creditor shall, before the expiration of such period or within one year from the effective date of this act, file with the county court a statement that the claim has not been paid or satisfied."

2. Amend the title to the bill, line 12, by inserting after the semicolon the following:

"to provide that any claim that has been on file for five years and has not been allowed by an order of the court shall be deemed disallowed, barred and unenforceable unless statement is filed that such claim has not been paid or satisfied;"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 132. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Mr. Mekota made a motion to indefinitely postpone.

After discussion, Mr. Hoyt moved the previous question.

The President put the question "Shall the debate now cease?"

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

A record vote was requested on Mr. Mekota's motion.

Voting in the affirmative, 17:

Anderson, L.	Cronin	Hanna	Pizer
Babcock	Crossland	Jeffords	Raecke
Burney	Doyle	Mekota	Schultz
Burnham	Garber	Norman	Weborg
Carlberg			

Voting in the negative, 21:

Adams	Dooley	Klaver	Peterson
Anderson, J.	Foster	Lee	Ryan
Brodahl	Heiliger	Lusienski	Seaton
Carmody	Hoyt	Mueller	Tvrdik
Conklin	Kain	Ogden	Wood
Cullingham			

Not voting, 5:

Hern	Raasch	Reavis	Sorrell
Hubka			

Mr. Mekota's motion lost.

Mr. Raecke made a motion to recommit L. B. 132 to General File for the following specific amendment:

> Amend the bill by adding at the end of Section 2 the following: "The salary of the director shall not exceed the sum of five thousand dollars".

A record vote was requested.

Voting in the affirmative, 17:

Anderson, L.	Crossland	Jeffords	Raasch
Burney	Doyle	Mekota	Raecke
Burnham	Garber	Mueller	Schultz
Carlberg	Hanna	Pizer	Weborg
Cronin			

Voting in the negative, 20:

Anderson, J.	Foster	Lee	Reavis
Brodahl	Heiliger	Lusienski	Ryan
Carmody	Hoyt	Norman	Seaton
Conklin	Kain	Ogden	Tvrdik
Cullingham	Klaver	Peterson	Wood

Not voting, 6:

Adams	Dooley	Hubka	Sorrell
Babcock	Hern		

The motion did not prevail.

Mr. Peterson made a motion to refer L. B. 132 back to General File for the following specific amendment:

> Strike General File amendment, number 2, adopted March 5, 1945.

The motion prevailed with 25 ayes, 9 nays and 9 not voting.

LEGISLATIVE BILL 173. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 185. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Laid over.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 370 be referred to committee. (Signed) Frank Sorrell

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Bill Referred to Standing Committee

L. B.	Committee
370	Government

NOTICE OF COMMITTEE HEARING

Government

L. B 370 Wednesday, March 21, 1945 2:00 p. m.

Members Excused

Messrs. Cronin and Sorrell were excused for Friday, March 16, 1945.

Adjournment

At 12:10 p. m., Mr. Reavis made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 16, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin, Hern, Ryan and Sorrell, who were excused.

The Journal for the fifty-third day was approved as corrected.

MESSAGE FROM THE GOVERNOR

March 15, 1945

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I desire to call your attention to certain amendments which were attached to L. B. 132 which in my opinion make the act both unworkable and unconstitutional. The bill was amended while on general file to provide in Section 2 that the director shall be the "chief employee" of the department. I am certain that if a man is to be employed who has the ability and personality necessary to do a constructive job under this bill, he must have the prestige of being the actual head of the department and rank on the same basis as do the directors of the departments of Banking, Insurance, Health, Agriculture, etc. If the actual head of the department is to be a nine member committee, then I feel that the director will not be able to make decisions and go out and get this job done. The nine committee members will not be readily available to make quick decisions and actually conduct the work of the department.

For years Nebraska has been famous the nation over as a well-governed state. I do not mean this is true merely during the time

I have been Governor. It has been true for many years. About twenty-five years ago we adopted a policy of making the Governor the actual chief executive of the state, appointing men to head the different departments. For instance, the Governor appoints one man who heads the Department of Roads and Irrigation, one man to head the Insurance Department, one man to handle State Assistance, one man to head Unemployment Compensation, etc. The public knows who is the head of that department and they know also that the Governor is responsible for the appointment and it is the Governor who must take the blame if anything goes wrong. The "commission" type of administration is not recommended by any of the authorities on good administration. It provides a system under which the administrative officials can hide behind the cloak of the commission and keep the public from knowing who is really boss. The commission system is ideal if the Governor or the active head of a department wants to dodge responsibility.

When a citizen goes into a department and asks for information, he is entitled to an answer—"Yes", or "No", or "I will look into the matter further and advise you". But if there is anything that is offensive to a citizen it is to go to a man who is supposed to be the head of a department and receive an answer to the effect that "The commission will meet in about three weeks and your question will then be answered". I believe in the system that Nebraska generally follows, with the public knowing definitely just who is head of each major department and with the Governor properly held responsible for what goes on. With a commission set-up, no one knows who is boss and certainly that does not tend toward good government and it does not attract to administrative positions the type of man who is willing to accept and carry out the responsibility that the law places upon him.

If we are proud of the kind of government Nebraska has enjoyed, then we should continue that procedure in the future. Some may say that the direct appointment by the Governor of the heads of the departments gives the Governor an opportunity to create a so-called political machine. That statement is not true. If a Governor really wants to "play politics", it is better for him to appoint seven or nine member commissions to be the actual heads of the various departments.

There is a place for advisory commissions. As a matter of fact, any good administrator has advisors whether the law provides for them or not. On one subject he advises with one group—on another subject he advises with another. But any good executive is always anxious to receive advice and it is the kind of advice he accepts which determines whether or not he does a good job.

L. B. 132 should be amended by striking out the amendments offered by Senator Schultz on March 5th, and which appear on pages 602, 609 and 610 of the Legislative Journal. You should again make the director the actual head of this department. The advisory committee provided for in Section 7 can be of some value but the director should be that in form as well as in name so that in carrying out the ordinary office routine he can actually make decisions and conduct the affairs of the department.

I desire also to discuss that part of the amendment which provides that one of the members of the committee from each Congressional district "shall be a farmer actually residing on a farm". This is merely cheap demogoguery. The farmers of Nebraska primarily want to have a good job done. They want Nebraska to be a better state and while I feel that some farmers should be members of this committee, yet I do not feel that this amendment is workable. Most of the members of the advisory committee should be men who are acquainted with the problems of industry so that we can bring about further development of industries already located in Nebraska and invite others to come to our state. It may be considered by some to be good politics to provide for the appointment of these active farmers but I feel that the best politics is to do the best possible job—that is exactly what the farmers want and if anyone underestimates their intelligence by believing that if four farmers are appointed the farmers as a class are going to be made happy, that person is just fooling himself—you don't fool the commonsense farmer so easily.

It is also doubtful if this bill in its present form meets the requirements of the Constitution. The legal advice which I have received is to the effect that Section 3 makes the director an executive officer, while the Constitution, in Article 4, Section 1, states that "The heads of all executive departments established by law other than those to be elected as provided herein shall be appointed by the governor". It is possible to make the committee members the executive officers but the bill as now drafted does not entirely do so.

If L. B. 132 is to do something constructive in behalf of the people of Nebraska, it will require a department properly organized and headed by a very high-class, capable man. I suggest that the administrative features of this bill be straightened out in a manner such as I have suggested.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Approved by the Governor

March 15, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 32
L. B. 99
L. B. 117
L. B. 135

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

Communications

A message to Mr. Johnson from Mr. Russell Harris of the War Production Board opposing L. B. 268.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 197. Placed on General File.

(Signed) A. J. Brodahl, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 147
L. B. 156
L. B. 200
L. B. 238

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 371. By Committee on Public Health and Miscellaneous Subjects, Carl P. Jeffords, Chairman.

A bill for an act relating to public health and welfare; to provide procedure for issuance of birth certificates for children born out of wedlock legitimated by the subsequent marriage of its parents; and to declare an emergency.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 10
Legislative Resolution 11

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Thursday, March 15, 1945, at 4:15 p. m.

L. B. 32	L. B. 117
L. B. 99	L. B. 135

(Signed) Roy B. Carlberg, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 249. Placed on General File.
LEGISLATIVE BILL 250. Placed on General File.
LEGISLATIVE BILL 306. Placed on General File as amended.

Standing Committee amendments to L. B. 306:

1. Amend section 2 of the bill, lines 7 and 8, by reinstating the old matter and striking all of the new matter.

2. Amend section 2 of the bill, lines 12 and 13, by striking the following new matter:

"and covering a period of at least two thousand one hundred hours."

3. Amend section 4 of the bill, line 10, by striking the word *"three"* and inserting in lieu thereof the word *"two"*.

4. Amend section 4 of the bill, line 17, by reinstating the word "two" and striking the word *"three"*.

5. Amend section 4 of the bill, line 19, by striking the word *"three"* and inserting in lieu thereof the word *"two"*.

6. Amend section 4 of the bill, lines 25 and 26, by striking the words *"three hundred dollars and the sum of one hundred"* and inserting in lieu thereof the words *"twenty-five dollars and the sum of twenty-five"*

7. Amend section 6 of the bill, lines 68 to 83, inclusive, by striking the words *"In all schools of cosmetology"* in line 68 and by striking all of lines 69 to 83, inclusive.

(Signed) Carl P. Jeffords, Chairman

Enrollment and Review

LEGISLATIVE BILL 88. Correctly enrolled.
LEGISLATIVE BILL 320. Placed on Select File as amended.

E and R amendments to L. B. 320:

1. In the bill, section 1, insert a comma in line 3 after the word "court" and in line 4 after the word "docket"; line 13, after the word "thousand" and before the comma insert the word *"inhabitants"*; strike "," " and in lieu thereof insert "," ," in lines 15, 16, 21 and 23; line 16, after the word "having" insert: *"a population of"*, also in line 25; line 27, after the word "juvenile" insert the word *"probation"*; line 28, strike: "as other salaried officers are paid" and in lieu thereof insert the following:

"the salaries fixed by section 23-1110 to be paid as other salaried officers are paid *in such counties"*;

line 32, after the word "to" and before the word "brought" insert the word "be" (in the statute and printed bill but not in the original bill); line 33, strike "(a)" and in lieu thereof insert:

"(a) *(1)*"; line 34, strike "(b)" and in lieu thereof insert:
"(b) *(2)*"; line 36, strike "(c)" and in lieu thereof insert:
"(c) *(3)*"; line 37, strike "(d)" and in lieu thereof insert:
"(d) *(4)*"; line 42, after the word "duties" insert: ", *as*", and insert a comma after the word "act".

2. In the bill, title, 4th line, strike "provide salaries for" and in lieu thereof insert: "change the maximum salaries for the "; 5th line, before the word "assistant" insert the word "the"; 7th line, strike the word "less" and in lieu thereof insert: "not more".

(Signed) Roy B. Carlberg, Chairman

NOTICE OF COMMITTEE HEARING

Appropriations

L. B. 368 Thursday, March 22, 1945 2:00 p. m.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed

L. B. 88

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 216. Correctly engrossed.
LEGISLATIVE BILL 325. Correctly engrossed.
LEGISLATIVE BILL 283. Placed on Select File as amended.

E and R amendments to L. B. 283:

1. In the bill, section 1, line 2, strike the word "predator" and in lieu thereof insert "predatory animal", and at the end of the line, after the word "the" insert the word "county"; line 3, strike "of county commissioners or supervisors"; line 9, after the word "Service" and before the comma, insert: "and state agencies".

2. In the bill, section 2, strike "predator control, the" in line 1 and all of line 2, and in lieu thereof insert the following:

"predatory animal control, the county board of each county is authorized to".

3. In the bill, section 3, strike all of line 2, and in lieu thereof, insert: "the county board of each county in this state is authorized"; strike the word "the" at the end of line 4 and strike all of lines 5 to 12 inclusive, and in lieu thereof insert the following:

"such county, for the use of the county board in carrying out the predatory control program herein, such amount as may be determined to be necessary therefor, but not to exceed three-tenths of a mill upon the dollar of such actual valuation. The entire fund derived from such levy shall be set apart in a separate fund and expended only for predatory animal control, as defined by this act.".

4. In the bill, title, 6th line, strike the word "counties" and in lieu thereof insert: "any county of this state"; 8th line, after the word "dollar" insert: "of the"; 9th line, strike: "the counties" and in lieu thereof insert: "such county"; strike the 11th line and in lieu thereof insert: "the funds raised by such levy for the prescribed purposes."; 10th line, after the word "authorize" insert the word "the".

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 86.

A bill for an act to amend section 44-213, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that a domestic insurance company may establish and administer a retirement plan for the benefit of its employees and agents if such plan has been filed with and approved by the Department of Insurance; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Norman	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Hubka	Ryan	Sorrell
Hern	Mueller		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 113.

A bill for an act to amend section 71-180, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to define what is an accredited school or college of chiropractic; to change the requirements thereof; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Mr. Garber moved a call of the House.

A call of the House was ordered and the roll call showed 39 members present.

Mr. Klaver moved that the call be raised and the motion prevailed.

Voting in the affirmative, 22:

Adams	Cullingham	Jeffords	Raecke
Anderson, J.	Garber	Kain	Reavis
Anderson, L.	Hanna	Lee	Schultz
Babcock	Heiliger	Ogden	Seaton
Brodahl	Hoyt	Peterson	Wood
Conklin	Hubka		

Voting in the negative, 13:

Burnham	Dooley	Klaver	Raasch
Carlberg	Doyle	Lusienski	Tvrdik
Carmody	Foster	Pizer	Weborg
Crossland			

Not voting, 8:

Burney	Hern	Mueller	Ryan
Cronin	Mekota	Norman	Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 131.

A bill for an act to regulate the labeling, sale and offering or exposing for sale, of agricultural and vegetable seed; to prevent misrepresentation thereof; to define terms; to authorize the Director of Agriculture and Inspection to make rules, and to determine what seed are noxious weed seed after public notice; to provide for appeals; to fix or define the rights, powers and duties of certain persons, officers, agents and employees; to provide a savings clause; to provide penalties; and to repeal sections 81-2,135 to 81-2,148, inclusive, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cullingham	Kain	Pizer
Anderson, J.	Doyle	Klaver	Raasch
Anderson, L.	Foster	Lee	Raecke
Babcock	Garber	Lusienski	Reavis
Brodahl	Hanna	Mekota	Schultz
Burney	Heiliger	Mueller	Seaton
Carlberg	Hoyt	Norman	Tvrdik
Carmody	Hubka	Ogden	Weborg
Conklin	Jeffords	Peterson	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Burnham	Dooley	Ryan	Sorrell
Cronin	Hern		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Speaker Peterson Presiding

LEGISLATIVE BILL 158. With emergency.

A bill for an act to amend section 79-116, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the annexation of lands within a school district to an adjoining district or districts

where a river has changed or changes its channel so that the original boundaries of such school district have been changed and the district is less in area than four full sections, exclusive of accreted land, and the school district has less than twenty persons of school age; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka	Peterson	

Voting in the negative, 0.

Not voting, 4:

Cronin	Hern	Ryan	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 172

A bill for an act to amend section 54-134, Revised Statutes of Nebraska, 1943, relating to Nebraska brand inspection area; to increase the Nebraska brand inspection area so as to include Buffalo, Knox and Gosper counties; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka		

Voting in the negative, 0.

Not voting, 5:

Cronin	Peterson	Ryan	Sorrell
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 301

A bill for an act to amend sections 85-122 and 85-123, Revised Statutes of Nebraska, 1943, relating to funds of the University of Nebraska; to define "The University Trust Fund"; to provide what property shall belong to such fund; to provide for the administration and investment of such fund; to provide for the depositing of the cash belonging to such fund with the State Treasurer; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cullingham	Kain	Pizer
Anderson, J.	Dooley	Klaver	Raasch
Anderson, L.	Doyle	Lee	Raecke
Babcock	Foster	Lusienski	Reavis
Brodahl	Garber	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Carmody	Hubka	Peterson	Wood
Conklin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Cronin	Hern	Ryan	Sorrell
Crossland			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 62. Laid over.
LEGISLATIVE BILL 122. With emergency.

A bill for an act to amend sections 77-1627 and 77-1628, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to authorize county boards to levy an annual tax upon all taxable property within their corporate limits, except intangible property, for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of money collected under either the emergency act for the years 1943 and 1944 or this act; to repeal original sections 77-1627 and 77-1628 and section 77-1629, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38.

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lee	Raecke
Babcock	Doyle	Lusienski	Reavis
Brodahl	Foster	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Carmody	Hubka	Peterson	Wood
Conklin	Jeffords		

Voting in the negative, 0.

Not voting, 5.

Cronin	Hern	Ryan	Sorrell
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 93. Laid over.
LEGISLATIVE BILL 95. With emergency.

A bill for an act to amend section 37-502, Revised Statutes of Nebraska, 1943, and section 37-505, Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to game and fish; to increase the amount to be charged for combined seining and vendor permits; to permit the taking and catching of certain classes of fish under such permits; to make it unlawful to take, catch, kill, destroy or attempt to take or catch gar, carp, buffalo, quill back and sturgeon under the prescribed conditions; to eliminate the provision that catfish shall not be taken with nets or seines from the Missouri river from March 16 to May 1 of each year; to repeal the original section 37-502, Revised Statutes of Nebraska, 1943, and original section 37-505, Revised Statutes of Nebraska, 1943, as amended by legislative bill 57, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.

Whereupon the President stated, "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 35:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lee	Reavis
Babcock	Doyle	Lusienski	Schultz
Brodahl	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 8:

Burney	Garber	Jeffords	Ryan
Cronin	Hern	Peterson	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and the Committee on Claims and Deficiencies be authorized to consider the claim of the Nebraska Press Association. (Signed) James H. Anderson.

The motion prevailed with 31 ayes, 0 ayes and 12 not voting.

SELECT FILE

LEGISLATIVE BILL 185.

Mr. Hubka offered the following amendments, which were adopted by unanimous consent:

Amend Enrollment and Review Committee amendment 5 by inserting in line 8 of the newly inserted matter after *"1947"* the following: *"and except that the fee for all new licenses issued after September 1, 1945, shall be twenty-five cents for the first six months or fraction thereof and an additional twenty-five cents for each additional six months or fraction thereof which shall elapse between the date of such new license and September 1 of the next odd-numbered year"*

Amend Enrollment and Review amendment 6 in line 1 of the newly inserted matter, by inserting the following before the word *"renewal"*: *"new or"*.

Amend L. B. 185 by adding a new section at the end of the bill as follows: "Sec. 10. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."; and amend the title accordingly.

Laid over.

LEGISLATIVE BILL 232. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 348. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Laid over.

LEGISLATIVE BILL 157. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Mekota made a motion to refer L. B. 157 back to General File for the following specific amendment:

Strike Section 11, and renumber the following sections to conform.

Amend the title to conform to the foregoing amendment.

After discussion Mr. Hanna moved the previous question.

The Speaker put the question, "Shall the debate now cease?"

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

A record vote on Mr. Mekota's motion was requested.

Voting in the affirmative, 15:

Anderson, L.	Garber	Mueller	Schultz
Burney	Jeffords	Norman	Tvrdik
Carmody	Kain	Peterson	Weborg
Foster	Mekota	Pizer	

Voting in the negative, 18:

Adams	Conklin	Hanna	Lusienski
Anderson, J.	Crossland	Hoyt	Raecke
Babcock	Cullingham	Hubka	Seaton
Brodahl	Dooley	Lee	Wood
Burnham	Doyle		

Not voting, 10:

Carlberg	Hern	Raasch	Ryan
Cronin	Klaver	Reavis	Sorrell
Heiliger	Ogden		

Mr. Mekota's motion did not prevail.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 179. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 308.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 317. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 362. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Carlberg offered the following additional E and R amendments, which were adopted by unanimous consent.

1. In the bill, section 1, strike the word "*the*" at the end of line 5, strike all of lines 6 to 9 inclusive, and line 10 up to but not including the word "notices" and in lieu thereof insert the following:

"*that purpose,* shall have *the* power to *designate a site for a schoolhouse or change the site thereof* adjourn from time to time to designate a site for a school house by a vote of two-thirds of those present, and to *adjourn from time to time for the purpose of voting on such a proposed designation or change of site* change the same by a similar vote at any such annual meeting; *Provided, that such a designation of site or change of site shall require the vote of two-thirds of the qualified voters present at such an annual, special or adjourned meeting; and provided further, that*".

2. In the bill, title, strike "a special" at the end of the 3rd line, and all of the 4th to 7th lines inclusive, and all amendments thereto, and in lieu thereof, insert the following:

"the designation of a site or the change of a site of a schoolhouse in rural high school districts under the prescribed procedure; to provide that such a designation of or change in the site may be also made at special meetings and adjournments thereof; to provide for notice of a special or annual meeting at which such a proposed designation of or change in site will be considered; to provide for the vote necessary for such a designation of or change in site; to repeal the".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 363. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Carlberg offered the following additional E and R amendments, which were adopted by unanimous consent.

1. In the bill, section 1, line 9, after the word "of" and before the word "the" insert the word "*or*".

2. In the bill, title, 7th line, before the words "to repeal", insert the following:

"to provide for the issuance and negotiation of bonds, under the prescribed conditions and procedure, by the trustees of a rural high school district for the purpose of raising money for the erection and furnishing of or the improvement of a high school building;".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 233. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 154.

Advanced to E and R for engrossment.

Adjournment

At 11:57 a. m., Mr. Hanna made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 19, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hern, Raasch and Ryan, who were excused.

The Journal for the fifty-fourth day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval March 16, 1945, 4:30 p. m.:

L. B. 88
L. B. 147
L. B. 156
L. B. 200
L. B. 238

LEGISLATIVE BILL 179. Replaced on Select File as amended.

E and R amendment to L. B. 179:

In section 1, line 2, after the word "amended" insert the words "to read".

LEGISLATIVE BILL 86. Correctly enrolled.
LEGISLATIVE BILL 95. Correctly enrolled.
LEGISLATIVE BILL 113. Correctly enrolled.
LEGISLATIVE BILL 122. Correctly enrolled.
LEGISLATIVE BILL 158. Correctly enrolled.
LEGISLATIVE BILL 172. Correctly enrolled.
LEGISLATIVE BILL 301. Correctly enrolled.

LEGISLATIVE BILL 233. Correctly engrossed.
LEGISLATIVE BILL 235. Correctly engrossed.
LEGISLATIVE BILL 308. Correctly engrossed.
LEGISLATIVE BILL 317. Correctly re-engrossed.
LEGISLATIVE BILL 259. Placed on Select File as amended.

E and R amendments to L. B. 259:

1. In the bill, section 1, strike all of lines 5 and 6 and in lieu thereof insert the following: "association to *directly or indirectly*"; line 7, strike "directly or indirectly" and in lieu thereof insert: "~~directly or indirectly~~"; line 8, strike "to promote or oppose" and in lieu thereof insert: "~~to promote or oppose~~ *the*"; line 9, strike the comma after the word "resolutions" and in lieu thereof insert the following:

"and every person, firm, corporation or association which employs any such person to act as counsel or agent for the purpose or purposes hereinbefore set forth in this section,";

line 10, after the word "any" insert the word *"such"*; line 12, strike the word "writing" and in lieu thereof insert: "~~writing~~ *written statement,*"; line 13, strike the word "stating" and in lieu thereof insert: "~~stating~~ *, giving*"; line 14, strike the comma after the word "corporations" and in lieu thereof insert: "*, or*"; line 15, strike ", *and a*" and in lieu thereof insert: "*, and a written*"; line 17, before the word "*giving*" insert: *"or each of them,"*.

2. In the bill, section 2, strike Mr. Peterson's amendments to lines 5, 6 and 14, and strike all of lines 4 to 18, inclusive, and in lieu thereof insert the following:

"as counsel or agent and every person, firm, corporation or association, *employing such counsel, agent or agents* ~~within two months after the adjournment of the Legislature,~~ to file in the office of the Secretary of State *, each month during a session of the Legislature and upon the adjournment of such session,* an itemized statement verified by the oath of *(1)* such person, or *(2)* in *the* case of a firm, by a member thereof, or *(3)* in *the* case of a domestic corporation or association, by an officer thereof, or *(4)* in *the* case of a foreign corporation or association, by an officer or agent thereof, showing in detail all *money directly or indirectly received or promised and all* expenses *directly or indirectly* paid, incurred or promised, ~~directly or indirectly,~~ in connection with the legislation pending at the last previous *legislative* session, with the names of the payees and the amount *or amounts* paid to each

of such payees or received from each of such payors, including all amounts received and to be received by ~~including all disbursements~~ *or* paid, incurred or promised to *such* counsel , *agent* or agents~~,~~ ~~and~~ . *Such statement shall* also ~~specifying~~ *specify* the nature".

3. In the bill, section 3, line 4, before the word "requiring" insert: *"inclusive,"*; line 8, before the word "shall" insert: *", inclusive,"*.

4. In the bill, section 4, line 5, strike the word *"either"*; strike all of line 6 and in lieu thereof insert: *"failing to file any report or reports or falsifying any registration or report"*; line 7, after the word *"provided"* insert the word *"for"* and strike the comma after the word *"therein"*; line 9, before the word "case" insert the word *"the"* and in said line strike the word "punishable" and in lieu thereof insert: ~~"punishable~~ *punished"*; strike the semicolon at the end of line 11 and in lieu thereof insert: *"such a fine or imprisonment~~;~~ , "*; line 12, before the word "case" insert the word *"the"*; line 15, strike the comma after the word *"register"* and in said line strike the word "the" after the word "file" and in lieu thereof insert: ~~"the~~ *any"*; line 18, strike the words "two months" and in lieu thereof insert: ~~"two months~~ *the time"*; line 19, after the comma and before the word "to" insert: *"as set forth in section 50-305, as amended by this act,"*.

5. In the bill, title, 4th line, after the word "provide" insert the word "for"; 5th line, after the word "agents" and before the semicolon insert: "as prescribed" and in said line, strike: "filing of statements;" and in lieu thereof insert: "the filing of written statements as prescribed and the time for filing the same; to make certain acts unlawful;" ; 6th line, after the semicolon and before the word "to" insert: "to eliminate public power and irrigation districts from certain exceptions as prescribed;".

LEGISLATIVE BILL 330. Placed on Select File as amended.

E and R amendment to L. B. 330:

In the bill, section 1, line 14, strike "elected to the common" and in lieu thereof insert: ~~"elected to~~ *of* the ~~common~~"; line 18, after the word "such" and before the word "city" insert the word *"a"*; strike the comma and in lieu thereof insert ~~","~~ in line 23 after the word "petitioners" and in line 27 after the word "affected"; strike all of line 26 after the word "cases" and strike "describe particularly" in line 27, and in lieu thereof insert: *"such* a decree *so* disconnecting *part or all of such* territory shall *particularly* describe ~~particularly~~"; line 30, after the word "prosecute" insert the word *"an"*.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 86	L. B. 122	L. B. 172
L. B. 95	L. B. 158	L. B. 301
L. B. 113		

Bill Referred to Standing Committee

L. B.	Committee
371	Public Health and Miscellaneous Subjects

Approved By the Governor

March 19, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 88	L. B. 200
L. B. 147	L. B. 238
L. B. 156	

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

STANDING COMMITTEE REPORTS

Committee on Committees

Your Committee on Committees has set for hearing the Confirmation of Henry H. Bartling as Secretary of the Board of Educational Lands and Funds on Monday, March 26, 1945.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 159. Correctly engrossed.
LEGISLATIVE BILL 173. Correctly engrossed.
LEGISLATIVE BILL 174. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 176.

A bill for an act to amend section 39-7,108, Revised Statutes of Nebraska, 1943, relating to rules of the road for vehicles; to provide for unlawful speeds in residence districts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Carmody	Kain	Raecke
Anderson, J.	Conklin	Klaver	Schultz
Anderson, L.	Crossland	Lusienski	Seaton
Babcock	Doyle	Mekota	Sorrell
Brodahl	Foster	Mueller	Tvrdik
Burney	Heiliger	Norman	Weborg
Carlberg	Hoyt	Ogden	

Voting in the negative, 2:

Cronin	Pizer

Not voting, 14:

Burnham	Hanna	Lee	Reavis
Cullingham	Hern	Peterson	Ryan
Dooley	Hubka	Raasch	Wood
Garber	Jeffords		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 175.

A bill for an act to authorize a fiduciary of the prescribed type or purpose to establish common trust funds for the purpose of furnishing investments to itself as fiduciary and to itself and others as co-fiduciaries; to authorize the investment of trust funds held by such co-fiduciaries in interests in or shares or parts of such common trust funds; to regulate the creation, administration and maintenance of such common trust funds; and to regulate investments which may be made out of the assets of such common trust funds.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Jeffords	Peterson
Anderson, J.	Cronin	Kain	Pizer
Anderson, L.	Crossland	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Schultz
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg

Voting in the negative, 0.

Not voting, 7:

Cullingham	Hern	Raasch	Wood
Garber	Hubka	Ryan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 223.

A bill for an act to amend section 39-735, Revised Statutes of Nebraska, 1943, relating to highways; to make the provisions thereof apply to every vehicle, as prescribed, instead of only to motor vehicles; to specifically include certain combines with the other prescribed vehicles which are required to display the prescribed clearance lights or reflectors when driven, operated or propelled upon any paved or bituminous surfaced highway at the specified times; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Cronin	Jeffords	Raecke
Anderson, J.	Crossland	Klaver	Reavis
Anderson, L.	Dooley	Lee	Schultz
Babcock	Doyle	Lusienski	Seaton
Brodahl	Foster	Mueller	Sorrell
Burney	Hanna	Norman	Tvrdik
Burnham	Heiliger	Ogden	Weborg
Carlberg	Hoyt	Peterson	Wood
Conklin			

Voting in the negative, 3:

Carmody	Kain	Pizer

Not voting, 7:

Cullingham	Hern	Mekota	Ryan
Garber	Hubka	Raasch	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 226.

A bill for an act to amend section 25-517, Revised Statutes of Nebraska, 1943, relating to service by publication in actions in the district court; to permit certain prescribed allegations, authorizing or required for such service, to be set forth either in the petition or other pleading or in the affidavit for service by publication under the prescribed circumstances; to validate actions or proceedings heretofore had where the allegations were not set forth or were insufficiently set forth in the petition or other pleading, but were substantially set forth in the affidavit for service by publication; to require actions to set aside any judgment or decree rendered in such actions or proceedings to be brought within one year from the effective date of this act; to provide a savings clause; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hubka	Peterson
Anderson, J.	Cronin	Jeffords	Pizer
Anderson, L.	Crossland	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Cullingham	Hern	Raasch	Schultz
Garber	Mekota	Ryan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Unanimous Consent—Appropriations Bills

Mr. Sorrell asked unanimous consent that L. B. 162, L. B. 238, L. B. 279 and L. B. 281 be included among the bills on General File containing appropriations. No objection was offered and it was so ordered.

Mr. Hubka also asked unanimous consent to include L. B. 255 among the appropriations bills. No objection was offered and it was so ordered.

MOTION—Claims and Deficiencies

Mr. President: I move that the rules be suspended and that the Committee on Claims and Deficiencies be authorized to consider the following claims:

1. Claim #67 of Seward County for money advanced to Sheriff Dohrmann.

2. Claim #69 to the County Treasurer of Douglas County for drainage assessment on property at Omaha.

3. Claim #69A, special assessments on paving districts in Lancaster, due to the City Treasurer of Lincoln.

4. Claim #73, special assessment due to County Treasurer C. E. Berg of Lancaster County. (Signed) James H. Anderson.

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider the action of the Legislature in passing L. B. 131. (Signed) Ed. Hoyt.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

MOTION—Recommit to Select File

Mr. President: I move that L. B. 131 be recommitted to Select File for the following specific amendment:

1. Amend section 12 by striking lines 1 to 18, inclusive, and all amendments thereof, and substituting in lieu thereof the following:

"The Director of the Department of Agriculture and Inspection shall, if he is of the opinion that there has been a violation of any of the provisions of this act, submit such information as he may have to the county attorney of the county in which the violation is believed to have occurred or to the Attorney General, and request in writing that prosecution be instituted."

(Signed) Ed. Hoyt

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the Committee on Enrollment and Review be directed to amend L. B. 143 as follows:

Strike the period at the end of section 13 and in lieu thereof insert the following:

", unless the objection or exception is withdrawn or the council finds that the same should not be sustained."

(Signed) John E. Mekota

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 121.

Mr. Raecke offered the following amendment, which was adopted:

Amend L. B. 121, Section 2 of the bill, by striking lines 30 to 35, inclusive, and inserting in lieu thereof the following:

"their surplus over all liabilities in such bonds, warrants or other evidences of indebtedness of a municipal corporation, a volunteer fireman's association, or a rural fire protection district created under the laws of the State of Nebraska, which such municipal corporation, volunteer firemen's association or rural fire protection district may be authorized by law to issue for the purchase of fire fighting trucks or equipment."

Advanced to E and R for review, as amended.

LEGISLATIVE BILL 119. Laid over.

LEGISLATIVE BILL 132.

Mr. Peterson withdrew the specific amendment appearing in the Legislative Journal for the Fifty-third Day and offered the following amendment, which was adopted:

Strike the Schultz amendments to L. B. 132, adopted March 5, 1945, and reading as follows:

1. Amend section 2 of the bill, line 1, by striking the word "officer" and inserting in lieu thereof the word "employee".

2. Amend section 2 of the bill, lines 4 to 7, inclusive, by striking the same and inserting in lieu thereof the following:

"employed by the Nebraska Development Committee created and established by section 7 of this act, with the consent of the Governor. The director shall devote full time to his employment"

3. Amend section 2, lines 11 and 12, after the word "Governor" by striking the same and inserting in lieu thereof the following:

", conditioned to account for all money that may come into his hands and for the faithful discharge of the duties of his employment. The bond shall be filed in the office of"

Mr. Garber offered an amendment, which was lost with 5 ayes, 18 nays and 20 not voting.

Mr. Norman offered an amendment, which was not adopted.

Mr. Mekota offered an amendment, which was not adopted, with 15 ayes, 18 nays and 10 not voting.

Mr. Raecke Presiding

Mr. Peterson made a motion to advance to E and R for review.

A record vote was requested.

Voting in the affirmative, 19:

Adams	Cullingham	Kain	Peterson
Anderson, J.	Dooley	Klaver	Reavis
Brodahl	Foster	Lusienski	Tvrdik
Carmody	Heiliger	Mueller	Wood
Conklin	Hoyt	Ogden	

Voting in the negative, 14:

Anderson, L.	Crossland	Mekota	Raecke
Burney	Doyle	Norman	Schultz
Burnham	Garber	Pizer	Weborg
Cronin	Hanna		

Not voting, 10:

Babcock	Hubka	Raasch	Seaton
Carlberg	Jeffords	Ryan	Sorrell
Hern	Lee		

Advanced to E and R for review.

LEGISLATIVE BILL 248. Special Order March 28, 1945.

LEGISLATIVE BILL 195. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 352. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 282. Read up to Section 6.

Standing Committee amendments to Sections 1, 3 and 4, found in the Legislative Journal for the Forty-third Day, were adopted.

Laid over.

LEGISLATIVE BILL 293. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Sorrell was granted unanimous consent to add the emergency clause to the title.

Laid over.

MOTION—Place on General File

Mr. President: I move that L. B. 242 be placed on General File. (Signed) William J. Norman.

Motion pending.

Adjournment

At 11:55 a. m., Mr. Dooley made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 20, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ryan and Dooley, who were excused.

The Journal for the fifty-fifth day was approved as corrected.

Communications

A petition to Mr. Pizer from four residents of Eustis, Nebraska, favoring L. B. 33.

A message to the Legislature from Mason City, Nebraska, opposing the choice of the Cottonwood as State tree.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Monday, March 19, 1945, at 4:00 p. m.

L. B. 86	L. B. 122	L. B. 172
L. B. 95	L. B. 158	L. B. 301
L. B. 113		

LEGISLATIVE BILL 171. Placed on Select File as amended.

E and R amendments to L. B. 171:

1. In General File amendment 1 by Mr. Mekota, inserted matter, 1st and 2nd lines, strike ", *or where*" and in lieu thereof insert: "*or, if*"; 3rd line, strike "*or where all*" and in lieu thereof insert: "*if all the*" .

2. In General File amendment 2, by Mr. Mekota, 1st line, strike the word "striking" and in lieu thereof insert: "inserting after"; 2nd line, strike "and substituting" and 3rd line, strike "in lieu thereof"; (inserted matter) 1st line, strike ", *and such*" and in lieu thereof insert the word "*Such*"; 7th line, strike ", *and in*" and in lieu thereof insert: ". *In*" .

3. In the bill, section 1, strike all of line 5 after the word "equity" and strike "award issues, to" in line 6, and in lieu thereof insert: "; and the . *The* court shall have the power to *find and determine the* award issues, to"; line 6, strike the comma after the word "costs" and in lieu thereof insert "."; line 8, before the word "make" insert: ", *in its discretion,*"; line 9, before the word "cases" insert the word "*such*"; line 23, after the word "*such*" insert the word "*an*"; strike the word "*in*" at the end of line 26, (repeated at the beginning of line 27, correct in the printed bill); line 27, strike the word "*or*" and in lieu thereof insert a comma; line 28, strike the word "*to*", and at the end of the line strike the word "*either*" and in lieu thereof insert: "*one or more*"; line 29, strike the word "*facts*" and in lieu thereof insert the word "*statements*"; line 30, before the word "*they*" insert: "*he, she or*" and in said line strike: ", *upon request,*"; line 31, strike ". *Said*" and in lieu thereof insert: "*upon request. Such*"; line 38, strike "*Provided, that the*" and in lieu thereof insert "*The*"; line 40, strike the comma after the word "*herein*"; line 41, before the word "*action*" insert the word "*the*" .

4. In the bill, title, strike all of the 3rd line, beginning with the word "alimony" and strike all the balance of the title and all amendments thereto, and in lieu thereof insert:

"the annulments and affirmances of marriages; to provide that the court may, in its discretion, make an independent investigation in all cases where minor children are involved; to provide who shall make the investigations and that reports thereof shall be made in writing, signed by the person making the report and filed in the office of the clerk of the district court as specified; to provide for the rebuttal of the statements set forth in such report; to provide how such report shall be considered; to provide for the fee for making such an investigation and that the same shall be taxed as costs; to provide for the disposition of such fee; and to repeal the original section." .

LEGISLATIVE BILL 175. Correctly enrolled.
LEGISLATIVE BILL 176. Correctly enrolled.
LEGISLATIVE BILL 223. Correctly enrolled.
LEGISLATIVE BILL 226. Correctly enrolled.
LEGISLATIVE BILL 232. Correctly engrossed.
LEGISLATIVE BILL 264. Correctly engrossed.
LEGISLATIVE BILL 348. Correctly engrossed.
LEGISLATIVE BILL 362. Correctly engrossed.
LEGISLATIVE BILL 363. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 367. Placed on General File.

(Signed) C. Petrus Peterson, Vice-Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 372. By Committee on Education, C. N. Ogden, Chairman.

A bill for an act relating to revenue; to authorize the governing body of any political subdivision, legally created district, not expressly excepted from the provisions hereof, or school district to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any school district, city of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class, village or such legally created district in the State of Nebraska to borrow money with which to pay judgments against their respective municipalities, school districts or districts and accrued interest thereon and to redeem outstanding warrants of such school district, district, city or village, as the case may be; to issue the municipality's, school district's or district's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of sections 7 to 11, inclusive, of this act shall be construed as supplemental to and cumulative with existing powers of said municipalities, school districts

or districts on the same subject; to provide that sections 1 to 6, inclusive, of this act shall not be construed as a limitation on the powers conferred upon municipalities, school districts or such districts in sections 7 to 11, inclusive, therein; to state a validity clause; to repeal sections 10-901 to 10-911, Revised Statutes of Nebraska, 1943, and to declare an emergency.

NOTICE OF COMMITTEE HEARING

Education

L. B. 372 Monday, March 26, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 294. Indefinitely postponed.
LEGISLATIVE BILL 332. Placed on General File as amended.

Standing Committee amendments to L. B. 332:

1. Amend section 1 of the bill, line 5, by striking the words "the public schools *and parochial*" and inserting in lieu thereof the words "*all water for* public *and parochial grade and high*"

2. Amend section 1 of the bill, line 8, by inserting after the word "districts" the words "or schools"

3. Amend section 1 of the bill, line 10, by striking the word "public"

LEGISLATIVE BILL 364. Placed on General File.
LEGISLATIVE BILL 335. Indefinitely postponed.
LEGISLATIVE BILL 319. Placed on General File as amended.

Standing Committee amendment to L. B. 319:

Amend the bill by adding the following new section:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

and amend the title to conform.

LEGISLATIVE BILL 229. Placed on General File as amended.

Standing Committee amendment to L. B. 229:

Amend Sec. 1 of the bill, line 11, by striking the following:

"or who need educational facilities not available in" and insert in lieu thereof the following:

"or who, in order to profit from regular school instruction, need facilities not available in"

LEGISLATIVE BILL 318. Placed on General File as amended.

Standing Committee amendment to L. B. 318:

Amend the bill by adding the following new section:

"Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." and amend the title to conform.

(Signed) C. N. Ogden, Chairman

Judiciary

LEGISLATIVE BILL 365. Placed on General File as amended.

Standing Committee amendments to L. B. 365:

1. Amend the bill, section 1, line 4, by inserting after the word "is" the words "bequeathed or"

2. Amend the bill, section 1, line 6, by striking the words "Governor and the"

3. Amend the title by striking the words "Governor and" in line 3 and by inserting the words "bequeathed or" after the word "is" in line 7.

LEGISLATIVE BILL 326. Placed on General File as amended.

Standing Committee amendments to L. B. 326:

1. Amend the bill by striking all of sections 1, 2, 4 and 5.

2. Amend the bill by renumbering section 3 as section 1.

3. Amend the bill by adding the following section:

"Sec. 2. That original section 48-309, Revised Statutes of Nebraska, 1943, is repealed."

4. Amend the title by striking all of same and inserting in lieu thereof the following:

"A BILL

FOR AN ACT to amend section 48-309, Revised Statutes of Nebraska, 1943, relating to child labor; to provide that the Commissioner of Labor may prescribe the form of age and schooling certificate; to strike the present form of certificate; and to repeal the original section."

LEGISLATIVE BILL 351. Placed on General File as amended.

Standing Committee amendments to L. B. 351:

1. Amend section 4 of the bill, line 12, by inserting after the word "veterans" the following words and punctuation: ", except in counties where a county service director has been appointed as provided in section 80-101, Revised Statutes of Nebraska, 1943"

2. Amend section 7 of the bill, line 3, by striking the word "twenty-five" and inserting in lieu thereof the word "ten".

LEGISLATIVE BILL 360. Indefinitely postponed.
LEGISLATIVE BILL 359. Indefinitely postponed.
LEGISLATIVE BILL 361. Placed on General File.

(Signed) John E. Mekota, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 62.

A bill for an act relating to the use of explosives to kill wild animals; to make it unlawful to use the prescribed explosive traps or devices using poison gas to take, stun or destroy wild animals except as prescribed; and to provide a penalty.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cronin	Hubka	Peterson
Anderson, J.	Crossland	Kain	Pizer
Babcock	Cullingham	Klaver	Raasch
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Lusienski	Sorrell
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 3:

Anderson, L.	Jeffords	Raecke

Not voting, 6:

Dooley	Norman	Ryan	Seaton
Garber	Reavis		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 93. Laid over.

LEGISLATIVE BILL 40. Laid over.

MOTION—Replace on Select File

Mr. President: I move to bring L. B. 154 back to Select File for specific amendment. (Signed) Charles Tvrdik

1. Amend the bill by striking all new matter in section 1 and inserting in lieu thereof:

"Each political party may nominate two candidates for director of such district at the regular primary election. At the general election, the names of such nominees of each political party shall be placed upon the ballot and the voter shall be instructed to vote for only one candidate of each of two different political parties. The election commissioner shall first determine which one of the candidates of each political party received the highest number of votes cast at such election for the candidates of that party. The two of such candidates, who received the highest

number of votes in their respective political party and also received a higher number of votes than the votes cast for the highest candidate of any third or more political parties, shall be deemed elected."

2. Amend the title by inserting at the beginning of line 7, the following:

"to provide for instructions to voters and the manner of the election of directors of such district;".

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

MESSAGE FROM THE GOVERNOR

March 20, 1945

Mr. President, Mr. Speaker
and Members of the Legislature.

Gentlemen:

On January 26th of this year, as shown upon page 198 of your Journal, I referred to you by Message the matter of the Jonathan J. Lydick Will wherein certain real estate in Burt County, Nebraska, was devised to the State of Nebraska.

Pursuant to my Message, a committee consisting of Senators Peterson, Weborg and Conklin were appointed to make an investigation.

As it is necessary that the provisions of this Will be accepted or rejected by your body, I have prepared and hand you herewith a bill for introduction which provides for the acceptance of the devise of said real estate and for the necessary administration of the property, if accepted.

I suggest that under the provisions of this Will, it is necessary that some action must be taken.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Unanimous Consent

Mr. Peterson asked unanimous consent to revert to the introduction of bills. No objection was offered and it was so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 373. By C. Petrus Peterson of Lancaster, J E Conklin of Thayer and George C. Weborg of Cuming. (At request of the Governor)

A bill for an act to authorize the Board of Educational Lands and Funds to accept devise of real estate under the terms and conditions of the last will and testament of Jonathan J. Lydick; to provide for the creation of a special fund to which the income from the real estate so devised shall be credited, and the payment therefrom of charges imposed by said will, and maintenance and upkeep of the real estate; to provide for disposition of the income from the real estate so devised; to provide an appropriation; and to declare an emergency.

Speaker Peterson Presiding

LEGISLATIVE BILL 374. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to create and establish a revolving fund to be known as the "County Insane Reimbursement Fund"; to provide for the transfer thereto of the sum of two hundred thousand dollars from the Institution Cash Fund; and the appropriation of the amount thereof for the use of said fund; to provide appropriation for said fund for the biennium beginning July 1, 1945, and ending July 1, 1947; and to declare an emergency.

SELECT FILE

LEGISLATIVE BILL 115.

Mr. Raecke offered the following specific amendment, which was adopted by unanimous consent.

1. Amend section 4 of the bill, line 2, by inserting after the comma following the word "act" the following:

"the State Treasurer shall transfer all funds and securities held by him on the date this act becomes effective which have been purchased and accumulated pursuant to the provisions of Chapter 40, Laws of Nebraska for 1921, and amendments thereof, now appearing as Article 4, Chapter 80, Revised Statutes of Nebraska, 1943, to the "Nebraska Veterans' Aid Fund" and "

2. Amend the title of the act, line 29, by inserting after the punctuation following the word "therein" the following:

"to provide that the State Treasurer shall transfer all funds and securities held by him which have been purchased and accumulated pursuant to the provisions of Chapter 40, Laws of Nebraska for 1921, and amendments thereof, now appearing as Article 4, Chapter 80, Revised Statutes of Nebraska, 1943, to the "Nebraska Veterans' Aid Fund";"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 320. E and R amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Laid over.

LEGISLATIVE BILL 283. E and R amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 131. Mr. Hoyt's amendment, found in the Legislative Journal for the Fifty-fifth Day was adopted, by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 259. E and R amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Mr. Mekota offered the following amendment, which was adopted by unanimous consent.

Amend section 3 of the bill by striking all of lines 5 and 6 and inserting in lieu thereof the following:

"accredited counsel or agents *appointed or elected officials* of counties, cities, towns, villages, public boards, and public institutions, *when appearing on behalf of themselves or on matters pertaining to their respective political subdivisions, except*" .

Advanced to E and R for engrossment.

LEGISLATIVE BILL 330. E and R amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Mr. Carlberg offered the following specific amendments, which were adopted by unanimous consent.

1. In the bill, section 1, at the end of line 28 after the word "the" insert the following:

"register of deeds or county clerk of the county in which such territory is situated and a certified copy thereof shall also be forwarded to and filed in the office of the" ;

2. In the bill, title, lines 4 and 5, strike the words "to remove the provision that this section shall not" and in lieu thereof insert the following:

"to provide that the procedure for the disconnecting of territory from such cities and villages shall" ;

line 6, before the semicolon, insert the following:

"by removing the provision excepting the same from said section" .

Advanced to E and R for engrossment.

LEGISLATIVE BILL 179. E and R amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Kain Presiding

LEGISLATIVE BILL 119. Laid over.

President Johnson Presiding

LEGISLATIVE BILL 282. Read and considered.

Standing Committee amendments from Section 6 to Section 16, inclusive, found in the Legislative Journal for the Forty-third Day, were adopted.

Mr. Klaver offered the following amendments to Section 13 of the bill.

1. Amend section 13 of the bill, line 13, by striking the word and figure "and (2)" and inserting in lieu thereof the following:

"(2) twenty per cent of the balance of the aircraft tax, after payment of such refunds, shall be credited and shall inure to the state assistance fund; and (3)"

2. Amend the title of the act, line 11, by inserting after the punctuation following the word "state" the following:

"to provide that twenty per cent thereof, after making certain deductions, shall inure to the state assistance fund;"

Mr. Klaver moved a call of the house.

A call of the House was ordered, and after call the roll showed 41 members present.

Mr. Peterson made a motion to raise the call, which prevailed with 33 ayes, 0 nays and 10 not voting.

A record vote was requested.

Voting in the affirmative, 19:

Adams	Foster	Lusienski	Schultz
Burney	Garber	Mueller	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carmody	Hern	Raasch	Weborg
Doyle	Klaver	Raecke	

Voting in the negative, 18:

Anderson, J.	Cronin	Jeffords	Pizer
Anderson, L.	Cullingham	Kain	Reavis
Brodahl	Hanna	Lee	Seaton
Carlberg	Hoyt	Peterson	Wood
Conklin	Hubka		

Not voting, 6:

Babcock	Dooley	Ogden	Ryan
Crossland	Mekota		

Mr. Klaver's motion to amend prevailed with 19 ayes, 18 nays and 6 not voting.

Mr. Peterson offered the following amendments, which were adopted.

1. Amend Section 1, line 115, by adding at the end of said line the word "or" and by striking from line 116 the following:
", or burough"

2. Amend Section 6, line 107 by inserting after the word "also" the words "with the approval of the Governor".

3. Amend Section 11, line 25, by changing the word "conduce" to "conduct".

Advanced to E and R for review.

LEGISLATIVE BILL 293. Laid over.

Approved by the Governor

March 19, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 86	L. B. 113	L. B. 172
L. B. 95	L. B. 158	L. B. 301
L. B. 122		

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

MOTION—To Refer Bill

Mr. President: I move to suspend the rules and refer L. B. 374 to committee. (Signed) A. J. Brodahl

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Reference of Bill

L. B.	Committee
374	Appropriations

MOTION—Place on General File

Mr. President: I move to suspend the rules, waive hearing and place L. B. 374 on General File and that said bill be included among other appropriations bills on General File. (Signed) A. J. Brodahl

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Unanimous Consent

Mr. Jeffords asked unanimous consent to add L. B. 306 to the appropriations list on General File. No objection was offered and it was so ordered.

MOTION—Power Hearing

Mr. President: I move that the hearing of the Committee on Public Works be held in the Legislative Chamber Wednesday. (Signed) Fred Mueller

Mr. President: I move to amend the Mueller motion by setting the hearing in the East Senate Chamber and that seats be reserved for members of the Legislature. (Signed) Joseph C. Reavis

The Mueller motion, as amended, prevailed.

L. B. 306

Mr. Reavis made a motion to reconsider the Legislature's action in placing L. B. 306 among the appropriations bills.

The motion prevailed with 24 ayes, 0 nays and 19 not voting.

Mr. Peterson offered objection to Mr. Jeffords' request for unanimous consent.

Adjournment

At 12:05 p. m., Mr. Cronin made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 21, 1945

Pursuant to adjournment, the Legislature met at 9:05 a.m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the fifty-sixth day was approved as corrected.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 358. Indefinitely postponed.

(Signed) Earl J. Lee, Chairman

Enrollment and Review

LEGISLATIVE BILL 143. Correctly engrossed.
LEGISLATIVE BILL 259. Replaced on Select File as amended.

E and R amendment to L. B. 259:

In the bill, title, strike the amendment to line 6 and in lieu thereof, before the words "to repeal", in said line, insert the following:

"to except the prescribed appointed or elected officials from certain of the requirements of this act; to specifically eliminate the appointed or elected officials of public power and irrigation districts from said exception;".

LEGISLATIVE BILL 131. Replaced on Select File as amended.

E and R amendment to L. B. 131:

In the specific amendment by Mr. Hoyt, inserted matter, line 1, after the quotation mark and before the word "The" insert: "Sec. 12.".

LEGISLATIVE BILL 120. Placed on Select File as amended.

E and R amendments to L. B. 120:

1. In Standing Committee amendment 1, line 1, strike the word "line" and in lieu thereof insert "lines 16 and".

2. In Standing Committee amendment 13, line 4, after the figure "7" and before the word "and" insert: "inclusive,".

3. Strike Standing Committee amendment 19.

4. In Standing Committee amendment 20, line 2, after the quotation mark and before the word "effective" insert the word "the".

5. In Standing Committee amendment 23, lines 1 and 2, strike "line 1 to 16" and in lieu thereof insert: "the same"; in the inserted matter, line 5, insert a comma after the word "shall" and also after the word "member"; line 7, strike the comma after the word "him"; strike the semicolon at the end of line 14; line 19, strike "*Provided*" and in lieu thereof insert: "*and provided*"; insert a comma in line 20 after the word "forces" and in line 21 after the word "system"; line 28, insert the word "a" before the word "service"; line 29, insert the word "the" before the word "time".

6. In Standing Committee amendment 25, inserted matter, line 2, insert a comma after the word "prescribe" and at the end of the line, after the word "receive" insert: "credit for".

7. In Standing Committee amendment 26, line 4, after the figure "6" and before the word "and" insert: "inclusive,".

8. In Standing Committee amendment 28, line 4, strike the period after the word "approve" and in lieu thereof insert a comma.

9. In Standing Committee amendment 32, line 3, strike the word "applies" and in lieu thereof insert: "shall apply".

10. In Standing Committee amendment 34, line 4, after the figure "21" and before the word "and" insert: "inclusive".

11. In Standing Committee amendment 47, line 2, after the figure "6" and before the word "and" insert: "inclusive"; in the inserted matter, line 1, strike the word "as" before the word "soon" and in lieu thereof insert: "Sec. 48. As"; last line, strike "; and" and in lieu thereof insert: ". It".

12. In Standing Committee amendment 68, line 2, after the figure "21" and before the word "and" insert the word "inclusive".

13. Strike General File amendment by Mr. Ogden, as the original bill is correct, printer's error in the printed bill.

14. In General File amendments by Mr. Raecke, amendment 2, line 3, strike the word "appeal" and in lieu thereof insert the word "appeals" and insert the word "the" before the word "county" and also before the word "district".

15. In General File amendments by Mr. Lee, amendment 1, line 3, before the word "deposits" insert "(1)".

16. In General File amendment by Mr. Conklin, last line, after the figure "12" and before the period insert: "and amendments thereto".

17. In the bill, section 1, line 1, insert a comma after the word "phrases"; strike the period and in lieu thereof insert a semicolon in lines 9 and 11, after the word "act", line 12 after "fund", line 15 after "certificate", line 18 after "system", line 21 after "act", line 24 after "salaries", line 26 after "following", line 28 after "investments", line 31 after "preceding", line 36 before "(12)", line 39 after "basis", line 42 after "act", line 51 after "funds", line 54 after "act", line 56 after "system", line 58 after "act", line 63 after "fund", line 67 after "year", line 69 after "preceding", line 70 after "employee", line 73 after "act", line 76 after "fund", line 78 after "member", line 82 after "staff"; lines 13 and 14, strike "of public instruction"; insert a comma in line 24 before the word "as", also in lines 29 and 32; line 30, strike "who shall not have" and in lieu thereof insert: ", who has not"; line 32, insert the word "a" before the word "senior" and after the word "means"; line 33, strike "who shall be" and in lieu thereof insert: ", who is"; line 34, strike "who shall be" and in lieu thereof insert the word "is"; line 43, strike the comma after the word "funds"; line 48, strike the word "the" after the word "of"; line 49, strike the word "the" before the word "Board" and in lieu thereof insert the word "The"; line 55, insert a comma after the word "board", also after the word "act", and in line 59, after the word "member"; line 60, before the word "deposited" insert: "which shall all be"; line 61, strike ", except that" and in lieu thereof insert the word "except"; at the end of line 62, after the word "act" insert the word "which"; line 65, strike ", or in" and in lieu thereof insert: "or, in the"; line 68, insert a comma after the word "employee" and before the word "as"; line 68½,

strike "who shall have" and in lieu thereof insert: ", who has"; line 78, strike the word "State" at end of line; line 81, strike the word "state"; line 85, strike the period after the word "basis" and in lieu thereof insert "; and".

18. In the bill, section 2, line 6, insert a comma after the word "corporation".

19. In the bill, section 3, line 4, strike "." " and in lieu thereof insert "", and in said line strike the word "adopt"; line 5, strike "by-laws, and from time to time" and in lieu thereof insert "adopt bylaws,"; line 6, after the word "regulations" insert: ", from time to time,"; line 7, insert a comma after the word "act".

20. In the bill, section 4, line 2, strike "(a) three" and in lieu thereof insert: "(1) Three"; line 4, after the word "from" insert the word "the"; lines 4 and 5, strike "; *Provided*," and in lieu thereof insert: ", except"; line 6, strike "system; (b)" and in lieu thereof insert: "school retirement system; (2)"; line 7, strike "(c)" and in lieu thereof insert "(3)"; line 8, strike "(d)" and in lieu thereof insert "(4)".

21. In the bill, section 5, line 5, strike "board members" and in lieu thereof insert: "that the tenure of board members who are", and at the end of said line strike "whose tenure"; line 6, strike the words "shall be" at the end of the line, and in lieu thereof insert the word "are"; line 7, after the word "members" insert: ", who are"; line 8, strike "adjournment of the Legislature" and in lieu thereof insert: "the time the Legislature is not in session,"; line 9, strike the word "appointment" and in lieu thereof insert the word "appointments"; line 11, after the word "for" insert the word "such".

22. In the bill, section 6, line 6, strike the word "and" and in lieu thereof insert a comma; line 7, strike ", and shall be" and in lieu thereof insert the word "and".

23. In the bill, section 8, strike all of line 3 beginning with the word "The" and all of line 4 and amendments thereto.

24. In the bill, strike all of section 9 and amendments thereto, and in lieu thereof insert the following:

"Sec. 9. The board shall, by a majority of all its members, appoint a secretary who shall not be a member of the board. He (1) shall (a) be a person of proved executive ability, (b) be qualified by prior experience and training to invest and administer the state retirement funds and perform the duties devolving upon him as provided in this act, (c) be the executive officer of the board, (d) act as secretary to the board, (e) invest the funds belonging to the retirement system by the direction of the board, (f) be paid such annual salary as may be fixed by the board

and approved by the Governor and (g) furnish a bond, the premium to be paid by the retirement system, for the faithful performance of his duties, in such amount and with such sureties as the board, with the approval of the Governor, may require and (2) shall not (a) be a member of the board or (b) hold any other office or be engaged in any other employment while serving as secretary of the board.".

25. In the bill, section 10, line 1, strike "of the State of Nebraska".

26. In the bill, section 11, line 1, strike "of the State of Nebraska"; line 2, after the word "be" insert the word "the"; line 3, strike ", and all" and in lieu thereof insert: ". All"; line 5, strike "The State Treasurer" and in lieu thereof insert the word "He".

27. In the bill, section 13, line 3, strike ", and" and in lieu thereof insert: ". It"; line 4, strike ", which report shall contain" and in lieu thereof insert the word "containing"; line 5, strike the word "and" and in lieu thereof insert a comma.

28. In the bill, section 14, line 7, strike the semicolon after the word "employees"; line 13, after the word "all" insert the word "the".

29. In the bill, section 15, line 1, after the word "elect" insert: "to hold"; insert a comma in line 2 after the word "system", in line 3 after "anniversary" and in line 5 after "employees"; line 3, after the word "filing" insert the word "a"; line 5, strike "elected membership" and in lieu thereof insert: "so elected to hold membership,"; line 11, after the word "elect" insert: "to hold"; line 12, after the word "filing" insert the word "a"; line 14, strike the word "the" after the word "from" and in lieu thereof insert the word "his" and in said line strike "of such person".

30. In the bill, section 18, strike the word "the" in line 1 and in lieu thereof insert the word "The".

31. In the bill, section 19, line 2, after the word "he" insert "(1)"; line 3, strike "or if he" and in lieu thereof insert "(2)"; line 5, strike ", or if he" and in lieu thereof insert: "or (3)"; insert a comma in line 6 after the word "membership" and before the word "with" and in line 7 after the word "ceased"; line 6, after the word "when" insert the word "such"; line 10, strike "if he"; line 12, strike "at three per cent" and in lieu thereof insert: "thereon at the rate of three per cent per annum"; line 13, after the word "not" insert the word "so"; line 15, strike the comma after the word "member".

32. In the bill, section 21, insert a comma at the end of line 1, after "determine", in line 2 after the word "act", in line 7 after the

word "service" and before the word "representing", and in line 8 after the word "contract".

33. In the bill, section 23, insert a comma at the end of line 1 after the word "service", in line 3 after the word "claim", in line 4 after "state" and in line 7 after "continues"; line 3, strike "certifying to" and in lieu thereof insert: "stating, for"; line 4, after the word "of" insert the word "the".

34. In the bill, section 24, insert a comma in line 1 after the word "member" and in line 2 after the word "certificate"; line 7, strike the word "any" and in lieu thereof insert the word "the"; strike all of line 8 after the word "interest", all of line 9 and "ment" in line 10, and in lieu thereof insert: "as specified in section 19 of this act".

35. In the bill, section 27, line 4, before the word "with" insert: "that,"; line 6, strike the semicolon after the word "years".

36. In the bill, section 28, line 4, strike the word "a" and in lieu thereof insert the word "A"; line 9, strike "per *for each*" and in lieu thereof insert: "for each".

37. In the bill, section 29, line 6, after the word "upon" and before the word "the" insert: "his own application or"; lines 6 and 7, strike ", or upon his own application, or that of" and in lieu thereof insert the word "or"; line 8, insert a comma after the word "examination"; line 9, strike the comma after the word "competent"; line 12, after the word "shows" insert: "and the physician or physicians certify to the retirement board"; strike all of line 14 after the word "retired" and all of line 15 except the period.

38. In the bill, section 31, line 1, strike "Once each year the" and in lieu thereof insert the word "The"; insert a comma in line 2 after "beneficiary", in line 3 after "years", in line 7 before "duly", in line 9 after "beneficiary", in line 10 after "years", and in line 14 after "year"; lines 3 and 4, strike ", such examination to be made" and in lieu thereof insert: "once each year. Such an examination shall be made (1)"; line 5, after the comma and before the word "at" insert "(2)"; line 6, strike ", and" and in lieu thereof insert: "and (3)"; line 10, after the word "one" insert the word "such"; lines 11 and 12, strike: "by a physician or physicians designated by the retirement board"; lines 13 and 14, strike ", and should his refusal" and in lieu thereof insert: ". If such refusal shall".

39. In the bill, section 32, insert a comma in line 1 after the word "beneficiary", in line 2 after "years", in line 7 after "employee", in line 8 after "certificate" and in line 10 before "shall"; line 3, strike the comma after the word "employee"; line 6, strike "and if" and in lieu thereof insert: ". If"; line 10, strike the period and in lieu thereof

insert: "upon his again becoming a member of such retirement system.".

40. In the bill, section 33, insert a comma in line 9 after the word "who" and in line 10 after the word "act"; line 10, after the word "be" insert: "or remain".

41. In the bill, section 34, line 7, strike the word "guarantee" and in lieu thereof insert the word "contingent".

42. In the bill, section 35, insert a comma at the end of line 3, after the word "shall", and in line 4 after the word "request"; line 6, strike the word "No" and in lieu thereof insert: "In such event, no".

43. In the bill, section 36, line 1, strike the word "provision" and in lieu thereof insert the word "exception"; line 3, strike the comma after the word "retirement"; line 4, strike the semicolon and in lieu thereof insert a comma; line 9, insert a comma after the word "equivalent".

44. In the bill, section 37, lines 14 and 15, strike the word "hereinafter"; line 15, after the word "provided" and before the period insert: "by this act".

45. In the bill, section 38, line 5, strike "system and of" and in lieu thereof insert: "school retirement system and the".

46. In the bill, section 39, line 2, after the word "compensation" insert: ", not exceeding twenty-four hundred dollars per annum,"; line 5, strike the word "the" before the word "compensation" and in lieu thereof insert the word "such"; line 8, strike "in such forms" and in lieu thereof insert: ", in such form"; line 9, strike the word "with" and in lieu thereof insert: ", and"; line 10, strike "Treasurer of the State of Nebraska" and in lieu thereof insert: "State Treasurer"; lines 15 and 16, strike "centum per annum when payment of" and in lieu thereof insert: "cent per annum if the payment of the"; line 18, strike "; and the" and in lieu thereof insert: ". The"; line 20, insert a comma after the word "employee" and also after the word "delay".

47. In the bill, section 40, line 2, strike the word "and" and in lieu thereof insert: ". It"; line 3, strike "and shall" and in lieu thereof insert a comma; line 5, strike the word "shall".

48. In the bill, section 41, insert a comma in line 4 after the word "employees" and in line 6 after the word "system"; lines 4 and 5, strike "notice by October 1, 1945, of election not to" and in lieu thereof insert: "a notice of election by October 1, 1945, to not".

49. In the bill, section 42, line 2, insert a comma after the word "board" and strike the comma after the word "request"; line 5, strike the word "of" after the word "and" and before the word "the".

50. In the bill, section 44, line 4, insert a comma after the word "member" and at the end of the line, after the word "provided" insert: "for,".

51. In the bill, section 45, insert a comma in line 1 after the word "member", in line 5 after "annuity" and also after "act"; line 5, after the word "person" insert "(a)"; line 6, strike the word "or" and in lieu thereof insert: ", (b)"; at the end of line 7, after the word "or" insert "(c)"; line 11, after the word "person" insert "(a)"; line 12, strike the word "or" and in lieu thereof insert: ", (b)"; line 13, after the word "or" and before the word "to" insert "(c)".

52. In the bill, section 46, line 9, strike "state auditor" and in lieu thereof insert: "Auditor of Public Accounts"; insert a comma at the end of line 9 after the word "shall" and in line 10 after the word "year".

53. In the bill, section 47, line 3, strike "and all" and in lieu thereof insert: ", (2)"; line 4, strike the word "all" and in lieu thereof insert: "(3)"; line 5, after the word "and" and before the word "other" insert "(4)", and in said line strike the word "moneys" and in lieu thereof insert the word "money"; insert a comma in line 7 after the word "fund" and in line 8 after "payments".

54. In the bill, section 48, line 11, insert a comma after the word "shall" and also at the end of the line after the word "time".

55. In the bill, section 49, lines 12 and 13, strike ", one of which" and in lieu thereof insert: "; *Provided,* that one of such meetings"; line 14, strike the word "time"; line 16, before the word "necessary" insert: "which shall be".

56. In the bill, section 50, at the end of line 3, after "or on" insert the word "the"; insert a comma in line 5 after the word "person", in line 6 after "board", in line 8 after "order", in line 9 after "review"; strike the comma in line 6 after "to" and in line 7 after "by".

57. In the bill, section 51, line 3, strike the word "employee's" and in lieu thereof insert the word "employees' ".

58. In the bill, section 52, line 2, strike "shall be accumulated"; strike the period at the end of line 3 and in lieu thereof insert: "shall be accumulated."; insert a comma in line 4 after the word "member", in line 7 after "act" and in line 10 after "act".

59. In the bill, section 54, insert a comma in line 7 after "beneficiary" and in line 8 after "disability".

60. In the bill, section 55, insert a comma in line 3 after "funds", at the end of line 16 after "funds" and in line 17 after "act"; line 12, strike "lack of" and in lieu thereof insert: "the lack of a"; line 27,

strike "State Auditor" and in lieu thereof insert: "Auditor of Public Accounts".

61. In the bill, section 56, insert a comma in line 8 before the word "in", in line 9 after "system", in line 15 after "expense" and in line 20 after "shall"; line 16, strike the word "for" and in lieu thereof insert: "that during"; line 17, strike "during which" and in said line after the word "pay" insert the word "all"; line 20, strike "State Auditor" and in lieu thereof insert: "Auditor of Public Accounts,".

62. In the bill, section 57, line 1, strike "request from" and in lieu thereof insert: "the request of" and in said line, after the word "all" insert the word "the"; line 4, insert a comma after the word "prepare" and also after the word "Legislature".

63. In the bill, section 58, line 5, strike "moneys and" and in lieu thereof insert: "the money,"; line 6, strike the comma after the word "of" and before the word "are".

64. In the bill, section 59, strike the comma in line 2 after "statement" and in line 3 after "records"; line 12, insert a comma after the word "act".

65. In the bill, section 60, line 4, after the word "of" insert the word "the".

66. In the bill, title, 5th line, before the word "administration" insert the word "the"; 10th and 11th lines, strike: "to provide penalties therefor;" and in lieu thereof insert the following:

"to provide for certain appeals; to provide the duties of certain officers, employees and other persons; to provide for certain payments, deductions, audits and investigations; to provide for an initial appropriation of eighty-five thousand dollars for the specified purposes; to provide for the compensation and expenses of certain persons; to provide for certain statements and certificates; to make certain acts unlawful; to provide penalties; to provide a savings clause; to provide for certain exemptions from taxes and from certain legal process or proceedings;".

(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 375. By Committee on Public Health and Miscellaneous Subjects, Carl P. Jeffords, Chairman.

A bill for an act to amend section 81-103, Revised Statutes of Nebraska, 1943, relating to the salaries of the heads of executive departments; to increase the maximum annual salary of the Director of Health to fifty-five hundred dollars; and to repeal the original section.

NOTICE OF COMMITTEE HEARING

Public Health and Miscellaneous Subjects

L. B. 371 Wednesday, March 28, 1945, 2:00 p. m.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 93. Laid over.
LEGISLATIVE BILL 40. Laid over.
LEGISLATIVE BILL 216. Laid over.
LEGISLATIVE BILL 325.

A bill for an act to amend section 30-810, Revised Statutes of Nebraska, 1943, relating to actions for wrongful death; to provide for whose benefit such actions shall be brought and the means of distributing the avails of such actions; to provide for the publication of a notice before the distribution of such avails; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Ryan
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Norman	Wood
Conklin	Hoyt	Ogden	

Voting in the negative, 0.

Not voting, 4:

Garber Peterson Reavis Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 320. Laid over.

LEGISLATIVE BILL 171. E and R amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Laid over.

LEGISLATIVE BILL 154. Laid over.

GENERAL FILE

LEGISLATIVE BILL 293.

Mr. Hanna offered the following amendments, which were adopted:

1. Amend section 1 of the bill, line 16, by striking the word and punctuation "*brand,*" and inserting in lieu thereof the words "*to brand or*"

2. Amend section 1 of the bill, line 31, by inserting after the word "animals" the words "*have been*"

3. Amend section 1 of the bill, line 49, by striking the letter "b" in parentheses and inserting in lieu thereof the figure "2"

4. Amend section 1 of the bill, line 57, by inserting after the words "for the" the word "*official*"

5. Amend section 1 of the bill by striking all of lines 80 to 98, inclusive, and inserting in lieu thereof the following:

"owner from the slaughter of such animal. *; Provided, nothing in this act shall prevent any owner from obtaining or using Brucellosis Vaccine, strain nineteen, for the unofficial prevention and control of Bang's disease.*"

Advanced to E and R for review.

LEGISLATIVE BILL 89. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 162. Read and considered.

Mr. Raecke offered the following amendments:

1. Amend the bill, Section 1, line 11, by striking the words "thirty-six hundred" and inserting in lieu thereof the words "three thousand".

2. Amend the bill, Section 2, line 4, by striking the words "thirty-six hundred" and inserting in lieu thereof the words "three thousand".

3. Amend the bill, Section 3, line 13, by striking the words "thirty-six hundred" and inserting in lieu thereof the words "three thousand".

Mr. Burney offered the following amendment to Mr. Raecke's amendment and it was adopted:

Amend the Raecke amendment by striking the words "three thousand" wherever they appear and inserting in lieu thereof the words "thirty-three hundred".

A record vote was requested on the Raecke amendment, as amended.

Voting in the affirmative, 23:

Burney	Crossland	Hubka	Raecke
Burnham	Doyle	Jeffords	Reavis
Carlberg	Foster	Lee	Ryan
Carmody	Hanna	Mekota	Tvrdik
Conklin	Heiliger	Pizer	Weborg
Cronin	Hern	Raasch	

Voting in the negative, 13:

Adams	Hoyt	Lusienski	Seaton
Anderson, J.	Kain	Ogden	Sorrell
Anderson, L.	Klaver	Schultz	Wood
Babcock			

Not voting, 7:

Brodahl	Dooley	Mueller	Peterson
Cullingham	Garber	Norman	

Mr. Raecke's amendment, as amended, was adopted.

Advanced to E and R for review.

Unanimous Consent

Mr. Seaton asked unanimous consent to advance L. B. 197 to be included with the appropriations group on General File. No objection was offered and it was so ordered.

Mr. Mekota asked unanimous consent to include L. B. 351 among the appropriations bills on General File. No objection was offered and it was so ordered.

MOTION—To Raise Bill

Mr. Norman restated his motion to raise L. B. 242, found in the Legislative Journal for the Fifty-fifth Day.

A record vote was requested.

Mr. Norman moved a call of the House.

A call of the House was ordered, and after call the roll showed 36 members present.

Mr. Reavis made a motion to raise the call, which lost with 10 ayes, 19 nays and 14 not voting.

Mr. Carmody made a motion to raise the call, which lost with 16 ayes, 16 nays and 11 not voting.

Mr. Reavis made a motion to raise the call, which prevailed with 23 ayes, 6 nays and 14 not voting.

Voting in the affirmative, 22:

Adams	Cullingham	Klaver	Ogden
Anderson, J.	Dooley	Lee	Raasch
Brodahl	Doyle	Lusienski	Ryan
Carlberg	Foster	Mueller	Tvrdik
Cronin	Heiliger	Norman	Weborg
Crossland	Hern		

Voting in the negative, 18:

Anderson, L.	Garber	Kain	Raecke
Babcock	Hanna	Mekota	Reavis
Burnham	Hoyt	Peterson	Schultz
Carmody	Hubka	Pizer	Sorrell
Conklin	Jeffords		

Not voting, 3:

Burney	Seaton	Wood

The motion prevailed.

MOTION—L. B. 242

Mr. President: I move to suspend the rules and place L. B. 242 on General File, following the appropriation bills. (Signed) William J. Norman

The motion lost with 9 ayes, 14 nays and 20 not voting.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 279. Read and considered.

Mr. Burney offered the following amendment, which was adopted.

Amend L. B. 279 in line 8, section 1, by striking the words "thirty six" and inserting in lieu thereof "thirty three" and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 281. Read and considered.

Mr. Burney offered the following amendment, which was adopted.

Amend L. B. 281, Sec. 1, line 30 by striking the words "thirty six" and inserting in lieu thereof the words "thirty three".

Advanced to E and R for review.

LEGISLATIVE BILL 255. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 374. Laid over.
LEGISLATIVE BILL 190. Read and considered.

Advanced to E and R for review.

Mr. Brodahl Presiding

LEGISLATIVE BILL 262. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Advanced to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 342. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 305. Read and considered.

Mr. Reavis offered the following amendment, which was adopted.

Amend Section 2, line 16, after the word "estate" and punctuation, insert "and shall be witnessed by at least two competent and disinterested persons of legal age".

Advanced to E and R for review.

LEGISLATIVE BILL 241. Read and considered.

Mr. Raecke offered an amendment, which was not adopted.

Mr. Hubka offered the following amendment, which was adopted.

Amend Section 1, line 2, after the word "Nebraska" insert the figures "1943".

Make the same amendment in Section 5.

Advanced to E and R for review.

Mr. Klaver Presiding

LEGISLATIVE BILL 119. Read and considered.

Mr. Peterson offered the following amendment, upon which no action was taken.

1. Amend the bill by striking all of sections 1 to 17, inclusive, and inserting in lieu thereof the following:

"Section 1. In order to carry out the powers vested in him by this act, the Governor shall direct the head of each department, board, bureau or commission to carry out the provisions of this act.

"Sec. 2. The head of each department, board, bureau or commission shall assign to a state officer or employee of such department, board, bureau or commission, one or more motor vehicles which may be required by said officer or employee, after said officer or employee has shown the necessity for such transportation. The head of such department, board, bureau or commission shall have the power to assign said motor vehicle either for part time or full time. He shall have the right to revoke said assignment at any time.

"Sec. 3. The head of each department, board, bureau or commission shall install a record system for the keeping of records of the total number of miles state-owned motor vehicles are driven and the per-mile cost of operation of each motor vehicle under his care and control. Every state officer or employee shall keep a record book in which such officer or employee shall enter all purchases of gasoline, lubricating oil, grease and other incidental expenses in the operation of the motor vehicle assigned to him, giving the quantity and price of each purchase, including the cost and nature of all repairs on such motor vehicle. Each operator of a state-owned motor vehicle shall promptly prepare a report at the end of each month on forms furnished by the head of such department, board, bureau or commission and forward the same to him at the State House, giving such information as may be requested in such report.

"Sec. 4. The head of each department, board, bureau or commission shall each month compile the costs and mileage of state-owned motor vehicles from such reports and keep a cost history card of each motor vehicle, and such costs shall be reduced to a cost per mile basis for each motor vehicle.

"Sec. 5. In the event that it shall be deemed necessary for a state officer or employee to use his own motor vehicle on state business,

the head of such department, board, bureau or commission may authorize such use and allowance for same.

"Sec. 6. The head of each department, board, bureau or commission shall have the authority to make such other rules regarding the operation of state-owned motor vehicles as may be necessary to carry out the purpose of this act. All rules and regulations adopted by the head of such department, board, bureau or commission shall be approved by the Governor before becoming effective.

"Sec. 7. No state officer or employee shall use any state-owned car for his own personal private use, nor shall he be compensated for driving his own motor vehicle except if such is done on state business, and in such case he shall not receive more than five cents per mile."

2. Amend the title of the act by striking all of lines 3 to 19, inclusive, and inserting in lieu thereof the following:

"the head of each department, board, bureau or commission to assign cars to state officers and employees and to make rules and regulations therefor; to provide regulations for use of state-owned motor vehicles; to provide for use of and expenses of private motor vehicles; to provide for the filing of all rules and regulations by the heads of the departments, boards, bureaus and commissions with the Governor before becoming effective; and to provide for the installation of a record system for the costs and repairs of such motor vehicles."

Mr. Sorrell offered the following amendment to Mr. Peterson's amendment, which was not acted upon:

Amend the proposed amendment to the title in line ten by inserting after the word "commission", the words "relating to this act".

Laid over.

Speaker Peterson Presiding

MOTION—L. B. 373

Mr. President: I move that L. B. 373 be placed on General File and made special order for March 29. (Signed) George C. Weborg

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Member Excused

Mr. Mekota was excused for Thursday, March 22, 1945.

Adjournment

At 11:55 a. m., Mr. Burney made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 22, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the fifty-seventh day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 144. Placed on Select File as amended.

E and R amendments to L. B. 144:

1. In Standing Committee amendment 1, lines 3 and 4, strike the comma after the quotation mark and before the word "and" and also after the word "same" and before the quotation mark.

2. In Standing Committee amendment 3, line 4, strike ", *and*" and in lieu thereof insert: ". *They shall*".

3. In Standing Committee amendment 5, last line, after the word "*equipment*" and before the quotation mark insert the word "*therefor*".

4. In Standing Committee amendment 7, line 5, after the word "*by*" insert the word "*an*".

5. In Standing Committee amendment 8, line 3, after the quotation mark and before the word "The" insert: "Sec. 6."; line 6, strike the comma after the word "*established*".

6. In General File amendments by Mr. Lee, amendment 4, line 5, after the word "*original*" insert: "*county community*".

7. In General File amendments by Mr. Lee, amendment 6, last line, after the word "*such*" insert the word "*county*".

8. In General File amendments by Mr. Lee, amendment 7, last line, after the word "*such*" insert the word "*county*".

9. In General File amendments by Mr. Lee, amendment 8, inserted matter, strike all of line 1 after the word "*The*" and strike "*of supervisors, as the case may be*" in line 2, and in lieu thereof insert: "*county board*"; line 4, after the word "*by*" insert the word "*a*"; line 7, strike "*But such*" and in lieu thereof insert the word "*Such*"; line 9, strike "*, as provided*"; line 10, after the word "*shall*" insert: "*(1)*", strike the word "*exceeding*" and in lieu thereof insert: "*to exceed*", and at the end of the line after the word "*from*" insert the word "*the*"; line 11, strike the word "*shall*" and in lieu thereof insert "*(2)*"; line 12, strike the comma after the word "*annum*" and in lieu thereof insert: "*to be*", and strike the word "*shall*" and in lieu thereof insert "*(3)*"; strike all of line 13 after the word "*county*"; line 14, strike the period after the word "*thereof*" and in lieu thereof insert: "*at any time after five years from the date of issuance.*"; line 16, after the word "*all*" insert: "*of the*" and after the word "*county*" insert: "*, except intangible property,*".

10. In General File amendments by Mr. Lee, amendment 11, inserted matter, line 1, before the word "*personal*" insert: "*direct or indirect*"; line 2, strike "*, either directly or indirectly,*"; line 4, strike "*, shall*" and in lieu thereof insert: "*shall,*" and at the end of the line, after the word "*thereof*" insert a comma.

11. In the bill, section 1, strike all of line 3 after the word "The" and strike all of line 4 except the words "in this state" and in lieu thereof insert:

"board of county commissioners, or board of supervisors, as the case may be, in counties *any county*";

line 5, strike the comma after the word "may" and in lieu thereof insert "*,*"; line 8, strike "*the county in such sums*" and in lieu thereof insert: "*such county in such an amount*"; lines 17 and 18, strike "in such sum as the said board may deem advisable, which" and in lieu thereof insert: "in such sum as the said board may deem advisable, which *bonds*"; line 25, after the word "majority" insert the word "*vote*".

12. In the bill, section 2, line 3, insert a comma after the word "*hospital*"; line 6, strike the comma after the word "*members*" and in lieu thereof insert: "*who are all*"; line 11, strike the word "*the*" after the word "*which*" and in lieu thereof insert the word "*such*"; line 12, strike "*, if within an incorporated city, or if*" and in lieu thereof insert: ". *If such hospital is located*"; line 13, after the word "*limits*" and before the comma insert: "*of a city*"; line 18, strike the comma before the word "*and*"; line 19, after the word "*be*" insert the word "*the*"; line 20, strike "*, who*" and in lieu thereof insert: ". *He*" and in said line strike the word "*moneys*" and in lieu thereof insert "*money*"; line 21, insert a comma after the word "*board*".

13. In the bill, section 3, line 2, before the word "*order*" insert the word "*an*"; strike all of line 3 and in lieu thereof insert: "*such county at not to*"; at the end of line 4, after the word "*at*" insert: "*the rate of*".

14. In the bill, section 4, lines 1 and 2, strike "*and adopt such bylaws*" and in lieu thereof insert: "*, adopt and file with the county board such bylaws*"; line 2, strike "*their own*" and in lieu thereof insert the word "*its*"; line 4, strike the word "*economic*" and in lieu thereof insert the word "*economical*"; lines 4 and 5, strike "*, the same to be filed with the county board. Said trustees*" and in lieu thereof insert: ". *It*"; line 6, strike the word "*moneys*" and in lieu thereof insert the word "*money*"; line 8, strike the word "*hospital*" and in lieu thereof insert: "*county community hospital,*"; line 9, strike the word "*thereto*"; line 10, strike the word "*no*" and in lieu thereof insert: "*but no such*"; lines 12 and 13, strike "*They shall further*" and in lieu thereof insert: "*Such board of trustees shall also*"; line 14, strike the word "*or*" after the word "*rooms*" and in lieu thereof insert the word "*and*"; line 15, strike "*that purpose*" and in lieu thereof insert: "*such hospital purposes*".

15. In the bill, section 5, line 2, after the word "*appoint*" insert: "*, remove and fix the compensation of*"; line 3, strike the word "*both*" and in lieu thereof insert: "*two or more of such officials*"; strike all of line 3 after the word "*assistants*" and all of line 4, and in lieu thereof insert: "*and in*".

16. In the bill, section 7 (formerly section 6), line 2, strike "*, and*" and in lieu thereof insert: ". *It*"; line 4, after the word "*said*" insert: "*county community*"; line 4, strike "*, and the*" and in lieu thereof insert: ". *The said*"; line 5, before the word "*file*" insert "*(1)*"; line 6, strike the word "*their*" and in lieu thereof insert the word "*its*"; lines 7 and 8, strike "*, and shall at such time*" and in lieu thereof insert: "*and (2)*".

17. In the bill, section 9 (formerly section 7), line 2, before the word "*sufficient*" insert: "*except intangible property,*".

18. In the bill, section 10 (formerly section 8) line 1, before the word "*personal*" insert: "*direct or indirect*"; line 2, strike: "*, either directly or indirectly,*"; line 5, strike "*like manner as*" and in lieu thereof insert: "*substantially the same manner as the*"; line 6, strike "*, appointees to*" and in lieu thereof insert: "*are made. The person or persons appointed to fill such a vacancy or vacancies shall*".

19. In the bill, title, strike all of lines 4 to 15, inclusive, and all amendments thereto, and in lieu thereof insert the following:

"provide for the issuance and sale of bonds for the construction of a county community hospital, an indigent hospital or a home for aged persons when approved by a majority vote of the electors of the county voting on such proposition at a general or special election; to provide for the appointment of hospital trustees for a county community hospital; to provide for the bond of the trustees of a county community hospital; to provide for the management of such a county community hospital when established; to provide the term of office, salary, bond, powers and duties of members of the board of trustees of a county community hospital; to provide for the expenditure of the funds of such a county community hospital; to provide for the procedure to issue and sell county bonds when authorized by a majority vote of the county board for improvements or additions to a county community hospital and equipment therefor; to provide for the limitation of the amount of bonds that may be issued and sold for the prescribed purposes; to provide that no trustee shall have a direct or indirect personal pecuniary interest in the purchase of any material to be used or supplied for a county community hospital; to provide a penalty; to provide for the levy of taxes as and for the purposes prescribed; to provide for the employment of employees of such a county community hospital; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 352. Placed on Select File as amended.

E and R amendments to L. B. 352:

1. In the bill, section 1, strike all of line 12 after the word "*Any*" and strike all of line 13 and in lieu thereof insert: "*county board* may sue"; insert a comma in line 14 before the word "on" and also after "state" and in line 25 after "patient"; line 14, strike the word "amounts" and in lieu thereof insert: "*amount the amount*".

2. In the bill, title, strike "board of" in line 4 and all of line 5, and in lieu thereof insert: "county board may, and"; line 8, insert the word "the" before the word "maintenance".

LEGISLATIVE BILL 179. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 375 Wednesday, March 28, 1945 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 297. Placed on General File as amended.

Standing Committee amendments to L. B. 297:

1. Amend the bill by striking sections 1 to 5, inclusive, and substituting the following in lieu thereof:

"Section 1. That section 70-604, Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-604. The petition shall be addressed to the Department of Roads and Irrigation, and state in substance that it is the intent and purpose of the petitioners by the petition to create a district under the provisions of sections 70-601 to 70-679, subject to approval by the department. The petition must state and contain:

(1) The name of the proposed district, which name shall contain, if the district is to engage in the electric light and power business, the words "public power district." If the proposed district is to engage in the business of owning and operating irrigation works, the name shall include the words "public irrigation district." A district may be organized to engage only in the electric light and power business, or only in the business of owning and operating irrigation works, or to engage in both of such businesses.

(2) The names of the municipalities constituting the proposed district, and the boundaries thereof.

(3) A general description of the nature of the business which the district intends to engage in, and the location and method of operation of the proposed power plants and systems or irrigation works of the district.

(4) The location of the principal place of business of the proposed district.

(5) A statement that the proposed district shall not have the power to levy taxes nor to issue general obligation bonds.

(6) The names and the addresses of the *original* members of the board of directors of the district (not less than five nor more than ~~twenty-one~~ *fifteen*, except where the district comprises or proposes to operate in more than fifty counties in the state, in which case the number shall be seven, *and except where the district comprises or includes or proposes to operate within the boundaries of a city of the metropolitan class, in which case the number shall be six*), who shall serve until their successors are elected and qualified. In the petition the directors named shall be divided as nearly as possible into three equal groups, the members of the first group to hold office until their successors elected at the first general state election thereafter shall have qualified, the members of the second group to hold office until their successors elected at the second general state election thereafter shall have qualified, and the members of the third group to hold office until their successors elected at the third general state election thereafter shall have qualified. After the name of each director, it shall be stated to which of the three groups he belongs. *Nothing contained in this act shall affect the validity or legality of any petition filed, or of the creation of any district, prior to the effective date of this act.*

Sec 2. *Where any district comprising or including the territory within the boundaries of any city of the metropolitan class shall have been heretofore or hereafter created under the provisions of sections 70-601 to 70-609, Revised Statutes of Nebraska, 1943, and amendments thereof, prior to the exercise of any corporate powers of a district whatsoever, except only those directly pertaining to and necessary for its creation and corporate existence, the number of the members of its board of directors shall be increased from six, as provided in the petition for the creation of the district, to fifteen. Within fifteen days after the filing of the certificates required under the provisions of sections 70-607 and 70-608, Revised Statutes of Nebraska, 1943, the Governor shall appoint the nine members of the board of directors to fill the nine vacancies thus created. The Governor shall also appoint directors to fill the places of his appointees who, because of death, disability, disqualification, refusal to serve, or otherwise, shall not qualify as directors. Each and all of such appointees shall be lawfully qualified*

to serve as directors, and, as appointed, they shall be divided into three groups, as provided in section 70-604, Revised Statutes of Nebraska, 1943, as amended. Certificates of all appointments hereunder shall be immediately issued and filed in the office of the Department of Roads and Irrigation and in the office of the principal place of business of the district. Such certificates shall state the names and addresses of the appointees and shall designate to which of said three groups they respectively belong.

Sec. 3. *Immediately upon the filing of certificates of appointment, the appointees shall qualify as directors, as provided in sections 70-616, and 70-617, Revised Statutes of Nebraska, 1943. Thereupon all provisions of law applicable to directors of districts organized under sections 70-601 to 70-679, Revised Statutes of Nebraska, 1943, except as applicable only to directors of districts operating in more than fifty counties, shall pertain to directors selected as in this act provided, to vacancies in their offices and to the selection of their successors, respectively, as fully as if each and all of said directors had been named in the petition for the creation of the district.*

Sec. 4. *Immediately upon the qualification of all fifteen members of its board of directors and their assumption of the duties of their office, the directors shall have and own or be subject to each and all of the rights, powers, privileges, franchises, duties and obligations conferred or imposed by law upon a district organized under the provisions of sections 70-601 to 70-679, Revised Statutes of Nebraska, 1943, and amendments thereof, except as applicable only to districts operating in more than fifty counties; Provided, any and every attempt by the district to exercise any corporate power, function, or franchise whatsoever, except as lawfully required and necessary for its creation or incorporation as a district, prior to said qualification of and assumption of duties by its complete board of fifteen directors, shall be absolutely null and void; and provided further, no purchase, construction, or other acquisition by such district of any electrical or other utility property, plants, lines, or systems, in whole or in part, or of any interest in the same, nor any contract by the district with reference thereto, shall be lawful, binding, or valid for any purpose whatsoever, unless and until the same shall have been authorized or approved by the affirmative vote of not less than three-fourths of the entire membership of the board of directors as increased under the provisions of this act, at a meeting of said board duly called and held for that purpose.*

Sec. 5. That original section 70-604, Revised Statutes of Nebraska, 1943, is repealed."

2. Amend the title by striking all of the same after the word "act" and substituting the following in lieu thereof:

"relating to public power districts and public power and irrigation districts organized to comprise or include the territory within the boundaries of a city of the metropolitan class; to provide for the number and selection of the members of the board of directors of such district; to defer the exercise of corporate powers by such district pending the selection and qualification of and assumption of duties by such directors; to prescribe that no purchase, construction or other acquisition by any such public power district of any electrical or other utility plants, lines or systems, in whole or in part, nor any contract in reference thereto, shall be valid unless approved by the affirmative vote of not less than three-fourths of the entire membership of the board of directors; to amend section 70-604, Revised Statutes of Nebraska, 1943; to repeal said original section 70-604; and to declare an emergency."

LEGISLATIVE BILL 270. Placed on General File.

(Signed) Sidney J. Cullingham, Chairman

Government

LEGISLATIVE BILL 370. Placed on General File as amended.

Standing Committee amendments to L. B. 370:

1. Amend section 1 of the bill, line 8, by inserting after the comma following the word "assessor" the following:

"where the office of county assessor has not been abolished,"

2. Amend section 2 of the bill, line 10, by inserting after the comma following the word "assessor" the following:

"where the office of county assessor has not been abolished,"

3. Amend section 2 of the bill, line 18, by inserting after the word "dollars" and before the punctuation the following:

"in counties in this class having a population of less than twelve thousand inhabitants, and the sum of sixteen hundred fifty dollars in counties in this class having a population of twelve thousand inhabitants or more"

4. Amend section 3 of the bill, line 12, by inserting after the comma following the word "assessor" the following:

"where the office of county assessor has not been abolished,"

5. Amend section 7 of the bill, by inserting after the punctuation in line 27, the following:

"chief juvenile probation officer, the sum of twenty-four hundred .....dollars; assistant juvenile probation officer, the sum of eighteen hundred.....dollars;

6. Amend section 7 of the bill by striking all of lines 32 and 33 and inserting in lieu thereof the following:

"deputy register of deeds, the sum of ~~eighteen~~ *twenty-two* hundred dollars;

7. Amend section 7 of the bill by striking all of lines 41 and 42 and inserting in lieu thereof the following:

"and deputy county assessor, the sum of ~~eighteen~~ *twenty-two* hundred dollars."

8. Amend section 8 of the bill, line 34, by striking the words "thirty-two" and inserting the words *"thirty-five"*

9. Amend section 8 of the bill, lines 44 and 45, by striking the words "twenty-eight hundred" and inserting in lieu thereof the words *"three thousand"*

10. Amend section 11 of the bill, lines 19 to 22, inclusive, by striking the same and inserting in lieu thereof:

"~~but not to exceed eighteen hundred dollars per annum for the "chief juvenile probation officer," and not to exceed fifteen hundred dollars per annum for the "assistant juvenile probation officer,"~~ to be paid as other county officers"

LEGISLATIVE BILL 366. Placed on General File.

(Signed) Frank Sorrell, Chairman

Members Excused

Messrs. Cronin and Cullingham asked to be excused for Friday, March 23, 1945. No objection, requests granted.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 93. Laid over until Monday, March 26.

LEGISLATIVE BILL 40.

A bill for an act to amend sections 17-108, 17-209, 17-612 and 19-1601, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide for the combination and merger of elective and appointive offices and employments, except as prescribed, of such cities and villages, at the discretion of the governing bodies thereof under the prescribed method, construction and effect; to provide for the maximum salary of such combined or merged office or employment; to eliminate cities of the second class and villages from the provisions of said section 19-1601, relating to the merger of the offices of clerk and treasurer in second-class cities and villages; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Carmody	Hoyt	Pizer
Anderson, J.	Cronin	Hubka	Raasch
Anderson, L.	Crossland	Kain	Raecke
Babcock	Dooley	Klaver	Ryan
Brodahl	Doyle	Lee	Schultz
Burney	Hanna	Lusienski	Sorrell
Burnham	Heiliger	Mueller	Weborg
Carlberg	Hern	Ogden	Wood

Voting in the negative, 0.

Not voting, 11:

Conklin	Garber	Norman	Seaton
Cullingham	Jeffords	Peterson	Tvrdik
Foster	Mekota	Reavis	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 216. Laid over.

LEGISLATIVE BILL 233.

A bill for an act relating to bonds of the officers and employees of the State of Nebraska; to provide that the Board of Educational

Lands and Funds shall, in addition to its present duties, act as a bond approval board and to prescribe its powers and duties as such; to provide for the payment of the premiums on such bonds out of the funds of the state upon the order of the Board of Educational Lands and Funds; to prohibit the payment of the premium on the bond of any officer or employee of the state out of public funds unless an order for such payment has been obtained from the Board of Educational Lands and Funds; and to provide that the secretary of said board shall file with the clerk of the Legislature the prescribed information in regard to such bonds prior to each regular session of the Legislature.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Conklin	Hoyt	Pizer
Anderson, J.	Cronin	Hubka	Raasch
Anderson, L.	Crossland	Jeffords	Raecke
Babcock	Dooley	Kain	Ryan
Brodahl	Doyle	Klaver	Schultz
Burney	Garber	Lee	Sorrell
Burnham	Hanna	Lusienski	Weborg
Carlberg	Heiliger	Mueller	Wood
Carmody	Hern	Ogden	

Voting in the negative, 0.

Not voting, 8:

Cullingham	Mekota	Peterson	Seaton
Foster	Norman	Reavis	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 235.

A bill for an act to amend section 53-1,100, Revised Statutes of Nebraska, 1943, relating to liquors; to make it unlawful for any person to violate any provision of the Nebraska Liquor Control Act; to provide penalties for the prescribed violations of the said liquor control act; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Conklin	Hoyt	Ogden
Anderson, J.	Cronin	Hubka	Pizer
Anderson, L.	Crossland	Jeffords	Raasch
Babcock	Dooley	Kain	Raecke
Brodahl	Doyle	Klaver	Reavis
Burney	Foster	Lee	Schultz
Burnham	Hanna	Lusienski	Weborg
Carlberg	Heiliger	Mueller	Wood
Carmody	Hern		

Voting in the negative, 0.

Not voting, 9:

Cullingham	Norman	Ryan	Sorrell
Garber	Peterson	Seaton	Tvrdik
Mekota			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 308.

A bill for an act to repeal Chapter 6, Revised Statutes of Nebraska, 1943, relating to assignment for creditors, as being obsolete.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Schultz
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Weborg
Conklin	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Burnham	Hanna	Peterson	Tvrdik
Cullingham	Mekota	Seaton	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 317. With emergency.

A bill for an act to amend section 81-165, Revised Statutes of Nebraska, 1943, relating to central mailing room, to exclude members of the Legislature from the requirements of sections 81-164 to 81-172, inclusive, during the time the Legislature is not in actual session; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams	Dooley	Jeffords	Pizer
Anderson, J.	Doyle	Kain	Raasch
Anderson, L.	Foster	Klaver	Reavis
Babcock	Hanna	Lee	Ryan
Brodahl	Heiliger	Lusienski	Schultz
Carlberg	Hern	Mueller	Sorrell
Conklin	Hoyt	Norman	Weborg
Cronin	Hubka	Ogden	Wood

Voting in the negative, 4:

Burnham	Carmody	Crossland	Raecke

Not voting, 7:

Burney	Garber	Peterson	Tvrdik
Cullingham	Mekota	Seaton	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 159.

A bill for an act relating to taxation; to provide that a report of all sales of farm lands and town property, excepting judicial sales, be sent to the State Tax Commissioner by the register of deeds or ex officio register of deeds of each county; to provide for blank forms to be prepared by the State Tax Commissioner; to provide that the State Tax Commissioner shall give notice of any failure or refusal of such an officer to transmit such report as prescribed; to provide for the procuring of such report upon such failure or refusal and to provide that the amount of the expense of so procuring such report shall be certified, allowed and paid as prescribed.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 25:

Adams	Conklin	Hern	Ogden
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Foster	Lee	Reavis
Brodahl	Hanna	Lusienski	Sorrell
Burney	Heiliger	Mueller	Wood
Carlberg			

Voting in the negative, 9:

Burnham	Doyle	Kain	Schultz
Carmody	Hoyt	Pizer	Weborg
Cronin			

Not voting, 9:

Cullingham	Mekota	Peterson	Seaton
Garber	Norman	Ryan	Tvrdik
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Return to Select File

Mr. President: I move to refer L. B. 173 back to Select File for the following specific amendments. (Signed) James H. Anderson

1. Amend the bill, Section 1, line 8, by inserting after the word "may" the following ", in its discretion,"

2. Amend the title in line 4 by inserting after the word "may" the following: ", in its discretion,".

The motion prevailed.

LEGISLATIVE BILL 174.

A bill for an act to amend section 77-1514, Revised Statutes of Nebraska, 1943, relating to taxation; to change the requirements for the information to be shown on the abstract prepared by the county assessor and sent to the State Board of Equalization; to provide it shall show the total number of acres of real estate in specified groups, the total value of buildings and improvements on lands and town lots, the total assessed value of personal property by classes according to the form of abstract to be furnished by the State Tax Commissioner and other information in regard to taxable property in the county as prescribed; to eliminate the form of abstract now provided; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Adams	Crossland	Lee	Reavis
Anderson, J.	Cullingham	Lusienski	Ryan
Anderson, L.	Foster	Mueller	Seaton
Babcock	Hanna	Norman	Sorrell
Brodahl	Heiliger	Ogden	Tvrdik
Burney	Hubka	Raasch	Weborg
Carlberg	Jeffords	Raecke	Wood
Conklin	Klaver		

Voting in the negative, 8:

Carmody	Doyle	Hoyt	Pizer
Cronin	Hern	Kain	Schultz

Not voting, 5:

Burnham	Garber	Mekota	Peterson
Dooley			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 259. E and R amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 131. E and R amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 120. E and R amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Mr. Lee offered the following specific amendments, which were adopted by unanimous consent.

1. Amend section 1 of the bill, line 17, as amended by committee amendment, by striking the figures and word "20 to 23" and inserting in lieu thereof "15 to 18".

2. Amend section 1 of the bill, line 21, as amended by committee amendment, by striking the figure "30" and inserting in lieu thereof the figure "25".

3. Amend section 1 of the bill, lines 54 and 55, by striking the word "school" in line 54 and all of line 55, and inserting in lieu thereof:

"Board of Educational Lands and Funds, which shall admin-".

4. Amend section 1 of the bill, line 60, as amended by Committee amendment, by striking the figure "37" and inserting in lieu thereof the figure "32".

5. Amend section 1 of the bill, line 73, by striking the figures and word "26 and 27" and inserting in lieu thereof "21 and 22".

6. Amend section 3 of the bill, lines 3 and 4, by striking the same and inserting in lieu thereof:

"the Board of Educational Lands and Funds. The board shall adopt, by a majority"

7. Amend the bill by striking all of sections 4 to 8, inclusive, and by renumbering sections 9 to 61, inclusive, as sections 4 to 56, inclusive.

8. Strike out all of section 9 and insert:

"The board shall appoint by a majority of all its members an executive officer to administer this act. He shall be a person of proved executive ability, qualified by experience and training to perform the duties devolving upon him as provided in this act. He shall furnish bond for the faithful performance of his duties, in such amount and with such sureties as the board may require, the premium of which shall be paid by the retirement system. The board shall also employ such assistants and employees as may be necessary to efficiently discharge the duties imposed by this act."

9. Amend section 14, renumbered section 9, lines 5 and 8, by striking the figures and word "17 and 18" and inserting in lieu thereof "12 and 13".

10. Amend section 17, renumbered section 12, line 4, as amended by committee amendment, by striking the figure "57" and inserting in lieu thereof the figure "52".

11. Amend section 28 of the act, renumbered section 23, line 2, by striking the figures and word "26 and 27" and inserting in lieu thereof "21 and 22".

12. Amend section 30 of the act, renumbered section 25, as amended by committee amendment, by striking the figure "28" and inserting in lieu thereof the figure "23".

13. Amend section 35 of the bill, line 3, by striking the figures and word "26 and 27" and inserting in lieu thereof "21 and 22".

14. Amend section 36 of the bill, line 24, by striking the figures and word "29 to 32" and inserting in lieu thereof "24 to 27".

15. Amend section 45 of the bill, line 10, by striking the figures and word "29 to 32" and inserting in lieu thereof "24 to 27," and by striking the figure "46" and inserting in lieu thereof the figure "41".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 154.

Mr. Tvrdik's specific amendments found in the Legislative Journal for the Fifty-sixth Day were adopted, by unanimous consent.

Advanced to E and R for engrossment.

Unanimous Consent

Mr. Tvrdik asked unanimous consent to have printed in the Legislative Journal the copy of the statement submitted by the Metropolitan Utilities District of Omaha in support of L. B. 270, as a matter of record and for future reference, because of its historical importance.

No objection was offered, and it was so ordered.

STATEMENT

Submitted in support of L. B. 270 by the Metropolitan Utilities District of Omaha to the Committee on Public Works of the 1945 session of the Nebraska Legislature, dated March 16, 1945.

This Bill has the effect of restoring to the Metropolitan Utilities District its powers as to electric properties which were taken away from it two years ago by L. B. 204, and which would not be restored by the mere repeal of 204.

These powers were conferred upon the Metropolitan Utilities District twenty-six years ago, by the Legislature of 1919. The measure was prepared and sponsored by Senator R. B. Howell, then the manager of the Metropolitan Water District. Prior to 1919 the District had possessed powers only as to water service; but in 1919 condemnation proceedings by the City of Omaha to acquire the gas property were in progress. The Act of 1919, at one and the same time, conferred upon the Metropolitan District both its powers and duties as to gas and as to electric utilities. Thus a triple consolidation was contemplated.

The addition of a *gas* plant to the *water* utility was a practically untried experiment. On the other hand, the usual situation then, as it is now, was the combination of a municipally owned *water* plant with a municipally owned *electric* plant. The latter was considered a particularly appropriate consolidation by reason of the fact that large quantities of electric energy are used in connection with water pumpage as it is in Omaha. Of course there are service calls and meter reading visits which are required to be made to the same premises, since almost every home and business establishment uses both water and electricity.

In private business, the consolidation of *gas* and *electric* utilities is common. The Federal Power Commission's report for 1943, covering 360 electric utilities, and comprising 95% of the privately owned power and light industries, shows that 44% combine gas service with their electric service. This includes both the smaller and the largest utilities in the United States. The largest utility in the world, the Columbia Gas and Electric Corporation, combines electric and gas service.

Not only is such consolidation common in private enterprise, but it is common also under Municipal Ownership, and where more than one utility has been acquired by a municipality they have all been placed usually under the administration of one agency. For example: In Memphis and Knoxville, Tennessee, and in San Antonio, Texas, water, gas and electric utilities are municipally owned and under one management. Water and electric utilities are combined in Tacoma, Cleveland, Nashville, Fort Wayne, Lansing, Seattle, St. Louis, Columbus, Glendale, Detroit, Kansas City, Kansas, Austin, Jacksonville and in Los Angeles.

Since the time when this District, under the leadership of Senator Howell, united the gas utility with the water utility, the efficiency of both gas and water service in Omaha has been greatly increased, the properties vastly improved and enlarged, and very great economies in cost have been effected. No one denies this. There was then, and there is now, better reason to support Senator Howell's conviction that consolidation of electric and water properties would effect even greater economies. Senator Howell also believed that in the event the City of Omaha should be unable to acquire the electric properties, and turn them over to the District, the District should be empowered to construct its own electric plant to supply its own electric energy—this for reasons of economy.

In all the legislation proposed by Senator Howell, and in all of his statements and his conduct in connection with municipal ownership of public utilities, it was his well considered opinion, formed after both investigation elsewhere and personal local experience, that the statutory set-up and method of management were the very essence of honest and efficient management of municipally owned utilities. His objective was a plan which would not be dependent upon personalities nor upon political interest.

The plan which he established for Omaha, and which has worked successfully for thirty-three years, involved the complete divorce of municipal utilities from the authority or influence of the city government, and its administration by a separate independent body, elected by the people, composed of equal members of the two dominant political parties, with a Secretary and a General Manager who was a bonded public officer, with its funds in the hands of an elected and bonded

treasurer, audited by the State, with all of its proceedings and records public, and all its acts closely limited and controlled by express statutory provisions. He was convinced that such an arrangement would guarantee successful performance regardless of the changing membership upon the board of directors of the District. As a matter of fact, when he himself first ran for a position on the board of directors, he barely succeeded in winning the election because of the opposition he had aroused.

L. B. 204 took away these electric powers for which Senator Howell had fought with such determination. In itself, L. B. 204 created a statutory set-up which departed from every fundamental conviction of Senator Howell as to how municipal utilities should be managed. L. B. 204 not only provides the governing body without a vote of the electors, but places the power of control in the hands of a City Council; neither the General Manager nor the Treasurer are public officers; and the agency is given powers which heretofore usually have been thought to pertain solely to private corporations and not to be appropriate for agencies of public ownership. The Peoples Power Commission is not only given broad and sweeping powers directly, but it is freed from many substantial restraints because the Act incorporates by reference all of the very broad provisions which are available to public power districts.

A brief resume of the history of public ownership in Omaha, which is of course the history of the leadership of Senator Howell, may help to explain the course which he followed and the legislation which he advocated.

The agitation for public ownership of the water property commenced when the City Council of Omaha, in 1896, granted the private water company an automatically renewing franchise in the face of the fact that the existing franchise had twelve more years of life. Senator Howell was then City Engineer of Omaha and fought the new franchise. He went to the Legislature of 1897 as champion of legislation to take away from the City Council the power to grant a franchise without a vote of the people, and this legislation, signed by Governor Holcomb at 11:30 p. m., managed to beat the passage of a franchise ordinance by one-half hour. Nonetheless, the City Council defied the Legislature and passed an ordinance granting the desired franchise. Only by a decision of the Supreme Court of Nebraska was the legislative will enforced upon the city government.

Then in 1900 the people voted almost unanimously the necessary bonds to purchase the water plant. This will of the people was obstructed and defeated by the City Council of those times for three years. Senator Howell went to the Legislature of 1903 as a successful champion of legislation which ordered and compelled the City of Omaha to

proceed to acquire the water property; but because of the previous policy and actions of the City Council of those days, Senator Howell successfully insisted upon the creation of the Omaha Water Board, which, though a part of the city government, was given power in all matters relating to water "supreme and paramount" over the City Council.

While proceedings for actual acquisition of the Water Plant were in progress, the opposition made an energetic effort in 1909 to induce the Legislature to repeal the Water Board Act. The legislature refused to undo its previous work.

At the time the water property was acquired, which, though the actual transfer occurred in 1912, nevertheless related back to 1906, the Omaha distribution system served the independent cities of Omaha, South Omaha, Florence, Dundee and Benson.

Because of this situation, and also because the old Water Company and the Packers tried to rely upon a South Omaha franchise, and also to obtain the grant of a new franchise to the Union Stockyards Company, as well as to further emphasize the complete divorce between the City Council and the municipal utility, Senator Howell championed the Metropolitan Water District Act of 1913, which is the statutory foundation for the present District.

The legislative session of 1913 is historic by reason of the bitter fight made against this proposal. The fight against the foundation of this District was led by the City Council and legal officers of the City of Omaha and by many business interests, particularly the Union Stockyards Company. In fact, the Stockyards Company succeeded in causing its properties to be excluded from the control of the new District. Since those early days, however, the Stockyards and Packers have become good customers of the District.

The lack of harmony with the City Council continued even after the enactment of the somewhat mutilated Act of 1913. In 1923 the City Council refused to pay the fire protection charge known as the Hydrant Rental Tax and unsuccessfully litigated the question through the Supreme Court of Nebraska. Although it was beaten by the Supreme Court of Nebraska in 1924, from that time until 1931, it continued to consistently levy less than the amount properly certified to them by the District. Since 1931, however, the District has voluntarily reduced the amount certified to about one-third of that which it might have required, and friendly cooperation between the City Council and the District has been the rule.

The fight of Senator Howell to obtain electric powers commenced in 1915. The Legislature of that year passed the "Omaha Electric Light Bill", after a bitter fight, but the Bill was vetoed by the Governor.

Two years later, Senator Howell championed the legislation conferring authority to construct and operate an ice plant—also a large user of electric energy.

Of course throughout this long history of legislation and public activity, litigation was frequent; but in the final outcome this District surmounted all of these obstacles and founded a successful and very profitable institution of public management of municipality owned utilities. It remains true that the plan for management which Senator Howell created remains steadfast, successful and just as available today as it ever has been.

It is worthy of note that throughout this long history of legislation relating to this District, each measure was regarded as a matter which concerned out-state legislators who often supported this District against local opposition.

For the sake of the record, for the information of those who have forgotten the early history of this District, and in order that the members of this and of succeeding Legislatures may steadily maintain the confidence which they have heretofore displayed in the Metropolitan Utilities District of Omaha, we believe that this statement should be made of record. The least this District can do is to call this situation to the attention of the present Legislature and reaffirm its own conviction that it is capable of either acquiring and operating, or of operating after acquisition by others, the electric properties built in Omaha, paid for by Omaha consumers, and operating inside the limits of that city.

As Omaha's largest industrial and commercial user of electric energy, the Metropolitan Utilities District has a substantial interest in the questions relating to the acquisition of the Nebraska Power Company property, since its annual electric bill from that company is in excess of $200,000.00. Always, prior to the war, this District was the largest user of electricity in Omaha. Even under war conditions, the only user in Omaha who is a larger customer is the Street Railway Company, and its bill is not greatly larger.

It may illustrate the extent and importance of this District's use of power (in Kilowatt hours—not mere cost) to point out that it is approximately 25% greater than the entire quantity in Kilowatt hours sold by the Municipal Electric plant of Grand Island in 1940, according to a report by Burns and McDonnell of Kansas City. These facts show why the Metropolitan Utilities District, as a public institution, is vitally interested in the efficiency and economy of its electric service.

There are other facts in connection with this District which support its recommendation that its former powers be restored by the pas-

age of L. B. 270. These are facts with reference to its actual performance under its other powers.

The question as to the use of natural gas has been the greatest source of criticism of this District. This has been due to the self-interest of warring business interests in Omaha. The District is severely criticized both by those who are in favor of natural gas and those who are opposed. Many of the business interests to this very day blame the District because straight natural gas is not available to Omaha industry. These people find no excuse in the fact that an Act of the Legislature denies this power to the District, because they think we should and could obtain revision of that legislation. Our experience thus far has been that this has not been possible.

The District offered Omaha the chance to get straight natural gas many years ago at a time when the great pipelines were just commencing to be built and huge supplies were available at reasonable cost. It is obvious that the railroads (which are very strong in Omaha), and the coal dealers were opposed because of their own business interests, and they conducted so successful a campaign of opposition that the people of Omaha refused to give the District the necessary authority. Since that time the use of straight natural gas has spread all over the United States, including the state of Nebraska—but not Omaha.

Another school of thought vigorously blame the District because it is using *some* natural gas as a means of adding to the heat value of the blue water gas which has always been manufactured in our plant. It does not seem to be generally understood that this method of making gas does not result in the distribution of any natural gas whatever in Omaha. What has happened is simply that natural gas has been substituted for oil as the necessary means in manufacturing gas of the same characteristics and usability as the gas which formerly was distributed. The legality of employing this method was settled in favor of the District in a court decision by the Honorable William G. Hastings, who was known by everyone to be a brilliant lawyer and a man of complete integrity.

The practical wisdom of the action of the District is demonstrated by the fact that the employment of this method of manufacturing gas is saving this District, and therefore the people of Omaha, approximately $300,000.00 a year, and has permitted a reduction in rates to the consumer of almost 10%. An even more far reaching benefit to the community results from the fact that this method of manufacture has permitted an increase of 83% in the capacity of the District to supply gas to Omaha and keep pace with the increasing demand, without being compelled to expend millions of dollars to increase the size of the gas plant.

There are some things which ought to be known about how the District conducts its business. The insurance protection of the District (excepting only the new Pension Plan, which is administered by the Metropolitan Life Insurance Co. of New York), is placed through the Association of Omaha Insurance Agents. This Association is composed of agents who write approximately 90% of the insurance business written in Omaha. The Association is permitted to allocate the business among standard companies but to divide the commission among all of the agents in proportion to the amount of business and taxes paid by each in Omaha. This system permits no favoritism on the part of the District and results in better consulting service.

Throughout the years since the acquisition of the gas plant in 1921, the District has made no effort to expand or develop its activities into fields not clearly and specifically within the limits of the authority conferred upon it by the Legislature. It has never made unreasonable requests of the Legislature for broad and unguarded powers.

Its accounting method is completely in accordance with the standards established by the National Association of Railroad and Public Utility Commissioners for private companies. The Comptroller of the District is a certified public accountant of fine education and broad experience, with years of training with the Wisconsin Public Utility Commission, which is generally recognized as one of the finest in the United States. Every expenditure is authorized by record vote of a majority of the full board of directors, and all bills are checked in detail by the Board. The District's surplus funds are invested only in public securities of the highest type. Because the District's funds pass through the hands of the City Treasurer, there is another check upon the integrity of the District's dealings. Once every year the accounts are audited by the State Auditor.

Although competitive bidding is not required by law, it has always been the practice of the District, wherever possible, to employ that method as a guarantee of both economy and honesty.

The statutory command that the District and its employees refrain from local political activity has been observed.

It is well known that many municipal utility enterprises have relied in part upon tax monies to support them, and that many have been unable to pay off their bonds without refinancing. None of these things can be said of this District. If you except the sum of about $120,000.00 per year received from the City as a fire protection charge, and which represents less than one-third of the cost of such protection, the Omaha taxpayer has never paid anything for the properties of the District or for its operations.

The District has paid off, or funded, $12,500,000.00's worth of bonds, on time, and at the high interest rate of 4½ and 5 %. $7,500,000.00 of water bonds—the entire issue—have been paid off, together with 5% interest on these 30-year City bonds, which interest alone, except as reduced by purchases on the market prior to maturity, would be equal to 150% of the principal, or a total of principal and interest of $18,-750,000.00.

For the gas utility the District has paid off principal and interest on bonds to the amount of $3,860,000.00, and has on hand, set aside for the purpose, securities of the United States Government in the amount of $1,140,000.00 to pay off the entire balance of the bonds upon maturity. Applying the same formula to the gas bonds as has just been applied to the water bonds, the total payment on account of gas bonds would amount to $12,500,000.00. Adding water and gas together, you have a total in principal and interest of $31,250,000.00.

Some statistics (given in reasonably accurate but not mathematically calculated percentages) will throw some light on the accomplishment of this District. The water supplied has doubled; the gas supplied has increased 500%; the miles of mains in the distribution systems have increased 500%; the number of service connections for water and gas have increased about 450%; the number of customers' accounts have increased about 500%; the number of motor vehicles have increased from 3 to 130; the book cost of plants has increased from $7,500,000.00 to approximately $24,000,000.00; the net annual sales have increased from about $380,000.00 to $3,400,000.00; the reduction in fire protection charges between 1923 and 1942 amounted to more than $2,000,000.00 saving to the taxpayers; the savings to customers in the cost of using water and gas have been reduced by many millions of dollars; and finally, Omaha's gas and water rates are among the few lowest in the entire United States, regardless of public or private ownership, and are decidedly below those in many cities in the country.

It is interesting also to observe what the District has accomplished with the power to manufacture ice which Senator Howell persuaded the Legislature to grant to the District in 1917. A $750,000.00 ice plant was constructed and operated without resorting to a bond issue. It engaged in competition with the private ice companies, greatly reduced the cost of ice to the poor of Omaha and yet shows today a profit in excess of $400,000.00 ($62,000.00 cash and $345,000.00 of investment securities), and still has a plant in profitable operation.

Never, for any purpose, has this District resorted to unsound methods of financing and the payment of large and unnecessary fees and commissions.

As a result of the facts set forth above, the Metropolitan Utilities District of Omaha today has financial standing all over the United

States which is unsurpassed and seldom equaled, either by any public or by any private utility. Its pledged financial word will be accepted anywhere without a moment's hesitation. This is not merely a recital of a record of the past, for it is just as true today, and even more true today than it has ever been in the past. The system of administration devised more than thirty years ago has proven the wisdom of its conception.

It is submitted that this history, these facts, and this record establish that the Metropolitan Utilities District of Omaha is a proper public agency to be entrusted with the electric powers contained in S. F. 270. We approve it as written but would like to recommend that the operating powers be clarified by reasonable amplification and that provision for the definite payment of ample revenue to the City of Omaha be added by amendment. For convenience, suggested amendment is attached hereto.

Respectfully submitted,

METROPOLITAN UTILITIES DISTRICT OF OMAHA

MOTION—Replace on Select File

Mr. President: I move to place L. B. 134 on Select File for the following specific amendment. (Signed) James H. Anderson

1. Amend section 1 of the bill, line 14, by striking the same, and inserting in lieu thereof:

"November elections, except that *with the following exceptions: (1) Where a candidate or candidates have been endorsed for an office at a pre-primary convention as provided in section 32-1139.01, the candidate or candidates shall be placed on the ballot in the manner therein provided, and the name or names of such candidate or candidates so endorsed shall not be rotated in printing the ballots; and (2) as to all other candidates, the* names of candidates, where"

2. Amend section 1 of the bill, line 20, by inserting the following after the word "names":

", except a candidate or candidates endorsed at a pre-primary convention,"

3. Amend section 1 of the bill, line 23, by inserting after the word "division" the following:

"below the name or names of the candidate or candidates endorsed at a pre-primary convention, if any,"

4. Amend section 1 of the bill, line 25, by inserting after the word "second" the following:

"below the name or names of the candidate or candidates endorsed by a pre-primary convention, if any,"

5. Amend the title, line 3, by inserting after the punctuation following the word "elections" the following:

"to provide the manner of preparation and printing of ballots for use at a primary election;"

SELECT FILE

LEGISLATIVE BILL 134.

Mr. Anderson's amendments, as printed in this day's Legislative Journal, were adopted by unanimous consent.

Advanced to E and R for engrossment.

MOTION—Recess

Mr. President: I move that when we adjourn on Thursday, of next week, we adjourn until Wednesday of the following week. (Signed) Fred A. Mueller

Mr. Mueller moved a call of the House.

A call of the House was ordered, and after call the roll showed 38 members present.

Mr. Jeffords made a motion to raise the call, which lost with 17 ayes, 2 nays and 24 not voting.

Mr. Doyle made a motion to raise the call, which prevailed with 27 ayes, 0 nays and 16 not voting.

Mr. Mueller's motion lost with 15 ayes, 21 nays and 7 not voting.

GENERAL FILE

LEGISLATIVE BILL 197. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 351. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 351, Section 1, line 7, by striking the word "first".

Advanced to E and R for review.

LEGISLATIVE BILL 33. Laid over.

LEGISLATIVE BILL 163. Read and considered.

Mr. Adams offered the following amendment, which was adopted.

Add the emergency clause to L. B. 163 and amend the title to conform thereto.

Advanced to E and R for review.

LEGISLATIVE BILL 169. Read and considered. Laid over.

LEGISLATIVE BILL 188. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 148. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Mr. Schultz offered the following amendment, which was adopted.

Amend Sec. 2, line 11, by striking "rural".

Mr. Schultz was granted unanimous consent to add his name as co-introducer of the bill.

Mr. James Anderson Presiding

Speaker Peterson was excused for the remainder of the day.

LEGISLATIVE BILL 148. Laid over.

LEGISLATIVE BILL 187. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-ninth Day was adopted.

Mr. Hubka offered the following amendment, which was adopted.

Amend L. B. 187, section 1, as follows: In line 16 strike the word "husband" and insert in lieu thereof the word "spouse"; strike the word "or"; change the word "parent" to "parents" and insert after the word "parents" the words, "or guardian".

Advanced to E and R for review.

LEGISLATIVE BILL 201. Read and considered.

Advanced to E and R for review.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 376. By Committee on Public Works, Sidney J. Cullingham, Chairman

A bill for an act to amend section 70-625, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide that power districts may negotiate and enter into collective bargaining agreements with employees or organizations representing them; and to repeal the original section.

MOTION—To Suspend the Rules

Mr. President: I move to suspend the rules and refer L. B. 376 to the Committee on Labor and Public Welfare. (Signed) Sidney J. Cullingham

Mr. Cullingham moved a call of the House.

A call of the House was ordered.

Mr. Reavis made a motion that the call be raised and the motion prevailed with 31 ayes, 0 nays and 12 not voting.

Mr. Cullingham's motion prevailed with 29 ayes, 5 nays and 9 not voting.

Bills Referred to Standing Committees

L. B.	Committee
375	Public Health and Miscellaneous Subjects
376	Labor and Public Welfare

Adjournment

At 12:02 p. m., Mr. Ryan made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 23, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin, Cullingham, Hanna, Schultz and Weborg, who were excused.

The Journal for the fifty-eighth day was approved as corrected.

Communications

A message to the members of the Legislature from the Nebraska Delegation in Washington, D. C., in reply to a legislative petition introduced by Mr. Burney.

A petition addressed to Mr. Heiliger from twenty-one residents of the Eighteenth Legislative District opposing L. B. 248.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 216. Laid over.

LEGISLATIVE BILL 232.

A bill for an act to amend sections 88-201, 88-205 and 88-206, Revised Statutes of Nebraska, 1943, relating to public grain warehouses; to extend the meaning of the term "grain" to include seeds, beans and peas; to prescribe the time for filing and the contents of certain reports required to be made by a grain warehouseman as to

grain in storage and warehouse receipts issued and cancelled and other prescribed information; to provide for the issuance of duplicate warehouse receipts under certain conditions and the effect to be given thereto; to define certain terms; and to repeal the original sections.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Adams	Conklin	Jeffords	Ogden
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Doyle	Klaver	Raasch
Brodahl	Foster	Lee	Ryan
Burney	Heiliger	Lusienski	Sorrell
Carlberg	Hoyt	Mekota	Tvrdik
Carmody	Hubka	Norman	Wood

Voting in the negative, 0.

Not voting, 15:

Babcock	Dooley	Mueller	Schultz
Burnham	Garber	Peterson	Seaton
Cronin	Hanna	Raecke	Weborg
Cullingham	Hern	Reavis	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 264.

A bill for an act to amend section 30-623, Revised Statutes of Nebraska, 1943, relating to claims against estates of deceased persons; to provide that, after the expiration of five years from the entry of an order allowing claim against the estate of a deceased person, there shall be no lien upon any property of the deceased arising from the entry of such order and the claim shall thereafter be wholly barred and unenforceable unless, before the expiration of such period, the creditor shall file a statement that the claim has not been paid or satisfied; to provide that any claim that has been on file for five years and has not been allowed by an order of the court shall be deemed disallowed, barred and unenforceable unless a statement is filed that such claim has not been paid or satisfied; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Conklin	Hubka	Ogden
Anderson, J.	Crossland	Jeffords	Pizer
Anderson, L.	Dooley	Kain	Raasch
Babcock	Doyle	Klaver	Raecke
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Sorrell
Burnham	Heiliger	Mekota	Tvrdik
Carlberg	Hern	Norman	Wood
Carmody	Hoyt		

Voting in the negative, 0.

Not voting, 9:

Cronin	Mueller	Reavis	Seaton
Cullingham	Peterson	Schultz	Weborg
Hanna			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 348.

A bill for an act to amend section 77-2205, Revised Statutes of Nebraska, 1943, relating to state warrants; to require the presentation of state warrants to the State Treasurer for payment within two years from the date of their issuance; to provide the effect of a failure to present warrants for payment within the time prescribed; and to provide, however, that such warrants may be presented to the Sundry Claims Board for its consideration and recommendation.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Reavis

Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lusienski	Seaton
Burney	Garber	Mekota	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hern	Ogden	Wood
Carmody	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 8:

Cronin	Hanna	Mueller	Schultz
Cullingham	Lee	Peterson	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 362. With emergency.

A bill for an act to amend section 79-809, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the designation of a site or the change of a site of a schoolhouse in rural high school districts under the prescribed procedure; to provide that such a designation of or change in the site may be also made at special meetings and adjournments thereof; to provide for notice of a special or annual meeting at which such a proposed designation of or change in site will be considered; to provide for the vote necessary for such a designation of or change in site; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Brodahl	Heiliger	Mekota	Seaton
Burnham	Hern	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Wood
Conklin	Jeffords	Pizer	

Voting in the negative, 0.

Not voting, 8:

Burney	Cullingham	Hanna	Schultz
Cronin	Garber	Mueller	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 363. With emergency.

A bill for an act to amend section 79-815, Revised Statutes of Nebraska, 1943, relating to schools; to increase the limit of the aggregate bonded indebtedness of the several school districts comprising a rural high school district to eight per cent of the aggregate actual valuation of the several districts so united for high school purposes; to provide for the issuance and negotiation of bonds, under the prescribed conditions and procedure, by the trustees of a rural high school district for the purpose of raising money for the erection and furnishing of or the improvement of a high school building; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Crossland	Klaver	Raasch
Anderson, J.	Doyle	Lee	Raecke
Anderson, L.	Foster	Lusienski	Reavis
Babcock	Heiliger	Mekota	Ryan
Brodahl	Hern	Norman	Seaton
Burnham	Hoyt	Ogden	Sorrell
Carlberg	Hubka	Peterson	Tvrdik
Carmody	Jeffords	Pizer	Wood
Conklin	Kain		

Voting in the negative, 0.

Not voting, 9:

Burney	Dooley	Hanna	Schultz
Cronin	Garber	Mueller	Weborg
Cullingham			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 144. E and R amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 352. E and R amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 173.

Mr. James H. Anderson's amendments, found in the Legislative Journal for the Fifty-eighth Day were adopted.

Advanced to E and R for re-engrossment.

GENERAL FILE

LEGISLATIVE BILL 374. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 33. Set for Special Order Wednesday, March 28.

LEGISLATIVE BILL 169. Read and considered.

Mr. James H. Anderson offered the following amendment, which was adopted.

Amend L. B. 169 as follows: Strike the period at the end of line 8 in Section 1 and add the following: "when in the exercise of a reasonable discretion the county attorney shall determine that the evidence is sufficient to justify the bringing of such court proceedings."

Advanced to E and R for review.

LEGISLATIVE BILL 148. Laid over.

LEGISLATIVE BILL 353. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 258. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-first Day were adopted.

Mr. Reavis suggested the absence of a quorum. Roll was taken, showing 26 members present.

Advanced to E and R for review with 31 ayes, 0 nays and 12 not voting.

MOTION—Appoint Committee

Mr. President: I move you appoint a committee to escort United States Senator Hugh Butler to the Speaker's rostrum for a short message, and also Lieutenant Governor Roy W. Johnson. (Signed) Ed. Hoyt

The motion prevailed and the President appointed Messrs. Hoyt, Ogden and Hern to the committee.

Visitor

The committee appointed by the President escorted Senator Hugh Butler and Lt. Governor Johnson to the rostrum. Lt. Governor Johnson introduced Senator Butler, who addressed the legislature.

Unanimous Consent

Mr. President: I ask unanimous consent to move L. B. 144 back to Select File for the following specific amendment. (Signed) Earl J. Lee

Amend L. B. 144, line 15 of the inserted matter in amendment 8 by Mr. Lee by inserting after "sued" and before the punctuation, "," the following:

"under the provisions of this section or section one of this act".

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 144

The specific amendment, as stated in the motion of Mr. Lee was adopted by unanimous consent.

Advanced to E and R for engrossment.

GENERAL FILE—Continued

LEGISLATIVE BILL 168. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-first Day were adopted.

Mr. Jeffords offered the following amendment, which was adopted.

I move to amend the title to conform to the amended bill.

Advanced to E and R for review.

Members Excused

Messrs. Lee and Raasch asked unanimous consent to be excused for the remainder of the day. No objection was offered and it was so ordered.

LEGISLATIVE BILL 202. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 265. Read and considered.

Advanced to E and R for review.

Special Order of Business

LEGISLATIVE BILL 119.

The amendments offered by Messrs. Peterson and Sorrell, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Advanced to E and R for review.

Members Excused

Messrs. Burnham and Klaver were excused for the balance of the day. Mr. Burnham was also excused for Monday, March 26.

LEGISLATIVE BILL 254. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-first Day was read.

Mr. Raecke asked unanimous consent to amend the Standing Committee amendment to read "Insert after the word "may" in line 10, Sec. 1, the following: "at the discretion of the board". It was so ordered.

The Standing Committee amendment, as amended, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 322. Set for Special Order, April 6.

LEGISLATIVE BILL 212. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 309. Read and considered.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 368. Placed on General File.

(Signed) A. J. Brodahl, Chairman

Agriculture

LEGISLATIVE BILL 369. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 162. Placed on Select File as amended.

E and R amendments to L. B. 162:

1. Strike General File amendments by Mr. Raecke and Mr. Burney and in the bill, strike "*thirty-six*" and in lieu thereof insert "*thirty-three*" in section 1, line 11, in section 2, line 4 and in section 3, line 13.

2. In the bill, section 1, line 3, after the word "have" insert the word "*the*"; strike the comma at the end of line 4 and in lieu thereof insert: "*, (1)*"; strike all of line 5 after the word "sufficient" and all of line 6 up to the word "be" and in lieu thereof insert the following:

"~~security~~ *surety* , *(2)* ~~and~~ in the same ~~sum~~ *amount as is* required of the auditor, ~~which bond shall~~ *(3) to*" ;

line 6, after the word "and" insert "*(4)*" .

3. In the bill, section 2, line 4, after the word "paid" insert the word "*monthly*"; line 5, strike the word "monthly" and in lieu thereof insert "~~monthly~~" .

4. In the bill, section 3, line 14, after the word "payable" insert the word "*monthly*"; lines 14 and 15, strike "treasurer, monthly" and in lieu thereof insert "~~treasurer , monthly~~ *State Treasurer*".

5. In the bill, add another section, as follows:

"Sec. 4. That original sections 84-314, 84-509 and 84-608, Revised Statutes of Nebraska, 1943, are repealed." .

6. In the bill, title, line 2, strike the comma before the word "and"; insert the word "the" in line 3 before the word "salaries"; line 7, strike "thirty-six" and in lieu thereof insert "thirty-three"; line 5, strike the word "to" before "Auditor" and in lieu thereof insert: "of the" .

LEGISLATIVE BILL 279. Placed on Select File as amended.

E and R amendments to L. B. 279:

1. In the bill, section 1, line 6, insert a comma after the word "organize", and in said line, strike "their members" and in lieu thereof insert: "~~their~~ *its* members *as*"; line 9, strike ", who" and in lieu thereof insert: "*.* ~~who~~ . *The secretary*"; line 10, after the word "person" insert: "*who is*"; line 11, after the word "shall" insert the word "*also*"; line 14, strike the word "persons" and in lieu thereof insert: "*em-*

ployees as may be necessary, who shall be persons *who are*"; line 15, strike "any duty that" and in lieu thereof insert: "*any duty that the duties which*".

2. In the bill, title, line 3, before the word "Railway" insert "the State"; line 4, strike "be not" and in lieu thereof insert: "not be"; line 5, strike "thirty-six" and in lieu thereof insert "thirty-three".

LEGISLATIVE BILL 120. Replaced on Select File as amended.

E and R amendments to L. B. 120:

1. In Specific File amendments by Mr. Lee, amendment 6, last line, strike the word "adopt".

2. In Specific File amendments by Mr. Lee, amendment 8, line 1, before the word "section" insert the word "original"; in the inserted matter, line 1, after the quotation mark and before the word "The" insert: "Sec. 4.".

3. Insert the word "original" before the word "section" in line 1 of Specific File amendments 13, 14 and 15, by Mr. Lee.

4. Renumber section 62 as section 57.

5. In Enrollment and Review Committee amendment 34, last line, strike the figure "19" and in lieu thereof insert the figure "14".

LEGISLATIVE BILL 190. Placed on Select File as amended.

E and R amendments to L. B. 190:

1. In the bill, section 1, line 4, reinstate the stricken comma after the word "state"; line 19, after the word "*may*" insert "*(1)*"; line 21, strike "*, and*" and in lieu thereof insert: "*and (2)*"; line 22, strike "*such forms of*"; line 23, strike the comma after the word "*certificates*" and in lieu thereof insert: "*(a) in such forms, (b)*"; line 23, before the word "*payable*" insert "*(c)*"; line 24, strike the comma before the word "*as*".

2. In the bill, section 2, line 1, strike "sections 44-1012," and in lieu thereof insert the word "section"; line 2, strike "and 44-1040" and in said line, before the word "are" insert: "and sections 44-1012 and 44-1040, Revised Statutes of Nebraska, 1943,".

LEGISLATIVE BILL 195. Placed on Select File as amended.

E and R amendment to L. B. 195:

1. In the bill, title, strike "credit to the" in line 4, all of line 5 and the word "for" in line 6, and in lieu thereof insert: "the crediting of fifteen percent of the prescribed money of"; line 7, strike the semicolon and in lieu thereof insert:

", enumerated in section 33-150, Revised Statutes of Nebraska, 1943, to the general fund of the state, under the prescribed conditions;".

LEGISLATIVE BILL 283. Correctly engrossed.
LEGISLATIVE BILL 330. Correctly engrossed.
LEGISLATIVE BILL 40. Correctly enrolled.
LEGISLATIVE BILL 308. Correctly enrolled.
LEGISLATIVE BILL 317. Correctly enrolled.
LEGISLATIVE BILL 235. Correctly enrolled.
LEGISLATIVE BILL 62. Correctly enrolled.
LEGISLATIVE BILL 325. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 12. Re: Conference of United Nations

Introduced by Lester H. Anderson of Hamilton.

WHEREAS, those who are called upon to fight and defend this nation against foreign enemies wish to be represented at the Conference of the United Nations to be held in San Francisco, California, on April 25, 1945, and

WHEREAS, those who do the fighting should participate in formulating the peace terms and post war organization for world security, and

WHEREAS, many in uniform are fully qualified by experience and ability to participate in such a conference.

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the President of the United States appoint an enlisted person who is now serving or has served in the armed forces of th

United States in World War II, whose rank does not exceed the senior grade of an enlisted person in any of the branches of the armed forces.

2. That the President of the United States appoint to assist and act as co-advisors to such representative of the armed forces, the National Commander of the American Legion, the National Commander of United Spanish War Veterans, the National Commander of the Military Order of the Purple Heart, the National Commander of the Disabled American Veterans and the Commander-in-chief of the Veterans of Foreign Wars of the United States. In the event of the inability of any of such National Commanders to serve, that such National Commanders send some other member of their organization to such conference as their official representative.

3. That a copy of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to Franklin D. Roosevelt, President of the United States.

MOTION—United War Fund

Mr. President: I move that the President of the Legislature be instructed to invite the Executive Board of the United War Fund of Nebraska to be presented to the Legislature on April 3, 11:45 a. m., in recognition of their fine contribution to the war effort. (Signed) A. J. Brodahl

The motion prevailed.

Adjournment

At 11:57 a. m., Mr. Dooley made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 26, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Burnham and Norman, who were excused.

The Journal for the fifty-ninth day was approved as corrected.

MESSAGE FROM THE GOVERNOR

March 26, 1945

MR. PRESIDENT, MR. SPEAKER
AND MEMBERS OF THE LEGISLATURE.

Gentlemen:

I am submitting herewith a bill for introduction which would give authority to the State Engineer, on behalf of the State of Nebraska, to sell and convey any real estate or personal property acquired as provided by Section 39-603, in case the property is no longer needed.

The necessity for this legislation arises by reason of the fact that property once acquired for road purposes is in many cases no longer necessary and, of course, under these circumstances it should be sold so that the property might be put to some other useful purpose and the funds derived therefrom used for further highway construction and maintenance.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Communications

A letter to the Clerk of the Legislature from the Hon. Kenneth S. Wherry acknowledging receipt of Legislative Resolution 10 by the Legislature of Nebraska.

A letter to the Clerk of the Legislature from Speaker Sam Rayburn acknowledging receipt of Legislative Resolution 11 by the Legislature of Nebraska.

A letter to the Clerk of the Legislature from the Hon. Carl T. Curtis acknowledging receipt of Legislative Resolution 10 by the Legislature of Nebraska.

A petition to Mr. Cronin from forty-one residents of Atkinson, Nebraska, and vicinity, favoring L. B. 33.

Unanimous Consent

Mr. Cullingham asked unanimous consent to withdraw L. B. 376 and substitute in lieu thereof Substitute L. B. 376.

No objection, so ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 89. Placed on Select File as amended.

E and R amendments to L. B. 89:

1. In Standing Committee amendment 1, inserted matter, line 2, after the word "hundred" insert the word "and".

2. In Standing Committee amendment 5, line 5, strike "provide for" and in lieu thereof insert the word "increase"; strike the semicolon at the end of line 6 and in lieu thereof insert: "to three thousand dollars a year;".

3. In the bill, section 1, line 7, after the word "salaries" insert ","; line 15, after the word "sources" insert ",".

4. In the bill, section 3, (formerly 4) line 1, strike "these acts" and in lieu thereof insert: "this act"; line 2, strike the word "their" and in lieu thereof insert the word "its".

LEGISLATIVE BILL 109. Placed on Select File as amended.

E and R amendments to L. B. 109:

1. Due to the passing of Legislative Bill 111, strike all of sections 1 and 2 of the bill and all amendments thereto, and in lieu thereof insert the following:

"Section 1. That section 37-304, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945, be amended to read as follows:

37-304. *(1)* It shall be unlawful, *except as otherwise provided by this act,* to shoot, trap, hunt, take or pursue any species of game birds, game animals or fur-bearing animals or to angle for or catch any game fish protected by this act except during the open seasons, if any, that may be authorized by the Game, Forestation and Parks Commission, ~~as herein provided~~ *in accordance with this act.* *(2)* It shall also be unlawful for any one, except a holder of a game-farm or fish-culture permit, to have in his or her possession, except during the open season thereon, any unmounted game, game bird or game fish, except as provided in this act or the game regulations of the commission *made in accordance therewith*~~:~~ ~~Provided, however, that~~ . *(3) It shall be lawful for any officer or employee of any public power, irrigation or drainage district, organized under the laws of this state, to kill or destroy, or to have trapped by a trapper or trappers, any beaver or muskrat which may be found to be destroying or damaging any dams, ditches or other works needed and useful in the operation of such public power, irrigation or drainage district whenever, after notice in writing that such destruction or damage is being done by such beaver or muskrat and the location thereof has been given to the secretary of the Game, Forestation and Parks Commission, the commission shall fail, neglect or refuse, within thirty days after the receipt of such notice, to cause the beaver or muskrat doing such destruction or damage to be removed from the place where such destruction or damage is occurring or to take such other steps as may be effective to prevent further damage to the works of such public power, irrigation or drainage district; Provided, however, before any public power, irrigation or drainage district shall have such beaver or muskrat trapped, it shall submit to the secretary of the Game, Forestation and Parks Commission the names and addresses of the trapper or trappers to do the trapping, and if no written objections are received, stating the reasons for such objection, from the secretary of the Game, For-*

estation and Parks Commission within five days from the receipt of the name or names of such trapper or trappers, they shall be deemed to be approved. No trapper shall be used to trap any beaver or muskrat by such public power, irrigation or drainage district who has been objected to in writing by the Game, Forestation and Parks Commission; and provided further, that the public power, irrigation or drainage district shall report to the Game, Forestation and Parks Commission every thirty days the number of beaver or muskrat killed or destroyed and shall forward with said report a fee in the sum of two dollars for each beaver so killed or destroyed. Under such circumstances, no permit shall be required to so kill or destroy such beaver or muskrat, but fees shall be paid for beaver killed, as hereinafter provided. (4) ~~when~~ *Whenever* beaver are destroying trees or otherwise damaging property, *except as is provided in subsection (3) of this section,* the commission shall, upon an application in writing and a satisfactory showing of the necessity for the protection of such property, issue permits in writing to the owner or owners of the land, where such trees or property are being so destroyed or damaged, or the person or persons in control thereof to kill or otherwise destroy such beaver as may be necessary to protect the property of the applicant, the number to be designated by the commission. Said beaver and the hides taken from the same shall be the property of the person to whom said permit is given; ~~and, provided, further~~ *Provided, however,* said permittee or permittees, so authorized to kill or destroy such beaver as aforesaid, shall report in writing to the commission the number of beaver destroyed under said permit within thirty days after the destruction of any of said beaver. The permittee or permittees shall forward with said report a fee in the sum of two dollars for each beaver so destroyed. The permit granted to kill or otherwise destroy such beaver shall continue for sixty days after the date of its issuance unless said permit shall be terminated sooner by the written order of the commission. *(5)* All pelts of beaver held in possession by any person holding such a permit, *as set forth in subsection (4) of this section, or in the possession of any person which were taken from a public power, irrigation or drainage district, as provided in subsection (3) of this section,* shall be stamped by the commission with a stamp containing the words "Killed by permission of the Game, Forestation and Parks Commission", before the same are sold, shipped or otherwise transported outside of the State of Nebraska. The fee for a beaver damage permit shall be five dollars per annum.

Sec. 2. That original section 37-304, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945, is repealed.".

2. In the bill, title, line 3, before the word "relating" insert the following: "as amended by Legislative Bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945,"; line 10, strike the word "the" at the end of the line; line 11, after the word "section" and before the period, insert the following:

"37-304, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945";

strike the word "or" after the words "public power" and in lieu thereof insert "," in all amendments to the title.

LEGISLATIVE BILL 197. Placed on Select File as amended.

E and R amendment to L. B. 197:

In the bill, section 2, line 5, strike the word "moneys" and in lieu thereof insert the word "money".

LEGISLATIVE BILL 255. Placed on Select File as amended.

E and R amendments to L. B. 255:

1. In the bill, section 1, line 5, strike "rules and regulations (1) fixing" and in lieu thereof insert: *"the following:* ~~rules and regulations (1) fixing~~ *Fixing"*; line 7, strike the word "and" and in lieu thereof insert: *"of* and *the"*; line 8, after the word "upon" insert the word *"the";* line 8, strike the word "and" and in lieu thereof insert: *"and Provided, that"*; insert a comma in line 13 before the word "exclusive"; line 15, strike *"Provided,"* and in lieu thereof insert: *"Provided and provided further, that"*; line 22, strike the word *"and"* before "(6)"; line 25, strike *"and which may be"* and in lieu thereof insert: *", including"*; insert a comma in line 27 after the word "regulations" and in line 35, after the word "forth" and also after the word "things"; line 29, after the word "and" insert: *"(7) including"*; lines 31 and 32, strike ", and, in" and in lieu thereof insert: *", and, in . In"*; line 34, strike the word "as" and in lieu thereof insert: *"as which"*; line 38, strike "age," and in lieu thereof insert: *"their* age,"; lines 39 and 40, strike "then such labels shall also include" and in lieu thereof insert: "~~then such labels shall also include~~". Insert a comma in line 26 after the word "may".

2. In the bill, title, strike all of the 5th and 6th lines, and in lieu thereof insert the following:

"the prescribed rules and regulations, including the form of revenue stamps to be used for the specified purposes, which stamps may include a decalcomania".

LEGISLATIVE BILL 321. Placed on Select File as amended.

E and R amendments to L. B. 321:

1. In the bill, section 1, line 6, insert a comma after the word "insane", and strike the word "for" after the word "or" and in lieu thereof insert the word "for"; line 7, strike "with safety" and in lieu thereof insert: "with safety *safely*"; lines 9 and 10, strike "be admitted, or until" and in lieu thereof insert: "*either* be admitted, or until"; line 14, strike "the case of any one" and in lieu thereof insert: "the case of any one *such person is being*"; line 17, strike "the manner that" and in lieu thereof insert: "the *such a* manner that *as*"; strike "in the manner that" in line 18 and strike lines 19, 20 and 21 and "the county commissioners," in line 22, and in lieu thereof insert the following:

"in the manner that will best protect the persons and property of others. In the case of public patients, the *The* commissioners shall require that they *public patients* be in like manner restrained, protected and cared for *in a like manner* by the county commissioners *board*,";

line 23, strike "*In cases where county commissioners*" and in lieu thereof insert: "*If the county board*"; line 25, strike the comma after the word "*patients*"; line 27, before the word "*approval*" insert the word "*the*"; lines 28 and 29, strike "*of commissioners or supervisors, as the case may be*"; lines 30 and 31, strike "*of Nebraska, and the*" and in lieu thereof insert: ". *The*"; line 33, after the word "*for*" insert the word "*the*" and in said line strike ", *and shall be*" and in lieu thereof insert: "*and be*"; line 40, strike "commissioners, or to" and in lieu thereof insert: "*board* commissioners, or to"; line 42, strike ", and if" and in lieu thereof insert: ", and if".

2. In the bill, section 2, strike "so owing, of the amount" in line 4 and strike all of lines 5 and 6, and in lieu thereof insert the following:

"so owing, of the amount thereof , *if any, which such county owes for the care of such patients, as certified to the Auditor of Public Accounts under the provisions of section 83-345,* and charge the same to the county , and the . *The Auditor of Public Accounts shall also certify to such county clerks the amounts, if any, certified under section 83-329, as amended by this act. The*";

line 7, strike the word "amount" and in lieu thereof insert: "~~amount~~ *amounts*"; line 9, strike ", and the" and in lieu thereof insert the following:

"~~, and the~~ *for the purpose of paying for the care of such patients in state hospitals, under the provisions of this section and section 83-345, and also to reimburse such county or the overseers of the poor therein for the care of such patients in said county under the provisions of section 83-329, as amended by this act. The*".

3. In the bill, title, line 4, strike "payment of cost of" and in lieu thereof insert: "the payment or reimbursement to counties of the cost of the"; strike "county com-" in line 7 and all of line 8, and in lieu thereof insert: "the county board or the overseers of the poor, out of the specified special"; line 9, before the word "care" insert the word "the".

LEGISLATIVE BILL 134. Correctly engrossed.
LEGISLATIVE BILL 233. Correctly enrolled.
LEGISLATIVE BILL 159. Correctly enrolled.
LEGISLATIVE BILL 174. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 175	L. B. 308	L. B. 233
L. B. 176	L. B. 317	L. B. 174
L. B. 223	L. B. 235	L. B. 159
L. B. 226	L. B. 62	
L. B. 40	L. B. 325	

MOTION—To Adopt Resolution

Mr. President: I move that the Legislature adopt Legislative Resolution 12 as amended, and to amend the Resolution, Section 1, line 1 by inserting after the word "States" the words "be requested to". (Signed) Lester H. Anderson

The motion prevailed with 20 ayes, 4 nays and 19 not voting.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 377. By Ray A. Babcock of Cheyenne (by request of Governor)

A bill for an act relating to the Department of Roads and Irrigation; to provide authority for the State Engineer on behalf of the State of Nebraska to sell and convey any part of real estate not needed and personal property acquired in connection therewith, acquired as provided in section 39-603, Revised Statutes of Nebraska, 1943; to provide powers and duties for the State Engineer for the Department of Roads and Irrigation in the name of the State of Nebraska, to execute deeds, bills of sale and other instruments upon specified conditions; to provide for the validity of such instruments; and to declare an emergency.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 131. Correctly re-engrossed.
LEGISLATIVE BILL 232. Correctly enrolled.
LEGISLATIVE BILL 264. Correctly enrolled.
LEGISLATIVE BILL 348. Correctly enrolled.
LEGISLATIVE BILL 362. Correctly enrolled.
LEGISLATIVE BILL 363. Correctly enrolled.
LEGISLATIVE BILL 241. Placed on Select File as amended.

E and R amendments to L. B. 241:

1. Strike General File amendment by Mr. Hubka, and in the bill, after "Nebraska," insert "1943," in section 1, line 2, also in section 5, line 2.

2. In the bill, section 2, strike lines 8 and 9 and in lieu thereof insert the following:

"be received on behalf of the applicant for divorce except from the physicians so appointed by the court. No decree of divorce".

3. In the bill, section 3, line 5, strike *", and shall"* and in lieu thereof insert the word *"and"*.

4. In the bill, section 4, insert a comma in line 4 after the word "cause"; line 5, strike ", from" and in lieu thereof insert: *", from for"*; insert *"in its discretion,"* in line 16 before the word *"at"* and after the comma, and in line 20 after the word *"may"* insert *", in its discretion,"*; line 22, after the word *"Such"* insert the word *"an"* and after the word

"be" insert the word *"so"*; line 24, strike *", or upon the application"* and in lieu thereof insert the word *"or"*.

5. In the bill, title, line 7, strike "filing of petition for" and in lieu thereof insert: "the filing of a petition for a"; insert the word "the" in line 9 before the word "appointment", also in line 10 before the word "taxation"; line 10, insert the word "a" before the word "guardian"; lines 10 and 11, strike "costs; to provide for" and in lieu thereof insert the following:

"certain costs as prescribed; to prescribe certain procedure which the court may, in its discretion, provide for insuring the".

6. In the bill, section 2, line 5, after the word *"institution"* insert the following: *"in the State of Nebraska"*.

LEGISLATIVE BILL 262. Placed on Select File as amended.

E and R amendments to L. B. 262:

1. In the bill, section 1, strike the comma and in lieu thereof insert ";" in line 3 after the word "records" also in line 8; line 10, insert the word *"the"* before the word *"district"*; line 11, strike *"surveyors,"* and in lieu thereof insert: *"surveyor"*.

2. In the bill, section 2, line 6, after the comma and before the word "and" insert: *"as amended by this act,"*; line 8, strike the word "each" and in lieu thereof insert "each" and in said line after the word "annum" and before the period insert: *"for each of such accountants"*; line 11, strike the word *"each"* and in said line, after the word *"annum"* and before the period insert: *"for each of such assistants"*.

3. In the bill, title, strike all of line 4 after the word "for" and strike lines 5, 6, 7, 8 and 9 and "of county offices;" in line 10, and in lieu thereof insert the following:

"the examination of the books, accounts, records and affairs of all the county officers in every county at least every year by the direction and under the supervision of the Auditor of Public Accounts; to provide for a complete annual audit of the books, accounts, records and affairs of the specified county officers as prescribed; to increase the number of competent accountants, authorized to be appointed or deputized by the Auditor of Public Accounts for the prescribed purposes, to ten; to fix the maximum salaries of such accountants and their assistants;".

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 232	L. B. 348	L. B. 363
L. B. 264	L. B. 362	

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 143.

A bill for an act relating to the public service; to create the Nebraska Merit System; to provide a council and director for its administration; to prescribe their duties, powers and compensation; to except certain agencies or divisions thereof from certain provisions of this act; to remove the maximum limitation as to the salary of the Director of Banking; to provide an appropriation; to amend sections 8-103, 48-157, 51-403, 53-108, 68-304, 81-107, 81-152, 81-827 and 83-126, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Foster	Lee	Reavis
Anderson, J.	Hanna	Lusienski	Ryan
Babcock	Heiliger	Mekota	Seaton
Brodahl	Hoyt	Ogden	Sorrell
Conklin	Hubka	Peterson	Tvrdik
Crossland	Kain	Pizer	Wood
Cullingham	Klaver	Raecke	

Voting in the negative, 14:

Anderson, L.	Cronin	Hern	Raasch
Burney	Dooley	Jeffords	Schultz
Carlberg	Doyle	Mueller	Weborg
Carmody	Garber		

Not voting, 2:

Burnham	Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 376. By Committee on Public Works, Sidney J. Cullingham, Chairman.

A bill for an act to amend section 70-625, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide that power districts may negotiate and enter into collective bargaining agreements with organizations representing their employees the same as may be made and entered into by privately owned public utilities.

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules and refer L. B. 376 to the Committee on Labor and Public Welfare. (Signed) Sidney J. Cullingham

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

NOTICE OF COMMITTEE HEARING

Labor and Public Welfare

L. B. 376 Monday, April 2, 1945 2:00 p. m.

SELECT FILE

LEGISLATIVE BILL 162. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 279. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 120. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Laid over.

LEGISLATIVE BILL 190. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Mr. Adams offered the following amendment, which was adopted by unanimous consent.

Amend section 2 of the bill by striking all of lines 1 to 3, inclusive, and inserting in lieu thereof the following:

"Sec. 2. That original section 44-1013 and sections 44-1012 and 44-1040, Revised Statutes of Nebraska, 1943, are repealed."

Advanced to E and R for engrossment.

LEGISLATIVE BILL 195. E and R amendment found in the Legislative Journal for the Fifty-ninth Day was adopted.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 148.

Mr. Reavis offered the following amendments, which were adopted.

1. Amend the bill by adding immediately after section 7 the following new section:

"Sec. 8. When a district has been organized under the provisions of this act, it shall have all the powers and duties, and shall be subject to all the liabilities and restrictions incident to cemetery associations organized under Article 5, Chapter 12, Revised Statutes of Nebraska, 1943."

2. Amend standing committee amendment, number 17, by striking the section number "8" and inserting in lieu thereof the section number "9".

3. Amend the title of the act, line 5, by inserting after the punctuation following the word "district" the following:

"to provide that when a district has been organized, it shall have all the powers and duties, and shall be subject to all the liabilities and restrictions incident to cemetery associations organized under Article 5, Chapter 12, Revised Statutes of Nebraska, 1943;".

Mr. Raecke offered the following amendment which was adopted.

Amend Standing Committee amendment No. 14, to L. B. 148, in line 3, by striking the word "who" and inserting in lieu thereof the words "and the proper county board or boards".

Advanced to E and R for review.

LEGISLATIVE BILL 349. Read and considered.

Advanced to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 239. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-second Day were adopted.

Mr. James H. Anderson offered the following amendment, which was adopted.

Amend L. B. 239, Sec. 6, by striking all of line 17 after the word "counties" and all of line 18 up to the word "which".

Advanced to E and R for review.

MOTION—Place at Bottom of File

Mr. President: I move to put L. B. 204 at the bottom of General File. (Signed) Charles F. Tvrdik.

Mr. Hanna made a motion to amend the Tvrdik motion by including L. B. 244.

The motion, as amended, prevailed.

LEGISLATIVE BILL 180. Read and considered.

Standing Committee amendments 1 and 2, found in the Legislative Journal for the Forty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 205. Read and considered.

Mr. Brodahl offered the following amendment, which was adopted.

Amend L. B. 205 by adding Section 2, as follows:

"That original Section 39-242, Revised Statutes of Nebraska, 1943, is repealed."

Mr. Raecke offered the following amendments which were adopted.

1. Amend the bill, Section 1, line 20, by striking the words "and graveling".

2. Amend the title, line 5, by striking the words "and graveling".

Advanced to E and R for review.

LEGISLATIVE BILL 92. Laid over.

LEGISLATIVE BILL 350. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 228. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 221. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 323. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-third Day was adopted.

Mr. Adams offered the following amendments, which were adopted.

Amend L. B. 323 by adding a new section after section 2, as follows:

"Sec. 3. That section 86-324, Revised Statutes of Nebraska, 1943, be amended as follows:

86-324. The *State* Railway Commission shall have full power and authority to prohibit the construction of any line or lines found to be in violation of the terms of section 86-317; and after hearing, provided for in section 86-319, shall make such order and prescribe such terms and conditions for the location, construction and operation of the proposed lines, as to it may seem just and reasonable. It may make such orders in the premises as in its judgment would best protect the rights of all parties interested, and those of the general public. It is hereby made unlawful for any person, partnership, company, association or corporation, not specifically exempt by section 86-320, to begin or carry on construction of any line or lines designated to carry electric current of more than seven hundred volts, or to increase the voltage of any existing line to more than seven hundred volts, without first having secured the necessary authority from the commission as set forth in section 86-318."

2. Amend L. B. 323 by changing subsequent section numbers and the title to conform thereto.

Mr. Adams offered the following amendment, which was adopted.

Amend L. B. 323 by adding the following section number, "88-324" to the repealing section and add the same in the title.

Advanced to E and R for review.

Member Excused

Mr. Reavis was excused for Tuesday, March 27, 1945.

Adjournment

At 11:58 a. m., Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 27, 1945

Pursuant to adjournment, the Legislature met at 9:03 a. m., President Johnson presiding.

Prayer was offered by Rev. B. C. Bobbitt, pastor of the First Christian Church of Lincoln, who was introduced by Rev. Bancroft.

The roll was called and all members were present except Messrs. Reavis and Norman, who were excused.

The Journal for the sixtieth day was approved as corrected.

MOTION—To Extend Sympathy

Mr. President: I move that we send flowers for the funeral of Mr. Fred L. Carsten. (Signed) Tom Dooley

The motion prevailed.

Communications

A petition to Mr. Pizer from nine residents of Hershey and North Platte, Nebraska, opposing L. B. 248.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Monday, March 26, 1945, at 4:30 p. m.

L. B. 40	L. B. 223	L. B. 308
L. B. 62	L. B. 226	L. B. 317
L. B. 159	L. B. 232	L. B. 325
L. B. 174	L. B. 233	L. B. 348
L. B. 175	L. B. 235	L. B. 362
L. B. 176	L. B. 264	L. B. 363

(Signed) Roy B. Carlberg, Chairman

MESSAGE FROM THE GOVERNOR

March 26, 1945

MR. PRESIDENT, MR. SPEAKER
AND MEMBERS OF THE LEGISLATURE.

Gentlemen:

In view of the importance of the matter, I desire to report to you the contents of a letter written me by C. C. Fraizer, Director of Insurance, relative to the possible effect upon the State of a recent decision of the United States Supreme Court. Mr. Fraizer's letter follows.

March 26, 1945

Honorable Dwight Griswold
Governor of Nebraska
Capitol Building
Lincoln, Nebraska

Dear Governor:

A recent decision of the United States Supreme Court holds that the business of insurance is commerce, and, therefore, that interstate insurance transactions across State lines constitutes interstate commerce, and subject to such regulation as the United States Congress might see fit to impose.

The Congress of the United States has, within the last few days, enacted Federal legislation declaring "that the continued regulation and taxation by the several states of the business of insurance is in the public interest." The new Federal legislation provides: "The business of insurance, and every person engaged therein shall be subject to the laws of the several States which relate to the regulation or taxation of such business by the several states."

Two general problems appear to be presented by these happenings, as follows:

1. TAXATION

Some authorities claim that the Nebraska insurance premium tax statutes are unconstitutional because they discriminate as between foreign and domestic companies and that consequently an undue and unwarranted burden is placed on interstate commerce with regard to the taxes of foreign companies.

For instance foreign life insurance companies pay Nebraska a premium tax of 2 per cent, while domestic life companies pay only a tax of .4 per cent (4 mills).

There is attached hereto a chart showing the present method of taxation of various types of insurance in Nebraska.

Other authorities on insurance law and taxation argue that the present existing laws will be sustained in the courts, either because this seeming or alleged discrimination as between foreign and domestic companies is not as great as might appear at first thought, or because the recent act of Congress affirms the right of a state to decide how it will impose taxes.

The Prudential Life Insurance Company is the only one which at this writing has actually filed court action to test our laws, but some half dozen additional companies have indicated an intention to go to court. The amount involved in the Prudential case is almost $57,000.00, while the estimated additional amount involved in threatened litigation is approximately $31,000.00, each of these figures representing an annual payment. The total annual collection by the State under our present laws is approximately $1,000,000.00.

Most of the foreign companies, both as to number of companies and as to total amount of dollars, paid their 1944 taxes in the usual manner and without controversy. Of these, however, a few indicated that although they were paying their taxes they did not believe our law would be sustained in court.

Perplexing problems are thus presented. Some degree of uncertainty surrounds the entire subject. Developments are occurring almost hourly. For instance one of the largest tax-paying foreign life insurance companies had prepared the foundation to go into court a few days ago and our Department was definitely notified of such intention and just at the moment this present memorandum is being prepared, we have received notice that this company is withdrawing from a contest and is allowing its payment of 1944 premium taxes to remain unquestioned and undisturbed. In our opinion, this best illustrates the uncertainty in the minds of at least some company attorneys and officers.

A similar uncertainty exists in the minds of the insurance officials of the several states. Two or three States have hastily enacted legislation to remove alleged discrimination similar to that alleged in Nebraska. Some States apparently started to enact remedial legislation and then after further consideration abandoned the proposed program. In most of such States I believe the tendency has been to increase the domestic rate to the level of the foreign rate, and in other states the thought has been to increase the domestic rate and lower the foreign rate to a point that will yield approximately the present revenue.

It should also be mentioned that some 20 States have for many years taxed local and foreign companies on the same basis, thus definitely removing any claim of discrimination.

Nebraska is traditionally committed to the theory and practice of taxing foreign companies at higher rates than domestic companies.

While the entire subject is not free from serious doubt, it is the best opinion of our Department that the Nebraska tax laws can be sustained in court. However, the subject is of such great concern and the threat to the State's revenue is so important, that I believe the Legislature should carefully study the subject and assume a portion of the responsibility of deciding whether Nebraska shall stand upon her present tax structure or amend our laws to remove alleged discrimination. In event the Legislature feels that the latter course should be followed, our Department stands ready and willing to assist in the drafting of a bill. If our present law should not be sustained, many authorities believe that any revenue temporarily lost could be recaptured by subsequent legislation.

Should the Legislature decide to stand upon our present tax laws, then attention is called to the fact that some states have enacted laws to relieve company directors from any personal liability by reason of companies having paid alleged discriminatory taxes which might later be successfully opposed in the courts. Other States appear to have introduced such legislation without enactment thus far. Our Department does not believe that this apparent fear on the part of company directors is justified but in event the Legislature should feel that such legislation should be introduced in Nebraska, our Department stands ready to assist in preparation of such a bill.

2. REGULATION

At this time Nebraska has a somewhat comprehensive program of regulation of insurance business in general. We do not have regulation of premium rates, with minor exceptions. Nebraska is an "open" State with an anti-compact law which prohibits agreements to fix and maintain premium rates. So far as we in the Insurance Department can see, competition is and has been open and keen.

The new act of Congress provides that after January 1, 1948, the Sherman Anti-Trust Act and similar acts "shall be applicable to the business of insurance to the extent that such business is not regulated by state laws." Many insurance authorities believe that Congress has thus expressed an intention that either the States or the Federal Government shall regulate premium rates and that it was the intention of Congress and those who sponsored the Federal legislation

that so-called "open" states should be invited to set up rating bureaus and that the Insurance Department of this State should be authorized to regulate rates, failing which Federal authorities might do so.

Other insurance authorities take the view that since the Sherman Anti-Trust Act has as its purpose the maintenance of free competition, and since Nebraska has its own anti-compact act with apparent free competition in our State, that there is no need for enactment of any rating legislation in Nebraska.

This also is a subject of far-reaching importance and the responsibility for deciding whether Nebraska should have additional legislation must ultimately be assumed by the Legislature. Again, as in the instance of the subject of Taxation, we find that different states are doing various things. In several states rate regulatory bills have been introduced and debated but not yet enacted. Reports reach us that some States intend to postpone action until later sessions. If the Legislature desires, our Department is ready and willing to assist in presenting a bill to accomplish rate regulation in Nebraska.

It should be added that many States have had rate regulatory laws for many years.

Since the new Federal Act creates a moratorium until January 1, 1948, as far as inter-company compacts are concerned, the Legislature may feel that there is adequate time to establish rate regulation in the 1947 session. In that event the present Legislature might well ask the Legislative Council to study the subject, as subsequent events may make it appear that state rate regulation is necessary and desirable.

Respectfully submitted,

/s/ C. C. Fraizer
C. C. Fraizer
Director of Insurance

I feel that the contents of the above letter deserve your careful consideration.

Respectfully submitted,

/s/ Dwight Griswold
Governor of Nebraska

A chart showing the rate of taxes paid by insurance companies in Nebraska was submitted with this report.

MOTION—To Refer Report

Mr. President: I move the letter of C. C. Fraizer referring to Insurance be submitted to the Legislative Council for study in the interim. (Signed) C. N. Ogden

The motion prevailed.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the appointment of Henry H. Bartling, Secretary of Board of Educational Lands and Funds.

(Signed) Charles F. Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointment be confirmed by the Legislature. (Signed) Charles F. Tvrdik

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 378. By Committee on Judiciary, John E. Mekota, Chairman.

A bill for an act to amend section 21-313, Revised Statutes of Nebraska, 1943, relating to corporations; to prescribe the amount of the penalty for failure to file report and pay occupation tax of corporations required so to do; to prescribe the time within which such report and fee may be paid before being subject to such penalty; to repeal the original section; and to declare an emergency.

MOTION—To Refer Back to Select File

Mr. President: I move that L. B. 93 be recommitted to Select File for the following specific amendment: (Signed) Walter R. Raecke

Amend section 2 of the bill by striking all of lines 1 to 14, inclusive, and inserting in lieu thereof the following.

"Sec. 2. Every person violating any provision of this act, and every person causing or participating in the violation thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than ninety days or by a fine of not more than five hundred dollars, or by both such a fine and imprisonment. Any public power district failing to file the statement required by this act shall forfeit to the State of Nebraska the sum of one hundred dollars per day for each day after the expiration of thirty days from the time when such statement is required to be filed, to be recovered in an action to be brought by the Attorney General."

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 179.

MOTION—To Refer Back to Select File

Mr. President: I move that L. B. 179 be sent back to Select File to add the emergency clause to the body of the bill and in the title. (Signed) Frank Sorrell

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 154. Correctly engrossed.
LEGISLATIVE BILL 173. Correctly re-engrossed.
LEGISLATIVE BILL 259. Correctly engrossed.
LEGISLATIVE BILL 281. Placed on Select File as amended.

E and R amendments to L. B. 281:

1. In the bill, section 1, line 4, strike the word "shall" and in lieu thereof insert: "*of this state* shall *be known as the Board of Educational Lands and Funds. It shall*"; line 7, insert a comma after the word "sold"; at the end of line 11, after the comma, insert: "*inclusive, as amended,*"; strike the word "They" and in lieu thereof insert "They

It" in lines 15, 18 and 20; strike the word "them" and in lieu thereof insert "~~them~~ *it*" in line 16; line 21, strike the word "their" and in lieu thereof insert "~~their~~ *its*".

2. In the bill, title, strike all of line 4 and "board;" in line 5, and in lieu thereof, insert the following:

"to increase the maximum salary which can be paid to the secretary of such board to thirty-three hundred dollars a year; to provide that the board of commissioners referred to in Article VII, Section 1, of the Constitution of this state, shall be known as the Board of Educational Lands and Funds;".

LEGISLATIVE BILL 305. Placed on Select File as amended.

E and R amendments to L. B. 305:

1. In General File amendment by Mr. Reavis, strike "and punctuation," in lines 1 and 2; in line 2 after the word "and" and before the word "shall" insert "*(c)*".

2. In the bill, section 1, line 28, strike the word "or" at the beginning of the line (same word at end of line 27, printed bill is correct); line 29, strike the comma after the word "children" and in lieu thereof insert "~~,~~".

3. In the bill, section 2, line 8, strike ", and" and in lieu thereof insert "~~,~~ and ,"; line 14, after the word "*writing*" insert "*(a)*" ; line 15, strike "*and*" and in lieu thereof insert ", *(b)*"; line 16, strike the word "*or*" and in lieu thereof insert "*or be*"; line 17, strike the comma after the word "*made*" and in lieu thereof insert a semicolon.

4. In the bill, section 3, line 5, strike the comma after the word "property" and in lieu thereof insert "~~,~~".

5. In the bill, title, strike "re-" at the end of line 8 and strike all of lines 9 and 10 and "veyances of real estate;" in line 11, and in lieu thereof insert the following:

"provide that valid post-nuptial contracts shall be in writing; to provide the essential requirements of such post-nuptial contracts;".

(Signed) Roy B. Carlberg, Chairman

Approved by the Governor

March 27, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 40	L. B. 176	L. B. 233
L. B. 159	L. B. 223	L. B. 362
L. B. 174		

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

SELECT FILE

LEGISLATIVE BILL 179.

Mr. Sorrell's amendment, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 93.

Mr. Raecke's amendment found in this day's Legislative Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 171.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 120.

Mr. Carmody offered an amendment, which was withdrawn.

Mr. Peterson offered the following amendment:

Amend Standing Committee amendment No. 23, Section 20, line 14, by inserting after the word "act" the following: "or who has completed 18 out of the last 25 years prior to the effective date of this act and two out of the five years prior to the effective date of this act;"

A record vote was requested.

Voting in the affirmative, 26:

Adams	Conklin	Kain	Pizer
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Foster	Lee	Ryan
Brodahl	Hanna	Lusienski	Seaton
Burney	Heiliger	Ogden	Tvrdik
Burnham	Hern	Peterson	Wood
Carmody	Hoyt		

Voting in the negative, 3:

Cronin	Garber	Sorrell

Not voting, 14:

Anderson, J.	Doyle	Mueller	Reavis
Carlberg	Hubka	Norman	Schultz
Crossland	Jeffords	Raasch	Weborg
Cullingham	Mekota		

The amendment was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 195.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 89. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Mr. Burney offered the following amendment, which was adopted by unanimous consent.

Amend the Committee amendment to Section 1, lines 5 and 6 by striking "three thousand" and inserting "thirty three hundred".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 197. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 255. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 321. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Mr. Carlberg offered the following specific amendments, upon which no action was taken.

1. Amend section 1 of the bill, line 30, by inserting after the words *"county board"* the following:

"to the Board of Control, and the Board of Control shall certify the same"

2. Amend section 1 of the bill, line 35, by inserting before the word "Each" the following:

"The Auditor of Public Accounts shall, at the time of certifying the amount of the special state insane tax levy for support of insane patients to each county, also certify to the State Treasurer the total amount certified and the portion thereof to be raised to defray the cost of care of insane patients by the county board or overseers of the poor under this section. Such portion shall, when collected and remitted to the State Treasurer, be placed in the County Insane Reimbursement Fund."

3. Amend section 1 of the bill, lines 36 to 39, inclusive, by striking the new matter in said lines and substitute in lieu thereof the following:

"quarterly out of the County Insane Reimbursement Fund, commencing June 1, 1945, for the amount certified by the county board, as provided herein."

4. Amend the bill, by adding a new section, numbered Sec. 4, reading as follows:

"Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

5. Amend the title, line 10, by striking the same and inserting in lieu thereof:

"patients; to repeal the original section; and to declare an emergency."

Laid over.

LEGISLATIVE BILL 241. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment, with 15 ayes, 10 nays and 18 not voting.

LEGISLATIVE BILL 262. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 180.

Standing Committee amendments 3 and 4, found in the Legislative Journal for the Forty-third Day were rejected.

Mr. Lester Anderson made a motion to advance the bill to E and R for review.

Mr. Lester Anderson moved a call of the House.

A call of the House was ordered, and after call the roll showed 37 members present.

Mr. Klaver made a motion to raise the call and the motion prevailed with 30 ayes, 0 nays and 13 not voting.

The motion to advance the bill lost with 13 ayes, 15 nays and 15 not voting.

Mr. Raecke made a motion to strike the enacting clause and the motion prevailed.

LEGISLATIVE BILL 92. Special Order on April 2, 1945.

LEGISLATIVE BILL 234. Read and considered.

Laid over and placed at head of General File.

LEGISLATIVE BILL 193. Read and considered.

Mr. Klaver offered the following amendment which was adopted.

Amend section 1 of the bill, line 17, by inserting after the word "balances", the following words:

"out of the general fund"

Advanced to E and R for review.

MOTION—John W. Cooper

Mr. President: I move that an appropriate resolution be prepared in memory of the late John W. Cooper of Omaha, a former member of this Legislature who served several sessions, and that flowers be sent for the funeral. (Signed) Sidney J. Cullingham

The motion prevailed.

Communication

A note was received from Mrs. William Norman regarding the condition of Senator Norman, who is ill in a hospital in Omaha.

LEGISLATIVE BILL 136. Read and considered.

Standing Committee amendment No. 1, found in the Legislative Journal for the Forty-fourth Day was adopted.

Mr. Hubka asked for a division of the question on Amendment No. 2 and it was granted.

Amendment No. 2, through the words "written notice", line 2, was adopted, and the remainder of the amendment was rejected.

Mr. Mekota made a motion to indefinitely postpone, but the motion lost with 13 ayes, 16 nays and 14 not voting.

Laid over.

RESOLUTIONS

LEGISLATIVE RESOLUTION 13. Re: In Memory of John W. Cooper

Introduced by Sidney J. Cullingham of Douglas.

John W. Cooper was born in Indiana in the year 1867. He was graduated from the Rising Sun, Indiana, High School. He moved to Nebraska in 1892 and has been a practicing attorney in Nebraska since that time. He was a state senator from 1919 to 1931 and served in all of the sessions of the Senate held during that period. In 1929 he was president pro tem in the Senate. While serving the State of Nebraska as a senator he sponsored many worthwhile bills, including the establishment of the Omaha Municipal University, Old Age Assistance and the Habitual Criminal Act. He was highly respected by his colleagues in the Legislature and his death on March 25, 1945, brought sorrow to all who knew him.

WHEREAS, it is the desire of this body to pay tribute to the memory of our beloved colleague,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, John W. Cooper, who served so loyally and ably as a member of the Nebraska State Senate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to the bereaved family of our departed colleague, as an expression of our respect for the deceased, and our sympathy for the bereaved.

LEGISLATIVE RESOLUTION 14. Re: Memory of Fred L. Carsten.

Introduced by Tom Dooley of Sarpy.

Fred L. Carsten was born in Otoe County, Nebraska, November 25, 1886. He attended the rural schools near Avoca, Nebraska, and later attended the Iowa Wesleyan University, Lincoln Business College and Nebraska State College of Agriculture. He was a farmer and respected by all who came in contact with him. He was elected to the Nebraska Senate in the year 1935 and served in the regular and special sessions for that year, and was a member of the Unicameral Legislature for the years 1937 and 1939, serving during those years in all regular and special sessions. He was highly respected by his colleagues in the Legislature and his death on March 25, 1945, brought sorrow to all who knew him.

WHEREAS, it is the desire of this body to pay tribute to the memory of our beloved colleague,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Fred L. Carsten, who served so loyally and ably as a member of the Nebraska State Senate and Unicameral Legislature.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to the bereaved family of our departed colleague, as an expression of our respect for the deceased, and our sympathy for the bereaved.

MOTION—Adopt Resolutions

Mr. President: I ask that the rules be suspended and that the resolutions 13 and 14 be adopted and sent to the nearest of kin of both the late Senators Carsten and Cooper. (Signed) Sidney J. Cullingham.

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution 12.

Adjournment

At 12:10 p. m., Mr. Mekota made a motion to adjourn. The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 28, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. James Anderson and Norman, who were excused.

The Journal for the sixty-first day was approved.

Communications

A message to Mr. Johnson from Mrs. William Norman to report on Mr. Norman's improvement.

A letter to the Legislature from Mr. A. A. Misegadis of Talmage, Nebraska.

A petition to Mr. Heiliger from forty-three signers opposing L. B. 248.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 293. Placed on Select File as amended.

E and R amendments to L. B. 293:

1. In Standing Committee amendment 3, line 2, strike the word "official" and in lieu thereof insert the word "*officially*".

2. In Standing Committee amendment 6, line 3, insert a comma after the word "authorized".

3. In Standing Committee amendment 8, line 2, strike "the word"; line 4, insert a comma after the word "program".

4. In Standing Committee amendment 9, lines 1 and 2, strike "the word"; line 2, insert a comma after the word "authorized" and before the quotation mark.

5. In General File amendments by Mr. Hanna, strike amendment 3.

6. In the bill, section 1, line 3, before the word "Whenever" insert "*(1)*"; line 6, strike the word "animals" and in lieu thereof insert: "animals *animal*"; line 16, strike "*(1)*" and in lieu thereof insert "*(a)*"; line 20, strike "*(2)*" and in lieu thereof insert "*(b)*" and insert a comma after the word "*test*"; line 28, strike "*(3)*" and in lieu thereof insert "*(c)*"; line 30, strike "*(4)*" and in lieu thereof insert "*(d)*"; line 33, before the word "*No*" insert "*(2)*"; line 47, strike the comma after the word "*address*" and in lieu thereof insert a semicolon; line 74, strike the word "the" and in lieu thereof insert: "the *a*" .

7. In the bill, section 2, line 18, before the word "*official*" insert the word "*an*"; insert the word "*the*" in line 21 after the word "*that*", and in line 33 after the word "before" and also after the word "of"; line 23, strike "*vaccinated cattle*" " and in lieu thereof insert: "*vaccinated*", "*officially vaccinated cattle*" *or similar terms, as used in this act,*"; line 30, strike the comma after the word "*graduate*" and in lieu thereof insert the word "*and*"; line 31, after the word "and" insert: "*which certificate*"; line 34, after the word "at" insert the word "*their*".

8. In the bill, section 3, after the word "*sections*" and before the period, insert: "*of this act*"; line 5, insert a comma after the word "*available*"; lines 6 and 7, strike ". *The sum herein appropriated*" and in lieu thereof insert the word ", *and*"; line 8, strike the word "*The*" and in lieu thereof insert "*the* " "; strike all of line 9 except "*Auditor of Public*" and in lieu thereof insert: "*Fund*". *The*"; line 11, before the word "*upon*", at the beginning of the line, insert: "*on the said fund so established*" and strike the word "*upon*" at the end of the line and in lieu thereof insert: ", *upon the*"; line 13, strike "*; and the*" and in lieu thereof insert: ". *The*"; line 14, strike the word "*moneys*" and in lieu thereof insert the word "*money*".

9. In the bill, title, line 7, insert the word "the" before the word "enforcement"; line 9, strike the word "and" and at the end of the line

strike the period and in lieu thereof insert: "; and to declare an emergency.".

LEGISLATIVE BILL 120. Replaced on Select File as amended.

E and R amendment to L. B. 120:

In Specific File amendment by Mr. Peterson, insert the word "years" in line 3 after the figure "18" and in line 4 after the word "two"; line 5, strike the words "prior to" and in lieu thereof insert: "immediately preceding".

LEGISLATIVE BILL 309. Placed on Select File.

LEGISLATIVE BILL 265. Placed on Select File as amended.

E and R amendments to L. B. 265:

1. In the bill, section 1, line 7, before the word "other" insert the word "*and*"; insert a comma in line 18 after the word "lands", in line 21 after the word "contracts", in line 22 after the word "annum" and at the end of line 30 after the word "*event*"; line 20, before the word "applicable" insert: "*, inclusive,*"; line 23, strike the comma after the word "year" and in lieu thereof insert "~~,~~"; line 30, strike the comma after the word "*paid*"; line 31, after the word "*rental*" insert the word "*shall*" .

2. In the bill, title, line 4, strike "delinquent interest on" and in lieu thereof insert: "interest due on any" and at the end of the line, after the word "delinquent" insert: "on or"; line 7, before the word "be" insert the word "shall" .

LEGISLATIVE BILL 212. Placed on Select File as amended.

E and R amendments to L. B. 212:

1. In the bill, section 1, line 3, before the word "the" insert "*, inclusive, as amended by this act,*"; line 6, strike the word "as" and in lieu thereof insert: "*as to be*"; line 10, strike the word "individuals" and in lieu thereof insert: "*individuals persons, as so defined,*" .

2. In the bill, section 3, line 9, strike ", and such" and in lieu thereof insert: "~~, and such~~ . *Such*" .

3. In the bill, section 4, line 5, strike the comma after the word "Economics" and in lieu thereof insert "~~,~~" ; line 17, before the word

"shall" insert: ", *inclusive, as amended by this act,*"; line 24, strike the comma after the word "inspector" and in lieu thereof insert "," ; line 26, after the word "licensee" insert "*(1)*" and in said line strike the word "or" and in lieu thereof insert: "or , *(2)*"; line 28, strike ", or" and in lieu thereof insert: ", or *(3)*"; line 29, after the word "any" insert the words "*of the*" and in said line, before the word "or" insert: "*inclusive, as amended by this act,*"; line 30, strike the word "investigation" and in lieu thereof insert: "*such an* investigation *and hearing*" .

4. In the bill, title, line 9, after the word "of" insert the word "an"; line 10, after the word "for" insert the word "the" .

LEGISLATIVE BILL 201. Placed on Select File as amended.

E and R amendments to L. B. 201:

1. In the bill, section 1, line 2, before the word "*in*" insert the following: "*as amended by this act,*" .

2. In the bill, section 2, line 3, after the period insert: "*This act shall be known as the "uniform reciprocal transfer tax act".* " .

3. In the bill, section 3, line 9, after "77-2006" and before the period insert: ", *inclusive*" .

4. In the bill, section 4, line 10, before the word "*except*" insert: "*inclusive,*" .

5. In the bill, title, line 7, after the word "under" insert the word "the" .

LEGISLATIVE BILL 115. Correctly engrossed.

LEGISLATIVE BILL 163. Placed on Select File as amended.

E and R amendments to L. B. 163:

1. In the bill, section 1, line 8, insert the word "*the*" before the word "line", also in line 11 after the word "showing" and also before the word "hotel", and in line 12 before the word "necessity"; line 12, strike "; and, when" and in lieu thereof insert: ", and, when . *When*"; line 14, strike "time of" and in lieu thereof insert: "time of"; line 16, after the word "mile" and before the period insert: "*shall be shown on such claim*"; line 28, before the word "director" and after the word "the" insert "*(1)*"; line 30, strike "by the" and in lieu there-

of insert: "by the *(2)*"; lines 30 and 31, strike "by the" and in lieu thereof insert "by the *(3)*"; line 31, strike ", by the" and in lieu thereof insert: ", by the *or (4)*"; insert the word "*the*" in line 44 after the word "direct" and in line 45 before the word "actual"; line 46, strike ", if" and in lieu thereof insert: ", *and* if *the*"; line 47, strike "such requisition" and in lieu thereof insert: "such requisition"; line 49, strike "in the cases of" and in lieu thereof insert: "in the cases of *to*"; line 51, strike "; and in" and in lieu thereof insert: ", and in . *In*"; line 53, strike ", but such as" and in lieu thereof insert: ", but such as *unless it*"; line 54, strike "by him" and in lieu thereof insert: "by him"; line 54, after the word "disallowed" and before the comma insert: "*by him*"; line 56, before the word "trial" insert the word "*the*"; line 64, strike ", and no" and in lieu thereof insert: ", and no . *No*"; line 65, after the word "unless" insert: "*it is*"; line 66, strike the word "and" before the word "unless" and in lieu thereof insert "and" .

2. In the bill, title, lines 4 and 5, strike "use of personal automobile" and in lieu thereof insert: "the use of a personal automobile by a state officer or employee"; line 7, strike the word "and" before "to repeal" and after the word "section" insert: "; and to declare an emergency" .

LEGISLATIVE BILL 188. Placed on Select File as amended.

E and R amendment to L. B. 188:

In the bill, title, line 9, strike the word "certain" and in lieu thereof insert: "the prescribed" , and in said line strike the semicolon and in lieu thereof insert: "and bridges;".

LEGISLATIVE BILL 221. Placed on Select File as amended.

E and R amendment to L. B. 221:

In the bill, title, line 3, after the word "to" insert the word "the" .

LEGISLATIVE BILL 351. Placed on Select File as amended.

E and R amendments to L. B. 351:

1. In the bill, section 1, line 3, strike "eleven members with"; line 5, strike the word "and"; line 6, strike "together with seven" and in lieu thereof insert: "and seven other"; line 10, strike the comma after the word "salary" .

2. In the bill, section 2, lines 4 and 5, strike ", thus becoming rehabilitated in" and in lieu thereof insert: "to the end that they may become more easily and quickly reestablished into"; line 11, insert a comma after the word "regulations"; line 12, strike the word "to" before the word "cause"; line 19, strike the comma after the word "veterans" .

3. In the bill, section 3, line 5, strike the word "and" before the word "fix", and in said line strike ", and may" and in lieu thereof insert the word "and"; line 6, insert a comma after the word "expenditures"; line 7, after the word "provide" insert: ", as may be necessary or advisable" .

4. In the bill, section 4, line 3, strike the word "each" after the word "within" and in lieu thereof insert the word "such"; line 7, strike the word "The" and in lieu thereof insert the word "Each"; line 12, strike "They are" and in lieu thereof insert: "It is"; line 13, strike "organizations," and in lieu thereof insert the word "and"; lines 14 and 15, strike "and from the county or municipalities in the" and in lieu thereof insert: ", the county where it is located and municipalities in such"; line 16, strike "Such county committees" and in lieu thereof insert the word "It"; line 17, strike ", and also to" and in lieu thereof insert: "and to any or".

5. In the bill, section 5, insert a comma in line 1, before the word "appointed", in line 2 after the word "act", in line 4 after the word "bond"; line 4, after the word "give" insert the word "a" and at the end of said line strike the word "sureties" and in lieu thereof insert: "surety," .

6. In the bill, section 6, insert a comma in line 3 after the word "amount" and also after the word "determine"; line 4, after the word "Veterans' " insert the word "service" .

7. In the bill, section 7, line 1, strike the word "moneys" and in lieu thereof insert the word "money" ; line 4, insert a comma after the word "necessary"; line 5, strike the word "moneys" and in lieu thereof insert the word "money" .

8. In the bill, section 8, line 1, after the word "shall" insert: "be and"; line 2, strike the word "of" and in lieu thereof insert the word "by"; line 1, before the word "force" insert "full".

9. In the bill, title, line 4, after the word "its" insert: "membership, "; strike "pro-" at the end of line 4, all of line 5 and "out within each" in line 6, and in lieu thereof insert:

"authorize the appointment of a committee, in each county in this state, to carry out within such" ;

line 10, before the word "to provide" insert the following:

"to provide that this act shall be and remain in full force and effect until June 30, 1947, when it shall expire by its own limitations;" .

LEGISLATIVE BILL 93. Correctly re-engrossed.
LEGISLATIVE BILL 179. Correctly re-engrossed.
LEGISLATIVE BILL 157. Correctly engrossed.
LEGISLATIVE BILL 143. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 13
Legislative Resolution 14

Bills Referred to Standing Committees

L. B.	Committee
377	Public Works
378	Judiciary

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that the Public Works Committee and the Judiciary Committee be permitted to set L. B. 377 and L. B. 378 for hearing at 1:30 p. m. on such day as may be appointed by the respective committees. (Signed) John E. Mekota

The motion prevailed with 38 ayes, 0 nays and 5 not voting.

Approved by the Governor

March 27, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 348	L. B. 235	L. B. 363
L. B. 317	L. B. 62	L. B. 308
L. B. 232		

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

Member Excused

Mr. Hern asked to be excused for Thursday, March 29. No objection, so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 283.

A bill for an act relating to county government; to authorize boards of county commissioners and supervisors to cooperate with the Fish and Wildlife Service of the Department of the Interior of the United States and state agencies in the control and destruction of predatory animals; to authorize any county of this state to levy a tax of not to exceed three-tenths of a mill upon the dollar of the actual valuation of all taxable property within such county, except intangible property, for such purpose; and to authorize the expenditure of the funds raised by such levy for the prescribed purposes.

Whereupon, the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Cullingham	Lee	Reavis
Anderson, L.	Doyle	Lusienski	Ryan
Babcock	Foster	Mekota	Schultz
Burney	Heiliger	Mueller	Seaton
Carlberg	Hern	Ogden	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Pizer	Weborg
Cronin	Kain	Raasch	Wood
Crossland	Klaver	Raecke	

Voting in the negative, 3:

Burnham	Hanna	Jeffords

Not voting, 5:

Anderson J.	Dooley	Garber	Norman
Brodahl			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 330.

A bill for an act to amend section 17-414, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide that the procedure for the disconnecting of territory from such cities and villages shall apply to lands laid out into city or village blocks, lots and streets by removing the provision excepting the same from said section; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Dooley	Lee	Reavis
Anderson, L.	Doyle	Lusienski	Ryan
Babcock	Foster	Mekota	Schultz
Burnham	Hanna	Mueller	Seaton
Carlberg	Heiliger	Ogden	Sorrell
Carmody	Hern	Peterson	Tvrdik
Conklin	Hoyt	Pizer	Weborg
Crossland	Hubka	Raasch	Wood
Cullingham	Klaver	Raecke	

Voting in the negative, 2:

Cronin	Kain

Not voting, 6:

Anderson, J.	Burney	Jeffords	Norman
Brodahl	Garber		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted "aye" on L. B. 330. (Signed) A. J. Brodahl

Visitor

Mr. Kain presented Mr. Swan Carlson, of Funk, Nebraska, a former member of the Legislature.

Speaker Peterson Presiding

Speaker Peterson presented Mr. Bell, the Director, and the members of the Augustana College male chorus, who sang a number for the Legislature.

GENERAL FILE

LEGISLATIVE BILL 248. Read and considered.

Mr. Doyle offered the following amendments, which were adopted.

1. Amend the bill by striking all of section 2 and renumbering sections 3, 4, 5 and 6 as sections 2, 3, 4 and 5 respectively.

2. Amend renumbered section 4, line 1, by striking the figures and punctuation "66-423,".

3. Amend the title of the act, line 2, by striking the figures and punctuation "66-423,".

President Johnson Presiding

Mr. Doyle made a motion to advance.

Mr. Reavis made a motion to indefinitely postpone L. B. 248.

A record vote was requested.

Voting in the affirmative, 26:

Anderson, L.	Foster	Kain	Raecke
Babcock	Garber	Klaver	Reavis
Burnham	Heiliger	Lusienski	Ryan
Carlberg	Hern	Mekota	Sorrell

Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Pizer	Weborg
Crossland	Jeffords		

Voting in the negative, 13:

Adams	Cullingham	Hanna	Raasch
Brodahl	Dooley	Lee	Seaton
Burney	Doyle	Peterson	Wood
Cronin			

Not voting, 4:

Anderson, J.	Mueller	Norman	Schultz

The motion prevailed.

MOTION—Easter Recess

Mr. President: I move that we take an Easter Vacation, including the employees. When we adjourn tomorrow, we adjourn until Wednesday, April 4, at 9:00 a. m. (Signed) Fred A. Mueller

Mr. Peterson made a motion to amend the Mueller motion by changing the date of the return to Monday at 10:00 a. m., instead of Wednesday.

The Peterson amendment was not adopted, with 12 ayes, 20 nays and 11 not voting.

Mr. Peterson then made a motion to amend the Mueller motion by changing the date of return to Tuesday.

The amendment lost with 18 ayes, 18 nays and 7 not voting.

Mr. Hanna then made a motion to amend the Mueller motion to adjourn from Friday to Wednesday.

The Hanna amendment lost with 13 ayes, 20 nays and 10 not voting.

The original motion prevailed with 25 ayes, 11 nays and 7 not voting.

Adjournment

At 12:15 p. m., Mr. Jeffords made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 29, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. James Anderson, Hern and Norman, who were excused.

The Journal for the sixty-second day was approved as corrected.

Communications

A letter to the Legislature from Mrs. William Norman to tell of Mr. Norman's improvement.

Mr. Clarence Linch requested a leave of absence from his duties as Assistant Sergeant-at-Arms, dating from March 31, 1945.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 371. Placed on General File as amended.

Standing Committee amendments to L. B. 371:

1. Amend section 1 of the bill, line 1, by inserting after the word "child" the words "born in Nebraska"

2. Amend the title of the act, line 4, by inserting after the word "wedlock" the words "born in Nebraska"

LEGISLATIVE BILL 375. Placed on General File.

(Signed) Carl P. Jeffords, Chairman

Enrollment and Review

LEGISLATIVE BILL 89. Replaced on Select File as amended.

E and R amendment to L. B. 89:

Amend the title, as amended, by striking the words "three thousand" and inserting in lieu thereof the words "thirty-three hundred", to agree with Specific amendment by Mr. Burney.

LEGISLATIVE BILL 132. Replaced on Select File.

LEGISLATIVE BILL 169. Placed on Select File as amended.

E and R amendments to L. B. 169:

1. In General File amendment by Mr. James H. Anderson, line 3, strike the word "When" and in lieu thereof insert the following: ", *Revised Statutes of Nebraska, 1943, inclusive, when,*" and in said line, insert a comma after the word "discretion"; last line, insert a period after the word "proceedings" and before the quotation mark.

2. In the bill, section 1, line 5, strike "upon an" and in lieu thereof insert: "upon an *in the*"; line 8, after the word "*of*" insert: "*the provisions of*".

3. In the bill, title, insert the word "the" in line 3, before the word "State" and also in line 4 before "State"; line 5, insert a comma after the word "assistants"; line 6, strike "; to enforce" and in lieu thereof insert: "in connection with the enforcement of the"; line 7, strike the semicolon before "and" and in lieu thereof insert the following:

", Revised Statutes of Nebraska, 1943, inclusive, when, in the exercise of a reasonable discretion, he shall determine that the evidence is sufficient to justify the bringing of such court proceedings;".

LEGISLATIVE BILL 195. Correctly engrossed.
LEGISLATIVE BILL 197. Correctly engrossed.
LEGISLATIVE BILL 255. Correctly engrossed.
LEGISLATIVE BILL 202. Placed on Select File as amended.

E and R amendments to L. B. 202:

1. In the bill, section 1, line 10, insert a comma after the word "thereafter"; line 11, before the word "funds" insert the word "*the*";

line 23, strike the comma after the word "county" and in lieu thereof insert ";", and at the end of the line, strike ", who" and in lieu thereof insert: "; who . *The Auditor of Public Accounts*"; line 25, strike "amount so specified" and in lieu thereof insert: "amount *respective amounts* so specified *certified*".

LEGISLATIVE BILL 144. Replaced on Select File as amended.

E and R amendment to L. B. 144:

In Enrollment and Review Committee amendment 19, inserted matter, strike all of line 2, and in lieu thereof insert the following:

"struction or acquisition of a county poorhouse, a county community hospital, an indigent".

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 143

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 376 Monday, April 9, 1945 1:30 p. m.

Public Works

L. B. 377 Wednesday, April 4, 1945 1:30 p. m.

Judiciary

L. B. 378 Wednesday, April 4, 1945 1:30 p. m.

LEGISLATIVE RESOLUTION 15. Re: Memory of Harry Leighton Kunkel.

Introduced by Edwin Schultz of Antelope.

Harry Leighton Kunkel, a member of the Nebraska Senate from 1931 to 1935, died May 21, 1943. Mr. Kunkel was born near Newburg,

Pennsylvania, on July 8, 1866. He came to Nebraska at the age of eleven years and spent the rest of his life in this state. In addition to his services in the Legislature, he was interested in improved livestock, being an active rancher for fifty years. He was an active member of the Boone County Fair Association, of which he was president for several years. He was always interested and active in civic, community and church circles.

WHEREAS, it is the desire of this body to pay tribute to the memory of our beloved colleague,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Harry Leighton Kunkel, who served so loyally and ably as a member of the Nebraska State Senate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to the bereaved family of our departed colleague, as an expression of our respect for the deceased, and our sympathy for the bereaved.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 379. By Committee on Education, C. N. Ogden, Chairman.

A bill for an act to amend sections 79-1309 and 79-1310, Revised Statutes of Nebraska, 1943, relating to schools; to provide for discontinuance, on September 1, 1946, of issuance of the class of certificates known as Nebraska Third Grade Elementary School Certificate; to provide for issuance on and after September 1, 1946, by the Superintendent of Public Instruction of a class of certificates to be known as Nebraska Special Elementary School Certificate; to prescribe the requirements for such a certificate, and the terms, conditions and manner of issuance thereof; and to repeal the original sections.

LEGISLATIVE BILL 380. By Committee on Education, C. N. Ogden, Chairman.

A bill for an act to amend section 79-1101, 79-1102, 79-1103, 79-1104, 79-1105, 79-1106, 79-1107 and 79-1108, Revised Statutes of Nebraska, 1943, relating to schools; to provide for a high school normal training program; to change the requirements thereof on and after September 1, 1946; to prescribe the powers and duties of the Superintendent of Public Instruction with reference thereto; to provide the method of financing the expense of such normal training program; to provide for apportionment of funds; to provide for completion of normal training by students who have commenced same prior to the effective date of this act under the requirements that shall continue in force until September 1, 1946; and to repeal the original sections.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 131.

A bill for an act to regulate the labeling, sale and offering or exposing for sale, of agricultural and vegetable seed; to prevent misrepresentation thereof; to define terms; to authorize the Director of Agriculture and Inspection to make rules, and to determine what seed are noxious weed seed after public notice; to provide for appeals; to fix or define the rights, powers and duties of certain persons, officers, agents and employees; to provide a savings clause; to provide penalties; and to repeal sections 81-2,135 to 81-2,148, inclusive, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 38:

Adams	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carmody	Heiliger	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood
Crossland	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Anderson, J.	Hern	Norman	Ryan
Carlberg			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Recommit to Select File

Mr. President: I ask unanimous consent to return L. B. 352 to Select File for the following specific amendment. (Signed) A. J. Brodahl

No objection was offered and it was so ordered.

"In line 11, Section 1 of the bill and after the word "maintaining" add the following words: "the patient in".

Announcements

Mr. Peterson announced that the Chamber of Commerce dinner had been postponed until April 10, because of the recess.

Mr. Sorrell announced that he had planned to extend an invitation to all members and employees to attend a dance as his guests on that evening.

Mr. Peterson then said he would take up the matter of the change of date with the Chamber of Commerce, and the new date would be announced later.

SELECT FILE

LEGISLATIVE BILL 281. E and R amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 305. E and R amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 293. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 120. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 309.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 265. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 212. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 201. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 163. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 188. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 221. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 351. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

MOTION—Pay of Employees

Mr. President: I move that the employees be paid their regular pay during the four days' rest period when they report and work. (Signed) John Doyle

Mr. President: I move to amend the motion of Senator Doyle to read as follows: That the employees who are needed and who work during vacation of the Legislature be paid their regular wages. (Signed) Walter R. Raecke

The Raecke motion lost with 12 ayes, 13 nays and 18 not voting.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action on adjourning for an Easter Vacation. (Signed) John Mekota

The motion lost with 9 ayes, 22 nays and 12 not voting.

The original Doyle motion prevailed with 23 ayes, 8 nays and 12 not voting.

MOTION—Set for Special Order

Mr. President: I move that L. B. 297, L. B. 139 and L. B. 270 be made Special Order on Monday, April 9, 1945. (Signed) C. Petrus Peterson

The motion prevailed with 22 ayes, 3 nays and 18 not voting.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that bills placed on Select File March 29 be considered at this time. (Signed) Sidney J. Cullingham

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

SELECT FILE CONTINUED

LEGISLATIVE BILL 89. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 132.

Mr. Mekota made a motion that L. B. 132 be indefinitely postponed, and the motion lost with 15 ayes, 20 nays and 8 not voting.

Advanced to E and R for engrossment.

MOTION—Replace on Select File

Mr. President: I ask to replace L. B. 212 on Select File. (Signed) Fred A. Seaton

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

LEGISLATIVE BILL 212.

Mr. Seaton offered the following amendment:

Add the emergency clause to L. B. 212, and amend the title to conform.

Mr. Seaton's amendment was adopted by unanimous consent.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 169. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 352.

Mr. Brodahl's specific amendment, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 33. Laid over to Wednesday, April 4.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 234.

Mr. Lusienski offered the following amendments, upon which no action was taken.

1. Amend section 1 of the bill by striking all of lines 1 to 7, inclusive, and inserting in lieu thereof the following:

"Section 1. The county boards of the several counties are authorized to levy a tax not to exceed one mill on the dollar actual valuation on a taxable property within the county, except intangible property, for the purpose of raising funds to co-".

2. Amend section 2 of the bill by striking all of lines 1 to 4, inclusive, and inserting in lieu thereof the following:

"Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

3. Amend the title of the act by striking all of lines 2 and 3 and inserting in lieu thereof the following:

"FOR AN ACT to authorize the county boards of the several counties to".

4. Amend the title of the act by striking all of lines 10 and 11 and inserting in lieu thereof the following:

"and to declare an emergency."

Laid over.

LEGISLATIVE BILL 136.

Mr. Mekota offered the following amendments, which were adopted.

1. Amend section 1 of the bill, lines 8 to 14, inclusive, by striking the same and inserting in lieu thereof:

"have been fully perfected at that time as between the parties to the assignment. Such assignment shall be absolutely void as against the creditors of the assignor, and as against subsequent purchasers, assignees or transferees in good faith unless there shall be filed in the office of the county clerk of the county where the assignor resides, a notice stating that an assignment has been made, the names of the parties to the assignment and the total principal amount of the account or accounts assigned, but shall not state the name or names of the debtor or debtors. Any such notice shall be filed and released in the same manner as a chattel mortgage and the county clerk shall be entitled to receive a filing fee of twenty-five cents for filing the same. In any case where,"

2. Amend section 1 of the bill, lines 17 and 18, by striking the words and punctuation:

"or to such creditor, subsequent purchaser, or other subsequent assignee or transferee,"

3. Amend section 1 of the bill, lines 20 and 21, by striking the words and punctuation:

", creditor, subsequent purchaser, or other assignee or transferee"

4. Amend the title to the bill, line 7, by striking the same and inserting in lieu thereof:

"notice to the debtor, as between the parties thereto; to require filing of notice of such assignment as against creditors and subsequent purchasers, assignees or transferees in good faith; to provide for filing fee for filing such notice; to protect the debtor in"

5. Amend the title to the bill, lines 8 to 10, inclusive, by striking the words and punctuation:

"or a creditor of the assignor, subsequent purchaser or other subsequent assignee or transferee"

Mr. Hubka made a motion to indefinitely postpone L. B. 136.

The motion prevailed.

Speaker Peterson Presiding

LEGISLATIVE BILL 299. Laid over.

LEGISLATIVE BILL 149. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 331. Read and considered.

Advanced to E and R for review.

Mr. Hoyt Presiding

LEGISLATIVE BILL 211. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 177. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for review.

MOTION—Adopt Resolution

Mr. President: I move to suspend the rules and adopt Resolution 15. (Signed) Edwin Schultz

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

Adjournment

At 12:02 p. m., Mr. Ryan made a motion to adjourn.

The motion prevailed and the Legislature adjourned until April 4, pursuant to motion adopted on March 28.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 4, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Burney, Cronin, Cullingham, Dooley, Norman, Raasch, Tvrdik and Wood, who were excused, because of adverse weather conditions.

The Journal for the sixty-third day was approved.

Communications

Letter to the members of the Legislature from the family of Fred L. Carsten acknowledging Legislative Resolution 14 and the floral offering.

Petition to the Legislature from eighteen residents of Eustis, Nebraska, favoring L. B. 33.

Petition to Mr. Mueller from fourteen barbers of Kearney, Nebraska, favoring L. B. 249.

MESSAGES FROM THE GOVERNOR

March 30, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 143 L. B. 264
L. B. 226 L. B. 325

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

VETO L. B. 175

March 31, 1945

MR. PRESIDENT, MR. SPEAKER
AND MEMBERS OF THE LEGISLATURE.

Gentlemen:

I am returning without my signature Legislative Bill 175.

I visited with the introducer of this bill and feel that the motive behind it is entirely laudable, but after receiving the best legal advice available I rather feel that the bill might permit some things to be done which are not justifiable. In Section 1, the bill provides that "any corporation * * * (2) organized under the laws of the State of Nebraska for the purpose of acting as a * * * trustee * * * for the central governing body of any religious denomination * * * may establish common trust funds for the purpose of furnishing investments to itself * * * and may * * * invest funds * * * in interests in * * * such common trust funds".

It would appear that in spite of the fact that the Legislature amended the original bill to strike out any reference to banks or trust companies, the provision above quoted would permit them or any other similar trustee to shift their investments around, perhaps to the detriment of the trust. At the common law it has always been held bad for a person in his capacity as a trustee to deal with himself personally and such transactions are ordinarily held to be fraudulent. Experience has shown that when a person in his private capacity deals with himself as a trustee with reference to the trust property, it is the trust estate that suffers.

Also, Section 3 of this bill states that "the funds and assets of a common trust fund may be invested in * * * such investments * * * as a person or corporation * * * who is not limited or restricted by investment specifications or limitations, may invest trust funds." This would seem to make it possible to invest the funds described in this act without any restrictions and I rather doubt if that is your intention.

An act very similar to this is the law in New York State but that act provides that such investments must be approved by the State Banking Department which perhaps is some protection. The bill before us has no such provision.

I will admit that it is quite technical and perhaps subject to different interpretations, but I am not at all satisfied with its provisions and am, therefore, declining to approve it.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 219. Placed on Select File as amended.

E and R amendments to L. B. 219:

1. In Standing Committee amendment 3, line 3, after the quotation mark and before the word "*county*" insert the word "secretary" and in said line, after the word "*of*" insert the word "*the*".

2. In the bill, section 1, line 5, after the word "land" insert "*(1)*" and in said line, before the word "*outside*" insert "*(2)*"; line 6, strike the comma after the word "*village*" and in lieu thereof insert the word "*and*"; line 9, strike the comma after the word "state" and in lieu thereof insert ","; strike all of line 11 after the figures "2-922" and all of lines 12 to 15, inclusive, and amendments thereto, and in lieu thereof, insert the following:

"*, inclusive; Provided, however, that less than twenty-five landowners may form such a district if they constitute fifty-one per cent or more of such landowners in any such contiguous body. Such a district may also be formed under the same conditions within the limits of any incorporated city or village by fifty-one per cent or more of all the landowners owning land in a contiguous body in such city but the area thereof must not be less than one block.*" .

3. In the bill, section 2, strike all of lines 3 to 7, inclusive, and "tion of the land, and" in line 8, and in lieu thereof insert the following:

"2-913. The ~~persons~~ *landowners,* mentioned in section 2-912, *as amended by this act, who are desirous of forming such a district,* shall file *a petition,* with the county clerk of each county in which *there is* ~~lands~~ *land* to be included in the proposed district are situated, a petition signed by all *the number or percentage* of such ~~persons~~, stating *landowners required by said section. The petition shall state (1)* the name of the proposed district, *(2)* the boundaries of the district *thereof, (3)* the purpose of *its* formation, *(4)* the description of the land *therein*, and *(5)*".

4. In the bill, section 3, line 3, strike "upon the filing of such petition" and in lieu thereof insert the following:

"~~upon~~ *after* the filing of such *a* petition *for the formation of a district either within or without the corporate limits of a city or village*";

line 6, strike "the most of such lands" and in lieu thereof insert: "~~the~~ most of such ~~lands~~ *land*"; line 7, strike the comma after the word "situated" and in lieu thereof insert "~~,~~" and in said line strike the word "*a*" and in lieu thereof insert the word "*the*"; line 8, strike the comma after the word "*filed*"; line 9, strike "and the" and in lieu thereof insert: "~~and the~~ . *The*"; strike the word "and" at the beginning of line 15 and in lieu thereof insert: "~~and~~ ," and in said line strike the word "granted" and in lieu thereof insert: "*either* granted,"; line 16, strike "that the same be denied," and in lieu thereof insert: "~~that the same be denied~~,"; line 20, insert a comma after the word "*report*"; line 24, after the period insert the following:

"*The said report shall be filed in the office of the county clerk of the county or counties in which such lands are situated.*" .

5. In the bill, section 4, line 3, strike the word "upon" and in lieu thereof insert: "~~upon~~ *after*"; line 4, strike ", such clerk" and in lieu thereof insert:

"*or clerks , such the county* clerk *of the county where all or the largest area of land to be included in the proposed district is located*";

line 5, strike ", and shall" and in lieu thereof insert: "and shall"; line 7, strike the word "and" and in lieu thereof insert: "and *or*"; lines 8 and 9, strike "*once each week for two consecutive weeks*" and in lieu thereof insert: "*two consecutive weeks, once each week,*"; line 11, after the word "shall" insert "*(1)*"; line 13, strike " ," " and in lieu thereof insert: " ~~,~~" , "; line 14, strike "shall not be" and in lieu thereof insert: "~~shall~~ *is* not ~~be~~"; lines 15 and 16, strike "; and such published

notice shall state the fact of" and in lieu thereof insert: "; and such published notice shall state the fact of , *(2)*"; line 17, before the words "the purpose" insert "*(3)*"; line 18, after the word "and" and before the word "the" insert "*(4)*" and in said line, before the word "hearing" insert the word "*the*".

6. In the bill, section 5, line 3, insert a comma after the word "petition", in line 19 after the word "hearing" and in line 8 after the word "weeds"; line 5, after the word "district" and before the comma, insert: "*to be located outside an incorporated city or village*"; line 12, after the word "clerk" insert: "*of the county where all or the largest area of land to be included in the district is situated*"; line 13, strike the word "county" and in lieu thereof insert "county"; line 15, strike the word "that" and in lieu thereof insert: "that *as*"; line 17, strike the word "county" and in lieu thereof insert "county"; line 18, strike ", if" and in lieu thereof insert: "; if ,"; line 20, strike "that it" and in lieu thereof insert: "that it"; line 21, strike ", and that it" and in lieu thereof insert: "; and that it".

7. In the bill, section 6, line 4, after the word "shall" insert "*(1)*"; line 7, strike "and shall" and in lieu thereof insert "and shall *(2)*"; line 8, strike "reasons therefor, and" and in lieu thereof insert: "*the* reasons therefor, and *(3)*"; lines 9 and 10, strike ", shall" and in lieu thereof insert: "; shall"; line 11, strike the comma after the word "district" and in lieu thereof insert "," and in said line, after the period, insert the following:

"Certified copies of such order shall, when the same becomes final, be filed as is set forth in section 7 of this act."

8. In the bill, section 7, strike all of line 4 after the word "*district*" and all of lines 5, 6 and 7 and "of incorporation." in line 8, and in lieu thereof, insert the following:

". certified *Certified* copy *copies* of the order of the board shall be filed in the office of the county clerk, *or clerks* and a certified copy thereof shall be filed in the office of the Secretary of State, in the same manner as articles of incorporation *and also in the office of the Department of Agriculture and Inspection; Provided, such certified copies shall only be so filed after such order becomes final .*";

line 9, strike the comma after the word "corporate" and in lieu thereof insert ","; insert a comma in line 9 after the word "duties", in line 10 after the word "supervisors" and in line 16 after the word "order" and also after "modified"; strike "Such certified" in line 11, all of line

12 and "In cases of" in line 13, and in lieu thereof insert the following:

"Such certified copies shall not be so filed until the order shall become final. In cases *case* of *an*";

line 15, strike ", and" and in lieu thereof insert: ", and . *Certified copies of*"; strike "Copies of all" in line 18, all of lines 19 and 20, and in lieu thereof insert the following:

"Copies of all orders filed with the Secretary of State shall be furnished to the director.".

9. In the bill, section 8, strike all of line 3 beginning with the word "Appeal", and all of lines 4, 5 and 6 and "party aggrieved thereby." in line 7, and in lieu thereof insert the following:

"*An* Appeal *appeal* may be taken, *by any party aggrieved thereby,* to the district court of the county wherein is held the hearing provided for in section 2-917, from any final order entered by the board creating or establishing or denying the creation or establishment of a district, by any party aggrieved thereby, *to the district court of the county wherein the hearing, provided for by section 2-917, is held.*" ;

line 11, strike "*2-920*" and in lieu thereof insert: "*10 of this act*".

10. In the bill, section 9, line 1, strike "*When no*" and in lieu thereof insert: "*If a*", and in said line, after the word "*have*" insert the word "*not*"; line 3, strike the word "*for*" and in lieu thereof insert: ", *inclusive, as amended by this act, for the*"; line 4, after the word "*district*" insert: ", *outside the corporate limits of any city or village in said county,*"; lines 8 and 9, strike ", *and shall cause*" and in lieu thereof insert: "*and causing*"; line 10, strike "*once each week for*"; line 11, after the word "*weeks*" insert: ", *once each week,*"; line 13, after the word "*shall*" insert "*(1)*"; line 15, strike " ," " and in lieu thereof insert " ", "; line 16, strike ", *but shall*" and in lieu thereof insert: "*but shall be sufficient if generally accurate, (2)*"; line 18, after the word "*and*" and before the word "*the*" insert "*(3)*"; line 19, strike "*hearing, and report of*" and in lieu thereof insert: "*the hearing upon such proposed district and the report of the*"; line 24, strike "*A certified copy*" and in lieu thereof insert: "*Certified copies*"; insert a comma in line 25 after the word "*filed*", in line 28 after the word "*duties*" and in line 29 after "*supervisors*"; line 25, strike "*2-919*" and in lieu thereof insert: "*7 of this act*"; line 26, strike "*2-920*" and in lieu thereof insert: "*8 of this act*"; line 29, after the word "*though*" insert:

"*it had been*"; line 30, strike the period and in lieu thereof insert: "*, inclusive, as amended by this act.*".

11. In the bill, section 10, line 5, strike "or city" and in lieu thereof insert:

"*of the county where all or the largest area of land to be included in the district* or *the* city *or village*";

line 6, strike the word "*and*"; line 11, before the word "surety" insert the word "*a*"; strike "in the" at the end of line 11, all of line 12 and "be fixed by the supervisors," in line 13, and in lieu thereof insert: "in the penal sum of not less than five hundred dollars , the amount to be fixed by the supervisors,"; line 14, strike the word "*monies*" and in lieu thereof insert the word "*money*"; strike all of line 16, beginning with the word "In" and all of line 17, and in lieu thereof insert the following:

"*The amount of the bond shall be fixed by the supervisors but shall not be less than five hundred dollars nor* In no instance shall the amount of the bond be less than double the sum entrusted to him, and . *The";*

line 23, strike ", and shall" and in lieu thereof insert: ", and shall".

12. In the bill, section 11, strike all of lines 3 to 6, inclusive, and in lieu thereof insert the following:

"2-922. Provisions for including additional *Additional* territory *may be included* within an existing *a* district *which has been previously organized* may be accomplished by filing with the county clerk *of the county or each county having land in such district* a petition or petitions signed *by the same number or percentage of qualified signers as is required by section 2-912, as amended by this act.*";

strike ", and the proceedings herein" in line 9, all of lines 10 and 11, and the word "of" in line 12, and in lieu thereof insert the following:

", and the *The* proceedings herein provided for in sections 2-912 to 2-918, *inclusive, as amended by this act,* in the case of *for* petitions to organize an original district, shall be *also substantially followed for* observed in the case of";

line 12, strike the word "county" and in lieu thereof insert "county"; line 13, before the word "inclusion" insert the word "*the*"; line 15,

strike the word "order" and in lieu thereof insert: "other *order, when the same becomes final,*"; strike all of lines 19 to 22, inclusive, and in lieu thereof insert the following:

"the *The said* county clerk shall, *when the same becomes final,* file in his office a *certified* copy of the order of said board, as to the inclusion of such additional territory, and shall also furnish the Secretary of State *and the Department of Agriculture and Inspection* with a certified copy of said order, as provided in section 2-220 7 *of this act.*".

13. In the bill, section 12, line 5, before the word "in" insert "*(1)*" and at the end of the line, after the word "years" insert a comma; line 6, strike "; and" and in lieu thereof insert the following:

"; *(2) in the case of four, two shall serve one year, one shall serve two years and one shall serve three years, as determined by lot,* and *(3)*";

line 12, strike ", and all" and in lieu thereof insert: ", and all . *All*".

14. In the bill, section 13, line 4, strike the word "calendar" after the word "first" and in lieu thereof insert the word "calendar"; line 4, strike the comma at the end of the line and in lieu thereof insert ","; line 9, strike ", and notice" and in lieu thereof insert: ", and notice . *Notice*"; line 10, before the word "publication" insert the word "*one*"; strike all of line 12 after the word "situated" and in lieu thereof insert: ", for one week prior to the date of such meeting, which . *The*"; line 13, strike "or *nor*" and in lieu thereof insert the word "nor" (as in statutes); insert the word "*the*" in line 14 before the word "publication" and in line 15 before the word "city"; line 14, strike the word "Like" and in lieu thereof insert: "Like *A similar*"; strike "*2-921.*" at the end of line 16 and in lieu thereof insert: "*10 of this act.*".

15. In the bill, section 15, line 4, strike the word "districts" and in lieu thereof insert: "districts *district*"; line 6, after the word "be" insert the word "*the*" and in said line strike the comma after the word "economical" and in lieu thereof insert ","; line 7, strike "; and the" and in lieu thereof insert: ", and the . *The*"; line 11, strike the period after the word "director" and in lieu thereof insert ","; line 14, strike "The plan" and in lieu thereof insert: "The plan *and the same*".

16. In the bill, section 16, line 3, insert a comma after the word "assessments" and also after the word "act"; line 4, strike the word "a" after the word "upon" and in lieu thereof insert: "a *the*"; line 5, strike the comma after the word "district" and in lieu thereof insert

"~~,~~"; line 6, strike the word "therein" and in lieu thereof insert "~~therein~~" and strike the word "therefrom" and in lieu thereof insert: "~~therefrom~~ *therein*".

17. In the bill, section 17, line 3, strike "Supervisors of" and in lieu thereof insert: "*The* ~~Supervisors~~ *supervisors* of *a*"; strike the word "calendar" at the beginning of line 5 and in lieu thereof insert "~~calendar~~"; line 6, strike the comma after the word "district" and in lieu thereof insert "~~,~~"; line 8, strike "at this meeting shall then" and in lieu thereof insert: "~~at this meeting~~ shall ~~then~~"; line 9, strike the period at the end of the line and in lieu thereof insert: "*at this meeting* ."; line 15, after the comma and before the word "as", insert: "*or the city or village clerk in the case of a district in the corporate limits of a city or village,*" and in said line, before the period, insert: "*, as amended by this act*".

18. In the bill, section 18, line 7, strike the word "moneys" and in lieu thereof insert: "~~moneys~~ *money*"; line 12, after the period insert the following:

"*The amount due under such a contract shall not be included in any assessment and, if the same is not paid, shall be collected as is provided by section 2-943, as amended by this act.*".

19. In the bill, section 19, lines 5 and 6, strike "and the county clerk" and in lieu thereof insert: "~~and the county clerk~~ *who*"; line 11, strike the word "the" before the word "state" and in lieu thereof insert: "~~the~~ *this*".

20. In the bill, section 20, line 3, before the word "every" insert "*(1)*"; line 5, strike "; of" and in lieu thereof insert: "~~;~~ ~~of~~ *, (2)*"; line 7, strike "; of" and in lieu thereof insert: "~~;~~ ~~of~~ *, (3)*"; line 10, strike "; of" and in lieu thereof insert: "~~;~~ ~~of~~ *, (4)*"; line 11, strike "; and of" and in lieu thereof insert: "~~;~~ and ~~of~~ *(5)*"; line 16, after the word "by" insert the word "*the*".

21. In the bill, section 21, line 5, strike "*effective district operation.*" and in lieu thereof insert: "*the effective operation of the district.*"; line 7, strike the comma after the word "*thereof*", also in line 8 after the word "*operators*"; line 11, strike the word "*of*" at the end of the line, and in lieu thereof insert: "*there are*"; line 12, after the word "*amounts*" insert: "*, except those to be collected by assessments,*"; line 14, strike "*by registered mail*"; line 15, after the word "*owners*" insert: "*by registered mail*"; lines 16 and 17, strike "*, and if the amount*" and in lieu thereof insert: "*. If the amount due*"; line 19, after the word "*same*" insert the following:

", including a description of the land treated or upon which the material, equipment or labor was used,";

line 20, strike *", and"* and in lieu thereof insert: *"and,"*; line 21, strike the word *"the"* after the word *"upon"* and in lieu thereof insert the word *"said"*; insert the word *"the"* in line 24 after the word *"from"*, in line 27 after the word *"showing"* and in line 28 after the word *"for"*; line 24, strike the comma after the word *"filing"*; line 25, before the word *"land"* insert the word *"said"*; strike all of lines 30, 31 and 32, and in lieu thereof insert the following:

"record showing (1) the sales for cash and charge sales of material, (2) charges made for the use of equipment owned, leased or hired or labor employed by the district on public or private land and (3) work done on contract as provided for by section 18 of this act. Such records";

line 45, strike "aside from" and in lieu thereof insert: *"aside from in addition to"*; line 46, strike the comma after the word "duties" and in lieu thereof insert ";".

22. In the bill, section 22, line 2, before the word *"machinery"* insert: *"materials,"* , also in line 5; line 2, after the word *"assist"* insert the word *"the"*; line 3, strike *"section 9 of"*.

23. In the bill, section 23, line 5, after "Nebraska," insert: "1943," (not in original bill, correct in printed bill).

24. In the bill, title, line 11, after the semicolon and before the words "to authorize" insert the following:

"to fix the number of landowners necessary to organize such a district outside the corporate limits of a city or village; to provide for the organization of such districts within the corporate limits of a city or village and certain special requirements therefor; to provide for county boards organizing such districts under the prescribed conditions and procedure; to prescribe the duties of certain officials, officers and persons; to provide for certain liens and the foreclosure thereof;";

line 13, strike the word "and" at the beginning of the line.

LEGISLATIVE BILL 121. Placed on Select File as amended.

E and R amendments to L. B. 121:

1. In the bill, section 1, lines 3 and 4, strike all stricken matter; line 8, strike the period and in lieu thereof insert ";"; line 15,

strike the period and in lieu thereof insert "," ; line 38, strike the comma after the word "investment" and in lieu thereof insert "," ; line 44, strike the semicolon after the word *"issued"* and in lieu thereof insert a comma; line 47, strike the word "at" and in lieu thereof insert "at" and in said line, strike the comma after the word "Schools" and in lieu thereof insert: "*, of the*"; line 58, after the word "by" insert "*(a)*" and in said line strike the word "or" before the word "Home" and in lieu thereof insert: "*or (b) a*"; line 59, strike "or by" at the beginning of the line, and in lieu thereof, insert: "*or by (c)*" and in said line, strike "or by" before the word "the" and in lieu thereof insert: "*or by (d)*"; line 60, strike "or by" and in lieu thereof insert: "*or by (e)*"; line 61, strike "or by" after "Board," and in lieu thereof insert: "*or by (f)*" and in said line, strike *"or by"* after "Bank," and in lieu thereof insert "*(g)*"; line 62, strike *"or of"* at the end of the line, and in lieu thereof insert "*(h)*"; line 63, after the word *"or"* insert "*(i)*"; line 77, strike the word "secured" and in lieu thereof insert: "*accrued secured*"; line 88, before the word "value" insert the word *"the"*; insert a comma in line 90 after the word "accepting" and in line 91 after the word "it"; line 93, strike "; and" and in lieu thereof insert "*; and*"; line 95, strike the comma after the word "estates" and in lieu thereof insert ","; line 97, insert the word *"the"* before the word "District"; at the end of line 98 insert ","; line 103, before the word "lessee" insert the word "the" (as in statute); line 110, insert a comma after the word "encumbered" and also after the word "section"; line 134, strike the word "trustee" and in lieu thereof insert: "*trustees trustee*"; line 135, strike the word "centum" and in lieu thereof insert the word "cent" (as in statute); line 138, strike the period and in lieu thereof insert: "*; and*"; line 149, strike the period and in lieu thereof insert *";"* ; line 152, strike "any of" and in lieu thereof insert "*any of*"; line 159, strike the period and in lieu thereof insert: "*; and*"; insert a comma in line 181 before the word *"as"* and in line 182 before the word *"shall"*; line 195, strike the period and in lieu thereof insert *";"* ; line 280, after the word "bridges" insert "," ; line 286, after the word "charges" and before the semicolon insert "," and in said line strike *"In"* and in lieu thereof insert *"in"*; line 297, after the word *"all"* insert the word *"the"*; line 304, strike the period and in lieu thereof insert *";"* ; line 308, strike the period and in lieu thereof insert "*;*" ; line 320, strike the period after the word *"dollars"* and in lieu thereof insert "*;*" ; line 343, strike the comma after the word *"annum"* and in lieu thereof insert: *"; and"* ; line 368, strike "(13)".

2. In the bill, section 2, line 2, after *"44-309,"* insert: *"Revised Statutes of Nebraska, 1943, as amended by this act,"* ; line 13, strike "," " and in lieu thereof insert " ", " and in said line insert a comma after the word *"earned"*.

3. In the bill, section 3, line 6, strike the word "or" after the word "States" and in lieu thereof insert: "~~or~~ ,".

4. In the bill, section 4, lines 1 and 2, strike *"render unauthorized the retention by"* and in lieu thereof insert the word *"prohibit"*; line 2, strike the word *"of"* and in lieu thereof insert the word *"retaining"*; line 3, insert the word *"the"* at the end of the line; line 5, strike *"acquisition."* and in lieu thereof insert: *"the acquisition thereof."*.

LEGISLATIVE BILL 205. Placed on Select File as amended.

E and R amendments to L. B. 205:

In the bill, section 1, insert a comma in line 5 after the word "state" and in line 7 after the word "situated"; line 8, strike the comma after the word "located" and in lieu thereof insert "~~,~~"; line 10, strike "taxable property" and in lieu thereof insert: *"all the* taxable property *, except intangible property,"*; line 12, insert a comma after the word "petition" and in line 13 after the word "assessment"; line 13, strike the word "on" and in lieu thereof insert: *", upon* ~~on~~" and at the end of the line, after the word "of" insert the word *"all"*; line 14, after the word "property" insert: *", except intangible property,"* ; line 17, after the word "taxes" insert *"(1)"*; line 19, strike "; and the same" and in lieu thereof insert: "~~,~~ and the same *, (2)*"; line 21, strike ", and" and in lieu thereof insert: "~~,~~ and *(3)*"; line 24, strike ", and in" and in lieu thereof insert: "~~,~~ and in *. In*".

LEGISLATIVE BILL 168. Placed on Select File as amended.

E and R amendments to L. B. 168:

1. In Standing Committee amendment, last line, strike "the word *forty"* and in lieu thereof insert: "~~thirty~~ *forty*".

2. In the bill, section 1, line 4, strike the word "Nebraska" and in lieu thereof insert "~~Nebraska~~"; line 5, strike the word "Dependent" and in lieu thereof insert "~~Dependent~~"; insert a comma in line 12 after the word "otherwise", in line 17 after the word "child", in line 22 after the word "ward" and also after "indentured"; line 18, strike "has become" and in lieu thereof insert: "~~has become~~ *becomes*"; line 19, strike "by resolution declare that fact," and in lieu thereof insert: "~~by resolution~~ declare that fact *by resolution*,"; line 21, strike the word "its" and in lieu thereof insert: "~~its~~ *his or her*"; line 24, strike the word "such" and in lieu thereof insert: *"the home of* such *parents"*; line 27, after the word "have" insert the word *"the"*; line 30, after the word "month" and before the period, insert: *"for each of said children"*.

3. In the bill, title, strike "home for dependent" in line 3 and all of lines 4, 5, 6 and 7, and in lieu thereof insert the following:

"Home for Children; to change the maximum amount which may be paid for the maintenance of children placed in private families or boarding homes by the Board of Control, under the prescribed circumstances, from thirty dollars to forty dollars per month for each of said children; to repeal" .

LEGISLATIVE BILL 193. Placed on Select File as amended.

E and R amendments to L. B. 193:

1. In the bill, section 1, line 5, after the word "forth" insert "*(1)*"; line 8, strike the semicolon and in lieu thereof insert: "*;* , *(2)*"; line 9, strike the semicolon and in lieu thereof insert: "*;* , *(3)*"; line 10, strike the semicolon and in lieu thereof insert: "*;* , *(4) all*"; strike all of line 14, beginning with "*; Provided* " and all of lines 15 to 18, inclusive, and the word "forth" at the beginning of line 19, and General File amendment by Mr. Klaver, and in lieu thereof insert the following:

"~~In addition thereto, the budget shall set forth~~, *and (5)*" ;

line 22, after the word "years" and before the period, insert the following:

"*; Provided, however, sections 23-901 to 23-919, inclusive, as amended, shall not apply to any matters connected with the foreclosure of taxes and the county board can at any time appropriate, from the unexpended balances out of the general fund, the sums of money necessary to carry through such a tax foreclosure action or actions*"

2. In the bill, title, line 5, after the semicolon and before the word "and" insert the following:

"to provide how the expenses for carrying out such a tax foreclosure action or actions shall be paid; " .

LEGISLATIVE BILL 342. Placed on Select File as amended.

E and R amendments to L. B. 342:

1. In the bill, section 1, line 33, strike the comma after the word "public" and in lieu thereof insert "*;*"; line 36, after the words "date of" insert: "*his or her*".

2. In the bill, section 2, line 7, strike the word "*in*" and in lieu thereof insert the word "*under*".

3. In the bill, section 3, lines 4 and 5, strike "*General commissions issued*" and in lieu thereof insert: "*A general commission, issued to a notary public*"; line 6, strike the word "*notaries*" and in lieu thereof insert the word "*notary*".

4. Strike Standing Committee amendment 1 and in the bill, section 4, line 1, after "64-101" and before the comma, insert: "and section 64-110".

5. Strike Standing Committee amendment 5, and in the bill, title, last line, strike the period and in lieu thereof insert: "and also section 64-110, Revised Statutes of Nebraska, 1943; and to declare an emergency." ; line 6, after the word "duties" insert: "granted to or"; line 11, strike the word "and".

6. Strike Standing Committee amendment 4.

LEGISLATIVE BILL 221. Replaced on Select File as amended.

E and R amendment to L. B. 221:

In the bill, section 1, line 2, before the word "are" insert: "1943,".

LEGISLATIVE BILL 171. Replaced on Select File as amended.

E and R amendment to L. B. 171:

In General File amendment 1 by Mr. Mekota, inserted matter, line 3, reinsert the word "*or*" after the word "*officer*".

LEGISLATIVE BILL 374. Placed on Select File as amended.

E and R amendments to L. B. 374:

1. In the bill, section 2, line 6, after the word "Nebraska" insert the word "State".

2. In the bill, title, line 7, after the word "provide" insert the word "an".

LEGISLATIVE BILL 353. Placed on Select File as amended.

E and R amendments to L. B. 353:

In the bill, title, line 2, strike "transfer old balances from" and in lieu thereof insert: "authorize the transfer of old balances from the prescribed"; insert the words "authorize the" at the end of line 2 after the word "to" and also in line 7 before the word "transfer" .

LEGISLATIVE BILL 331. Placed on Select File as amended.

E and R amendments to L. B. 331:

1. In the bill, section 1, line 4, insert a comma before the word "made" and also before the word "shall" ; line 5, strike "as a maker" and in lieu thereof insert: ~~"as a maker"~~ ; line 6, after the word "non-member" insert: *"as a maker"* .

2. In the bill, title, line 4, insert a comma after the word "loan", also in line 5 after the word "association"; line 7, strike "in the manner therein specified" and in lieu thereof insert: "as prescribed" .

LEGISLATIVE BILL 254. Placed on Select File as amended.

E and R amendments to L. B. 254:

1. In Standing Committee amendment, line 2, insert a comma after the quotation mark and before the word "at" and after the word "board" and before the quotation mark insert: *"of the other district,"* .

2. In the bill, section 1, line 4, insert a comma after the word "grade"; line 15, strike the word "the" after the word "using" and in lieu thereof insert the word "such" (in statute) .

3. In the title, insert a comma after the word "age" in line 4 and also after the word "grade" in line 5; line 9, after the word "may" insert: ", at the discretion of the board of the other district,"; line 14, strike the word "certain" and in lieu thereof insert: "the prescribed" .

LEGISLATIVE BILL 89. Correctly engrossed.
LEGISLATIVE BILL 132. Correctly engrossed.
LEGISLATIVE BILL 162. Correctly engrossed.
LEGISLATIVE BILL 188. Correctly engrossed.
LEGISLATIVE BILL 169. Correctly engrossed.
LEGISLATIVE BILL 190. Correctly engrossed.
LEGISLATIVE BILL 241. Correctly engrossed.
LEGISLATIVE BILL 262. Correctly engrossed.
LEGISLATIVE BILL 265. Correctly engrossed.
LEGISLATIVE BILL 279. Correctly engrossed.

LEGISLATIVE BILL 281. Correctly engrossed.
LEGISLATIVE BILL 309. Correctly engrossed.
LEGISLATIVE BILL 163. Correctly engrossed.
LEGISLATIVE BILL 351. Correctly engrossed.
LEGISLATIVE BILL 131. Correctly enrolled.
LEGISLATIVE BILL 283. Correctly enrolled.
LEGISLATIVE BILL 330. Correctly enrolled.

Presented to Governor

Presented to the Governor for approval, Friday, March 30, 1945, at 9:30 a. m.:

L. B. 143

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution 15	L. B. 283
L. B. 131	L. B. 330

BILLS REFERRED TO STANDING COMMITTEES

L. B.	Committee
379	Education
380	Education

SELECT FILE

LEGISLATIVE BILL 202. E and R amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 144. E and R amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 109. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 373. Read and considered.

Mr. Hanna made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 8:

Anderson, L.	Carmody	Hanna	Mekota
Babcock	Garber	Jeffords	Mueller

Voting in the negative, 20:

Adams	Conklin	Hoyt	Pizer
Anderson, J.	Crossland	Kain	Raecke
Brodahl	Foster	Lee	Reavis
Burnham	Heiliger	Ogden	Ryan
Carlberg	Hern	Peterson	Weborg

Not voting, 15:

Burney	Doyle	Norman	Sorrell
Cronin	Hubka	Raasch	Tvrdik
Cullingham	Klaver	Schultz	Wood
Dooley	Lusienski	Seaton	

Mr. Hanna's motion lost.

Advanced to E and R for review.

LEGISLATIVE BILL 33. Laid over until April 5, 1945, at 10:00 a. m.

LEGISLATIVE BILL 234. Laid over.

LEGISLATIVE BILL 299. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 252. Laid over.

LEGISLATIVE BILL 269. Read and considered.

Mr. James H. Anderson offered the following amendment, which was adopted.

Amend L. B. 269 by striking all of line 21 of Sec. 1, after the period and all of lines 22, 23, and 24 and strike the word "for" in line 21.

Advanced to E and R for review.

LEGISLATIVE BILL 231. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 252. Laid over for Special Order, following L. B. 33.

LEGISLATIVE BILL 272. Laid over.

LEGISLATIVE BILL 286. Read and considered.

Laid over.

LEGISLATIVE BILL 76. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Mr. James H. Anderson offered the following amendments, which were adopted:

1. Amend section 2 of the bill, as amended by Standing Committee amendment, by striking the word "Governor" in line 4 and inserting in lieu thereof the words "Director of the Department of Agriculture and Inspection".

2. Amend section 2 of the bill, as amended by Standing Committee amendment, line 5, by inserting after the punctuation following the word "chief" and before the word "such" the word "and".

3. Amend the bill by inserting a new section, to be numbered 3, reading as follows:

"Sec. 3. The Governor shall appoint an advisory committee to be known as the Nebraska Potato Development Committee. It shall be composed of three shippers and four growers from the industry, which committee, with the Director of the Department of Agriculture and Inspection as chairman, shall adopt and provide rules and regulations for the conduct of the affairs of the Division of Potato Development. The committee shall also advise with the director relative to the appointment of the chief of the division and such deputies as may be appointed. The members of the Nebraska Potato Development Committee shall serve without pay but shall receive actual expenses incurred while on official business. The term of each member shall be for a period of two years, and until a successor is appointed and qualified."

4. Renumber sections 3 to 11, inclusive, as sections 4 to 12, respectively.

5. Amend present section 9, renumbered section 10, as amended by Standing Committee amendment, by striking in line 7 of the amendment the word "eighteen" and substituting in lieu thereof the words "one hundred eighty".

6. Amend the title, as amended by Standing Committee amendment, by inserting after the punctuation following the word "therewith" the following:

"to provide for the creation of an advisory committee to be known as the Nebraska Potato Development Committee, and to prescribe the powers and duties of such committee;"

Mr. Raecke offered the following amendment:

Amend L. B. 76 as follows: "Amend the bill, Section 4, by striking all of lines 14 to 17, inclusive, and by renumbering the following subsections accordingly."

A record vote was requested.

Voting in the affirmative, 8:

Crossland	Hanna	Mekota	Schultz
Garber	Jeffords	Raecke	Weborg

Voting in the negative, 19:

Adams	Conklin	Hubka	Peterson
Anderson, J.	Doyle	Kain	Pizer

Babcock	Heiliger	Lee	Seaton
Carlberg	Hern	Lusienski	Sorrell
Carmody	Hoyt	Mueller	

Not voting, 16:

Anderson, L.	Cronin	Klaver	Reavis
Brodahl	Cullingham	Norman	Ryan
Burney	Dooley	Ogden	Tvrdik
Burnham	Foster	Raasch	Wood

Mr. Raecke's amendment was not adopted.

Advanced to E and R for review.

Discussion

Messrs. Sorrell and Lusienski discussed the proper way to proceed to get an increase in the number of grain cars for shipment of Nebraska's crops.

MOTION—To Adjourn

Mr. Ryan made a motion to adjourn.

Mr. Mueller made a substitute motion to recess until 2:00 p. m.

The motion prevailed.

After Recess

The Legislature reconvened at 2:05 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Cullingham, Dooley, Norman, Ryan and Wood, who were excused.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 381. By Committee on Education, C. N. Ogden, Chairman.

A bill for an act relating to schools and school districts; to provide an additional method and procedure for the formation of new

school districts and the alteration of boundaries of established school districts; to define terms; to provide for county committees to formulate plans for the reorganization of school districts; to prescribe the powers and duties of county committees; to provide for submission of proposed plans for reorganization of school districts to the electors of districts affected thereby for approval; to provide the powers and duties of county superintendent of schools in connection therewith; and to provide the procedure for carrying out reorganization of school districts.

Visitor

Mr. Hoyt introduced Mr. W. H. Meyers of McCook, Nebraska, a former member of the Nebraska House of Representatives.

General File

LEGISLATIVE BILL 286.

Mr. Hern offered the following amendments which were adopted.

1. Amend section 1 of the bill, line 9, by inserting after the word "in" the following words:

"Dawes and Sioux counties and all north of the Niobrara River in Sheridan county and in".

2. Amend section 1 of the bill, line 14, by striking the word "twenty-five" and inserting the word "ten".

3. Amend the title of the act, line 10, by inserting after the word "in" the following words:

"Dawes and Sioux counties and all north of the Niobrara River in Sheridan county and in".

Advanced to E and R for review.

LEGISLATIVE BILL 208. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 119. Placed on Select File as amended.

E and R amendments to L. B. 119:

Amendments to General File amendments by Mr. Peterson:

1. Section 3, line 3, after the word "miles" insert the word "which"; line 4, before the word "operation" insert the word "the"; strike the comma at the end of line 7 and in lieu thereof insert the word "and"; line 8, strike the word "in" and in lieu thereof insert the word "for"; line 10, strike ", including" and in lieu thereof insert the word "and"; insert a comma in line 13 after the word "month" and in line 14 after the word "commission"; line 14, strike the word "him" and in lieu thereof insert the words "such head"; line 15, strike ", giving" and in lieu thereof insert: ". Each of such operators shall give".

2. Section 4, line 4, strike ", and such" and in lieu thereof insert: ". Such".

3. Section 6, line 6, before the word "approved" insert: "filed with and".

4. Section 7, line 3, strike "except if such" and in lieu thereof insert: "unless such driving".

5. In amendment 2, to the title, inserted matter, line 4, before the word "use" insert the word "the", also in line 5; line 5, strike "expenses of" and in lieu thereof insert: "the payment for the expense of driving"; line 9, after the semicolon and before the word "and", insert: "to require that such rules and regulations be approved by the Governor before becoming effective;".

(Signed) Roy B. Carlberg, Chairman

Judiciary

LEGISLATIVE BILL 378. Placed on General File.

(Signed) John E. Mekota, Chairman

GENERAL FILE CONTINUED

LEGISLATIVE BILL 209. Read and considered.

Mr. Carmody Presiding

Mr. Sorrell raised the question of the presence of a quorum, and roll showed 23 members present.

Standing Committee Amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 31. Read and considered.

Mr. Hanna offered the following amendment, which was adopted.

Amend L. B. 31 by striking, beginning with the word "that" in line 19, Section 1, and ending with the word "*Provided*", in line 24, same section.

Standing Committee Amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Mr. Lusienski offered an amendment to the bill.

Mr. Lusienski moved a call of the house.

A call of the house was ordered and the roll showed 32 members present.

Mr. Lusienski moved to raise the call.

The motion prevailed with 24 ayes, 2 nays and 17 not voting.

The Lusienski amendment lost with 14 ayes, 16 nays and 13 not voting.

Laid over until April 6, 1945.

LEGISLATIVE BILL 290. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 217. Laid over.

Adjournment

At 4:30 p. m., Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 5, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the sixty-fourth day was approved as corrected.

Communications

Petition to Mr. Klaver from three hundred residents of Omaha, Nebraska, favoring L. B. 297.

Letter to Mr. Heiliger including a Resolution from the Lincoln Board of Realtors favoring salary increases for the personnel and faculty of the University of Nebraska.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 379—Monday, April 16, 1945—1:30 p. m.
L. B. 380—Monday, April 16, 1945—1:30 p. m.
L. B. 381—Monday, April 16, 1945—1:30 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 377. Placed on General File.
LEGISLATIVE BILL 339. Placed on General File.

(Signed) James H. Anderson, Vice-Chairman

Enrollment and Review

LEGISLATIVE BILL 282. Placed on Select File as amended.

E and R amendments to L. B. 282:

1. In Standing Committee amendment 1, line 2, strike "Sec." and in lieu thereof insert the word "section" .

2. In Standing Committee amendment 4, line 2, after the quotation mark and before the word "with" insert a comma.

3. In Standing Committee amendment 16, strike the 3rd line and in lieu thereof insert: "except "; and" in line 68." .

4. Strike Standing Committee amendment 19, as this was correct in the original bill, printer's error in printed bill.

5. In General File amendment to section 6, by Mr. Klaver, line 2, after the quotation mark and before the word "with" insert a comma, also after the word "Governor" and before the quotation mark.

6. In General File amendments by Mr. Klaver, amendment to the title, inserted matter, line 1, strike the word "thereof" and in lieu thereof insert: "of such tax" .

7. In the bill, section 1, line 25, after the word "means" insert "(a)" and in said line strike the comma after the word "area"; line 28, strike "shelter, servicing, or repair" and in lieu thereof insert: "sheltering, servicing or repairing"; line 29, strike the comma after the word "craft"; line 30, strike the word "and" and in lieu thereof insert: "; (b)"; line 31, strike ", and" and in lieu thereof insert: "and (c)" ; line 38, before " "state" " insert the word "and"; insert a comma at the end of line 45; strike the comma in line 57 after the word "state"; line 101, insert a comma after the word "person"; line 102, strike the word "which" and in lieu thereof insert the word "who"; line 114, before the word "regulations" insert the word "the"; line 115, strike the comma after the word "village" .

8. In the bill, section 2, line 3, after the word "by" insert "(1)"; line 4, strike "; by" and in lieu thereof insert: ", (2)" ; line 6, strike "; by" and in lieu thereof insert: ", (3)" ; line 8, strike "to a state agency" and in said line after the word "powers" insert the word "to"; lines 8 and 9, strike "upon it"; line 9, after the word "duties" insert: "upon a state agency in order"; line 15, strike "; by" and in lieu thereof insert: ", (4)" ; lines 19 and 20, strike "; and by" and in lieu thereof insert: "and (5)" .

9. In the bill, section 3, line 8, strike "or any" and in lieu thereof insert a comma; line 10, strike "the oath" and in lieu thereof insert: "an oath, such as is"; line 11, strike "shall execute" and in lieu thereof insert: "execute a bond" and at the end of said line strike: "a bond"; lines 18 and 19, strike the word "further"; line 25, strike ", and as" and in lieu thereof insert: ". As"; line 31, strike the comma after the word "term" and in lieu thereof insert: "of a member, the" and in said line, after the word "made" insert the word "only"; line 32, strike the word "unexpired" and also the word "only"; line 35, strike the word "the" before the word "appointment" and in lieu thereof insert: "such an"; insert a comma at the end of line 37 after the word "shall" and in line 38 after the word "year"; line 39, strike "and the director" and in lieu thereof insert: ". The Director of Aeronautics" and in said line, strike the period, and in lieu thereof, insert: "as set forth in section 8 of this act." ; line 40, strike the comma after the word "quorum"; line 42, insert the word "the" after the word "upon"; line 45, strike the comma after the word "promoted"; line 61, strike the word "and" after the semicolon; line 62, strike ". The commission shall also" and in lieu thereof insert: "; and (5) to"; at the end of line 63, after the word "policies" insert: "to be"; lines 64 and 65, strike "and the" and in lieu thereof insert: ". The" .

10. In the bill, section 4, line 2, strike the comma after the word "seal"; line 4, strike "and may" and in lieu thereof insert: ". It may," and in said line, insert a comma before the word "amend"; line 5, strike "report in writing" and in lieu thereof insert: "make a written report"; at the end of line 6, after the word "contain" insert "(1)"; at the beginning of line 8, before the word "a" insert "(2)", and in said line strike "and of all" and in lieu thereof insert: "or receipts and"; line 9, strike the word "it" and in said line, before the word "such" insert "(3)"; line 10, strike ", and" and in lieu thereof insert: "and (4)" .

11. In the bill, section 5, line 1, after the word "provided" insert the word "for"; line 2, strike ", and it" and in lieu thereof insert: ". It"; line 5, strike ", incidental expenses," and in said line strike "expenses necessary" and in lieu thereof insert: "incidental or necessary expenses"; line 8, strike "and such" and in lieu thereof insert: ". Such"; lines 8 and 9, strike "at all times"; line 9, after the word "subject" insert: "at all times" .

12. In the bill, section 6, line 15, strike the word "shall"; insert a comma in line 34 after the word "penalties" and in line 35 after the word "knowledge"; line 38, after the word "may" insert "(a)" and in said line, before the word "issue" insert "(b)"; line 39, strike the word "and" before the word "make" and in lieu thereof insert "(c)"; line 40, after the word "and" and before "es-" insert "(d)"; insert a

comma in line 52 after the word "regulations" and in line 53 after the word "act"; line 55, strike the word "and" and in lieu thereof insert a comma; line 59, strike the comma after the word "State" and also after the word "commission"; line 60, strike the comma after the word "regulations"; line 62, strike the word "and"; line 65, insert the word "the" before the word "publication"; insert a comma at the end of line 65 after the word "maps", in line 66 after the word "bulletins" and in line 67 after the word "ways"; line 66, strike "and charts and" and in lieu thereof insert: "charts,"; line 77, before the word "proposed" insert the word "the"; insert a comma in line 84 after the word "state" and in line 85 after the word "thereof" also in line 91 after the word "officer" and in line 92 after the word "laws"; lines 92 and 93, strike "and of" and in lieu thereof insert a comma; line 93, strike ", and of" and in lieu thereof insert the word "and"; line 94, strike ", and, in" and strike the word "in" at the beginning of line 95, and in lieu thereof insert: ". In"; insert a comma in line 98 after the word "it", in line 112 after the word "it", in line 120 before the word "shall", in line 149 after the word "may" and in line 150 before the word "make"; line 115, strike the comma after the word "department"; line 123, before the word "failure" insert the word "a"; line 124, after the word "under" insert the word "the"; line 125, strike the comma at the end of the line after the word "representative"; line 134, insert the word "the" before the word "promotion"; line 141, strike the word "in" at the beginning of the line, and in lieu thereof insert the word "on" ; line 105, strike the comma after the word "possible" .

13. In the bill, section 7, line 10, strike the word "moneys" after the word "federal"; line 11, strike the word "in" before the word "behalf" and in lieu thereof insert the word "on"; line 19, insert a comma after the word "state"; line 30, strike the word "are" and in lieu thereof insert the word "is"; insert a comma, in line 49, before the word "pursuant" and also after the word "section"; line 50, strike the comma after the word "treasury"; line 53, strike the word "were" and in lieu thereof insert the word "was"; line 54, strike the word "are" and in lieu thereof insert the word "is"; line 55, strike the word "were" and in lieu thereof insert the word "was".

14. In the bill, section 8, line 1, after the word "shall" insert "(1)"; line 2, strike "and shall" and in lieu thereof insert ", (2)"; line 5, strike ". He shall attend," and in lieu thereof insert: ", (3) attend and"; line 6, strike ". He shall," and in lieu thereof insert: ", (4) appoint," ; line 8, strike the word "appoint"; lines 11 and 12, strike ". He shall" and in lieu thereof insert: ", (5)"; line 15, strike ". He shall" and in lieu thereof insert: "and (6)".

15. In the bill, section 9, line 1, strike the word "The" and in lieu thereof insert: "To safeguard and promote the"; line 4, strike the

word "and", also in line 7; line 9, strike the semicolon and in lieu thereof insert a comma; line 11, strike "; and" and in lieu thereof insert a comma; line 31, strike the period and in said line, after the word "accept" insert a comma, and insert a comma in line 32 after the word "permit"; at the end of line 34, after the word "may" insert the word "prescribe"; line 35, strike the word "prescribe"; line 52, strike ", and licenses" and in lieu thereof insert: ". Licenses"; line 53, insert a comma after the word "areas"; line 80, strike ", or to" and in lieu thereof insert the word "or"; insert a comma in line 90 after the word "Government", in line 94 after the word "has" and also after the word "department"; line 91, strike the word "such" and in lieu thereof insert the word "which"; line 113, strike the word "nor" and in lieu thereof insert the word "or"; line 130, strike the words "or any" at the beginning of the line, also the word "any" before the word "authorized"; line 131, strike the words "or any"; line 133, strike the word "upon"; line 140, strike the word "any" before the word "peace" and also before the word "authorized"; line 141, strike the words "or any"; line 143, strike ", or upon" and in lieu thereof insert the word "or"; line 154, strike the word "such" and in lieu thereof insert the word "which"; line 166, after the word "serve" insert the word "the"; line 181, strike ", or" and in lieu thereof insert: "or,"; line 188, after the word "paper" insert: "published in or"; line 191, insert a comma after the word "made"; line 198, before the word "operation" insert the word "its"; line 203, after the word "consideration" insert "(a)"; line 204, after the comma and before the word "the" insert "(b)"; line 206 before the word "whether" insert "(c)"; line 207, before the word "whether" insert "(d)"; line 208, after the comma and before the word "the" insert "(e)"; line 209, after the comma and before the word "the" insert "(f)"; at the end of line 210, after the word "and" insert "(g)".

16. In the bill, section 10, line 2, before the word "issue" insert "(a)", and in said line, strike "or license, or" and in lieu thereof insert: "a license or the"; line 3, before the word "license" insert the word "a"; line 4, strike "or refuses to" and in lieu thereof insert "(b)"; lines 5 and 6, strike ", or refuses to" and in lieu thereof insert: "or (c)"; insert a comma in line 13 after the word "order" and in line 14 after the word "act"; line 16, strike the word "or" after the word "director" and in lieu thereof insert a comma, and in said line, strike the word "or" before the word "employees" and in lieu thereof insert the word "and"; strike the period at the end of line 17; line 24, strike the comma before the word "or"; line 26, insert a comma after the word "proceedings"; line 27, before the word "Revised" insert: "inclusive,"; line 28, before the word "rules" insert the word "the".

17. In the bill, section 11, line 3, before the word "acquire" insert "(a)" and after the word "acquire" insert a comma; line 4, strike the

comma after the word "proceedings"; line 5, strike "property real or personal," and in lieu thereof insert: "real or personal property"; line 7, strike "and to" and in lieu thereof insert "(b)"; line 11, strike the comma after the word "facilities" and in said line, strike "; to" and in lieu thereof insert: ", (c)"; line 13, strike "; to" and in lieu thereof insert: ", (d)"; line 15, strike ", and to" and in lieu thereof insert "and (e)"; line 17, strike the comma after the word "facility"; line 24, after the word "airport" insert the word "such" and in said line, after the word "equipment" insert: "as are"; strike the comma in line 34 after the word "areas", also in line 37; line 61, strike "doing no" and in lieu thereof insert: "but without doing or causing any"; line 62, strike: "so to be" and in lieu thereof insert: "to be so"; line 66, strike the word "lease" and in lieu thereof insert: "(a) lease,"; line 67, strike the word "or" before the word "other"; line 69, strike the word "or" after the word "government" and in lieu thereof insert a comma; line 70, strike "either, thereof," and in lieu thereof insert: "any such government"; line 71, strike "; and may" and in lieu thereof insert: ", (b)"; insert a comma in line 71 after the word "assign", in line 72 after the word "years", in line 80 after the word "supplying" and in line 81 after the word "airports"; line 72, strike the word "or" at the end of the line and in lieu thereof insert a comma; line 73, strike "either, for the" and in lieu thereof insert: "any such government for"; line 74, after the word "or" insert the word "other" and strike the comma at the end of the line; line 75, strike "; may" and in lieu thereof insert: ", (c)"; lines 79 and 80, strike "; and may" and in lieu thereof insert: ", and (d)"; line 80, strike "of concessions" and in lieu thereof insert: "or concession"; line 86, strike the comma after the word "accommodations"; line 88, strike "is not" and in lieu thereof insert: "shall not be"; line 92, strike the word "The" and in lieu thereof insert: "To enforce the payment of charges, the"; line 93, strike the word "and" after the word "have" and in lieu thereof insert: "a lien which" and in said line strike "liens, as" and in lieu thereof insert: ", substantially as is"; line 95, before the word "improvement" insert the word "the", and in said line, strike the word "or" before the word "storage" and in lieu thereof insert a comma; line 96, strike: ", to enforce the payment of any such charges".

18. In the bill, section 12, line 13, strike ", and such" and in lieu thereof insert: ". Such"; line 14, insert a comma after the word "privileges"; line 16, after the word "shall" insert the word "be".

19. In the bill, section 13, line 15, after the word "upon" insert the word "the".

20. In the bill, section 14, line 7, before the word "provided" insert the word "is", and in said line, before the word "collection" insert the word "the".

21. In the bill, section 16, line 4, strike the word "and" and in lieu thereof insert; ". Such claims"; line 5, strike the words "shall be"; line 9, strike ", and" and in lieu thereof insert: ". He"; line 10, insert a comma after the word "claimant".

22. In the bill, section 17, line 3, strike the word "punishable" and in lieu thereof insert: "and upon conviction thereof, shall be punished"; line 5, after the word "both" and before the period, insert: "such a fine and imprisonment".

LEGISLATIVE BILL 212. Replaced on Select File as amended.

E and R amendments to L. B. 212:

1. In the bill, section 2, line 16, strike the word "*them*" and in lieu thereof insert: "*such person*".

2. In the bill, section 4, line 12, after "89-169," insert: "*as amended by this act,*".

3. In the bill, title, line 6, strike "by any interested party;" and in lieu thereof insert the following:

"when requested by any interested party as prescribed; to provide that such an interested party shall thereby accept the provisions of this act for such federal-state inspection;".

LEGISLATIVE BILL 305. Correctly engrossed.
LEGISLATIVE BILL 201. Correctly engrossed.
LEGISLATIVE BILL 202. Correctly engrossed.
LEGISLATIVE BILL 350. Placed on Select File as amended.

E and R amendments to L. B. 350:

1. In the bill, section 1, strike all of line 3 except "44-1003." and all of line 4 up to the word "Any"; line 11, strike the comma after the word "body" and in lieu thereof insert "."; line 19, insert a comma after the word "*further*"; insert the word "*the*" in line 31 after the word "Only" and in line 32 after the word "and".

2. In the bill, section 4, insert a comma in line 1 after the word "exists", in line 2 after the word "effect" and in line 3 after the word "approval".

3. In the bill, title, line 11, before the word "when" insert: "as prescribed,"; strike all of line 20 except the word "repeal" and all of

line 21 up to the semicolon and in lieu thereof insert: "the original section".

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 134.

A bill for an act to amend section 32-1139, Revised Statutes of Nebraska, 1943, relating to elections; to provide the manner of preparation and printing of ballots for use at a primary election; to provide that instructions for voting procedure shall be printed on the back of absent and disabled voter's ballots used at primary elections; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Raasch
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Ryan
Babcock	Dooley	Klaver	Schultz
Brodahl	Foster	Lee	Seaton
Burney	Garber	Lusienski	Sorrell
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Peterson	Wood
Conklin	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Doyle	Norman	Ogden	Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 154.

A bill for an act to amend section 14-1003, Revised Statutes of Nebraska, 1943, relating to metropolitan cities; to provide for the

nomination of two candidates from each political party to be voted upon at the general election for the office of director of a metropolitan water district; to provide for instructions to voters and the manner of the election of directors of such district; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Cronin	Kain	Raecke
Anderson, L.	Crossland	Lee	Ryan
Babcock	Cullingham	Lusienski	Seaton
Brodahl	Doyle	Mekota	Sorrell
Burney	Heiliger	Mueller	Tvrdik
Burnham	Hern	Ogden	Weborg
Carlberg	Hoyt	Pizer	Wood

Voting in the negative, 4:

Foster	Klaver	Peterson	Schultz

Not voting, 7:

Carmody	Garber	Jeffords	Reavis
Dooley	Hanna	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 173.

A bill for an act to amend section 77-1301, Revised Statutes of Nebraska, 1943, relating to taxation; to provide that a county board may, at its discretion, appoint three residents of the county as a real estate classification committee for the purpose of classifying real estate of the county lying outside of cities and villages into units, classes or divisions as prescribed; to provide for the payment of compensation, mileage and expenses to the members thereof as prescribed; to provide for the disqualification of a member of the committee and the filling of the temporary vacancy; to provide that the county assessor shall value and assess the land in accordance with such classifi-

cation and with the general rules and regulations provided by the Tax Commissioner; to provide for the duties and termination of duties of such committee; to provide that the county board of equalization shall be vested with power to make reclassifications or additional classifications from year to year after the first general classification by such committee; to provide for the filing of the tabulation compiled by such committee with the county clerk for use of the county board of equalization; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lee	Ryan
Brodahl	Doyle	Lusienski	Sorrell
Burney	Foster	Mueller	Tvrdik
Burnham	Hanna	Ogden	Weborg
Carlberg	Heiliger	Peterson	Wood
Conklin	Jeffords		

Voting in the negative, 9:

Carmody	Hoyt	Pizer	Schultz
Cronin	Mekota	Reavis	Seaton
Hern			

Not voting, 4:

Babcock	Garber	Hubka	Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 259. With emergency.

A bill for an act to amend sections 50-302, 50-305, 50-306 and 50-307, Revised Statutes of Nebraska, 1943, relating to lobbying; to provide for registration by employers of counsel or agents as prescribed; to provide for the filing of written statements as prescribed and the time for filing the same; to make certain acts unlawful; to provide penalties; to except the prescribed appointed or elected of-

ficials from certain of the requirements of this act; to specifically eliminate the appointed or elected officials of public power and irrigation districts from said exception; to repeal the original sections and also section 50-301, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 23:

Adams	Carlberg	Dooley	Ryan
Anderson, L.	Carmody	Jeffords	Sorrell
Babcock	Conklin	Mekota	Tvrdik
Brodahl	Cronin	Peterson	Weborg
Burney	Crossland	Raasch	Wood
Burnham	Cullingham	Raecke	

Voting in the negative, 13:

Doyle	Hern	Lusienski	Pizer
Foster	Hoyt	Mueller	Schultz
Hanna	Kain	Ogden	Seaton
Heiliger			

Not voting, 7:

Anderson, J.	Hubka	Lee	Reavis
Garber	Klaver	Norman	

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Whereupon the President stated: "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 24:

Adams	Carlberg	Dooley	Raecke
Anderson, L.	Carmody	Jeffords	Ryan
Babcock	Conklin	Klaver	Sorrell
Brodahl	Cronin	Mekota	Tvrdik
Burney	Crossland	Peterson	Weborg
Burnham	Cullingham	Raasch	Wood

Voting in the negative, 13:

Doyle	Hoyt	Lusienski	Pizer
Hanna	Kain	Mueller	Schultz
Heiliger	Lee	Ogden	Seaton
Hern			

Not voting, 6:

Anderson, J.	Garber	Norman	Reavis
Foster	Hubka		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 115. With emergency.

A bill for an act to amend sections 80-401, 80-403 and 80-404, Revised Statutes of Nebraska, 1943, relating to Veterans' Relief Fund; to provide for a fund of eight million dollars to assist in the care and relief of the veterans of World War I and World War II and their wives, widows or dependent children under eighteen years of age who come under the eligibility requirements specified; to include shelter in aid benefits; to provide for the establishment of a fund to be known as "Nebraska Veterans' Aid Fund"; to provide for a special committee of the organization administering the fund to be known as "Nebraska Veterans' Aid Committee", which committee shall consist of five members, at least two of whom shall be World War II veterans; to provide that the appointment, tenure of office and duties of such committee members shall be subject to bylaws established by the administering organization and approved by the Board of Educational Lands and Funds; to provide for the state service officer and necessary assistants handling cases as prescribed; to direct the Board of Educational Lands and Funds to purchase bonds and notes issued by the government of the United States or the State of Nebraska, or any county, school district or municipality therein; to provide that the State Treasurer shall transfer all funds and securities held by him which have been purchased and accumulated pursuant to the provisions of Chapter 40, Laws of Nebraska for 1921, and amendments thereof, now appearing as Article 4, Chapter 80, Revised Statutes of Nebraska, 1943, to the "Nebraska Veterans' Aid Fund"; to provide for a levy upon all the taxable property of the state, except intangible property, for the years 1945 to 1950, inclusive, to raise one million dollars in each year to be used to establish said fund; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Kain	Raecke
Anderson, J.	Crossland	Klaver	Reavis
Anderson, L.	Cullingham	Lee	Ryan
Babcock	Dooley	Lusienski	Schultz
Brodahl	Doyle	Mekota	Seaton
Burney	Foster	Mueller	Sorrell
Burnham	Heiliger	Peterson	Tvrdik
Carlberg	Hern	Pizer	Weborg
Carmody	Hoyt	Raasch	Wood
Conklin	Hubka		

Voting in the negative, 2:

Hanna	Jeffords

Not voting, 3:

Garber	Norman	Ogden

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present on final reading of L. B. 115, I would have voted "aye". (Signed) Cliff N. Ogden

LEGISLATIVE BILL 93.

A bill for an act relating to public power districts; to provide that all public power districts be required to periodically make out and file with the Secretary of State written statements, verified under oath by an officer of the district, setting forth the expenditures made and other prescribed information in connection with elections concerning their properties, or in advertising or publicity campaigns designed to affect legislation; and to provide penalties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams	Cronin	Jefford's	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Reavis
Babcock	Dooley	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Hanna	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Doyle	Garber	Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 179. With emergency.

A bill for an act to amend section 79-910, Revised Statutes of Nebraska, 1943, relating to schools; to increase the free high school tuition rate to four dollars and fifty cents per week; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Crossland	Kain	Raecke
Anderson, J.	Cullingham	Klaver	Reavis
Anderson, L.	Dooley	Lee	Ryan
Babcock	Doyle	Lusienski	Schultz
Brodahl	Foster	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin			

Voting in the negative, 4:

Burney	Hanna	Hern	Raasch

Not voting, 2:

Garber	Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 157.

A bill for an act to amend sections 60-601, 60-605, 60-606, 60-607, 60-609, 60-611, 60-615 and 60-616, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to define terms; to provide for classes of motor vehicle dealer's licenses; to provide that motor vehicle manufacturers, distributors or wholesalers, factory representatives and distributor representatives shall also procure an annual license; to provide for the application for a license and the contents thereof; to provide for license fees and renewal thereof; to provide that the form of license be prescribed by the head of the Department of Roads and Irrigation; to provide how the license shall be displayed; to provide for pocket card certificates; to provide grounds for denial, revocation or suspension of any license; to provide for the investigations by the administrator; to provide for findings of the administrator and that same shall be reduced to writing; to provide the procedure for an appeal from the findings of the administrator; to provide that all retail motor vehicle sales, except as prescribed, shall be evidenced by an instrument in writing signed by buyer and seller; to provide for an invoice and the contents thereof, and that such invoice shall be delivered prior to or concurrent with any motor vehicle sale; to provide that all applicants at the time of making an application for a motor vehicle dealer's license or used motor vehicle dealer's license shall furnish a corporate surety bond in the penal sum of twenty-five hundred dollars on a form to be prescribed by the Attorney General; to prescribe certain of the conditions of such a bond; to provide that if any section, sentence, clause, phrase or requirement of this act is held unconstitutional, such decision will not affect the validity of the remaining portions; to provide penalties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 22:

Adams	Conklin	Heiliger	Lusienski
Anderson, J.	Cronin	Hern	Raasch
Babcock	Crossland	Hoyt	Seaton
Brodahl	Cullingham	Hubka	Weborg
Burnham	Dooley	Lee	Wood
Carlberg	Doyle		

Voting in the negative, 13:

Anderson, L.	Hanna	Mekota	Ryan
Burney	Jeffords	Pizer	Sorrell
Carmody	Kain	Raecke	Tvrdik
Foster			

Not voting, 8:

Garber	Mueller	Ogden	Reavis
Klaver	Norman	Peterson	Schultz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Bill Referred to Standing Committee

L. B.	Committee
381	Education

GENERAL FILE

LEGISLATIVE BILL 33. Read and considered.

Mr. Lester Anderson offered the following amendment.

1. Amend section 1 of the bill by striking all of lines 1 to 6, inclusive, and inserting in lieu thereof the following:

"Section 1. Any bank or trust company organized under the laws of this state making a charge for clearing of checks shall in no instance charge more than five cents for checks drawn in the amount of ten dollars or less, ten cents on checks drawn in excess of ten dollars and not more than one hundred dollars and ten cents for each one hundred dollars or fraction thereof on checks drawn in excess of one hundred dollars; *Provided*, the maximum charge on any one check drawn shall not exceed twenty-five cents."

2. Amend the bill by adding immediately after Section 1 a new section to read as follows:

"Sec. 2. Whenever the drawer of any check drawn on any bank or trust company organized under the laws of this state draws the same "with exchange" such check shall be paid at par and the exchange charge shall be charged by the bank or trust company upon which drawn against the account of the drawer of the check."

3. Amend section 2 of the bill by striking the section number "2" and inserting in lieu thereof the figure "3".

4. Amend the title of the act by striking all lines 3 to 5 and inserting in lieu thereof the following:

"rate that may be charged for clearing of checks drawn on any bank or trust company organized under the laws of this state; to provide that when any check bears the words "with exchange", such charge shall be charged against the account of the drawer of the check; and to provide a penalty."

RECESS

At 12:00, noon, Mr. Raecke made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

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

GENERAL FILE

LEGISLATIVE BILL 33.

A record vote on Mr. Lester Anderson's amendment was requested.

Voting in the affirmative, 15:

Anderson, L.	Crossland	Klaver	Raecke
Brodahl	Dooley	Mekota	Schultz
Burnham	Doyle	Peterson	Sorrell
Conklin	Heiliger	Raasch	

Voting in the negative, 25:

Adams	Cullingham	Kain	Reavis
Anderson, J.	Foster	Lee	Ryan
Babcock	Garber	Lusienski	Seaton
Burney	Hanna	Mueller	Tvrdik
Carlberg	Hern	Ogden	Weborg
Carmody	Hoyt	Pizer	Wood
Cronin			

Not voting, 3:

Hubka	Jeffords	Norman

Mr. Lester Anderson's amendment was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 252. Read and considered.

Mr. Hubka made a motion to advance the bill.

Mr. Schultz was excused for the remainder of the afternoon and tomorrow, and Mr. Ogden was excused for the balance of the day.

Mr. Mekota made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 9:

Anderson, L.	Crossland	Hanna	Raecke
Carlberg	Foster	Mekota	Sorrell
Carmody			

Voting in the negative, 29:

Adams	Dooley	Jeffords	Raasch
Anderson, J.	Doyle	Kain	Reavis
Babcock	Garber	Klaver	Ryan
Burney	Heiliger	Lee	Seaton
Burnham	Hern	Mueller	Tvrdik
Conklin	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood
Cullingham			

Not voting, 5:

Brodahl Norman Ogden Schultz
Lusienski

The motion did not prevail.

Mr. Conklin offered an amendment, which was not adopted with 6 ayes, 26 nays and 11 not voting.

Mr. Sorrell was excused for the balance of the day.

Advanced to E and R for review.

Members Excused

Messrs. Lee and Cronin were excused until Monday, April 9, 1945.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 179. Correctly enrolled.
LEGISLATIVE BILL 173. Correctly enrolled.
LEGISLATIVE BILL 154. Correctly enrolled.
LEGISLATIVE BILL 134. Correctly enrolled.
LEGISLATIVE BILL 93. Correctly enrolled.
LEGISLATIVE BILL 187. Placed on Select File as amended.

E and R amendments to L. B. 187:

1. In the bill, section 3, line 14, strike the parentheses marks after the word "*amount*" and after the word "*him*" and in lieu thereof insert commas; line 15, insert a comma after the word "*counties*"; at the end of line 19, strike the comma after the word "*county*" and in lieu thereof insert: ". *The*"; lines 21 and 22, strike "*so levied*" and in lieu thereof insert: "*received from said levy*"; line 20, strike "*and the*".

2. In the bill, section 4, strike all of lines 3 to 16, inclusive, and amendments thereto, and in lieu thereof insert the following:

"83-227. Whenever ~~the Board of Control shall transfer~~ an inmate from any state institution *is transferred* to the *Beatrice State Home* ~~Nebraska Institution for the Feeble-minded~~, the

county from which the inmate was originally committed shall pay to the Nebraska Institution for the Feeble-minded, for *the cost of maintaining such person in such home and all other matters shall be handled in substantially the same manner as in the case of an original commitment as set forth in sections 1 to 3, inclusive, of this act.* the clothing fund, the amount of forty dollars per year as in cases of direct commitment to the institution from the county, where the parents or guardians are unable to provide therefor. If any county board shall fail to comply with this section, the district court in the county shall, on application, compel the board by mandamus to comply.".

3. In the bill, title, insert the word "the" in line 4 before the word "ascertainment" and in line 5 before the word "per"; line 10, after the semicolon and before the word "to" insert the following:

"to provide for the procedure for and the payment of the expense of keeping patients transferred to said home from other state institutions;".

LEGISLATIVE BILL 349. Placed on Select File as amended.

E and R amendments to L. B. 349:

1. In the bill, section 1, line 14, strike ", *and to that end*" and in lieu thereof insert: ". *To that end,*"; line 15, before the word "*power*" insert the word "*the*"; line 26, insert a comma after the word "appoint"; line 28, strike the word "to" after the word "necessary" and in lieu thereof insert: "*to for*"; lines 34 and 35, strike "; and their acts" and in lieu thereof insert: "; and their . *The* acts *of such assistants*".

2. In the bill, section 2, line 15, strike the comma after the word "experimentation" and in lieu thereof insert ".".

LEGISLATIVE BILL 144. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 382. By Committee on Appropriations, A. J. Brodahl, Chairman.

A bill for an act to amend section 50-112, Revised Statutes of Nebraska, 1943, relating to the Legislature; to provide for an increase

in the salary of the Clerk and first assistant clerk of the Legislature; to repeal the original section; and to declare an emergency.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Thursday, April 5, 1945, at 2:00 p. m.

L. B. 131 L. B. 283 L. B. 330

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 179 L. B. 134 L. B. 93
L. B. 173 L. B. 154

Adjournment

At 4:50 p. m., Mr. Hern made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 6, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Reverend F. F. Gross of the Calvary Evangelical Church of Lincoln, who was introduced by the Chaplain.

The roll was called and all members were present except Messrs. Cronin, Lee, Norman and Schultz who were excused.

The Journal for the sixty-fifth day was approved as corrected.

Communications

Resolutions to Mr. Weborg from the Farmers Union of Oakland, Nebraska, opposing L. B. 364, 379 and 380.

Resolution of House of Representatives of Kansas for limited Missouri Valley Authority.

Joint Assembly Resolution from Nevada to amend the social security act.

Letter to the Clerk from Dr. C. A. Selby, Director of Health of State of Nebraska, announcing arrival of Mobile X-Ray Unit.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 261. Statement.

The problem with which this bill deals concerns automobile accidents where the person at fault is judgment proof and has no insurance. The present law attempts to take care of the second accident under those circumstances but leaves the victim of the first accident

practically without a remedy. The bill as amended is designed to reach the first accident without going to compulsory insurance.

The bill as originally introduced provides for compulsory insurance which the committee believes is not in the public interest. The bill as amended by the committee is in fact a substitute bill and for this reason the committee recommends a new printing thereof.

The form adopted by the committee is what is known as the model safety-responsibility bill, which has been carefully worked out and given consideration in other states. The committee is of the opinion that a demand exists for improvement in our present financial responsibility statutes and that the amended bill is the best approach to a sound solution.

(Signed) Earl J. Lee, Chairman

MOTION—To Adopt Report

Mr. President: I move that the recommendation of the Banking, Commerce and Insurance committee that amendments to L. B. 261 be printed and approved, and that the Clerk be directed to cause the printing to be made thereof. (Signed) Ernest C. Raasch.

The motion prevailed.

Bill Referred to Standing Committee

L. B.	Committee
382	Government

The members of the Legislature presented Mr. Hern with a gift in appreciation for his dinner for the members on March 26.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 261. Placed on General File as amended.

Standing Committee amendments to L. B. 261:

(Printed by order of the Legislature dated April 6, 1945)

1. Amend the bill by striking all of sections 1 to 4, inclusive, and inserting in lieu thereof the following:

"Section 1. The following words and phrases, when used in this act, shall, for the purposes of this act, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(1) "Department" means Department of Roads and Irrigation;

(2) "judgment" means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, maintenance or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages;

(3) "license" means any license issued to any person under the laws of this state pertaining to operation of a motor vehicle within this state;

(4) "motor vehicle" means any self-propelled vehicle which is designed for use upon a highway, including trailers designed for use with such vehicles, except traction engines, road rollers, farm tractors, tractor cranes, power shovels, and well drillers, and every vehicle which is propelled by electric power obtained from overhead wires but not operated upon rails;

(5) "nonresident" means every person who is not a resident of this state;

(6) "nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him of a motor vehicle, or the use of a motor vehicle owned by him, in this state;

(7) "operator" means every person who is in actual physical control of a motor vehicle;

(8) "owner" means a person who holds the legal title of a motor vehicle, or in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this act;

(9) "person" means every natural person, firm, co-partnership, association or corporation;

(10) "proof of financial responsibility" means evidence of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of five thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of ten thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of one thousand dollars because of injury to or destruction of property of others in any one accident;

(11) "registration" means registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles; and

(12) "state" means any state, territory or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

Sec. 2. (1) The department shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration.

(2) Any person aggrieved by an order or act of the department, under the provisions of this act, may, within ten days after notice thereof, file a petition in the district court of the county of Lancaster for a review thereof; but the filing of such a petition shall not suspend the order or act unless a stay thereof shall be allowed by a judge of said court pending final determination of the review. The court shall summarily hear the petition and may make any appropriate order or decree.

Sec. 3. The department shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this act, which abstract shall also fully designate the motor vehicles, if any, registered in the name of such person, and, if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person, the department shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident.

Sec. 4. (1) The operator of every motor vehicle which is in any manner involved in an accident within this state, in which any per-

son is killed or injured or in which damage to the property of any one person, including himself, in excess of fifty dollars is sustained, shall immediately report the matter in writing to the department. If such operator be physically incapable of making such report, the owner of the motor vehicle involved in such accident, shall, as soon as he learns of the accident, report the matter in writing to the department. The operator or the owner shall make such other and additional reports relating to such accident as the department shall require.

(2) Failure to report an accident as herein provided or failure to give correctly the information required of him by the department in connection with such report shall be a misdemeanor and, in the event of injury or damage to the person or property of another in such accident, shall also constitute a ground for suspension or revocation of (a) the license or registration for any motor vehicle, or of all such licenses and registrations of the person failing to make such report as herein required, and (b) the nonresident's operating privilege of such person.

Sec. 5. Within sixty days after the receipt of a report of a motor vehicle accident within this state which has resulted in bodily injury or death, or damage to the property of any one person in excess of fifty dollars, the department shall suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident, and if such operator is a nonresident the privilege of operating a motor vehicle within this state, and if such owner is a nonresident the privilege of the use within this state of any motor vehicle owned by him, unless such operator or owner or both shall deposit security in a sum which shall be sufficient in the judgment of the department to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against such operator or owner; *Provided,* notice of such suspension shall be sent by the department to such operator and owner not less than ten days prior to the effective date of such suspension and shall state the amount required as security.

This section shall not apply: (1) To such operator or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident; (2) to such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him; (3) to such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the department, covered by any other form of liability insurance policy or bond; or (4) to any person qualifying as a self-insurer under section 34 of this act.

No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this state, except that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this state shall execute a power of attorney authorizing the Secretary of State to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; *Provided, however,* every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than ten thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than one thousand dollars because of injury to or destruction of property of others in any one accident. Upon receipt of notice of such accident, the insurance company or surety company which issued such policy or bond shall furnish for filing with the department a written notice that such policy or bond was in effect at the time of such accident.

Sec. 6. The requirements as to security and suspension in section 5 shall not apply:

(1) To the operator or the owner of a motor vehicle involved in an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner;

(2) to the operator or the owner of a motor vehicle legally parked at the time of the accident;

(3) to the owner of a motor vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission; or

(4) if, prior to the date that the department would otherwise suspend license and registration or nonresident's operating privilege under section 5 of this act, there shall be filed with the department evidence satisfactory to him that the person who would otherwise have to file security has been released from liability or been finally adjudicated not to be liable or has executed a warrant for confession of judgment, payable when and in such installments as the parties

have agreed to, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the accident.

Sec. 7. The license and registration and nonresident's operating privilege suspended as provided in section 5 of this act, shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:

(1) Such person shall deposit or there shall be deposited on his behalf the security required under section 5 of this act;

(2) one year shall have elapsed following the date of such accident and evidence satisfactory to the department has been filed with it that during such period no action for damages arising out of such accident has been instituted; or

(3) evidence satisfactory to the department has been filed with it of a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged written agreement, in accordance with subdivision (4) of section 6 of this act; *Provided, however,* in the event there shall be any default in the payment of any installment under any confession of judgment, then, upon notice of such default, the department shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid; *and provided, further,* that in the event there shall be any default in the payment of any installment under any duly acknowledged written agreement, then, upon notice of such default, the department shall forthwith suspend the license and registration or nonresident's operating privilege of such person defaulting which shall not be restored unless and until (a) such person deposits and thereafter maintains security as required under section 5 in such amount as the department may then determine, or (b) one year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this state.

Sec. 8. In case the operator or the owner of a motor vehicle involved in an accident within this state has no license or registration, he shall not be allowed a license or registration until he has complied with the requirements of this act to the same extent that would be necessary if, at the time of the accident, he had held a license and registration.

Sec. 9. The security required by this act shall be in such form and in such amount as the department may require but in no case

in excess of the limits specified in section 5 of this act. The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made and, at any time while such deposit is in the custody of the department or State Treasurer, the person depositing it may, in writing, amend the specification of the person or persons on whose behalf the deposit is made to include an additional person or persons; *Provided, however,* that a single deposit of security shall be applicable only on behalf of persons required to furnish security because of the same accident. The department may reduce the amount of security ordered in any case within six months after the date of the accident if, in his judgment, the amount ordered is excessive. In case the security originally ordered has been deposited the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative forthwith, notwithstanding the provisions of section 10 of this act.

Sec. 10. Security deposited in compliance with the requirements of this act shall be placed by the department in the custody of the State Treasurer and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than one year after the date of such accident, or within one year after the date of deposit of any security under subdivision (3) of section 7 of this act, and such deposit or any balance thereof shall be returned to the depositor or his personal representative when evidence satisfactory to the department has been filed with it that there has been a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged agreement, in accordance with subdivision (4) of section 6 of this act, or whenever, after the expiration of one year from the date of the accident, or within one year after the date of deposit of any security under subdivision (3) of section 7 of this act, the department shall be given reasonable evidence that there is no such action pending and no judgment rendered in such action left unpaid.

Sec. 11. Neither the report required by section 4 of this act, the action taken by the department pursuant to this act, the findings, if any, of the department upon which such action is based, nor the security filed as provided in this act shall be referred to in any way, nor be any evidence of the negligence or due care of either party, at the trial of any action at law to recover damages.

Sec. 12. Whenever any person fails within sixty days to satisfy any judgment, it shall be the duty of the clerk of the court, or of the judge of a court which has no clerk, in which any such judgment is rendered within this state, to forward to the department immediately after the expiration of said sixty days, a certified copy of such judg-

ment. If the defendant named in any certified copy of a judgment reported to the department is a nonresident, the department shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registration certificates of the state of which the defendant is a resident.

Sec. 13. (1). Upon the receipt of a certified copy of a judgment, the department shall forthwith suspend, except as provided in section 16 of this act, the license and registration and the nonresident's operating privilege of any person against whom such judgment was rendered.

(2) If the judgment creditor consents in writing, in such form as the department may prescribe, that the judgment debtor be allowed license and registration or nonresident's operating privilege, the same may be allowed by the department, in its discretion, for six months from the date of such consent and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment, or of any installments thereof prescribed in section 16 of this act, provided the judgment debtor furnishes proof of financial responsibility.

Sec. 14. Such license, registration and nonresident's operating privilege shall, except as provided in section 16 of this act, remain so suspended and shall not be renewed, nor shall any such license or registration be thereafter issued in the name of such person, including any such person not previously licensed, unless and until every such judgment is stayed, satisfied or discharged, except that a discharge in bankruptcy shall not be deemed a satisfaction of such judgment, and until the said person gives proof of financial responsibility.

Sec. 15. Judgments in excess of the amounts specified in section 1 (10) of this act shall, for the purpose of this act only, be deemed satisfied when payments in the amounts so specified have been credited thereon; *Provided, however,* payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the respective amounts so specified.

Sec. 16. (1) A judgment debtor upon due notice to the judgment creditor may apply to the court in which such judgment was rendered for the privilege of paying such judgment in installments and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order and fix the amounts and times of payment of the installments.

(2) The department shall not suspend a license, registration or a nonresident's operating privilege, and shall restore any license, registra-

tion or nonresident's operating privilege suspended following nonpayment of a judgment, when the judgment debtor gives proof of financial responsibility and obtains such an order permitting the payment of such judgment in installments, and while the payment of any said installment is not in default.

(3) In the event the judgment debtor fails to pay any installment as specified by such order, then upon notice of such default, the department shall forthwith suspend the license, registration or nonresident's operating privilege of the judgment debtor until such judgment is satisfied, as provided in this act.

Sec. 17. (1) Whenever the department, under any law of this state, suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail, the department shall also suspend the registration for all motor vehicles registered in the name of such person, except that it shall not suspend such registration, unless otherwise required by law, if such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person.

(2) Such license and registration shall remain suspended or revoked and shall not at any time thereafter be renewed nor shall any license be thereafter issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person until permitted under the motor vehicle laws of this state and not then unless and until he shall give and thereafter maintain proof of financial responsibility.

(3) If a person is not licensed, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, or for operating an unregistered motor vehicle upon the highways, no license shall be thereafter issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person until he shall give and thereafter maintain proof of financial responsibility.

(4) Whenever the department suspends or revokes a nonresident's operating privilege by reason of a conviction or forfeiture of bail, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility.

Sec. 18. Proof of financial responsibility shall be furnished for each motor vehicle registered by any person required to give such proof and may be given by filing:

(1) A certificate of insurance as provided in sections 19 or 20 of this act;

(2) a bond as provided in section 24 of this act; or

(3) a certificate of deposit of money or securities as provided in section 25 of this act.

Sec. 19. (1) Proof of financial responsibility may be furnished by filing with the department the written certificate of any insurance carrier duly authorized to do business in this state certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate shall give the effective date of such motor vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all motor vehicles covered thereby, unless the policy is issued to a person who is not the owner of a motor vehicle.

(2) No motor vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility unless such motor vehicle is so designated in such a certificate.

Sec. 20. (1) The nonresident owner of a motor vehicle not registered in this state may give proof of financial responsibility by filing with the department a written certificate or certificates of an insurance carrier authorized to transact business in the state in which the motor vehicle or motor vehicles described in such certificate is registered, or if such nonresident does not own a motor vehicle, then in the state in which the insured resides, provided such certificate otherwise conforms to the provisions of this act, and the department shall accept the same upon condition that said insurance carrier complies with the following provisions with respect to the policies so certified: (a) said insurance carrier shall execute a power of attorney authorizing the Secretary of State to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this state; and (b) said insurance carrier shall agree in writing that such policies shall be deemed to conform with the laws of this state relating to the terms of motor vehicle liability policies issued herein.

(2) If any insurance carrier not authorized to transact business in this state, which has qualified to furnish proof of financial responsibility, defaults in any said undertakings or agreements, the department shall not thereafter accept as proof any certificate of said carrier whether theretofore filed or thereafter tendered as proof, so long as such default continues.

Sec. 21. (1) A "motor vehicle liability policy" as said term is used in this act shall mean an owner's or an operator's policy of liability

insurance, certified as provided in sections 19 or 20 of this act as proof of financial responsibility, and issued, except as otherwise provided in section 20 of this act, by an insurance carrier duly authorized to transact business in this state, to or for the benefit of the person named therein as insured.

(2) Such owner's policy of liability insurance: (a) shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted; and (b) shall insure the person named therein and any other person, as insured, using any such motor vehicle or motor vehicles with the express or implied permission of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicle or motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each such motor vehicle, as follows: five thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, ten thousand dollars because of bodily injury to or death of two or more persons in any one accident, and one thousand dollars because of injury to or destruction of property of others in any one accident.

(3) Such operator's policy of liability insurance shall insure the person named as insured therein against loss from the liability imposed upon him by law for damages arising out of the use by him of any motor vehicle not owned by him, within the same territorial limits and subject to the same limits of liability as are set forth above with respect to an owner's policy of liability insurance.

(4) Such motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this act.

(5) Such motor vehicle liability policy shall not insure any liability under any workmen's compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of any such motor vehicle nor any liability for damage to property owned by, rented to, in charge of or transported by the insured.

(6) Every motor vehicle liability policy shall be subject to the following provisions which need not be contained therein: (a) the liability of the insurance carrier with respect to the insurance required

by this act shall become absolute whenever injury or damage covered by said motor vehicle liability policy occurs; said policy may not be cancelled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy; (b) the satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage; (c) the insurance carrier shall have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in subdivision (2b) of this section; and (d) the policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of the act shall constitute the entire contract between the parties.

(7) Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy and such excess or additional coverage shall not be subject to the provisions of this act. With respect to a policy which grants such excess or additional coverage the term "motor vehicle liability policy" shall apply only to that part of the coverage which is required by this section.

(8) Any motor vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this act.

(9) Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(10) The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(11) Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

Sec. 22. When an insurance carrier has certified a motor vehicle liability policy under sections 19 or 20 of this act, the insurance so certified shall not be cancelled or terminated until at least ten days after a notice of cancellation or termination of the insurance so

certified shall be filed in the office of the department, except that such a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified with respect to any motor vehicle designated in both certificates.

Sec. 23. (1) This act shall not be held to apply to or affect policies of automobile insurance against liability which may now or hereafter be required by any other law of this state, and such policies, if they contain an agreement or are endorsed to conform to the requirements of this act, may be certified as proof of financial responsibility under this act.

(2) This act shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by persons in the insured's employ or on his behalf of motor vehicles not owned by the insured.

Sec. 24. (1) Proof of financial responsibility may be evidenced by the bond of a surety company duly authorized to transact business within this state, or a bond with at least two individual sureties each owning real estate within this state, which real estate shall be scheduled in the bond approved by a judge of a court of record, which said bond shall be conditioned for payment of the amounts specified in section 1 (10) of this act. Such bond shall be filed with the department and shall not be cancelable except after ten days written notice to the department. Such bond shall constitute a lien in favor of the state upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such bond was filed, upon the filing of notice to that effect by the department in the office of the register of deeds of the county where such real estate shall be located.

(2) If such a judgment, rendered against the principal on such bond shall not be satisfied within sixty days after it has become final, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action or actions in the name of the state against the company or persons executing such bond, including an action in equity to foreclose any lien that may exist upon the real estate of a person who has executed such bond.

Sec. 25. (1) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein

has deposited with him eleven thousand dollars in cash, or securities such as may legally be purchased by savings banks or for trust funds of a market value of eleven thousand dollars. The State Treasurer shall not accept any such deposit and issue a certificate therefor and the department shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

(2) Such deposit shall be held by the State Treasurer to satisfy, in accordance with the provisions of this act, any execution on a judgment issued against such person making the deposit, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid.

Sec. 26. Whenever any person required to give proof of financial responsibility hereunder is or later becomes an operator in the employ of any owner, or is or later becomes a member of the immediate family or household of the owner, the department shall accept proof given by such owner in lieu of proof by such other person to permit such other person to operate a motor vehicle for which the owner has given proof as herein provided. The department shall designate the restrictions imposed by this section on the face of such person's license.

Sec. 27. The department shall consent to the cancellation of any bond or certificate of insurance or the department shall direct and the State Treasurer shall return any money or securities to the person entitled thereto upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this act.

Sec. 28. Whenever any proof of financial responsibility filed under the provisions of this act no longer fulfills the purposes for which required, the department shall for the purpose of this act, require other proof as required by this act and shall suspend the license and registration or the nonresident's operating privilege pending the filing of such other proof.

Sec. 29. The department shall upon request consent to the immediate cancellation of any bond or certificate of insurance, or the department shall direct and the State Treasurer shall return to the person entitled thereto any money or securities deposited pursuant to this act as proof of financial responsibility, or the department shall waive the requirement of filing proof, in any of the following events:

(1) At any time after three years from the date such proof was required when, during the three-year period preceding the request, the department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration or nonresident's operating privilege of the person by or for whom such proof was furnished;

(2) in the event of the death of the person on whose behalf such proof was filed or the permanent incapacity of such person to operate a motor vehicle; or

(3) in the event the person who has given proof surrenders his license and registration to the department;

Provided, however, that the department shall not consent to the cancellation of any bond or the return of any money or securities in the event any action for damages upon a liability covered by such proof is then pending or any judgment upon any such liability is then unsatisfied, or in the event the person who has filed such bond or deposited such money or securities has, within one year immediately preceding such request been involved as an operator or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the non-existence of such facts, or that he has been released from all of his liability, or has been finally adjudicated not to be liable, for such injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the department.

Whenever any person whose proof has been cancelled or returned under subdivision (3) of this section applies for a license or registration within a period of three years from the date proof was originally required, any such application shall be refused unless the applicant shall re-establish such proof for the remainder of such three-year period.

Sec. 30. If an owner's registration has been suspended hereunder, such registration shall not be transferred nor the motor vehicle in respect of which such registration was issued registered in any other name until the department is satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this act. Nothing in this section shall be held to apply to or affect the registration of any motor vehicle sold by a person who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such motor vehicle from a person whose registration has been suspended under the provisions of this act.

Sec. 31. Any person whose license or registration shall have been suspended as herein provided, or whose policy of insurance or bond,

when required under this act, shall have been cancelled or terminated, or who shall neglect to furnish other proof upon request of the department shall immediately return his license and registration to the department. If any person shall fail to return to the department the license or registration as provided herein, the department shall forthwith direct any peace officer to secure possession thereof and to return the same to the department.

Sec. 32. (1) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act and who, during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owned by such person to be operated by another upon any highway, except as permitted under this act, shall be fined not more than five hundred dollars, or imprisoned not exceeding six months, or both.

(2) Any person wilfully failing to return license or registration as required in section 31 of this act shall be fined not more than five hundred dollars or imprisoned not to exceed thirty days, or both.

(3) Any person who shall forge or, without authority, sign any notice provided for under section 5 of this act that a policy or bond is in effect, or any evidence of proof of financial responsibility, or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both.

(4) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be fined not more than five hundred dollars or imprisoned not more than ninety days, or both.

Sec. 33. This act shall not apply with respect to any motor vehicle owned by the United States, the State of Nebraska or any political subdivision of this state or any municipality therein; nor, except for sections 4 and 26 of this act, with respect to any motor vehicle which is subject to the requirements of section 75-239, Revised Statutes of Nebraska, 1943.

Sec. 34. (1) Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department as provided in subsection (2) of this section.

(2) The department may, in its discretion, upon the application of such a person, issue a certificate of self-insurance when he is satisfied

that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person.

(3) Upon not less than five days' notice and a hearing pursuant to such notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

Sec. 35. This act shall in no respect be considered as a repeal of the state motor vehicle laws, but shall be construed as supplemental thereto.

Sec. 36. This act shall not apply with respect to any accident, or judgment arising therefrom, or violation of the motor vehicle laws of this state, occurring prior to the effective date of this act.

Sec. 37. Nothing in this act shall be construed as preventing the plaintiff in any action at law from relying for relief upon the other processes provided by law.

Sec. 38. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it.

Sec. 39. This act may be cited as the "Motor Vehicle Safety-Responsibility Act".

Sec. 40. If any section, sentence or clause of this act, or any rule or regulation promulgated by the department, for any reason shall be declared unconstitutional, such decision shall not affect the validity of the remaining portions of this act, nor of any other rule or regulation of the department.

Sec. 41. That Article 5, Chapter 60, Revised Statutes of Nebraska, 1943, is repealed."

2. Amend the title of the act by striking the same and inserting in lieu thereof the following:

"A BILL

FOR AN ACT relating to motor vehicles; to define words and phrases; to provide for administration of the act; to provide for furnishing of security; to provide for suspension of motor vehicle registrations and operator's licenses until owner of such vehicle gives proof

of his ability to respond in damages after final judgment is rendered against him for damage or injury caused by the operation thereof; to provide for cancellation or termination of liability policy; to provide procedure for enforcing the act; to provide a penalty for the violation of the provisions of this act; and to repeal Article 5, Chapter 60, Revised Statutes of Nebraska, 1943."

(Signed) Earl J. Lee, Chairman

Enrollment and Review

LEGISLATIVE BILL 148. Placed on Select File as amended.

E and R amendments to L. B. 148:

1. In Standing Committee amendment 13, inserted matter, after the word "for" insert the word "the".

2. In Standing Committee amendment 14, line 2, after the figure "16" insert: ", inclusive, and any amendments thereto,"; in the inserted matter, lines 3 and 4, strike "which may not" and in lieu thereof insert: "not to"; line 4, after the word "upon" insert the word "all"; line 5, after the word "district" insert: ", except intangible property,"; at the end of line 10, after the word "district" insert a comma; line 11, strike the word "shall"; line 14, strike the word "directors" and in lieu thereof insert the word "trustees" and in said line, strike ", bearing" and in lieu thereof insert: ". Such warrants shall bear".

3. In Standing Committee amendment 15, line 2, after the figure "7" insert: ", inclusive,".

4. In General File amendment 1 by Mr. Reavis, inserted matter, lines 2 and 3, strike ", and shall" and in lieu thereof insert the word "and"; line 5, strike the period and in lieu thereof insert: ", except as changed, enlarged or restricted by the provisions of this act.".

5. In General File amendment 3, by Mr. Reavis, inserted matter, line 2, strike ", and shall" and in lieu thereof insert the word "and"; line 5, strike the semicolon and in lieu thereof insert: ", except as changed, enlarged or restricted by the provisions of this act;".

6. In General File amendment by Mr. Raecke, last line, after the word "boards" and before the quotation mark insert the word "which".

7. In the bill, section 1, line 1, strike the word "electors" and in lieu thereof insert the word "taxpayers"; line 4, strike the word "are" and in lieu thereof insert the word "is"; strike all of line 5 after the word "organize" and all of line 6, and amendments thereto, and in lieu thereof insert the following:

"and establish a cemetery district which shall be empowered to equip and maintain a cemetery or cemeteries when the organization thereof is completed.".

8. In the bill, section 2, line 2, strike the word "elects" and in lieu thereof insert: "intends or desires"; strike all of line 3 after "organize," and "district," in line 4, and amendments thereto, and in lieu thereof insert the following:

"and establish a cemetery district which will be empowered to equip and maintain a cemetery or cemeteries when the organization thereof is completed,";

line 5, strike the word "election" and in lieu thereof insert the word "desire"; line 6, strike the comma after the word "county" and also after the word "situated"; line 7, strike the word "purposes" and in lieu thereof insert the word "intentions", and in said line strike the period after the word "petitioners" and in lieu thereof insert the following:

"; *Provided,* that said petition may be in the form of two or more separate petitions which read substantially the same except for the different signatures and addresses thereon.";

line 9, before the word "complete" insert the word "the".

9. In the bill, section 3, strike all of line 2 after the word "district", all of lines 3 and 4 and "petition." in line 5, and in lieu thereof insert the following:

"has been signed and filed in accordance with section 2 of this act, the county clerk or clerks shall determine if a majority of the taxpayers in the proposed district have signed the same and, if he or they find that they have, certify such fact.";

line 6, strike the word "residents" and in lieu thereof insert "other taxpayers"; line 7, after the word "meet" insert: "at a place within such district"; line 8, strike "publication for one week" and in lieu thereof insert: "one publication"; line 11, insert a comma after the word "county"; lines 11 and 12, strike "shall have signed" and in lieu thereof insert: "thereon shall reside"; strike all of lines 14, 15 and 16, and in lieu thereof insert the following:

"other counties interested in regard thereto and after the other clerk or clerks shall have certified as to the adequacy of the petition or petitions in that county.".

10. In the bill, section 4, strike all of line 1 beginning with the word "At" and in lieu thereof insert the following:

"At the public meeting held under the provisions of section 3 of this act," ;

line 3, strike the word "a" before the word "vice-president", before "secretary-treasurer" and before "board"; line 4, strike the word "directors" and in lieu thereof insert the word "trustees"; line 8, strike the word "director" and in lieu thereof insert the word "trustee"; line 9, after the word "embrace" insert: "or include territory in"; lines 10 and 11, strike the word "directors" and in lieu thereof insert: "trustees by at least one trustee or officer".

11. In the bill, section 5, line 2, strike the word "by" before the word "majority" and in lieu thereof insert: ", by a"; line 3, strike the comma after the word "vote" and in said line, after the word "through" insert the word "a"; lines 3 and 4, strike the word "directors" and in lieu thereof insert the word "trustees"; line 5, strike "policy of upkeep of contemplated rural" and in lieu thereof insert: "proposed policy in regard to the contemplated cemetery or"; line 17, before the word "tax" insert the word "the"; line 19, insert a comma after the word "year" and in said line after the word "the" insert the word "said".

12. In the bill, section 7, line 1, after the word "for" insert the word "the" and at the end of said line, after the word "of" insert the word "such"; insert a comma in line 2 after the word "district" and after the word "funds" and in line 3 after the word "annum"; line 5, strike the word "does" and in lieu thereof insert the word "shall".

13. In the bill, title, line 5, after the word "such" insert the word "a" and in said line strike the word "officers" and in lieu thereof insert: "the officers and trustees thereof"; line 6, before the word "levy" insert the word "the"; line 7, strike the word "assessable" and in lieu thereof insert: "the prescribed taxable".

LEGISLATIVE BILL 231. Placed on Select File as amended.

E and R amendments to L. B. 231:

1. In Standing Committee amendment 1, strike the third line and in lieu thereof insert: "following: "~~thirty-six~~ *forty-two*" . ".

2. In Standing Committee amendment 2, lines 2 and 3, strike: "word "*forty-two*" " and in lieu thereof insert: "following: "~~thirty-six~~ *forty-two*" ".

3. In Standing Committee amendment 3, line 3, strike "word "*be*" . " and in lieu thereof insert: "following: "~~not exceed the sum of~~ *be*" . " .

4. In Standing Committee amendment 4, line 2, after the quotation mark and before the period insert the following: "and show same as stricken matter".

5. In the bill, section 1, line 12, strike the comma after the word "annum" and in lieu thereof insert ";".

6. In the bill, title, line 4, before the word "salaries" insert the word "the" and in said line strike the word "clerk" and in lieu thereof insert the word "clerks".

LEGISLATIVE BILL 258. Placed on Select File as amended.

E and R amendments to L. B. 258:

1. In Standing Committee amendment 2, inserted matter, after the word *"capacity"* and before the quotation mark insert the word *"in"*.

2. In Standing Committee amendment 6, last line, strike the period and in lieu thereof insert a semicolon.

3. In the bill, section 1, line 3, after the comma and before the word *"and"* insert: *"as amended by this act,"*; line 5, strike "." " and in lieu thereof insert: ";" . " .

4. In the bill, section 2, strike all of lines 3, 4 and 5, and in lieu thereof, insert the following:

"23-902. Sections 23-901 to 23-919 , *inclusive, as amended by this act,* shall apply to all *the* counties of ~~the~~ *this* state , *except counties having a population of two hundred thousand or more inhabitants, and shall apply to counties of the latter class to the extent and under the conditions presented in section 14 of this act. The fiscal year for all counties, except as is provided for in section 14 of this act, shall*".

5. In the bill, section 3, line 5, after the word "forth" insert *"(1)"*; strike the semicolon at the end of line 8 and in lieu thereof insert: ";, *(2)*"; strike the semicolon at the end of line 9 and in lieu thereof insert: ";, *(3)*"; line 11, strike the semicolon and in lieu thereof insert: ";, *(4) all*"; strike all of line 15 after the word *"reserves"* and the words "set forth" in line 16, and in lieu thereof insert: ". ~~In addition thereto, the budget shall set forth~~, *and (5)*".

6. In the bill, section 4, line 13, after the word "such" insert the word *"a"*; strike the comma and in lieu thereof insert ";" in line

21 after the word "statements" and line 23 after the word "funds"; line 27, strike the period after "23-906" and in lieu thereof insert: ", *as amended by this act* ." ; strike the comma and in lieu thereof insert "," in line 33 before the word "or" and in line 40 after the word "budget"; line 38, insert a comma after the word "authorizing" and also after the word "funds" .

7. In the bill, section 5, line 5, after the comma and before the word *"and"* insert: *"as amended by this act,"*; strike ", and" at the end of line 6, all of line 7 and "to draft said forms, and" in line 8, and in lieu thereof insert the following:

", and it shall be their duty to . *The Auditor of Public Accounts shall* draft said forms, and" .

8. In the bill, section 6, line 5, strike "and it may" and in lieu thereof insert: "and it may *in its discretion*"; line 6, strike the word "or" after the word "clerk" and in lieu thereof insert: ", or"; line 8, insert a comma after the word **"document"; at the end of line 9,** after the comma, insert: *"as amended by this act,"*; line 11, strike the word "shall" and in lieu thereof insert the word "shall"; line 25, after the comma and before the word "showing" insert: *"as amended by this act,"*; line 40, insert a comma after the word *"hearing"*; line 41, strike ", or" and in lieu thereof insert: **", or ,"; line 42, strike the** word "then" and in lieu thereof insert "then" and in said line strike the word "in" after the word "newspaper" and in lieu thereof insert: "in *of*" .

9. In the bill, section 7, line 4, insert a comma after the word "document" and also after the word "authority"; line 10, strike the word "shall" and in lieu thereof insert: "shall *may, in its discretion,*" .

10. In the bill, section 9, line 15, strike the period and in lieu thereof insert: ", *as amended by this act.*"; line 41, insert a comma after " *1945*"; line 43, after the word *"event"* insert the word *"shall"*; line 47, before the word *"revenue"* insert the word *"the"*; line 52, insert a comma before the word "as" and also after the word "budget" .

11. In the bill, section 10, line 7, insert a comma after the word *"document"*; line 9, strike *"and a"* and in lieu thereof insert: *"as amended by this act. A"* and in said line, after the word *"shall"* insert the word *"also"*; line 14, strike "Said statement *budget document"* and in lieu thereof insert: "Said statement *It*" .

12. In the bill, section 11, lines 10 and 11, strike ", and such" and in lieu thereof insert: ", and such . *Such*" .

13. In the bill, section 12, line 8, strike "so far" and in lieu thereof insert: "so far , *insofar*" .

14. In the bill, section 13, line 17, strike ", and" and in lieu thereof insert: ", and *or*,"; line 18, strike the word "then" and in lieu thereof insert: ", *then*"; line 20, strike "which said" and in lieu thereof insert: "*except intangible property. Such* which said".

15. In the bill, section 14, insert a comma in line 2 after the word "*inhabitants*", in line 4 after the word "*income*", in line 12 after the word "*including*", in line 16 after the word "*once*" and in line 17 after the word "*hearing*"; line 5, before the word "*shall*" insert: "*, as amended by this act,*"; line 9, before the word "*for*" insert: "*, as amended by this act,*"; line 11, strike the word "*which*" and in lieu thereof insert: "*. Such*"; line 16, strike "*, which*" and in lieu thereof insert: "*. The same*"; line 21, strike the semicolon and in lieu thereof insert: "*, as amended by this act;*"; line 23, after the comma and before the word "*the*" insert: "*as amended by this act,*".

16. In the bill, title, strike all of line 8 beginning with the word "for" and "the Auditor of Public Accounts;" in line 9, and amendments thereto, and in lieu thereof insert:

"that the Auditor of Public Accounts shall act in an advisory capacity in the preparation of such budget;" ;

at the end of line 11, after the word "in" insert the word "the".

LEGISLATIVE BILL 290. Placed on Select File as amended.

E and R amendments to L. B. 290:

1. In the bill, section 1, line 20, strike "on his part to attend" and in lieu thereof insert: "on his part to attend *and represent him*"; line 22, strike "*notice of contest of*" and in lieu thereof insert: "*the required notice of the contest of such an* ".

2. In the bill, title, line 5, strike "executive state officers or members" and in lieu thereof insert: "an executive state officer or a member".

LEGISLATIVE BILL 373. Placed on Select File as amended.

E and R amendments to L. B. 373:

1. In the bill, section 2, line 2, after the word "act" insert a comma, also in line 1 after the word "land", in line 5 after the word "pay" and in line 6 after the word "Funds"; line 7, after the comma and before the word "and" insert: "deceased," and at the end of the line, after the word "of" insert the word "the"; line 8, strike ", and the" and in lieu thereof insert: ". The".

2. In the bill, section 3, insert a comma in line 4 after the word "charges" and in line 5 after the word "testament"; line 5, strike "maintenance and upkeep," and in lieu thereof insert: "the maintenance and upkeep of said real estate,".

3. In the bill, title, line 3, strike "devise of" and in lieu thereof, insert: "the devise of the specified"; line 7, strike ", and the payment therefrom of" and in lieu thereof insert: "and from which the"; line 8, strike ", and" and in lieu thereof insert: "and the"; line 9, after the word "estate" and before the semicolon insert: "shall be paid" and in said line, strike "disposition of the" and in lieu thereof insert: "the disposition of the net".

LEGISLATIVE BILL 120. Correctly engrossed.
LEGISLATIVE BILL 115. Correctly enrolled.
LEGISLATIVE BILL 157. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B 115 L. B. 157

NOTICE OF COMMITTEE HEARING

Government

L. B. 382 Wednesday, April 11, 1945 2:00 p. m.

Communication

To the Members of the Legislature:

Due to mechanical difficulties, it will be impossible to take X-Ray pictures of members of the Legislature this afternoon as previously planned. Further notification will be given the Legislative body as to when this X-Ray work can be handled.

(Signed) C. A. Selby M. D.
Director of Health

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 195. With emergency.

A bill for an act to amend section 33-151, Revised Statutes of Nebraska, 1943, relating to fees; to extend until June 30, 1947, the provisions of the act providing for the crediting of fifteen per cent of the prescribed money of certain state boards, bureaus, divisions and commissions, enumerated in section 33-150, Revised Statutes of Nebraska, 1943, to the general fund of the state, under the prescribed conditions; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 35:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Dooley	Jeffords	Raecke
Anderson, L.	Doyle	Kain	Ryan
Babcock	Foster	Klaver	Seaton
Brodahl	Garber	Lusienski	Sorrell
Burney	Hanna	Mekota	Tvrdik
Burnham	Heiliger	Mueller	Weborg
Carlberg	Hern	Peterson	Wood
Carmody	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 8:

Cronin	Cullingham	Norman	Reavis
Crossland	Lee	Ogden	Schultz

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 197. With emergency.

A bill for an act to appropriate the sum of two hundred seventy-two dollars and nine cents for the benefit of Bessie Bowman; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams	Crossland	Hoyt	Pizer
Anderson, J.	Cullingham	Hubka	Raasch
Anderson, L.	Dooley	Jeffords	Raecke
Babcock	Doyle	Kain	Ryan
Brodahl	Foster	Klaver	Seaton
Burney	Garber	Lusienski	Sorrell
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Peterson	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Cronin	Norman	Reavis	Schultz
Lee	Ogden		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 255

A bill for an act to amend section 53-118, Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the Nebraska Liquor Control Commission shall establish the prescribed rules and regulations, including the form of revenue stamps to be used for the specified purposes, which stamps may include a decalcomania revenue stamp; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hern	Pizer
Anderson, J.	Crossland	Hoyt	Raasch
Anderson, L.	Cullingham	Hubka	Raecke
Babcock	Dooley	Jeffords	Ryan
Brodahl	Doyle	Kain	Seaton
Burney	Foster	Klaver	Sorrell
Burnham	Garber	Lusienski	Tvrdik
Carlberg	Hanna	Mueller	Weborg
Carmody	Heiliger	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Cronin	Mekota	Ogden	Schultz
Lee	Norman	Reavis	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Unanimous Consent

Mr. President: I ask unanimous consent to have L. B. 293 returned to Select File for the following specific amendment: "On page 2, line 16, after the word "brand" strike the word "or" and insert a comma in lieu thereof. (Signed) Don Hanna

No objection was offered and it was so ordered.

Speaker Peterson Presiding

SELECT FILE

LEGISLATIVE BILL 219. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Mr. Carmody offered the following specific amendment, which was adopted by unanimous consent.

Amend L. B. 219, Section 9, lines 5 and 6 by striking the words "of visible bindweed" and inserting the words "that there is need for a district".

Mr. Hubka offered the following specific amendment, which was adopted by unanimous consent.

1. Amend section 11 of the bill, line 22, by inserting after the period the following:

"A district may merge with another district by filing with the county clerk a petition signed by the same number or percentage of qualified signers as required by section 2-912 as amended. The proceedings, provided for in sections 2-912 to 2-918, inclusive, as amended by this act, to be used in the case of petitions to organize an original district, shall be observed in the case of petitions

for such merging. Any funds of such a district or districts may be transferred to the district of which it becomes a part or with which it is merged."

2. Amend the bill by inserting immediately after section 22, the following additional section:

"Sec. 23. *All cities and villages in this state may provide for, appropriate money for and make the necessary expenditures for noxious weed control and eradication. The director shall cooperate with and advise such cities or villages in such noxious weed control and eradication. Nothing in this section, however, shall prevent the formation of a weed eradication district in cities and villages under the other provisions of this act."*

3. Amend the bill by renumbering the present section 23 as section 24.

4. Amend the title of the act, line 13, by inserting after the punctuation following the word "districts", the following:

"to provide for merger of district; to authorize cities and villages to provide for weed control and eradication and to appropriate and expend funds for such purpose;"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 121. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 205. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Mr. Brodahl offered the following amendment, which was adopted by unanimous consent.

Add the emergency clause to L. B. 205, and amend the title to conform.

Laid over.

LEGISLATIVE BILL 168. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 193. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Mr. Reavis offered the following amendments, which were adopted by unanimous consent.

1. Amend section 1 of the bill, line 14, by inserting after the punctuation following the word "however" the following words and punctuation:

"in counties having a population of more than one hundred and twenty-five thousand inhabitants,"

2. Amend the title of the act, line 4, by inserting after the word "act" the following words and punctuation:

", in counties having a population of more than one hundred and twenty-five thousand inhabitants,"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 342. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 221. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 171. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 374. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Laid over.

LEGISLATIVE BILL 353. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 331. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 254. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 119. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 282. Laid over.

LEGISLATIVE BILL 212. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 350. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 349. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 293.

Specific amendment offered by Mr. Hanna, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 322. Laid over.

LEGISLATIVE BILL 92. Read and considered.

Standing Committee Amendments found in the Legislative Journal for the Forty-third Day were adopted.

Mr. Raecke offered the following amendment, which was adopted.

1. Amend Standing Committee amendment 2 by inserting after the punctuation following the word "district" and before the word "while" the following:

"out of earnings from operation of the district".

2. Amend Standing Committee amendment 2 by striking the word *"or"* after the words "purchase price" and inserting in lieu thereof the word *"and"*.

Mr. Raecke offered the following amendment, which was adopted:

Amend the title to L. B. 92 by inserting in line 6, after the word "retired" the following:

"out of earnings from operation of the district"

Advanced to E and R for review.

LEGISLATIVE BILL 322.

Mr. Ogden asked unanimous consent to place L. B. 322 at the bottom of General File.

No objection was offered and it was so ordered.

President Johnson Presiding

LEGISLATIVE BILL 31. Read and considered.

Mr. Lusienski offered the following amendment, which was adopted:

Amend L. B. 31, Section 13 of the bill, line 2, by striking the following: "48-170".

Mr. Lusienski offered the following amendment, which was adopted:

Amend L. B. 31 by inserting a new section as Section 12, as follows:

"Sec. 12. That section 48-159, Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-159. Each judge of the Nebraska Workmen's Compensation Court shall receive an annual salary of 3600 dollars, payable in the same manner that the salaries of other state officers are paid. The clerk and all other assistants and employees of the court shall receive such salaries as the court may, with the approval of the Governor, determine, not, however, to exceed the amount of the appropriation made by the Legislature for such purpose. Such salaries shall be payable in the same manner that salaries of other state employees are paid, and such assistants and employees shall not receive from any other source any other salary or other pay for their services. In addition to the salaries as herein provided the judges of the court, the clerk and other assistants and employees of the court shall be entitled while traveling on the business of the court, to be reimbursed by the state for necessary traveling expenses, consisting of transportation, subsistence, lodging, and such other items of expense as are necessary, to be paid in the same manner as other claims against the state."

and amend the title to conform thereto.

Renumber the remaining sections.

Mr. Reavis offered the following amendment, which was adopted:

Amend Section 13, line 4, by striking "48-170, Revised Statutes of Nebraska, 1943."

Advanced to E and R for review.

LEGISLATIVE BILL 234. Read and considered.

Mr. Lusienski's amendments found in the Legislative Journal for the Sixty-third Day were withdrawn.

Mr. Lusienski offered the following amendments, which were adopted.

1. Amend section 1 of the bill by striking all of lines 1 to 3, inclusive, and inserting in lieu thereof the following:

"Section 1. The county boards of the several counties are authorized to levy"

2. Amend section 2 of the bill by striking all of lines 1 to 4, inclusive, and inserting in lieu thereof the following:

"Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

3. Amend the title of the act by striking all of lines 2 and 3 and inserting in lieu thereof the following:

"FOR AN ACT to authorize the county boards of the several counties to".

4. Amend the title of the act by striking all of lines 10 and 11 and inserting in lieu thereof the following:

"and to declare an emergency."

Advanced to E and R for review.

LEGISLATIVE BILL 272. Laid over.
LEGISLATIVE BILL 217. Laid over.
LEGISLATIVE BILL 210. Read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Change "48-438" to "48-638" in the title and Section 9.

Advanced to E and R for review.

LEGISLATIVE BILL 218. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for review, with 34 ayes, 0 nays and 9 not voting.

Recess

At 12:00, noon, Mr. Carmody made a motion to recess until 2:00 p. m.

The motion prevailed.

After Recess

The Legislature reconvened at 2:05 p. m., Speaker Peterson presiding.

The roll was called and all members were present except Messrs. Cronin, Lee, Lusienski, Norman and Schultz, who were excused.

GENERAL FILE

LEGISLATIVE BILL 213. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Mr. James H. Anderson made a motion to indefinitely postpone.

The motion prevailed.

MOTION—To Extend Sympathy

Mr. President: I move that the Legislature send flowers to the funeral of the aunt of President Johnson, Mrs. George Johnson of Sumner, Nebraska. (Signed) Fred A. Mueller

The motion prevailed.

GENERAL FILE—Continued

LEGISLATIVE BILL 304. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-sixth Day was adopted.

Mr. Tvrdik asked unanimous consent to have the rest of the names of the Omaha delegation added to the bill as co-introducers. No objection, request granted.

Advanced to E and R for review.

LEGISLATIVE BILL 257.

Mr. Klaver asked unanimous consent to have only new matter read. No objection, so ordered.

Mr. Klaver asked unanimous consent to have the rest of the names of the Omaha delegation added to the bill as co-introducers. No objection, so ordered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Mr. Klaver offered the following amendment which was adopted:

Amend the title of the bill to conform to Standing Committee amendment 2.

Advanced to E and R for review.

LEGISLATIVE BILL 251. Read and considered.

Mr. Hoyt offered the following amendment which was adopted:

Amend L. B. 251, Section 2, Line 8, by striking the words "and in no other manner".

Motion to advance to E and R for review lost with 11 ayes, 16 nays and 16 not voting.

Mr. Seaton made a motion to indefinitely postpone.

Mr. James Anderson asked unanimous consent to lay the bill over. There was objection and it was not granted.

Mr. James Anderson made a motion to set the bill for Special Order of Business on April 12, 1945.

The motion prevailed.

Member Excused

Mr. Klaver asked to be excused for the balance of the day's session. No objection, so ordered.

GENERAL FILE CONTINUED

LEGISLATIVE BILL 35. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Mr. Heiliger offered an amendment which was not adopted.

Laid over.

MOTION—To Adjourn

Mr. President: I move we adjourn. (Signed) Frank Sorrell

The motion did not prevail.

Member Excused

Mr. Raasch asked to be excused for the balance of the day's session. No objection, so ordered.

LEGISLATIVE BILL 276. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Laid over.

LEGISLATIVE BILL 35.

Mr. Tvrdik offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 35 as follows:

1. Strike the Standing Committee amendments of March 6, 1945.

2. Amend the bill, Section 1, Line 9, by striking the word "fifteen" and inserting in lieu thereof the word "twelve".

3. Amend the title, Line 9 by striking the word "fifteen" and inserting in lieu thereof the word "twelve".

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Friday, April 6, 1945, at 2:00 p. m.

L. B. 93	L. B. 134	L. B. 173
L. B. 115	L. B. 154	L. B. 179

LEGISLATIVE BILL 33. Placed on Select File as amended.

E and R amendments to L. B. 33:

1. In the bill, section 2, line 3, strike the comma after the word "misdemeanor".

2. In the bill, title, line 3, strike "at par" and in lieu thereof insert the word "of"; line 5, strike "state;" and in lieu thereof insert: "state at par, except as prescribed; to make it unlawful to violate the provisions of this act;".

LEGISLATIVE BILL 286. Placed on Select File as amended.

E and R amendments to L. B. 286:

1. In General File amendment 1, by Mr. Hern, inserted matter, line 1, strike "and all" and in lieu thereof insert: ", in all that part of Sheridan county which is"; line 2, strike "in Sheridan county".

2. In General File amendment 3, by Mr. Hern, inserted matter, line 1, strike "and all" and in lieu thereof insert: ", in all that part of Sheridan County which is"; line 2, strike "in Sheridan county".

3. In the bill, section 1, line 4, strike the word "same" and in lieu thereof insert: "number thereof"; line 6, insert a comma after the word "limited".

4. In the bill, section 2, line 3, strike "carcass of deer after close of the" and in lieu thereof insert: "the carcasses of deer after the close of any such".

5. In the bill, title, insert the word "the" at the end of line 4 after the word "when", in line 7 before the word "regulations", in line 9 before the word "killing", in line 12 after the word "for"; line 12, after the semicolon and before the word "and" insert: "to fix the fee for such a special permit;" ; strike "storage of" in line 13 and strike all of line 14, and in lieu thereof insert: "the tagging and storage of the carcasses of deer after the close of any such limited".

LEGISLATIVE BILL 252. Placed on Select File as amended.

E and R amendments to L. B. 252:

1. In the bill, section 1, line 3, strike the word "or" after the word "domestic" and in lieu thereof insert a comma; line 4, insert a quotation mark before the word "performing" and after the word "rights", and strike the quotation mark before "public" in line 4 and at the end of line 5.

2. In the bill, section 2, line 8, insert a comma after the word "State".

3. In the bill, section 3, insert a comma at the end of line 1 after the word "act" and in line 5 before the word "which"; line 4, strike the comma after the word "state"; line 16, after the word "forms" insert the word "necessary".

4. In the bill, section 4, line 2, insert a comma after the word "licensees".

5. In the bill, section 5, insert a comma after the word "of" in line 2; line 8, strike the comma after the word *"provided";* line 11, strike the word "or" after the word "marketability" and in lieu thereof insert the word "of".

6. In the bill, title, strike "to regulate the issue of" in line 3, all of lines 4 and 5 and "ties;" in line 6, and in lieu thereof, insert the following:

"to regulate the sale, license to use or other disposition in this state of such rights as prescribed; to provide for copies of certain instruments and agreements to be filed as prescribed; to prescribe certain powers and duties of the State Treasurer; to prohibit discrimination; to levy a privilege tax; to make certain acts unlawful; to provide penalties; to provide a savings clause;".

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 4:00 p. m., Mr. Hern made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 9, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Weborg and Norman, who were excused.

The Journal for the sixty-sixth day was approved as corrected.

Approved by the Governor

April 6, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 115	L. B. 93	L. B. 131
L. B. 154	L. B. 173	L. B. 330
L. B. 134	L. B. 179	L. B. 283

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

Communications

Resolution from the Iowa Senate, and House concurring, regarding a Missouri Valley Authority.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval Saturday, April 7, 1945, at 11:00 a. m.

L. B. 157

LEGISLATIVE BILL 193. Replaced on Select File as amended.

E and R amendments to L. B. 193:

1. In unanimous consent amendment 1, adopted April 6, 1945, strike all of line 1, after the word "Amend" and in lieu thereof insert: "line 1 of newly inserted matter in Enrollment and Review Committee amendment to line 22 of section 1, by inserting".

2. Due to such amendment, insert in Enrollment and Review Committee amendment 2, last line, after the word "paid" and before the semicolon, the following: "for such counties".

LEGISLATIVE BILL 35. Placed on Select File as amended.

E and R amendments to L. B. 35:

1. Strike General File amendments 2 and 3 by Mr. Tvrdik.

2. In the bill, section 1, at the end of line 6, after the word *"receive"* insert: *"the sum of twelve cents as"*; line 9, strike *"the sum of fifteen cents"*.

3. In the bill, title, line 3, strike "constables' fees and mileage" and in lieu thereof insert: "the fees, mileage and traveling expenses of constables"; line 6, after the word "receive" insert: "the sum of twelve cents as"; line 9, strike "the sum of fifteen cents".

LEGISLATIVE BILL 149. Placed on Select File as amended.

E and R amendments to L. B. 149:

1. In Standing Committee amendment 1, inserted matter, insert a comma in line 1 after the word "bank" and in line 2 after the word "banks".

2. In the bill, section 1, line 12, strike the comma before the word *"provided"*; line 13, insert a comma after the word "may" and

also after the word "Banking", and in line 16 after the word "transfer"; line 15, before the word *"written"* insert the word *"the"*; line 20, strike ", and any" and in lieu thereof insert: "; and any . *Any*"; line 28, strike the comma after the word "banks" and in lieu thereof insert ";".

3. In the bill, title, strike "Direc-" at the end of line 6 and all of lines 7 and 8 and "of collateral to its obligations;" in line 9, and in lieu thereof insert the following:

> "a bank with the written approval of the Director of Banking may rediscount paper in an amount in excess of its paid-up capital stock and surplus and may transfer, as collateral to its obligation, assets with a face value of more than one and one half times the amount of such obligation;";

after the word "banks" and before the semicolon, insert: "as prescribed" in lines 12 and 14.

LEGISLATIVE BILL 177. Placed on Select File as amended.

E and R amendments to L. B. 177:

1. In the bill, section 1, line 5, strike the comma and in lieu thereof insert ";" after the word "money" and also after the word "depository"; line 6, insert a comma after the word "knowing"; line 9, strike ", shall upon conviction" and in lieu thereof insert: "; shall upon conviction" and in said line strike ", and" and in lieu thereof insert: "; and , *upon conviction thereof,*".

2. In the bill, section 2, line 4, strike the word "or" before the word "utter" and in lieu thereof insert "or", strike the comma after the word "utter" and in lieu thereof insert ";" and after "draft," insert: *"assignment of funds"*; line 5, strike the comma after the word "money" and in lieu thereof insert ";" and after the word "bank" insert: *", cooperative credit association"*; strike *", or any"* at the end of line 5 and all of line 6, and in lieu thereof insert: "; knowing ,"; line 10, strike the comma after the word "draft" and in lieu thereof insert: ", or"; after the word "both" and before the comma, insert: *"such a fine and imprisonment"*, in lines 17 and 23; line 19, strike the comma after the word "issued" and in lieu thereof insert ";".

3. In the bill, section 3, line 3, before the word "as" insert: *", as amended by this act,"*; line 5, strike the comma after the word "order" and at the end of the line, after the word *"funds"*, insert a comma.

4. In the bill, section 4, line 4, before the word "shall" insert: *", as amended by this act,"*; line 6, strike the comma after the word *"association"* and also after the word "order".

5. In the bill, title, line 7, after the semicolon and before the word "and", insert the following:

"to provide that any person who, with intent to defraud, shall make or draw, utter or deliver any assignment of funds in a cooperative credit association, under the prescribed conditions or circumstances, shall, upon conviction thereof, be punished as prescribed;".

LEGISLATIVE BILL 211. Placed on Select File as amended.

E and R amendments to L. B. 211:

1. In the bill, section 2, line 7, strike the word "and" and in lieu thereof insert: "and ," and in said line, strike the comma after the word "shares" and in lieu thereof insert ","; line 10, after the word *"member"* insert: *"to be"*; line 12, strike the comma after the word *"meetings"*.

2. In the bill, section 3, line 8, strike "(a)" and in lieu thereof insert: "(a) *(1)*"; line 9, strike "(b)" and in lieu thereof insert: "(b) *(2)*"; line 11, strike "(c)" and in lieu thereof insert: "(c) *(3)*"; insert a comma in line 11 after the word "determine" and in line 12 after the word "time"; line 13, strike "(d)" and in lieu thereof insert: "(d) *(4)*"; line 15, strike "(e)" and in lieu thereof insert: "(e) *(5)*"; line 16, strike "(f)" and in lieu thereof insert: "(f) *(6)*"; line 19, strike "(g)" and in lieu thereof insert: "(g) *(7)*"; lines 20 and 21, strike "within the limits stated in section 21-1751, (h)" and in lieu thereof insert: "within the limits stated in section 21-1751, (h) *(8)*"; line 22, strike "(i)" and in lieu thereof insert: "(i) *(9)*"; line 24, strike the comma after the word "union" and in lieu thereof insert ","; line 25, strike "(j)" and in lieu thereof insert: "(j) *(10)*"; line 33, after the word "provided" insert the word *"for"*.

3. In the bill, section 4, insert a comma at the end of line 4 after the word "union"; line 6, strike "in it" and in lieu thereof insert: "in it"; line 7, after the word "books" and before the comma insert: *"of the credit union"*.

4. In the bill, section 5, line 7, insert a comma after the word "audit" and also after the word "audited"; line 11, before the word "unanimous" insert the word *"the"*; line 12, after the word "committee" insert: *"at a meeting"*; line 21, after the word "months" insert ","; line 24, strike *"notices sent"* and in lieu thereof insert: *"sending notices"*; line 25, strike the word *"bearing"* and in lieu thereof insert the word *"showing"* and in said line, after the word *"accounts"* insert a comma.

5. In the bill, section 7, line 11, after the word *"require"* insert the word *"the"*.

6. In the bill, title, line 5, after the word "of" insert the word "an"; line 7, after the word "where" insert the word "the"; line 9, strike "filing fee for such amendments" and in lieu thereof insert: "the fee for such filing"; strike "to provide a" in line 14, all of lines 15 to 18, inclusive, and in lieu thereof insert the following:

> "to provide certain special requirements in regard to loans to a director, officer or member of the credit or supervisory committee; to prohibit endorsements by certain persons; to provide a method for the verification of loan and share accounts; to provide for dividends from net savings instead of net earnings; to provide what the board of directors may, at its option, consider in determining dividends; to provide for the security which may, at the option of the credit committee, be required";

line 19, before the word "application" insert the word "the"; line 21, strike the word "obligation" and in lieu thereof insert the word "obligations".

LEGISLATIVE BILL 228. Placed on Select File as amended.

E and R amendments to L. B. 228:

1. In Standing Committee amendment 1, line 3, after the quotation mark and before the word *"daily"* insert the word "records".

2. In the bill, section 1, line 5, insert a comma after the word "shall"; line 6, after the word "number" insert: *"and the par value"*; line 8, strike *"and the par value thereof,"*; line 12, strike the comma before the word *"and"* and at the end of said line, after the word *"statement"* insert: *"of such bank or company,"*; line 14, strike *"*; and shall" and in lieu thereof insert: ", and shall"; line 15, strike ", or" and in lieu thereof insert: "; or ,"; line 16, strike the word "then" and in lieu thereof insert "then".

3. In the bill, section 2, line 4, before the word "shall" insert: *", as amended by this act,"*.

4. In the bill, section 3, line 14, after the comma and before the word *"and"* insert: *"as amended by this act,"*; line 25, after the word *"unless"* insert the word *"a"*; line 36, insert a comma after the word "company" and before the word "but".

5. In the bill, title, insert the word "the" in line 4 after the word "making" and in line 5 before the word "capital".

LEGISLATIVE BILL 239. Placed on Select File as amended.

E and R amendments to L. B. 239:

1. In Standing Committee amendments 1, 2, 5, 6 and 7, inserted matter, line 1, after the word "*that*" and before the word "*have*" insert: "*shall adopt or*".

2. In General File amendment by Mr. James H. Anderson, line 3, after the quotation mark and before the period, insert: "and insert in lieu thereof: "with a population of two hundred thousand or more," ".

3. In the bill, section 1, strike the semicolon and in lieu thereof insert ",," in lines 25 and 26.

4. In the bill, section 2, line 7, after the word "thousand" and before the comma, insert the word "*inhabitants*"; line 8, after the word "lists" insert a comma (as in the statute); line 32, strike "assessor".

5. In the bill, section 3, line 8, after the comma and before the word "with" insert: "*as amended,*".

6. In the bill, section 4, line 8, strike ", and at" and in lieu thereof insert: ",, and at . *At*"; line 17, strike ", in this section provided for," and in lieu thereof insert: ",, in this section provided for *in this section*,"; line 19, strike the comma after the word "provided" and in lieu thereof insert ",,"; line 22, strike ", and shall" and in lieu thereof insert: ",, and shall".

7. In the bill, section 6, line 18, after the word "adopt" insert: "*or have adopted*"; line 19, after the comma and before the word "it" insert: "*as amended,*".

8. In the bill, section 7, line 1, strike "77-1613,"; line 3, after the comma and before the word "are" insert the following:

"and original section 77-1613, Revised Statutes of Nebraska, 1943, as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945,".

9. In the bill, title, line 2, strike "77-1613,"; line 4, after the comma and before the word "relating" insert the following:

"and section 77-1613, Revised Statutes of Nebraska, 1943, as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945,";

line 14, insert the word "the" before the word "payment" and also in line 15, before the word "cost"; line 16, strike the word "the" before the word "original" and in said line strike the semicolon and in lieu thereof insert the following:

"77-1303, 77-1615, 77-1616, 77-1617 and 77-1706, Revised Statutes of Nebraska, 1943, and original section 77-1613, Revised Statutes of Nebraska, 1943, as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945;".

LEGISLATIVE BILL 257. Placed on Select File as amended.

E and R amendments to L. B. 257:

1. In Standing Committee amendment 1, strike the word "in" at the beginning of lines 3 and 6; in line 5, after the word "thereof" insert: "the same as stricken matter and also"; line 7, strike the period before the quotation mark and in lieu thereof insert: ", *inclusive*".

2. In the bill, section 1, line 9, strike the period and in lieu thereof insert: "*, as follows:*".

3. In the bill, section 2, line 4, strike the word "moneys" and in lieu thereof insert: "~~moneys~~ *money*"; line 6, after the comma and before the word "and" insert: "*as amended,* ".

4. In the bill, section 3, line 3, after "79-2742" insert: ", *inclusive, as amended by this act,*"; line 13, strike "*as shall*" and in lieu thereof insert: "*, which*"; insert a comma at the end of line 18, after the word "*retirement*".

5. In the bill, title, strike lines 17, 18 and 19 and in lieu thereof insert the following:

"the reimbursement of a teacher or his or her personal representative for such assessment, deducted from his or her salary in the event of the discharge, resignation or death of such teacher; to provide how a teacher may be reinstated in said fund under certain circumstances; to provide for adjustments for teachers who die after retirement; to repeal said original sections; and to declare an emergency.".

LEGISLATIVE BILL 269. Placed on Select File as amended.

E and R amendments to L. B. 269:

1. In General File amendment by Mr. James H. Anderson, last line, before the period, insert: "and show same as stricken matter".

2. In the bill, section 1, line 3, before the word "power" insert the word "*the*"; line 8, strike the comma after the word "department" and in lieu thereof insert "~~,~~"; line 18, strike the comma after the word "proposition" and in lieu thereof insert: "~~,~~ *and of which election notice*"; line 19, strike "of which election notice shall be" and in lieu thereof insert: "~~of which election notice~~ *thereof* shall *have been* ~~be~~".

3. In the bill, title, lines 4 and 5, strike the word "construction" and in lieu thereof insert: "purpose of construction or aiding in the construction".

LEGISLATIVE BILL 299. Placed on Select File as amended.

E and R amendments to L. B. 299:

1. In Standing Committee amendment 1, in line 4 after the figure "10" and in the last line after the figure "46" insert: "and show the same as stricken matter"; line 5, after the quotation mark and before the word "twenty-" insert "~~fifty~~".

2. In the bill, section 1, line 7, strike "county fund" and in lieu thereof insert: "~~county~~ fund *of the county*"; line 12, strike "*Provided,*" and in lieu thereof insert: "~~Provided,~~ *and provided*"; line 14, strike "the county boards" and in lieu thereof insert: "~~the~~ *a* county ~~boards~~ *board, which is*"; line 15, insert a comma after the word "*commissioners*"; line 16, strike the comma after the word "annum"; lines 16 and 17, strike "*the county board*" and in lieu thereof insert: "*a county board, which is*"; line 17, after the comma and before the word "*a*" insert: "*shall be allowed*"; line 19, strike "*Provided,*" and in lieu thereof insert: "~~Provided,~~ *and provided still*"; line 23, strike "; in" and in lieu thereof insert: "~~;~~ *in : (1) In*"; line 26, after the semicolon insert "*(2)*"; line 27, strike the semicolon and in lieu thereof insert the following:

> "*, except as the same is modified or changed as to those counties under this subsection which also come under the provisions of subsection 5 of this section ; (3)*" ;

line 29, after the semicolon insert "*(4)*"; line 30, insert a comma after the word "organization"; line 31, strike "*; Provided, however,* that" and in lieu thereof insert the following:

> "*, except as to those counties under this subsection which also come under the provisions of subsection (5) of this section ;* ~~Provided, however, that~~ *(5)*";

line 38, after the semicolon insert "*(6)*"; line 40, strike the semicolon and in lieu thereof insert: "*and* ; *(7)*".

3. In the bill, title, strike all of lines 4 to 15, inclusive, and amendments thereto, and in lieu thereof insert the following:

"to fix the salaries of members of county boards; to provide that in counties having a population of over one hundred and twenty-five thousand inhabitants, members of the county board shall be allowed a salary of twenty-five hundred dollars per annum as prescribed; to provide that in counties having a population of over sixty thousand inhabitants and not over one hundred and twenty-five thousand inhabitants, members of a county board, which is composed of three commissioners, shall be allowed a salary of twenty-two hundred dollars per annum and members of a county board, which is composed of five commissioners, shall be allowed a salary of twelve hundred dollars per annum as prescribed; to eliminate certain provisions from said section in regard to payment to such members for road work; and to repeal the original section.".

LEGISLATIVE BILL 323. Placed on Select File as amended.

E and R amendments to L. B. 323:

In Standing Committee amendment, line 2, at the end of the line, add: "and inserting "proposed"."

2. In General File amendment by Mr. Adams, to the repealing section, strike "88-324" and in lieu thereof insert "86-324".

3. In General File amendment by Mr. Adams, new section 3, inserted matter, line 4, strike "; and after hearing," and in lieu thereof insert: "; and after . *After the* hearing,"; line 4, after the comma and before the word "shall" insert the word "*it*"; lines 6 and 7, strike "lines, as to" and in lieu thereof insert: "*line or* lines, as to"; line 7, strike the word "seem" and in lieu thereof insert: "seem *deem*"; strike the comma and in lieu thereof insert "," in line 9 after the word "interested", in lines 14 and 15, after the word "volts"; line 12, before the word "construction" insert the word "*the*"; line 15, strike "first having" and in lieu thereof insert: "first having *first*"; line 17, before the period insert: "*, as amended*".

4. In the bill, section 1, line 9, strike ", and the" and in lieu thereof insert: "; and the . *The*"; line 10, after the word "application" insert "*(1)*"; lines 14 and 15, strike ". The projectors of the proposed line shall also file" and in lieu thereof insert: "; The projectors of the

proposed line shall also file , *(2)*"; line 16, strike ", and" and in lieu thereof insert: ", and *(3)*"; line 22, before the period insert: ", *inclusive, as amended*".

5. In the bill, section 2, line 5, after the comma and before the word "when" insert: "*inclusive, as amended,*"; line 13, after the word "*such*" insert the word "*a*"; line 14, before the word "*rules*" insert the word "*the*".

LEGISLATIVE BILL 109. Correctly engrossed.
LEGISLATIVE BILL 293. Correctly engrossed.
LEGISLATIVE BILL 197. Correctly enrolled.
LEGISLATIVE BILL 195. Correctly enrolled.
LEGISLATIVE BILL 255. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 195 L. B. 197 L. B. 255

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 89. With emergency.

A bill for an act to amend section 83-106, Revised Statutes of Nebraska, 1943, relating to state institutions; to increase the salary of the secretary of the Board of Control to thirty-three hundred dollars a year; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 32:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Doyle	Kain	Raecke
Babcock	Foster	Klaver	Ryan
Brodahl	Hanna	Lee	Seaton
Burney	Heiliger	Lusienski	Sorrell
Burnham	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 11:

Carlberg	Dooley	Mueller	Schultz
Carmody	Garber	Norman	Weborg
Cullingham	Mekota	Reavis	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 132.

A bill for an act relating to the future development of Nebraska; to create the Department of Industrial Development; to prescribe the general purposes, powers and duties of such department; to provide for the administration of the affairs of such department; to provide for the appointment and qualification of a director of such department, and the appointment and employment of necessary assistants; to establish a committee to advise and assist the department and its director and for the qualification and residence of its members; to provide an appropriation; and to provide for the prescribed quarterly reports.

"Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Mr. Mekota made a motion to return to Select File for the following specific amendment: "Strike the enacting clause".

The President ruled that Mr. Mekota's motion was out of order, and Mr. Mekota appealed from the decision of the chair.

The President's ruling was not sustained with 12 ayes, 18 nays and 13 not voting.

Mr. Mekota's motion lost with 16 ayes, 20 nays and 7 not voting.

Mr. Peterson moved a call of the House.

A call of the House was ordered and the roll showed 40 members present.

Mr. Schultz moved to raise the call, which prevailed with 19 ayes, 14 nays and 10 not voting.

After change of vote, Mr. Peterson moved a call of the House.

Mr. Garber moved to raise the call, which prevailed with 20 ayes, 6 nays and 17 not voting.

Voting in the affirmative, 22:

Adams	Dooley	Klaver	Peterson
Anderson, J.	Foster	Lee	Ryan
Brodahl	Heiliger	Lusienski	Seaton
Carmody	Hoyt	Mueller	Tvrdik
Conklin	Hubka	Ogden	Wood
Cullingham	Kain		

Voting in the negative, 18:

Anderson, L.	Cronin	Hern	Raasch
Babcock	Crossland	Jeffords	Raecke
Burney	Doyle	Mekota	Schultz
Burnham	Garber	Pizer	Sorrell
Carlberg	Hanna		

Not voting, 3:

Norman	Reavis	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement

Mr. President: I challenge the ruling of the Chair that L. B. 132 has received the constitutional majority of votes necessary for passage.

I invite attention to Section 7, Article IV of the Constitution, and the fact that the appropriation provided by the bill is not included in the Governor's budget. (Signed) John E. Mekota.

LEGISLATIVE BILL 162.

A bill for an act to amend sections 84-314, 84-509 and 84-608, Revised Statutes of Nebraska, 1943, relating to the salaries of deputies to certain constitutional state executive officers; to provide that the deputies of the Auditor of Public Accounts, Secretary of State and State Treasurer shall receive an annual salary of thirty-three hundred dollars; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Crossland	Hubka	Pizer
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Ryan
Babcock	Foster	Klaver	Schultz
Brodahl	Hanna	Lee	Seaton
Burney	Heiliger	Lusienski	Sorrell
Conklin	Hern	Ogden	Tvrdik
Cronin	Hoyt	Peterson	Wood

Voting in the negative, 1:

Doyle

Not voting, 10:

Burnham	Garber	Norman	Reavis
Carlberg	Mekota	Raasch	Weborg
Carmody	Mueller		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 188. With emergency.

A bill for an act to amend section 81-906, Revised Statutes of Nebraska, 1943, relating to state cooperation with the federal government; to extend until March 1, 1947, the act providing for cooperation between the Department of Roads and Irrigation and the Public Roads Administration of the United States in the construction and maintenance of flight strips and the prescribed classes of highways and bridges; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke

Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 4:

Cullingham	Norman	Reavis	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 188. (Signed) Sidney J. Cullingham

LEGISLATIVE BILL 169.

A bill for an act to amend section 81-526, Revised Statutes of Nebraska, 1943, relating to the State Fire Marshal; to provide for county attorneys to act as attorney for the State Fire Marshal, his deputies or assistants, in all court proceedings in connection with the enforcement of the provisions of sections 81-513 to 81-519, Revised Statutes of Nebraska, 1943, inclusive, when, in the exercise of a reasonable discretion, he shall determine that the evidence is sufficient to justify the bringing of such court proceedings; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Hanna	Lusienski	Schultz
Burnham	Heiliger	Mueller	Seaton

Carlberg	Hern	Ogden	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Pizer	Wood

Voting in the negative, 1:

Cronin

Not voting, 6:

Anderson, L.	Garber	Norman	Weborg
Cullingham	Mekota		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 169. (Signed) Sidney J. Cullingham

LEGISLATIVE BILL 190. With emergency.

A bill for an act to amend section 44-1013, Revised Statutes of Nebraska, 1943, relating to fraternal insurance; to provide rules and regulations concerning the admission of members and the issuance of benefit certificates by fraternal benefit societies; to repeal the original section and sections 44-1012 and 44-1040, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Cullingham	Hubka	Pizer
Anderson, J.	Dooley	Jeffords	Raasch
Anderson, L.	Doyle	Kain	Raecke
Babcock	Foster	Klaver	Reavis
Brodahl	Garber	Lee	Ryan
Burnham	Hanna	Lusienski	Seaton
Carmody	Heiliger	Mueller	Sorrell
Conklin	Hern	Ogden	Tvrdik
Cronin	Hoyt	Peterson	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Burney	Mekota	Schultz	Weborg
Carlberg	Norman		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 241.

A bill for an act to amend sections 42-301 and 42-318, Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to provide that incurable insanity and continuous confinement in a hospital or asylum for the insane for a period of at least five years preceding the date of the filing of a petition for a divorce shall constitute grounds therefor; to prescribe the proof required in such cases; to provide for the appointment of a guardian ad litem and the taxation of certain costs as prescribed; to prescribe certain procedure which the court may, in its discretion, provide for insuring the maintenance and support of insane persons against whom a decree of divorce shall be granted; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 23:

Adams	Cullingham	Hoyt	Reavis
Anderson, J.	Foster	Hubka	Schultz
Anderson, L.	Garber	Jeffords	Seaton
Babcock	Hanna	Klaver	Sorrell
Brodahl	Heiliger	Lee	Wood
Conklin	Hern	Ogden	

Voting in the negative, 14:

Burney	Crossland	Mueller	Raecke
Burnham	Dooley	Peterson	Ryan
Carmody	Doyle	Raasch	Tvrdik
Cronin	Kain		

Not voting, 6:

Carlberg	Mekota	Pizer	Weborg
Lusienski	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted "aye" on L. B. 241. (Signed) Harry L. Pizer

LEGISLATIVE BILL 262. Laid over.

LEGISLATIVE BILL 216.

A bill for an act to amend sections 54-803, 54-804 and 54-810, Revised Statutes of Nebraska, 1943, relating to commercial feeding stuffs; to prescribe the statements required to be made on labels required to be affixed to every lot or parcel of commercial feeding stuff sold or offered or exposed for sale or distributed within this state at retail; to require the payment of an annual registration fee; to provide for the imposition and payment of a tax on commercial feeding stuffs sold or distributed in this state; to provide for a credit upon the first payment thereof under the prescribed conditions; to provide penalties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Schultz
Burnham	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Garber	Norman	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 265. With emergency.

A bill for an act to amend section 72-207, Revised Statutes of Nebraska, 1943, relating to school lands; to provide that any interest due on any school land rental, delinquent on or prior to December 31, 1940, shall be remitted and cancelled in the event the original amount of such rental shall be paid on or before July 1, 1946, with interest thereon at the rate of seven per cent per annum from April 1, 1945, until such payment is made; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams	Cronin	Hoyt	Pizer
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lee	Schultz
Burnham	Garber	Lusienski	Seaton
Carlberg	Hanna	Mueller	Sorrell
Carmody	Heiliger	Ogden	Tvrdik
Conklin	Hern	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Mekota	Norman	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Peterson Presiding

LEGISLATIVE BILL 279. With emergency.

A bill for an act to amend section 75-105, Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to provide that the salary of the secretary shall not be more than thirty-three hundred dollars per annum; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Cullingham	Jeffords	Raecke
Anderson, J.	Dooley	Kain	Reavis
Anderson, L.	Doyle	Klaver	Ryan
Babcock	Foster	Lee	Schultz
Brodahl	Hanna	Lusienski	Seaton
Burney	Heiliger	Mekota	Sorrell
Conklin	Hern	Ogden	Tvrdik
Cronin	Hoyt	Pizer	Wood
Crossland	Hubka		

Voting in negative, 0.

Not voting, 9:

Burnham	Garber	Norman	Raasch
Carlberg	Mueller	Peterson	Weborg
Carmody			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 281.

A bill for an act to amend section 72-201, Revised Statutes of Nebraska, 1943, relating to Board of Educational Lands and Funds; to increase the maximum salary which can be paid to the secretary of such board to thirty-three hundred dollars a year; to provide that the board of commissioners referred to in Article VII, Section 1, of the Constitution of this state, shall be known as the Board of Educational Lands and Funds; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Crossland	Hubka	Pizer
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Doyle	Kain	Reavis
Babcock	Foster	Klaver	Ryan
Brodahl	Hanna	Lee	Seaton
Burney	Heiliger	Lusienski	Sorrell
Carmody	Hern	Mueller	Tvrdik
Conklin	Hoyt	Ogden	Wood
Cronin			

Voting in the negative, 0.

Not voting, 10:

Burnham	Garber	Peterson	Schultz
Carlberg	Mekota	Raasch	Weborg
Dooley	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 309.

A bill for an act to repeal Chapter 9, Revised Statutes of Nebraska, 1943, relating to beet sugar mill districts, as being obsolete.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cullingham	Hubka	Raasch
Anderson, J.	Dooley	Jeffords	Raecke
Anderson, L.	Doyle	Kain	Reavis
Babcock	Foster	Klaver	Ryan
Brodahl	Garber	Lee	Schultz
Burney	Hanna	Lusienski	Seaton
Burnham	Heiliger	Mueller	Sorrell
Conklin	Hern	Ogden	Tvrdik
Cronin	Hoyt	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Carlberg	Mekota	Peterson	Weborg
Carmody	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 163. With emergency.

A bill for an act to amend section 84-306, Revised Statutes of Nebraska, 1943, relating to claims against the state; to increase the amount that may be allowed for the use of a personal automobile by a state officer or employee while on state business to five cents per mile for each mile actually and necessarily traveled; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Cronin	Hoyt	Pizer
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lee	Seaton
Burnham	Hanna	Lusienski	Sorrell
Carlberg	Heiliger	Mekota	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Garber	Norman	Schultz	Weborg
Mueller	Peterson		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

April 9, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that on April 7, 1945, he approved Legislative Bill 157.

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

President Johnson Presiding

GENERAL FILE

LEGISLATIVE BILL 297. Read and considered.

RECESS

At 12:00, noon, Mr. Sorrell made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Norman and Weborg, who were excused.

Mr. Peterson asked to have the members of the Labor and Public Welfare Committee excused until 2:30 p. m.

There was no objection and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 205. Laid over.

LEGISLATIVE BILL 374. Laid over.

LEGISLATIVE BILL 282. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 187.

Mr. Hubka offered the following specific amendment which was adopted by unanimous consent:

1. Amend section 1 of the bill by striking all of lines 3 to 32, inclusive, and inserting in lieu thereof the following:

"83-224. At the hearing on the petition for commitment the court shall inquire as to the estate of the feeble-minded person, and if the court finds the estate sufficient for the purpose, the court shall order the payment therefrom of the cost of the proceeding, and of transporting the feeble-minded person to the institution, and also the cost of providing suitable clothing, incidental expenses, such as dental work, repairs of clothing, etc., and burial expenses. If the feeble-minded person has no estate and the court finds that the circumstances of the husband or parent of the feeble-minded person are such as to make such an order proper and advisable, the court shall order that payment of the costs and expenses above mentioned shall be made by the husband or parent. Such an order shall be enforceable in the same manner in which orders in desertion cases are enforceable. Persons found by the court to be able to pay the expenses mentioned in this section shall give bond to the State of Nebraska in the sum of one hundred dollars payable to the Superintendent of the Institution for the Feeble-minded, conditioned on providing for the above mentioned expenses, or that they will pay or cause to be paid to the superintendent on his statement of expenditure such sum of money as may be necessary for such purposes. The bond shall be approved by the county judge. In case the husband or parent shall refuse to pay the expenses, the county board shall pay them and shall proceed against the husband or parent, and bondsman. *If any feeble-minded person in the Beatrice State Home is possessed of an estate and income sufficient to meet the expense of his care and maintenance in the institution without depriving those dependent upon him of their necessary support, then the guardian of the feeble-minded person shall pay to the superintendent of the Beatrice State Home, quarterly during the time the feeble-minded person is in the institution, a sum to be fixed by the Board of Control which shall be an amount equal to the per capita cost of maintaining the patient in the institution. The amounts to be paid to the institution under this section shall constitute a claim against the estate of the feeble-minded person and be collectible therefrom.*"

2. Amend section 2 of the bill by striking all of lines 3 to 19, inclusive, and inserting in lieu thereof the following:

"83-225. ~~If the court finds that the feeble-minded person has no estate and that the circumstances of the husband or parent of the feeble-minded person are not such as to warrant an order for the payment of the costs and expenses, mentioned in section 83-224, by the husband or parent, the judge shall so certify to the county board of that county, or of the county in which the feeble-minded person is a bona fide resident, and to the Superintendent of the Institution for the Feeble-minded. The superintendent shall then notify the county board when the person can be admitted, and the board shall at once provide clothing and transportation, and, on or before admission, pay to the superintendent forty dollars for each person admitted, which money shall be used only for the expenses mentioned in said section.~~ *Whenever the feeble-minded person has no estate, and the spouse or parent of the feeble-minded person is possessed of an estate or income sufficient to meet the expense of the care and maintenance of the feeble-minded person in the institution, then that person shall pay to the superintendent of the Beatrice State Home, quarterly during the time the feeble-minded person is in the institution, a sum to be fixed by the Board of Control which shall be an amount equal to the per capita cost of maintaining the patient in the Beatrice State Home. Any board of county commissioners or supervisors, as the case may be, may sue on behalf of the state to recover amounts due under this section, and shall sue whenever requested in writing by the Board of Control. Any amount collected shall be paid to the superintendent of the Beatrice State Home in which the feeble-minded person is confined. No person shall be required to pay the cost of maintaining any feeble-minded person when that person shall have filed an affidavit, or other satisfactory evidence, with the board showing that he is not possessed of an estate or income sufficient to pay for the maintenance without depriving himself, or others dependent upon him, of reasonable support and maintenance. The relatives or friends of any feeble-minded person who are not legally liable for the feeble-minded person's maintenance, shall have the privilege of paying all or any part of the expenses of such feeble-minded person; the superintendent shall credit the account of such feeble-minded person with any sums so paid.*

3. Amend the title of the act, lines 6 and 7, by striking the words "Nebraska Institution for the Feeble-Minded" and inserting in lieu thereof the following:

"Beatrice State Home; to provide what persons shall pay the cost of maintaining feeble-minded persons in Beatrice State Home; to provide that a board of county commissioners or supervisors may, and upon request of the Board of Control shall, sue upon

behalf of the state to recover the per capita cost of maintenance of a feeble-minded person confined in the Beatrice State Home, and pay over any amount collected to the superintendent of such institution"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 231. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 258. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 290. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 373. Laid over.

LEGISLATIVE BILL 33. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 286. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 252. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

At Ease

The Legislature was at ease from 2:30 until 2:40 p. m.

GENERAL FILE

LEGISLATIVE BILL 297. Continued.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth Day were adopted, with 22 ayes, 14 nays and 7 not voting.

Advanced to E and R for review, with 23 ayes, 13 nays and 7 not voting.

LEGISLATIVE BILL 139. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fiftieth Day were not adopted.

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 254. Replaced on Select File as amended.

E and R amendment to L. B. 254:

Strike the period in line 23 of Section 1 and in lieu thereof insert ",".

LEGISLATIVE BILL 350. Replaced on Select File as amended.

E and R amendments to L. B. 350:

1. Strike the colon at the end of the enacting clause and insert in lieu thereof a comma (correct in printed bill).

2. In section 3, line 2, strike the word "hereby".

3. In section 4, line 2, insert the word "take" before the word "effect".

LEGISLATIVE BILL 212. Correctly engrossed.
LEGISLATIVE BILL 259. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 4:50 p. m., Mr. Ogden made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 10, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the sixty-seventh day was approved as corrected.

Communications

A copy of the Nebraska State Medical Journal for April, 1945, containing an editorial "We Salute Our State Senate".

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 351. With emergency.

A bill for an act relating to the affairs of veterans of all wars; to create the "Veterans' Service Coordinating Committee"; to prescribe its membership, functions, powers and duties; to authorize the appointment of a committee, in each county in this state, to carry out within such county the same functions, powers and duties as the state committee and to assist the state committee in its work; to authorize expenditures from the general fund of each county to assist a county committee in carrying out its work; to provide that this act shall be and remain in full force and effect until June 30, 1947, when it shall expire by its own limitations; to provide an appropriation; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Cronin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raasch
Babcock	Cullingham	Lee	Raecke
Brodahl	Doyle	Lusienski	Reavis
Burney	Foster	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin			

Voting in the negative, 6:

Garber	Hern	Schultz	Wood
Hanna	Jeffords		

Not voting, 4:

Anderson, L.	Dooley	Norman	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause attached and the title agreed to.

Explanation of Vote

Mr. President: In discussing this bill with servicemen's organizations, I am informed they do not believe L. B. 351 necessary. I therefore vote "No." (Signed) Edwin Schultz

LEGISLATIVE BILL 305.

A bill for an act to amend sections 30-101, 30-105 and 42-202, Revised Statutes of Nebraska, 1943, relating to husband and wife and decedent's estates; to provide that a husband and wife may contract with each other; to provide that the right of a husband or wife to inherit from each other may be barred by a valid post-nuptial contract; to provide that valid post-nuptial contracts shall be in writing; to provide the essential requirements of such post-nuptial contracts; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 29:

Adams	Dooley	Jeffords	Reavis
Anderson, J.	Doyle	Klaver	Schultz
Babcock	Foster	Lee	Seaton
Brodahl	Hanna	Lusienski	Sorrell
Carlberg	Heiliger	Mekota	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Conklin	Hubka	Pizer	Wood
Cullingham			

Voting in the negative, 8:

Cronin	Hern	Mueller	Raasch
Crossland	Kain	Peterson	Raecke

Not voting, 6:

Anderson, L.	Burnham	Norman	Ryan
Burney	Garber		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 201.

A bill for an act relating to taxation; to adopt the provisions of the uniform reciprocal transfer tax act; to provide that inheritance taxes on transfer of personal property of nonresidents, except tangible personal property having an actual situs in this state, shall not be payable under the specified conditions; to amend section 77-2001, 77-2002 and 77-2017, Revised Statutes of Nebraska, 1943; and to repeal the original sections and all acts and parts of acts in conflict with this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Brodahl	Doyle	Lee	Reavis
Burnham	Foster	Lusienski	Seaton
Carlberg	Hanna	Mekota	Sorrell
Carmody	Heiliger	Mueller	Tvrdik
Conklin	Hern	Ogden	Weborg
Cronin	Hoyt	Peterson	Wood
Crossland	Hubka		

Voting in the negative, 0.

Not voting, 9:

Anderson, L.	Garber	Norman	Ryan
Babcock	Jeffords	Pizer	Schultz
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 202.

A bill for an act to amend section 79-2002, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the apportionment to districts and counties of money belonging to the school fund shall be made annually on the third Monday in January; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cullingham	Jeffords	Raasch
Anderson, J.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Schultz
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mueller	Sorrell
Carmody	Heiliger	Ogden	Tvrdik
Conklin	Hern	Peterson	Weborg
Cronin	Hoyt	Pizer	Wood
Crossland	Hubka		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Mekota	Norman	Ryan
Carlberg			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 144. With emergency.

A bill for an act to amend section 23-343, Revised Statutes of Nebraska, 1943, relating to county hospitals; to provide for the issuance and sale of bonds for the construction or acquisition of a county poorhouse, a county community hospital, an indigent hospital or a home for aged persons when approved by a majority vote of the electors of the county voting on such proposition at a general or special election; to provide for the appointment of hospital trustees for a county community hospital; to provide for the bond of the trustees of a county community hospital; to provide for the management of such a county community hospital when established; to provide the term of office, salary, bond, powers and duties of members of the board of trustees of a county community hospital; to provide for the expenditure of the funds of such a county community hospital; to provide for the procedure to issue and sell county bonds when authorized by a majority vote of the county board for improvements or additions to a county community hospital and equipment therefor; to provide for the limitation of the amount of bonds that may be issued and sold for the prescribed purposes; to provide that no trustee shall have a direct or indirect personal pecuniary interest in the purchase of any material to be used or supplied for a county community hospital; to provide a penalty; to provide for the levy of taxes as and for the purposes prescribed; to provide for the employment of employees of such a county community hospital; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Lee	Reavis
Brodahl	Foster	Lusienski	Seaton
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood
Conklin	Hubka	Pizer	

Voting in the negative, 3:

Cronin	Doyle	Schultz

Not voting, 5:

Babcock	Klaver	Norman	Ryan
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

RESOLUTION

LEGISLATIVE RESOLUTION 16. Re: Memory of Edward John Jelen

Introduced by Charles F. Tvrdik of Douglas.

Edward John Jelen, a member of the Nebraska Senate for the years 1935 to 1937, died April 6, 1945. Mr. Jelen was born at Omaha, Nebraska, on July 29, 1911. He attended the Omaha Public Schools and Creighton University. At the time Mr. Jelen served in the Fiftieth and Fifty-first Sessions of the Nebraska Legislature, he was the youngest member of the assembly. He was county commissioner of Douglas County for five years, and served as chairman of the board for four years. He was a practicing attorney and graduate accountant and prior to his death was a Lieutenant in the Navy, where he had been in charge of the armed guard aboard a merchant vessel. He was active in civic and community work and church affairs.

WHEREAS, it is the desire of this body to pay tribute to the memory of our beloved colleague,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Edward John Jelen, who served so loyally and ably as a member of the Nebraska State Senate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to the bereaved family of our departed colleague, as an expression of our respect for the deceased, and our sympathy for the bereaved.

Unanimous Consent

Mr. Tvrdik asked unanimous consent to add the names of the Omaha members and also Messrs. Schultz, Lusienski, Pizer and Doyle as co-introducers.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that we consider and adopt Legislative Resolution 16 immediately. (Signed) Charles F. Tvrdik

The motion prevailed with 42 ayes, 0 nays and 1 not voting.

SELECT FILE

LEGISLATIVE BILL 205. Laid over.
LEGISLATIVE BILL 374. Laid over.
LEGISLATIVE BILL 282. Laid over.

Speaker Peterson Presiding

LEGISLATIVE BILL 148. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 373. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 193. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 35. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 149. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 177. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 211. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 228. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 239. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 257. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 269. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Mr. Adams offered the following amendments, which were adopted by unanimous consent.

1. Amend section 1 of the bill, line 16, by striking the words "twenty-two" and inserting in lieu thereof the words "*twenty-four*".

2. Amend the title of the act, line 12, by striking the words "twenty-two" and insert in lieu thereof the words "twenty-four".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 323. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 254. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 350. E and R amendments found in the Legislative Journal for the Sixty-seventh Day were adopted.

Advanced to E and R for engrossment.

President Johnson Presiding

GENERAL FILE

Special Order of the Day

LEGISLATIVE BILL 139.

Mr. Hanna made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 12:

Anderson, L.	Dooley	Hern	Pizer
Burnham	Foster	Klaver	Raecke
Crossland	Hanna	Lee	Tvrdik

Voting in the negative, 26:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Cronin	Kain	Reavis
Babcock	Cullingham	Lusienski	Ryan
Brodahl	Doyle	Mekota	Seaton
Burney	Garber	Ogden	Sorrell
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hoyt		

Not voting, 5:

Jeffords	Norman	Schultz	Wood
Mueller			

Mr. Hanna's motion did not prevail.

Mr. Peterson made a motion to advance the bill.

A record vote was requested.

Voting in the affirmative, 26:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Cronin	Kain	Reavis
Babcock	Cullingham	Lusienski	Ryan
Brodahl	Doyle	Mekota	Seaton
Burney	Garber	Ogden	Sorrell
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hoyt		

Voting in the negative, 12:

Anderson, L.	Dooley	Hern	Pizer
Burnham	Foster	Klaver	Raecke
Crossland	Hanna	Lee	Tvrdik

Not voting, 5:

Jeffords	Norman	Schultz	Wood
Mueller			

Advanced to E and R for review.

GENERAL FILE

LEGISLATIVE BILL 270. Set for Special Order April 17.

LEGISLATIVE BILL 217. Set for Special Order April 12.

MOTION—Advance to Head of General File

Mr. President: I move to place L. B. 370 to the top of General File. (Signed) Sam Klaver

The motion lost with 14 ayes, 12 nays and 17 not voting.

MOTION—Special Order

Mr. President: I move that L. B. 167 and L. B. 370 be made Special Order next Thursday, April 19. (Signed) Fred A. Mueller

The motion prevailed with 28 ayes, 1 nay and 14 not voting.

LEGISLATIVE BILL 272. Laid over.

MESSAGE FROM THE GOVERNOR

April 10, 1945

Mr. President, Mr. Speaker
and Members of the Legislature.

Gentlemen:

I am submitting herewith a bill for introduction by Senators Tvrdik, Klaver and Ogden, to provide that the ballots received by mail in an election held in a city of the metropolitan class must be in the hands of the election commissioner at an earlier date than is now provided for. The necessity for this legislation arises by reason of the fact that in the city elections held in Omaha, the results must be certified by the election commissioner prior to the fourth Thursday following the election, as specified in Section 32-919, and the elected officials are to take office soon thereafter. Under these circumstances, the law should be amended so that the returns may be canvassed earlier.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Unanimous Consent

Mr. Tvrdik asked unanimous consent to revert to First Reading.

No objection was offered, and it was so ordered.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 383. By Charles F. Tvrdik of Douglas, Sam Klaver of Douglas and Cliff N. Ogden of Douglas, at the request of the Governor.

A bill for an act to amend sections 32-812 and 32-919, Revised Statutes of Nebraska, 1943, relating to elections; to provide for the time ballots received by mail in any election held by any city of the metropolitan class must be in the hands of the clerk or election commissioner; to repeal the original sections; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move to suspend the rules and place L. B. 383 on General File for immediate consideration. (Signed) Charles F. Tvrdik

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

GENERAL FILE

LEGISLATIVE BILL 383. Read and considered.

Mr. Tvrdik asked unanimous consent to add the names of the Omaha delegation as co-introducers.

No objection was offered and it was so ordered.

Advanced to E and R for review.

Mr. Babcock was excused for the remainder of the day.

MESSAGE FROM THE GOVERNOR

April 10, 1945

Mr. President, Mr. Speaker
and Members of the Legislature.

Gentlemen:

I am submitting herewith, for introduction by Senator A. J. Brodahl, a bill to amend the section providing for the sale by the

Board of Educational Lands and Funds of certain securities which the State now owns. There are two major changes involved in this bill. One strikes out from the present law the word "now". As the law now reads, we are only authorized to sell the securities which were owned by the State when L. B. 97 was passed by the 1943 Legislature. After the passage of that act, we sold $5,130,000 of tax free government bonds and reinvested the money in taxable government bonds at a profit of $263,215.66. We also have sold $3,398,545.15 of municipal securities and this money likewise has been invested in taxable government securities. The profit on these amounted to $221,350.07. This made a total profit of $484,565.73.

These government bonds we purchased are all selling at a premium and if the law is amended as I suggest, we can sell them at a profit of about $150,000.00 and then invest the money back in new government bonds purchased at par, of the same type and drawing exactly the same rate of interest as the ones we now own.

The other major change in the bill would strike out the sentence "no bonds shall be sold at less than the same cost the State, and accrued interest". With this sentence stricken out the Board will have the right to sell certain municipal securities now owned by the State which very candidly are probably not worth the amount which they cost originally. I think that anyone looking over a list of securities now held will decide that we own some which will probably never be paid in full. It is my judgment that some of these should be sold at the present time even at a slight loss. If a loss is involved we should be willing to face the facts and accept it and get our trust fund straightened up.

The income from these municipal securities is free from federal income tax. That provision means nothing to the State of Nebraska, but it does mean much to individual taxpayers, especially those who are in high income tax brackets. That is the reason that an excellent market prevails now for the sale of these securities and everyone seems to agree that income tax rates today are higher than they will be in the future. If you decide to give to the Board of Educational Lands and Funds authority to sell these bonds at less than cost, I realize that it places a heavy responsibility on us. I know very well that it is politically unwise for us to accept that responsibility, but even though it may be politically unwise, I believe it is for the best interests of the people of this State.

I have complete confidence in the present Board which is made up of five elective state officers. We have tried during the past two years to carefully guard this trust and we will continue to

follow this same policy in the future. My thought is that the sale of these bonds should be completed within the next year. Some have expressed the thought that permission to sell below cost should not be permanently in the law. If you feel that way, it might be well to insert an amendment to the effect that "on and after October 1, 1946, no bonds shall be sold at less than the cost to the State". That, however, is left to your good judgment.

It is not my thought that all of the municipal bonds we own will be sold. Many of our present holdings are in small amounts and are being paid out in regular course. There are some, however, which in my judgment should be sold on the present high market and it is for this reason that I am suggesting this legislation. If you agree that this is a good bill, I suggest that it be rushed to the top of the file and enacted quickly, as we would like to make the transfer of the government bonds so as to purchase the new 2½ per cent bonds which will be available during the next month.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Unanimous Consent

Mr. Brodahl asked unanimous consent to revert to First Reading.

No objection was offered and it was so ordered.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 384. By A. J. Brodahl of Saunders, by request of the Governor.

A bill for an act to amend section 72-252, Revised Statutes of Nebraska, 1943, relating to bonds and securities held in the various funds under the management and trusteeship of the Board of Educational Lands and Funds; to empower the board to sell such bonds under specified terms and conditions; to prescribe a shorter period of time of notice required to be given to a municipality in the case of sale of Nebraska municipal bonds; to eliminate the requirement that bonds shall not be sold at less than the same cost the state; to repeal the original section; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 384 be placed on General File. (Signed) A. J. Brodahl

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

MOTION—Special Order

Mr. President: I move that L. B. 384 be made Special Order for Thursday, April 12. (Signed) A. J. Brodahl

The motion prevailed.

Unanimous Consent

Mr. Mekota asked unanimous consent to introduce a bill in regard to lobbying.

Objection was offered.

GENERAL FILE

LEGISLATIVE BILL 276. Laid over.

LEGISLATIVE BILL 243. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 234. Placed on Select File as amended.

E and R amendments to L. B. 234:

1. In the bill, section 1, lines 4 and 5, strike "actual valuation on all" and in lieu thereof insert: "upon the actual value of all the".

2. In the bill, title, strike "upon the dollar actual val-" in line 4 and all of line 5, and in lieu thereof insert:

"on the dollar upon the actual value of all the taxable property within the county, except intangible";

at the end of line 9, after the semicolon, insert the following:

"to provide for the exclusive use of the funds raised by such levy for the prescribed purpose; to prohibit the transfer of the funds so raised to any other fund of the county;" .

LEGISLATIVE BILL 304. Placed on Select File as amended.

E and R amendments to L. B. 304:

1. In the bill, section 1, insert a comma in line 3 after the word "annually", line 4 after the word "*July*" and in line 7 after the word "report" and after the word "*July*"; line 8 strike the word "tax" and in lieu thereof insert "tax"; line 9, strike the word "all" and in lieu thereof insert "all" and in said line strike "property of the district" and in lieu thereof insert: "*all the taxable* property of the district , *except intangible property,*"; strike the semicolon and in lieu thereof insert "; ," in lines 11, 12 and 13; line 14, strike the semicolon and in lieu thereof insert "; " ; line 16, strike "and the" and in lieu thereof insert: "*as amended by this act* and the . *The*"; line 18, after the word "mills" insert the word "*of*".

2. In the bill, section 2, line 28, strike "said" and in lieu thereof insert the word "the".

3. In the bill, section 3, line 6, strike "for use" and in lieu thereof insert: "for use"; line 7, before the word "schools" insert the word "*the*"; line 9, after the word "all" insert: "*the taxable*", and also in line 12; line 10, strike "subject to taxation" and in lieu thereof insert: "*, except intangible property* subject to taxation"; strike "subject to taxation" and in lieu thereof insert: "*, except intangible property,* subject to taxation" in lines 13 and 18; line 14, after the word "paying" insert the word "*the*"; strike the comma and in lieu thereof insert "; " in line 14 after the word "on" and in line 20 after the word "buildings"; line 16, insert a comma after the word "fund"; at the end of line 17, after the word "all" insert: "*the taxable*"; line 26, strike the word "*may*" and in lieu thereof insert: "*as amended by this act, may,*" and insert a comma after the word "*education*"; line 44, strike the comma after the word "*provided*".

4. In the bill, section 4, line 5, insert a comma after the word "also"; line 13, strike the period and in lieu thereof insert: "*: as follows:*".

5. In the bill, title, line 10, strike the semicolon and in lieu thereof insert: ", except intangible property;" ; line 41, strike the word "sinking" and in lieu thereof insert the word "site".

LEGISLATIVE BILL 221. Correctly engrossed.

(Signed) Roy B. Carlberg

Members Excused

Mr. Dooley was excused for the afternoon session.
Mr. Reavis was excused for Wednesday, April 11.

President Signs

While the Legislature was in session and capable of transacting business, the President signed L. B. 259.

RECESS

At 11:55 Mr. Mueller made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:09 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Babcock, Dooley and Norman, who were excused.

GENERAL FILE

LEGISLATIVE BILL 161.

Mr. Lusienski requested that L. B. 161 be made Special Order for the afternoon of Monday, April 23, 1945. Request granted.

LEGISLATIVE BILL 324. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Mr. Garber moved to strike the enacting clause.

A record vote was requested.

Voting in the affirmative, 14:

Carlberg	Hanna	Mueller	Raasch
Carmody	Hern	Peterson	Reavis
Cronin	Jeffords	Pizer	Weborg
Garber	Kain		

Voting in the negative, 21:

Adams	Conklin	Heiliger	Raecke
Anderson, J.	Crossland	Hoyt	Ryan
Anderson, L.	Cullingham	Hubka	Seaton
Brodahl	Doyle	Lee	Tvrdik
Burney	Foster	Ogden	Wood
Burnham			

Not voting, 8:

Babcock	Klaver	Mekota	Schultz
Dooley	Lusienski	Norman	Sorrell

The motion did not prevail.

Mr. Adams offered the following amendment which was adopted.

Amend L. B. 324 by striking from line two in the title the following words "trade-marks and".

Mr. Raecke offered the following amendment which was adopted.

Amend L. B. 324, Section 3, line 2, by striking the word "five" and inserting in lieu thereof the word "thirty".

Mr. Raecke offered the following amendment upon which no action was taken.

Amend L. B. 324 by striking all of renumbered Section 6 and renumber the following sections accordingly.

Mr. Hoyt asked to have the bill laid over and to retain its place. Request granted.

LEGISLATIVE BILL 256. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-seventh Day was adopted.

Speaker Peterson Presiding

Advanced to E and R for review.

LEGISLATIVE BILL 225. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 316. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-seventh Day was adopted.

Mr. James Anderson offered the following amendment which was adopted.

Amend L. B. 316, Sec. 1, by striking all of the section after the word "same" in line 12, with the exception of the punctuation ". ".

Mr. Raecke moved that the action of the Legislature in adopting the Standing Committee amendment be reconsidered.

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

The Standing Committee amendment was rejected.

Mr. James Anderson offered the following amendment which was adopted.

Amend L. B. 316, Section 1, by inserting after the word "the" in line 9 the words "address and" .

Advanced to E and R for review.

LEGISLATIVE BILL 105. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 355. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 285. Laid over.

LEGISLATIVE BILL 284. Laid over.

LEGISLATIVE BILL 333. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 224. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 220. Read and considered.

Mr. Cronin offered the following amendment, which was adopted.

Amend line 3 of the title by striking the word "commission" and inserting in lieu thereof the word "commissioner".

Mr. Weborg offered the following amendment, which was adopted.

Amend the title, line 2 by inserting before the word "bridge" the words "inter state".

Advanced to E and R for review.

LEGISLATIVE BILL 268. Laid over.
LEGISLATIVE BILL 280. Laid over.
LEGISLATIVE BILL 215. Laid over.
LEGISLATIVE BILL 199. Read and considered.

Mr. Cullingham offered the following amendment, which was adopted.

Amend the title, line 3 by inserting after the word "practice" and before the word "engineering" the word "of".

Advanced to E and R for review.

LEGISLATIVE BILL 354. Read and considered.

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 354, Section 1, Line 5, by striking the word "ten" and inserting in lieu thereof the word "eight" and amend the title to conform.

Mr. Hoyt offered the following amendment, which was adopted.

Amend Section 1, Line 4 by inserting the word "uniform" before the word "fee". Also amend the title by inserting the word "uniform" before the word "fee".

Advanced to E and R for review.

LEGISLATIVE BILL 41. Laid over.

LEGISLATIVE BILL 3. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Mr. James H. Anderson offered the following amendment, which was adopted.

Amend Section 1, of L. B. 3 by striking the word "may" in line 22 and inserting in lieu thereof the word "shall".

Advanced to E and R for review.

LEGISLATIVE BILL 329. Laid over.

LEGISLATIVE BILL 191. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Laid over until Monday, April 16, 1945.

Adjournment

At 4:30 p. m., Mr. Klaver made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SIXTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 11, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Norman and Reavis who were excused.

The Journal for the sixty-eighth day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 76. Placed on Select File as amended.

E and R amendments to L. B. 76:

1. In Standing Committee amendment 2, inserted matter, line 4, strike the comma after the word "chief" .

2. In Standing Committee amendment 4, inserted matter, insert the word "the" before the word "power" .

3. Strike Standing Committee amendment 6.

4. In Standing Committee amendment 7, strike the word "and" at the end of line 2 and strike all of line 3.

5. In Standing Committee amendment 12, line 3, strike the figure "9" and in lieu thereof insert the figure "10" .

6. In Standing Committee amendment 21, inserted matter, line 13, strike the word "word" and in lieu thereof insert the word "words";

line 14, strike the comma after the word "act"; line 13, strike the figure "11" and in lieu thereof insert: "12, inclusive," .

7. In Standing Committee amendment 22, inserted matter, line 5, after the word "and" insert the following:

"the display thereof; to provide for the cancellation of such a license; to provide for keeping certain records and making certain reports; to define terms as used in this act; to provide for" ;

line 7, after the semicolon and before the word "and" insert the following:

"to provide a savings clause; to make certain acts and practices unlawful as prescribed;" .

8. In General File amendment 3, by Mr. J. H. Anderson, inserted matter, lines 3 and 4, strike ", which committee, with the" and in lieu thereof insert: ". The"; line 5, strike "as chairman," and in lieu thereof insert: "shall be the chairman thereof. This committee"; line 7, strike ". The committee shall also" and in lieu thereof insert the word "and"; line 12, strike the comma after the word "years".

9. In General File amendment 6, by Mr. J. H. Anderson, inserted matter, line 2, insert a comma after the word "committee"; line 3, strike the word "the" and in lieu thereof insert the word "its"; line 4, strike "of such committee" .

10. In the bill, section 4 (formerly 3), line 6, strike "and in" and in lieu thereof insert: " . In" and in said line, insert a comma after the word "thereof" ; line 7, after the word "things" and before the colon insert ", to"; line 8, strike "To adopt" and in lieu thereof insert the word "Adopt"; line 11, strike "To disseminate" and in lieu thereof insert the word "Disseminate"; line 14, strike the word "At" and in lieu thereof insert: "Undertake, at"; line 15, strike "to undertake"; line 17, insert the word "the" before the word "desirability" and also before the word "use"; line 18, strike the word "or" and in lieu thereof insert the word "and", and at the end of said line, after the word "determine" insert: "new and better"; lines 19 and 20, strike ", and to convert" and in lieu thereof insert: "and of converting"; line 22, strike "in addition to" and in lieu thereof insert: "Conduct, in addition to the" .

11. In the bill, section 6 (formerly 5), line 3, after the word "for" insert the word "a"; line 4, strike ", and" and in lieu thereof insert: "and," and in said line, insert a comma after the word "therewith"; insert a comma in line 18 after the word "be" and in line 19 after the word "hours", also in line 23 after the word "may" .

12. In the bill, section 7 (formerly 6), line 8, after the word "filed" insert: "and in connection therewith," and in said line strike "in connection therewith" .

13. In the bill, section 8 (formerly 7), insert a comma in line 4 after the word "credited" and in line 5 after the word "enforcement" .

14. In the bill, section 9 (formerly 8), line 5, after the word "for" insert the word "the"; line 6, strike ", and it" and in lieu thereof insert: ". It"; line 7, before the word "report" insert the word "immediately"; lines 7 and 8, strike the word "immediately" .

15. In the bill, section 11 (formerly 10), line 2, strike the comma after the word "misdemeanor"; line 3, strike "in a sum of"; line 4, strike "and not exceeding" and in lieu thereof insert: "nor more than" .

LEGISLATIVE BILL 184. Placed on Select File.

LEGISLATIVE BILL 219. Replaced on Select File as amended.

E and R amendments to L. B. 219:

1. In Specific Amendment 1, by Mr. Hubka, line 1, strike "line 22,"; line 2, after the word "period" insert: "in the last Enrollment & Review Committee amendment thereto"; in the inserted matter, line 1, strike "*A district may*" and in lieu thereof insert: "*The landowner of a district may petition to become a part of or*"; line 8, after the period and before the word "*Any*" insert the following:

"In the event such joining or merger is effected, the supervisors and officers of the district which is the largest in area shall act for the merged district until their respective terms expire. The officers of the district merged with or joined to another district shall, however, act to close up the affairs of said district as is provided for in section 2-950." .

2. In Specific Amendment 3, by Mr. Hubka, line 2, strike the period and in lieu thereof insert: "and present section 24 as section 25." .

3. In Specific Amendment 4, by Mr. Hubka, line 1, strike the figure "13" and in lieu thereof insert the figure "12"; inserted matter, line 1, before the word "merger" insert the word "the" .

4. In the bill, section 9, line 2, after the word "*county*" insert: "*, or any part thereof,*"; line 6, after the word "*county*" insert: "*, or any part thereof,*" .

LEGISLATIVE BILL 121. Replaced on Select File as amended.

E and R amendment to L. B. 121:

In section 1, lines 47, 75, strike the period and in lieu thereof insert: ",;"; line 88, strike the comma after "estate" (not in statute); line 277, strike the period before "In".

LEGISLATIVE BILL 89. Correctly enrolled.
LEGISLATIVE BILL 132. Correctly enrolled.
LEGISLATIVE BILL 162. Correctly enrolled.
LEGISLATIVE BILL 163. Correctly enrolled.
LEGISLATIVE BILL 169. Correctly enrolled.
LEGISLATIVE BILL 188. Correctly enrolled.
LEGISLATIVE BILL 190. Correctly enrolled.
LEGISLATIVE BILL 216. Correctly enrolled.
LEGISLATIVE BILL 241. Correctly enrolled.
LEGISLATIVE BILL 265. Correctly enrolled.
LEGISLATIVE BILL 279. Correctly enrolled.
LEGISLATIVE BILL 281. Correctly enrolled.
LEGISLATIVE BILL 309. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 89	L. B. 188	L. B. 265
L. B. 162	L. B. 190	L. B. 279
L. B. 163	L. B. 216	L. B. 281
L. B. 169	L. B. 241	L. B. 309

Legislative Resolution 16

RESOLUTION

LEGISLATIVE RESOLUTION 17. Re: Memorial to Union Veterans of the Civil War.

Introduced by William A. Crossland of Wayne, Earl J. Lee of Dodge, and Lloyd Kain of Dawson.

WHEREAS, it is the desire of the citizens of the State of Nebraska to erect a fitting memorial to the Union Veterans of the Civil War and to perpetuate the memory of their sacrifices in the preservation of the Union of States, and

WHEREAS, it is also the desire of the members of the Nebraska State Legislature to effectuate said laudable purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That United States Highway No. 6, extending from the eastern boundary of the State of Nebraska to the western boundary of said state shall be known and designated as the "Grand Army of the Republic Highway" .

2. That the Department of Roads and Irrigation of the State of Nebraska is hereby authorized and directed to erect suitable markers along and upon said highway to indicate the name in accordance with this resolution.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 262.

A bill for an act to amend sections 23-1608 and 23-1613, Revised Statutes of Nebraska, 1943, relating to county government and officers; to provide for the examination of the books, accounts, records and affairs of all the county officers in every county at least every year by the direction and under the supervision of the Auditor of Public Accounts; to provide for a complete annual audit of the books, accounts, records and affairs of the specified county officers as prescribed; to increase the number of competent accountants, authorized to be appointed or deputized by the Auditor of Public Accounts for the prescribed purposes, to ten; to fix the maximum salaries of such accountants and their assistants; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Seaton
Brodahl	Foster	Lusienski	Sorrell
Burnham	Heiliger	Mekota	Tvrdik
Carlberg	Hern	Mueller	Weborg
Conklin	Hoyt	Ogden	Wood
Cronin	Hubka	Peterson	

Voting in the negative, 2:

Burney	Hanna

Not voting, 6:

Carmody	Norman	Ryan	Schultz
Garber	Reavis		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted "No" on L B. 262. (Signed) Edwin Schultz

LEGISLATIVE BILL 120. With emergency.

A bill for an act relating to schools; to provide for retirement of school employees; to establish a school retirement system and provide for its administration; to provide for five distinct funds and for the administration thereof; to appropriate each biennium the amount necessary, out of the general funds of the State of Nebraska, to pay the service annuities provided in the act, and the state's share of the expenses of administering said system; to define terms; to provide for certain appeals; to provide the duties of certain officers, employees and other persons; to provide for certain payments, deductions, audits and investigations; to provide for an initial appropriation of eighty-five thousand dollars for the specified purposes; to provide for the compensation and expenses of certain persons; to provide for certain statements and certificates; to make certain acts unlawful; to provide penalties; to provide a savings clause; to provide for certain exemptions from taxes and from certain legal process or proceedings; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Schultz
Babcock	Dooley	Lee	Seaton

Brodahl	Doyle	Lusienski	Sorrell
Burney	Foster	Mueller	Tvrdik
Burnham	Heiliger	Ogden	Weborg
Carlberg	Hern	Peterson	Wood
Carmody	Hoyt	Pizer	

Voting in the negative, 4:

Cronin	Hanna	Jeffords	Mekota

Not voting, 4:

Garber	Norman	Reavis	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor for approval April 11, 1945, 9:15 a. m.

L. B. 197 L. B. 195 L. B. 259 L. B. 255

(Signed) Roy B. Carlberg, Chairman

Speaker Peterson Presiding

SELECT FILE

LEGISLATIVE BILL 234. E and R amendments found in the Legislative Journal for the Sixty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 304. E and R amendments found in the Legislative Journal for the Sixty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 205.

Mr. Schultz offered the following amendment, which was adopted by unanimous consent.

1. Amend section 1 of the bill, line 17, by inserting after the words "Such taxes" the words *"and any voluntary contributions"*.

2. Amend section 1 of the bill, line 19, by striking the word "same" before the words "are levied" and inserting in lieu thereof the word *"taxes"*.

3. Amend the title of the act, line 5, by inserting after the punctuation following the word "districts" the following:

"to provide that voluntary contributions shall become a part of the district road fund of the district, precinct or township in which taxes are levied and shall be used exclusively in improving public highways of such district;".

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 276.

Advanced to E and R for review.

LEGISLATIVE BILL 324. Laid over.
LEGISLATIVE BILL 285. Laid over.
LEGISLATIVE BILL 284. Laid over.
LEGISLATIVE BILL 268.

Mr. Schultz asked unanimous consent to place L. B. 268 at the bottom of General File.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 280. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 215. Laid over.

LEGISLATIVE BILL 41. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 329. Laid over.

LEGISLATIVE BILL 237. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 278. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Mr. Hubka offered the following amendment, which was adopted.

Amend the title to L. B. 278 to conform to the Standing Committee amendments.

Advanced to E and R for review.

LEGISLATIVE BILL 328. Read and considered.

Advanced to E and R for review, with 27 ayes, 2 nays and 14 not voting.

LEGISLATIVE BILL 288. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 315. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 53. Read and considered.

Advanced to E and R for review with 31 ayes, 1 nay and 11 not voting.

Unanimous Consent

Mr. Pizer asked unanimous consent to have L. B. 361 follow L. B. 53.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 361. Read and considered.

Mr. James H. Anderson made a motion to indefinitely postpone L. B. 361.

A record vote was requested.

Voting in the affirmative, 18:

Anderson, J.	Carmody	Jeffords	Mueller
Anderson, L.	Cronin	Kain	Raecke
Babcock	Garber	Lusienski	Schultz
Burney	Hanna	Mekota	Weborg
Burnham	Hern		

Voting in the negative, 11:

Carlberg	Foster	Pizer	Sorrell
Conklin	Hoyt	Raasch	Wood
Crossland	Lee	Seaton	

Not voting, 14:

Adams	Doyle	Norman	Reavis
Brodahl	Heiliger	Ogden	Ryan
Cullingham	Hubka	Peterson	**Tvrdik**
Dooley	Klaver		

The motion to indefinitely postpone prevailed.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in advancing L. B. 53. (Signed) Sam Klaver

The motion prevailed with 29 ayes, 3 nays and 11 not voting.

LEGISLATIVE BILL 53.

Mr. James H. Anderson made a motion to indefinitely postpone L. B. 53.

The motion prevailed.

Speaker Peterson was excused for the afternoon session.

RECESS

At 12:10 p. m., Mr. Burney made a motion to recess until 2:30 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:30 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Norman, Peterson and Reavis, who were excused.

Visitor

Mr. Johnson introduced Mr. Charles Wiley, former member of the Kentucky House of Representatives, and at present stationed at the Lincoln Army Air Base.

Unanimous Consent

Mr. Carlberg asked unanimous consent to have L. B. 342 placed on Select File for the following specific amendment:

1. Amend the bill by inserting the following after section 1:

"The term "effective date", as used in this act, shall mean the date of the commission unless the commission shall state when it goes into effect, in which event that date shall be the effective date.

Sec. 2. That section 64-102, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-102. ~~A notary public now appointed, or any~~ *Any* person ~~making an application for an appointment as such,~~ may apply for a commission authorizing the applicant to act as a notary public *either in the county of his or her residence or* anywhere in the State of Nebraska, and thereupon the Governor ~~shall~~ *may, at his discretion,* issue a commission authorizing such notary public to act as such *in said county or* anywhere in the State of Nebraska, *as the case may be.* ~~Such~~ *A general* commission shall not authorize the holder thereof to act as a notary public in any county until a bond in the sum of six thousand dollars, *with an incorporated surety company as surety,* has been executed and

approved by and filed in the office of the Secretary of State, who shall be entitled to a fee of two dollars for such filing. Upon the filing of such bond with the Secretary of State and the issuance of such commission, such general notary public shall be authorized and empowered to perform any and all the duties of a notary public in any and all the counties in the State of Nebraska. The seal of such general notary public shall have engraved thereon, in lieu of the name of the county for which commissioned, the words "State of Nebraska, General Notary."

Sec. 3. That section 64-103, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-103. When any person shall be appointed to the office of notary public, the Governor shall sign the commission and deliver the same to the Secretary of State. Upon the receipt of the commission by the secretary, he shall affix thereto the great seal of state, and attest it, and . *If the commission is for one county, the Secretary of State shall* transmit by mail or messenger the commission and blank bond, to be executed by the person so appointed and commissioned, *by mail or messenger,* to the county clerk of the county for which such appointment was made. Within five days after the receipt of such commission, the county clerk shall notify the person so appointed that he holds the commission and blank bond, and if . *If* the person appointed to such office does not, within thirty days after the date of such notice, execute the bond, deliver the same to the clerk of the county, qualify, and receive his commission, the clerk shall return such commission to the secretary to be canceled. *If the commission is for a general notary public, upon the filing and approval of the bond, as provided for in section 64-102, the Secretary of State shall mail or deliver the commission to the applicant.*

Sec. 4. That section 64-104, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-104. Each person so appointed to the office of notary public *for one county* shall appear before the clerk of the county for which he *or she* was appointed, within the time limited in section 64-103, and demand *request* the blank bond so transmitted by the Secretary of State, and . *Such person shall* execute and deliver to such clerk a good and sufficient bond for *to* the State of Nebraska, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of such office, with one surety, where such surety is an incorporated surety company authorized by the laws of this state to transact such

business, and with two sureties, residents of such county, where such sureties are natural persons, who shall severally justify, as provided in section 64-105. Such person so appointed to the office of notary public shall make oath or affirmation, to be endorsed on such bond, and subscribed by the person appointed before some officer authorized by law to administer oaths, and by him certified thereon, that he will support the Constitution of the United States and the Constitution of the State of Nebraska, and will faithfully and impartially discharge and perform the duties of the office of notary public. The county clerk shall file and preserve the bond in his office, and record the commission, bond, justification of the sureties, and oath of office in a book to be kept by him for that purpose, and shall transmit to the Secretary of State written or printed notice that the requirements of sections 64-101 to 64-104 , *inclusive,* have been complied with by the person so appointed and commissioned, which notice shall be filed and preserved in the office of the Secretary *of State*. *The bond for a general notary public shall be in the sum required by section 64-102 of this act, with an incorporated surety company as surety, conditioned substantially as is provided for a notary public in one county. The bond of such a notary public shall also have endorsed upon it a similar form of oath and the same shall be signed and sworn to in a similar manner as is herein required for county notaries public.*

Sec. 5. That section 64-105, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-105. The justification of natural persons as sureties on the *a* bond *of a county notary public* shall be an oath or affirmation endorsed on the bond to the effect that each of said sureties is a resident and freeholder of the county for which such notary public was appointed, and is worth at least the sum of two thousand dollars over and above all debts and liabilities by him owing, and all property exempt by law from levy or sale on execution, which oath or affirmation shall be subscribed by the sureties and taken before and certified to by an officer authorized by law to administer oaths. Any person swearing or affirming falsely in this regard shall be guilty of perjury, and subject to the penalty provided for such offense.

Sec. 6. That section 64-106, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-106. Each *county* notary public, before performing any duties of his office, shall provide himself with an official seal, on which shall be engraved the words "Notarial Seal," , the name

of the county for which he was appointed and commissioned, and the word "Nebraska," , and in addition, at his option, his name and the date of expiration of his commission, or ; *Provided, a notary public may use* the initial letters of his name. *The seal of each general notary public shall have engraved thereon, in lieu of the requirements for the seal of a county notary public to show the county, the words "State of Nebraska, General Notary" or "State of Nebraska, General Notarial".* A notary public shall authenticate all his official acts with such seal. Under his official signature, on all certificates of authentication made by him, he shall write *or otherwise show* the date at which *when* his term of office as such notary public will expire, if such date of expiration is not engraved on the seal.

Sec. 7. That section 64-107, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-107. A notary public is authorized and empowered, within the county *or state, as the case may be,* for which he was appointed to such office (1) to administer oaths and affirmations in all cases; (2) to take depositions, acknowledgments, and proofs of the execution of deeds, mortgages, powers of attorney, and other instruments in writing, to be used or recorded in this *or another* state; (3) to demand acceptance or payment of any foreign, inland, domestic bill of exchange, promissory note or other obligation in writing, and to protest the same for nonacceptance or nonpayment, as the case may be, and give notice to endorsers, makers, drawers or acceptors of such demand or nonacceptance or nonpayment; and (4) to exercise and perform such other powers and duties as by the law of nations, and according to commercial usage, or by the laws of the United States, or of any other state or territory of the United States, or of any other government or country, may be exercised and performed by notaries public. Over his signature and official seal, he shall certify the performance of such duties so exercised and performed under the provisions of this section, which certificate shall be received in all courts of this state as presumptive evidence of the facts therein certified to.

Sec. 8. That section 64-111, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-111. If any county clerk of any county in this state shall neglect or willfully refuse to perform the duties imposed on him by sections 64-101 to 64-112 *Chapter 64, Revised Statutes of Nebraska, 1943, as amended by this act,* or shall willfully refuse to deliver the commission so issued by the Governor to any *county*

notary public, after he shall have duly filed the bond required by section 64-104, and qualified, such county clerk shall forfeit and be liable to pay to the county for which such notary public was appointed, for the use of the school fund, the sum of two hundred dollars, to be recovered as provided in section 64-110 *in the name of such county*.

Sec. 9. That section 64-112, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-112. Whenever a vacancy in the office of *a county* notary public shall occur in any county , it shall be the duty of the county clerk to notify the Secretary of State of the fact, who . *The Secretary of State* shall keep a record in his office of the name of the person appointed *as a notary public* , date of his commission and time of its expiration, and the time such office becomes vacant, either by removal from office, removal from the county, *if a county commission, or state, if a general commission,* or limitation of term of appointment; and when a vacancy shall occur in the office of notary public in any county it shall be the duty of the Secretary of State to notify the Governor . *Every county notary public removing from his county shall notify the county clerk of said county and every general notary public removing from the State of Nebraska shall notify the Secretary of State of such removal. Such a removal shall terminate the term of his office.*

Sec. 10. That section 64-113, Revised Statutes of Nebraska, 1943, be amended to read as follows:

64-113. Whenever charges of malfeasance in office shall be preferred to the Governor against any notary public in this state, or whenever the Governor shall have reasonable cause to believe any notary public in this state is guilty of acts of malfeasance in office, he may appoint any disinterested person, not related by consanguinity to either the notary public or person preferring the charges, and authorized by law to take testimony of witnesses by deposition, to notify such notary public to appear before him on a day and at an hour certain, after at least ten days from the day of service of such notice. He may summon witnesses, in the manner provided by section 64-108, to appear before him at the time specified in said notice, and he may take the testimony of such witnesses in writing, in the same manner as is by law provided for taking depositions, and certify the same to the Governor. The notary public may appear, at such time and place, and cross-examine witnesses, and produce witnesses in his behalf, which cross-examination and testimony shall be likewise certified

to the Governor. Upon the receipt of such examination, duly certified in the manner prescribed for taking depositions to be used in suits in the district courts of this state, the Governor shall examine the same, and if therefrom he shall be satisfied the charges are substantially proved, he may remove the person charged from the office of notary public. Within thirty days from such removal and notice thereof, such notary public shall deposit, with the county clerk of the county for which he was appointed, *or where he resides in the case of a general notary public,* his commission as notary public. *The commission* shall be forwarded to the Secretary of State to be canceled. Thereafter such person so removed from office shall be forever disqualified from holding the office of notary public. The fees for taking such testimony shall be paid by the county, *if a county commission, or the state if a general commission,* at the same rate as fees for taking depositions by notaries public. The failure of the notary public to deposit his commission with the county clerk as required by this section shall subject him to a penalty of two hundred dollars, to be recovered in the ~~manner provided in section 84-110~~ *name of the county if a county commission, or the state, if a general commission.*

Sec. 11. That section 33-102, Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-102. The Secretary of State shall be entitled, for receiving, affixing the great seal to, and forwarding the commission of a notary public, ~~to~~ the sum of two dollars *and the additional sum of two dollars for filing and approving the bond of a general notary public.* The county clerk of the county, to whom ~~the same~~ *a county commission* shall be forwarded, shall receive the sum of two dollars on each commission as fee for services, to be paid by the person appointed and commissioned, before the delivery to him of the commission. ~~The fees of the Secretary of State shall be transmitted to him by the county clerk immediately after their receipt by the county clerk.~~

Sec. 12. *No deed, mortgage, affidavit, power of attorney or other instrument in writing shall be invalidated because of any defects in the wording of the seal of the notary public attached thereto.*

2. Amend section 2 of the original bill, by changing the figure "2" to "13", in line 1, and section 4, by changing the figure "4" to "15", in line 1.

3. Amend section 3 of the original bill, changed to section 14 hereby, by striking all of said section and in lieu thereof inserting the following:

"Sec. 14. *All commissions heretofore issued to notaries public shall be and remain in full force and effect until their expiration date unless otherwise terminated in accordance with law, except commissions issued as general commissions prior to August 29, 1943, which shall only remain valid for the county of the residence of such notary public at the time of the issuance of such commission. Any deed, mortgage, affidavit, power of attorney or other instrument in writing acknowledged, proven, executed or sworn to before a general notary public, commissioned prior to August 29, 1943, from said date to the effective date of this act, in a county where such commission and bond, or a certified copy of such bond, of such general notary public was then on file with the county clerk, is hereby validated even though such acknowledgment or other official act of such general notary public was taken or performed in a county other than that of the residence of such notary public, unless an action is commenced within one year from the effective date of this act to invalidate the same; Provided, however, this provision shall not affect pending litigation.*

4. Amend section 4 of the original bill, now section 15, by striking all of said section and amendments thereto after the word "original" in line 1, and in lieu thereof, insert:

"Sections 64-101, 64-102, 64-103, 64-104, 64-105, 64-106, 64-107, 64-111, 64-112, 64-113 and 33-102 and also section 64-110, Revised Statutes of Nebraska, 1943, are repealed.

5. Amend the title to conform with the above amendments.

6. Change the section number of section 5 of the original bill, as amended, (emergency clause added) to 16.

There was no objection and it was so ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 208. Placed on Select File as amended.

E and R amendments to L. B. 208:

1. In Standing Committee amendment 1, last line, strike the period before the quotation mark.

2. In the bill, section 1, line 9, after the semicolon insert the word "and" .

3. In the bill, section 2, line 2, before the word "acquire" insert "(a)"; line 4, strike "and to" and in lieu thereof insert: ", (b)"; line 9, strike "; to" and in lieu thereof insert: ", (c)"; line 10, strike "; to" and in lieu thereof insert: ", (d)"; line 12, strike "; and to" and in lieu thereof insert: "and (e)"; line 24, strike the word "or" after "area,"; line 26, insert a comma after the word "means"; line 36, strike the word "Any" and in lieu thereof insert the word "The" .

4. In the bill, section 3, line 1, before the word "The" insert "(a)"; line 2, strike the semicolon and in lieu thereof insert: ", (b)"; line 3, strike the semicolon and in lieu thereof insert: ", (c)"; line 6, strike ", and" and in lieu thereof insert: "and (d)"; line 7, strike the comma after the word "municipalities"; line 9, strike ", and such" and in lieu thereof insert: ". Such" .

5. In the bill, section 4, insert a comma in line 1 after the word "property" and in line 2 after the word "municipality" .

6. In the bill, section 6, insert a comma in line 23 after the word "termed" and in line 24 after the word "bonds"; line 33, strike "; any" and in lieu thereof insert: ". Any" .

7. In the bill, section 7, line 7, strike "monies sufficient" and in lieu thereof insert: "sufficient money" and in said line strike the word "therein"; line 8, after the word "act" and before the period insert the word "therein"; line 12, strike the comma after the word "thereof" .

8. In the bill, section 8, line 13, strike the period and in lieu thereof insert a semicolon; line 23, strike the word "and" after the word "management" and in lieu thereof insert a comma; line 41, strike the period and in lieu thereof insert a semicolon; line 43, strike the word "or" before the word "other" and in lieu thereof insert a comma and in said line strike the comma after the word "facilities"; line 44, strike the comma after the word "purposes"; line 45, strike the word "or" after the word "government" and in lieu thereof insert a comma; line 46, strike "either thereof," and in lieu thereof insert: "any such government"; line 47, after the word "assign" insert: "space, area, improvements or equipment on such airports"; line 48, strike the word "or" after the word "government" and in lieu thereof insert a comma; line 49, strike "either thereof," and in lieu thereof insert "any such government"; lines 50 and 51, strike ", space, area, improvements, or equipment on such airports"; line 55, strike the word "of" after the word "privileges" and in lieu thereof insert the word "or"; line 57, strike the word "provided" and in lieu thereof insert: "*Provided*," and

in said line strike "in so doing" and before the word "deprived" insert the word "thereby"; line 58, strike the period and in lieu thereof insert a semicolon; line 59, strike "property, real or personal" and in lieu thereof insert: "real or personal property"; line 65, before the word "sale" insert the word "the"; line 73, strike the period and in lieu thereof insert a semicolon; line 77, strike the word "provided" and in lieu thereof insert: "*Provided,*"; lines 77 and 78, strike "is not" and in lieu thereof insert: "shall not be"; line 82, strike the word "The" and in lieu thereof insert: "To enforce the payment of charges, the" and in said line strike "and may enforce liens, as" and in lieu thereof insert: "a lien and may enforce it, substantially as is"; line 83, before the word "enforcement" insert the word "the"; line 84, strike "improvement or" and in lieu thereof insert: "the improvement,"; lines 84 and 85, strike ", to enforce the payment of any such charges." and in lieu thereof insert: "; and" .

9. In the bill, section 9, lines 14 and 15, strike ", and" and in lieu thereof insert: ". It"; line 18, strike the word "are" before the word "paid" and in lieu thereof insert the word "is".

10. In the bill, section 11, line 8, strike the word "provided" and in lieu thereof insert the word "if"; line 12, strike " ," " and in lieu thereof insert " ","; line 23, after the word "shall" insert "(a)" and in said line strike the semicolon and in lieu thereof insert: ", (b)"; line 25, strike the word "and" after the comma and in lieu thereof insert "(c)"; line 26, before the word "preliminary" insert the word "the"; line 27, after the word "of" insert the word "the"; line 29, strike the word "and" at the beginning of the line, and in lieu thereof insert "(d)"; line 30, strike ". It shall" and in lieu thereof insert: ", (e)"; line 31, strike "and for" and in lieu thereof insert: ", (f) the" and in said line strike "; for" and in lieu thereof insert: "and (g)"; line 83, strike ", which" and in lieu thereof insert: ". Such"; line 105, strike ", such funds" and in lieu thereof insert: ". Such funds are" and strike the word "for" at the end of said line; line 108, strike ", and into which shall be paid the" and in lieu thereof insert: ". The"; strike the comma at the end of line 110 and in lieu thereof insert: "shall be paid into such fund,"; line 112, strike "; revenues in excess of" and in lieu thereof insert: ". Revenues in excess of the"; line 113, strike the word "to" and in lieu thereof insert the word "shall" .

11. In the bill, title, line 20, strike the comma and in lieu thereof insert: "; to provide a savings clause;" .

LEGISLATIVE BILL 119. Correctly engrossed.
LEGISLATIVE BILL 353. Correctly engrossed.
LEGISLATIVE BILL 349. Correctly engrossed.
LEGISLATIVE BILL 331. Correctly engrossed.

LEGISLATIVE BILL 171. Correctly engrossed.
LEGISLATIVE BILL 168. Correctly engrossed.
LEGISLATIVE BILL 33. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 385. By Committee on Government, Frank Sorrell, Chairman.

A bill for an act to repeal sections 74-812, 74-813 and 74-814, Revised Statutes of Nebraska, 1943, relating to railroads.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 385 be placed on General File. (Signed) Frank Sorrell

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

GENERAL FILE—Continued

LEGISLATIVE BILL 266. Read and considered.

Mr. Adams offered the following amendment, which was adopted.

Amend L. B. 266 by adding the emergency clause and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 267. Read and considered.

Mr. Adams offered the following amendment, which was adopted.

Amend L. B. 267 by adding the emergency clause and amend the title to conform.

Advanced to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action of March 27, 1945, in the striking of the enacting clause to L. B. 180. (Signed) Ladd J. Hubka

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

LEGISLATIVE BILL 180. Laid over.

LEGISLATIVE BILL 285. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Conklin offered the following amendment, which was adopted.

Amend L. B. 285 in Section 8, line 11, by inserting the word "or" before the word "guardian" and striking the words "or person standing in loco parentis".

Advanced to E and R for review.

LEGISLATIVE BILL 284. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Raecke offered the following amendments, which were adopted.

Amend L. B. 284 as follows:

1. Sec. 1, line 2, by inserting after the word and punctuation "Nebraska," the following, "1943,"

2. Sec. 2, line 2, by inserting after the word and punctuation "Nebraska," the following "1943,"

3. Sec. 4, line 2, by inserting after the word and punctuation "Nebraska," the following "1943,".

4. Sec. 6, line 2, by inserting after the word and punctuation "Nebraska," the following "1943,".

Advanced to E and R for review.

LEGISLATIVE BILL 263. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 307. Set for Special Order Friday, April 13, 1945.

LEGISLATIVE BILL 302.

Mr. Ogden made a motion to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL 344. Read and considered.

Mr. Cullingham asked unanimous consent to add Cliff N. Ogden's name as co-introducer to L. B. 344.

No objection was offered and it was so ordered.

Standing Committee amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 49. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-third Day was adopted.

Advanced to E and R for review.

Member Excused

Mr. Wood was excused for Thursday and Friday, April 12 and 13.

Adjournment

At 4:00 p. m. Mr. Sorrell made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 12, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Norman, Wood and Ryan, who were excused.

The Journal for the sixty-ninth day was approved.

Communications

Petition to Mr. Cronin from fifty-nine residents of Atkinson and Ballagh, Nebraska, opposing L. B. 252.

Two petitions to the Legislature from 137 residents of the Forty-first and Forty-second Districts opposing L. B. 76.

STANDING COMMITTEE REPORTS
MONTHLY REPORT LEGISLATIVE ADMINISTRATION
OFFICERS' AND EMPLOYEES' SALARIES PAID DURING THE MONTH OF MARCH, 1945

(Including Feb. 16 to 28 and March 1 to March 15)

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Federal Tax	Amt. Paid
L. T. Fleetwood	Asst. Clerk	24 da	$ 8.00	$192.00	$ 30.50	$161.50
J. W. Lundy	Sgt. at Arms	24 da	5.50			
	Sunday Allowance	8 da	5.50	176.00	18.50	157.50
Clarence Linch	Asst. Sgt. at Arms	24 da	5.00	120.00	6.90	113.10
Martin L. Pederson	Postmaster	24 da	4.50	108.00	4.50	103.50
Wm. P. Bancroft	Chaplain	20 da	4.50	90.00		90.00
Grace Furst	Engrsg. Clerk	24 da	6.50	156.00	14.30	141.70
Zellma Steenbock	Asst. Engrsg. Clerk	24 da	6.50	156.00	14.30	141.70
Louise F. Sholes	Asst. Jrnl. Clerk	24 da	6.50			
	To correct error	1 da	6.50	162.50	16.00	146.50
Goldie Green	Sec. Lt. Gov.	24 da	6.00	144.00	20.70	123.30
Erma Goering	Docket Clerk	24 da	6.00	144.00	20.70	123.30
Nellie von Dorn	Secretary	24 da	6.50			
	Overtime Allowance	76 hrs	.80	216.80	35.20	181.60
Carol J. Streight	Secretary	23½ da	6.00	141.00	19.90	121.10
Mary Morrison	Secretary	23 da	6.00	138.00	19.40	118.60
Margaret Wulf	Secretary	24 da	6.00	144.00	20.70	123.30
Viola Schmidt	Secretary	24 da	6.00	144.00	20.70	123.30
Katharine Mackiewicz	Secretary	22½ da	6.00	135.00	10.20	124.80
Rita Thornton	Secretary	24 da	6.00	144.00	28.90	115.10
Myrtle McKay	Secretary	24 da	6.00	144.00	20.70	123.30

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Federal Tax	Amt. Paid
Eva Ruff	Secretary	23 da	6.00	138.00	15.20	122.80
Winifred E. Giles	Secretary	24 da	6.00	144.00	12.30	131.70
Kathryn McCrackin	Secretary	19 da	6.00	114.00	6.10	107.90
Hazel Schwarz	Secretary	24 da	6.00	144.00	12.30	131.70
Vashti Greenlee	Secretary	22 da	6.00	132.00	18.20	113.80
Nadine Campbell	Secretary	6 da	5.00			
		17 da	6.00	132.00	9.80	122.20
Elsa Fischer	Secretary	24 da	6.00	144.00	12.30	131.70
Eunice Spencer	Secretary	24 da	6.00	144.00	28.90	115.10
Alice M. Davis	Secretary	24 da	6.00	144.00	12.30	131.70
Azora Sharp	Secretary	24 da	6.00	144.00	20.70	123.30
Delia Rankin	Secretary	19½ da	6.50	126.75	9.10	117.65
Jeanne Brown	Secretary	10 da	6.00	60.00	3.70	56.30
Arlene Jelinek	Secretary	20 da	5.00			
		4 da	6.00	124.00	16.10	107.90
Alice Javorsky	Secretary	20 da	5.00			
		4 da	6.00	124.00	16.10	107.90
Delores Dunham	Stenographer	8 da	5.00	40.00	3.70	36.30
Margaret Fack	Secretary	8 da	6.00	48.00	1.20	46.80
Lela Schall	Stencils	11 da	5.00			
		13 da	6.00	133.00	9.80	123.20
Marion Marlow	Typist	24 da	5.00	120.00	15.30	104.70
G. F. Martin	Chf. Bill Clerk	24 da	6.50	156.00	22.70	133.30
W. T. Voss	Asst. Bill Clerk	24 da	5.00	120.00	6.90	113.10
F. R. Miller	Asst. Bill Clerk	24 da	5.00	120.00	6.90	113.10
Gus Neuman	Asst. Bill Clerk	24 da	5.00	120.00	15.30	104.70
Nancy Halligan	Asst. Bill Clerk	24 da	5.00	120.00	15.30	104.70

Evelyn Schuknecht	Mimeo Operator	24 da	5.00	120.00	15.30	104.70
Henry N. Remington	Chf. Page	19½ da	5.00	97.50	2.90	94.60
Betty Fullagar	Page Mesgr.	23 da	4.00	92.00	9.90	82.10
Martha Simon	Page Mesgr.	19 da	4.00	76.00	6.50	69.50
Richard Cronin	Page Mesgr.	24 da	4.00	96.00	10.70	85.30
Martha Bring	Page Mesgr.	6½ da	4.00	26.00	.10	25.90
O. J. Burckhardt	Asst. Custodian	24 da	4.50	108.00	4.50	103.50
Ezra N. Watt	Asst. Custodian	24 da	4.50	108.00	12.80	95.20
A. J. McCallum	Asst. Custodian	24 da	4.50	108.00	4.50	103.50
Louis Nelson	Asst. Custodian	22 da	4.50	99.00	3.80	95.20
Gertrude Tyler	Telephone Operator	24 da	4.00	96.00	2.60	93.40
Orma Hull Kline	Proof Reader	159 hrs	.75	119.25	6.90	112.35
Claire Hunt	Proof Reader	159 hrs	.75	119.25	15.30	103.95
C. D. Blauvelt	Proof Reader	160 hrs	.75	120.00	2.10	117.90
EMPLOYEES ON MONTHLY BASIS						
Clarence M. Davis	Legal Adviser	1 mo	375.00	375.00		
	Overtime Allowance	56 hrs	1.75	98.00		
				473.00	73.70	399.30
Evelyn Stroy	Journal Clk.	1 mo	175.00	175.00	26.40	148.60
Marguerite Price	App. Committee Clk.	1 mo	175.00	175.00	26.40	148.60
Jo Fisher	Judiciary Comm. Clk.	1 mo	175.00	175.00	34.80	140.20
Hollis S. Thurber	Bookkeeper	1 mo	150.00	150.00	13.10	136.90
Ernest Fouts	Chf. Custodian	1 mo	125.00	125.00	16.50	108.50
					Sub total .	7203.95
Continental National Bank---Federal Withholding Tax Account						901.10
			Totals	$8105.05	$901.10	$8105.05

LEGISLATIVE EXPENDITURES MONTH OF MARCH, 1945

		Amt. Paid
Account No. E-2 Members' Salaries	$7,812.70	
Federal Taxes	787.30	
		$ 8,600.00
Account No. E-4 Employees' Salaries	7,203.95	
Federal Taxes	901.10	
		8,105.05
Account No. E-5 Incidental Expense		
Hardy Furniture Company—Repairs Drapes	9.00	
A. J. Brodahl—Travel Expense	9.45	
Nebraska Prison Industries—Repairs Chairs	10.85	
State Journal Printing Co.—Bills & Journals	3,313.26	
Lincoln Telephone Co.—Telephone Acct.	83.88	
L. L. Turpin—Transcript-Sundry Claims Board	60.00	
A. J. Brodahl—Travel Expense	17.05	
Purchasing Dept.—Supplies	1,094.21	
Acorn Press—Printing Leg. Rosters (2,000)	48.00	
Acorn Press—Printing Indexes to bills (500)	100.80	
Acme Printing Co.—Standing Committee Reports	8.00	
Mrs. Clyde Malone—Entertainment 2-12-45	3.00	
Mrs. Opal Ray Moss—Entertainment 2-12-45	3.00	
Sullivan Transfer Co.—Moving Piano 2-12 & 2-22-45	16.48	
		4,776.98
Account No. 5 Intergovernmental Cooperation Commission		
Joseph C. Reavis—Travel Expense		48.25
Account No. 8 Clerk of the Legislature Salary		
Salary for March	289.10	
1st Quarter Federal Taxes	32.70	
		321.80
		$21,852.08

(Signed) John F. Doyle, Chairman

Government

LEGISLATIVE BILL 382. Placed on General File.

(Signed) Frank Sorrell, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 386. By Committee on Claims and Deficiencies, James H. Anderson, Chairman

A bill for an act to make appropriations for the payment of claims filed against the State of Nebraska in the office of the Auditor of Public Accounts or secretary of Sundry Claims Board, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain money so appropriated shall be paid and expended; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 386 be placed on General File. (Signed) James H. Anderson

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

ATTORNEY GENERAL'S OPINION

April 10, 1945

Mr. Roy W. Johnson
Lieutenant Governor
State House
Lincoln, Nebraska

Dear Sir:

You say:

"During legislature this morning, I declared L. B. 132 had received the Constitutional Majority necessary to pass and 22 votes were cast in the affirmative.

"I hereby cite a copy of a challenge filed by Senator Mekota which reads as follows:

"'I challenge the ruling of the Chair, that L. B. 132 has received the Constitutional Majority of votes necessary for passage.

"'I invite attention to Sec. 7, Art. 4, of the Constitution, and the fact that the appropriation provided by the bill is not included in the Governor's Budget.'

(Signed—Mekota.)

"Your attention and opinion upon this matter is requested as soon as possible."

Section 7, article 4 of the Constitution is as follows:

"The Governor shall, at the commencement of each session, and at the close of his term of office and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as he shall deem expedient. He shall, by message, make to the Legislature an account and statement, with vouchers attached, of all moneys received and paid out by him, from any and all funds subject to his order, and, at the commencement of each regular session shall present, by message, a complete itemized budget of the financial requirements of all departments, institutions and agencies of the state for the ensuing biennium. Said budget shall be prepared with such expert assistance and under such regulations as may be provided by law. No appropriations shall be made in excess of the recommendation contained in such budget unless by three-fifths vote of each House of the Legislature, and such excess so approved by a three-fifths vote shall not be subject to veto by the Governor. (Amended, 1920.)"

You will notice that the same provides that the Governor's budget shall be prepared with such expert assistance and under such regulations as may be provided by law.

Without going into detail, it will be noted that the budget is prepared, in the first instance, before the meeting of the Legislature and is transmitted to the Legislature after it is in session, and becomes a basis of the general appropriations bill covering all departments and spending agencies of the state. There are also numerous provisions whereby the needs of the departments and the manner in which they have been conducted are checked up and made accessible to the Governor in preparing his budget.

Inasmuch as the bill in question, to which you refer, creates a new department or spending agency which would not be entitled to be

considered in preparing the budget and, in fact, could not be included therein until after its passage and approval by the Governor and is not, in fact, a state agency, we can not see how the constitutional provisions above quoted could apply to such bill. The distinction between appropriations made which are included in the budget bill and such appropriations as may be outside of the budget bill is recognized in the case of Elmen v. State Board of Equalization and Assessment, 120 Neb. 156, where the court says:

> "It is manifest that there are certain appropriations that are not within but outside of the limitations thus expressed,"

referring to the contents of the budget bill or general appropriations bill, as distinguished from other appropriations. The court says further in the same case, same page, referring to the right of the Governor to veto and the restriction placed thereon by section 7, article 4,

> "In the instant case, the more general provision is section 15, art. IV of the Constitution, which deals in general terms with the governor's veto power. The more particular provision is section 7, art. IV of the Constitution, which deals with one restricted class of appropriations."

Never having become a part of the Governor's budget nor of the general appropriation bill introduced in pursuance thereto, we do not believe that this bill, even though it may carry appropriation, would be within constitutional provision, to-wit, section 7, article 4.

Our conclusion, therefore, is that the bill would only require 22 votes, and that you ruled correctly that the same was passed by the Legislature on its receiving a total of 22 votes.

Very truly yours,

WALTER R. JOHNSON
Attorney General

(Signed) Edwin Vail,
Assistant Attorney General

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 132

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 109.

A bill for an act to amend section 37-304, Revised Statutes of Nebraska, 1943, as amended by legislative bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to game and fish; to permit the killing or destruction of beaver or muskrat destroying or damaging the prescribed dams, ditches or other works of any public power, irrigation or drainage district whenever, after the prescribed notice in writing in regard thereto, the Game, Forestation and Parks Commission shall fail, neglect or refuse to take effective steps to prevent further damage; to provide for the furnishing of names of trapper or trappers to Game, Forestation and Parks Commission before beaver or muskrat are trapped by the direction of such a public power, irrigation or drainage district and the procedure for objecting to them by such commission; to provide for reports and the fee to accompany the same for each beaver so killed or destroyed; to provide for stamping all pelts of beaver in the possession of any person which were so taken from a public power, irrigation or drainage district, under the prescribed circumstances and conditions, before the same are sold, shipped or otherwise transported outside of the State of Nebraska; and to repeal original section 37-304, Revised Statutes of Nebraska, 1943, as amended by legislative bill 111, Fifty-eighth Session of the Nebraska State Legislature, 1945.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson,J.	Crossland	Kain	Raásch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Schultz
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carlberg	Heiliger	Ogden	Tvrdik
Carmody	Hern	Peterson	Weborg
Conklin	Hoyt		

Voting in the negative, 1:

Jeffords

Not voting, 4:

Garber	Norman	Ryan	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 293. With emergency.

A bill for an act to amend sections 54-764 and 54-766, Revised Statutes of Nebraska, 1943, relating to livestock; to provide for slaughter of cattle infected with Bang's disease and reimbursement to the owner by the State of Nebraska; to provide methods of control of Bang's disease and the enforcement thereof by the Department of Agriculture and Inspection; to provide an appropriation; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cronin	Hern	Pizer
Anderson, J.	Crossland	Hoyt	Raasch
Anderson, L.	Cullingham	Hubka	Raecke
Babcock	Dooley	Jeffords	Reavis
Brodahl	Doyle	Kain	Schultz
Burney	Foster	Klaver	Seaton
Carlberg	Garber	Lee	Sorrell
Carmody	Hanna	Ogden	Tvrdik
Conklin	Heiliger	Peterson	Weborg

Voting in the negative, 1:

Mueller

Not voting, 6:

Burnham	Mekota	Ryan	Wood
Lusienski	Norman		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 212. With emergency.

A bill for an act to amend sections 89-168, 89-169, 89-171 and 89-172, Revised Statutes of Nebraska, 1943, relating to hay inspection; to redefine terms; to provide for federal-state inspection of car-lot or

truck-lot shipments of hay or hay in stack when requested by any interested party as prescribed; to provide that such an interested party shall thereby accept the provisions of this act for such federal-state inspection; to permit the Department of Agriculture and Inspection to promulgate official standards for grading and classifying hay without the necessity of an investigation and public hearing; to provide for the collection of fees; to repeal the original sections and section 89-170, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cronin	Hoyt	Peterson
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hern	Ogden	

Voting in the negative, 1:

Pizer

Not voting, 3:

Norman	Ryan	Wood

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Invitation

Mr. Tvrdik asked for an expression by the Legislature in regard to the invitation of the Farm Crops Processing Corporation to visit the alcohol plant in Omaha, April 17.

Mr. Brodahl made a motion to accept the invitation.

The motion prevailed with 35 ayes, 0 nays and 8 not voting.

Mr. Sorrell made a motion that State cars be used to take the Legislature to Omaha on April 17, 1945.

The motion prevailed.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 384. Read and considered.

Mr. Brodahl offered the following amendment which was adopted:

1. Amend section 1 of the bill by striking all of lines 35 to 37, inclusive, and inserting in lieu thereof the following:

"a capital gain and set up as such a capital reserve. *After March 1, 1947, No no* bonds shall be sold at less than the same cost the state, and accrued interest. Not more than one million dollars shall be invested".

2. Amend the title of the act, line 9, by inserting after the word "eliminate" the following:

", until March 1, 1947,".

Advanced to E and R for review with 27 ayes, 6 nays and 10 not voting.

Approved by the Governor

April 11, 1945

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 195 L. B. 197 L. B. 255 L. B. 259

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval, Thursday, April 12, at 10:00 a. m.

L. B. 89	L. B. 188	L. B. 265
L. B. 162	L. B. 190	L. B. 279
L. B. 163	L. B. 216	L. B. 281
L. B. 169	L. B. 241	L. B. 309

LEGISLATIVE BILL 144. Correctly enrolled.
LEGISLATIVE BILL 201. Correctly enrolled.
LEGISLATIVE BILL 209. Placed on Select File as amended.

E and R amendments to L. B. 209:

1. In Standing Committee amendment 7, line 4, strike "," before "and" and in lieu thereof insert a semicolon.

2. In the bill, section 1, line 1, strike "Definitions.".

3. In the bill, section 2, line 2, strike "users of the" and in lieu thereof insert: "*the users of an*"; line 3, strike the word "of" at the beginning of the line, and strike the comma after the word "vicinity"; at the end of line 14, after the word "by" insert the word "*the*".

4. In the bill, section 3, insert a comma at the end of line 2 after "subdivision" and at the end of line 3 after "limits"; line 7, strike the comma after the word "zones"; lines 22 and 23, strike "as members"; line 24, strike "and in addition" and in lieu thereof insert: "*as members thereof and also*".

5. In the bill, section 4, line 2, strike the comma after the word "adopted" and also after the word "adopts"; line 5, strike the comma after the word "thereof", also at the end of line 6 after the word "regulations"; line 8, before the word "conflict" insert the word "*any*".

6. In the bill, section 5, line 2, before the word "action" insert the word "*the*"; line 16, strike the word "to" at the beginning of the line (repeated at the end of line 15, correct in the printed bill); lines 18 and 19, strike ", and the" and in lieu thereof insert: ". *The*".

7. In the bill, section 6, line 2, strike "none shall" and in lieu thereof insert the word "*not*".

8. In the bill, section 7, line 1, strike "Any airport" and in lieu thereof insert the word "*Airport*" and insert a comma after the word

"regulations"; line 2, insert a comma after the word "act"; line 5, strike "or substantially" and in lieu thereof insert a comma; line 14, strike the word "or" before the word "tree" and in lieu thereof insert a comma and also strike the word "or" after the word "made" and insert a comma; line 19, strike the word "or" at the end of the line; line 20, strike the word "or" before the word "permit"; at the end of line 21, after the word "of" insert the word "*the*"; line 22, strike the comma after the word "act"; line 28, after the word "but" insert the word "*would*".

9. In the bill, section 8, line 15, insert a comma after the word "agency" and also after the word "taken", also in line 30 after the word "hearing"; line 23, after the word "cases" insert the word "*the*"; line 24, strike "otherwise than by order of the board on" and in lieu thereof insert: "*except by an order of the board after*"; line 28, strike the word "and" and in lieu thereof insert: "*thereof, give*"; line 31, strike "agent or by" and in lieu thereof insert: "*an agent or*"; line 36, strike "and to that end" and in lieu thereof insert: ". *To that end it*".

10. In the bill, section 10, at the end of line 9 add the word "*and*"; line 15, strike "and to be removable" and in lieu thereof insert: ". *Any member thereof may be removed*"; line 19, before the word "reverse" insert "*(a)*"; line 21, strike "or to" and in lieu thereof insert "*(b)*"; line 23, strike ", or to" and in lieu thereof insert: "*or (c)*"; line 33, insert a comma before the word "if"; line 34, strike "and shall" and in lieu thereof insert: ". *It shall also*"; lines 35 and 36, strike ", all of which" and in lieu thereof insert: ". *Such minutes and records*"; line 37, strike the word "shall".

11. In the bill, section 11, line 1, after the word "Any" insert "*(a)*" and at the end of said line strike the comma; line 2, strike "or any" and in lieu thereof insert: ", *(b)*"; line 3, strike the word "any" and in lieu thereof insert "*(c)*"; line 4, insert a comma before the word "which"; line 5, strike "to the district court"; line 6, after the word "petition" insert: "*to the district court*" and strike the comma at the end of the line; line 8, after the word "Such" insert the word "*a*"; line 11, after the word "such" insert the word "*a*" and insert a comma after the word "petition"; line 15, strike the word "on" before the word "notice"; line 16, strike "on due cause" and in lieu thereof insert: "*due cause being*"; line 26, strike "and if need be, to" and in lieu thereof insert: ". *If it deems it advisable, the court may*"; line 32, after the word "or" insert a comma; line 37, strike the comma after the word "malice".

12. In the bill, section 12, line 6, after the word "such" insert the word "*a*"; line 7, strike "and each" and in lieu thereof insert: ". *Each*"; line 10, before the word "in" insert a comma; line 11, after the word

"of" insert "*(1)*"; line 12, strike "or of" and in lieu thereof insert "*(2)*"; lines 12 and 13, strike ", or of" and in lieu thereof insert: "*or (3)*"; line 14, strike "and the court" and in lieu thereof insert: ". *The court in such proceedings*"; line 15, strike the comma after the word "relief", also in line 17 after the word "case"; line 17, strike "fully to" and in lieu thereof insert: "*to fully*".

13. In the bill, section 13, line 1, strike the colon; line 3, strike "; or" and in lieu thereof insert a comma; line 5, strike the semicolon; line 11, insert a comma after the word "condemnation".

14. In the bill, section 17, line 8, insert a comma after the word "located".

15. In the bill, title, line 3, strike the comma after the word "administer"; line 7, strike the comma after the word "airports" also in line 8 after the word "grant"; line 9, after the semicolon and before the word "to" insert:

"to define terms as used in this act; to provide a savings clause;".

LEGISLATIVE BILL 92. Placed on Select File as amended.

E and R amendments to L. B. 92:

1. In Standing Committee amendment 2, line 6, after the word "*and*" insert the word "*the*"; line 10, before the word "*cost*" insert the word "*the*".

2. In Standing Committee amendment 3, line 2, insert the word "the" before the word "reserves".

3. In General File amendment 1 by Mr. Raecke, last line, insert the word "*the*" before the word "*earnings*" and also before the word "*operation*".

4. In General File amendment by Mr. Raecke, to the title, line 2, strike the word "retired" and in lieu thereof insert: "Standing Committee amendment 3, insertion,"; in line 3, insert the word "the" before the word "earnings" and also before the word "operation".

5. In the bill, section 1, line 5, insert a comma after the word "otherwise" (as in statute); insert a comma at the end of line 4 after the word "acquire"; line 18, strike "*said such*" and in lieu thereof insert the word "such" (as in statute); line 35, before the word "upon" insert: "*caused by the severance therefrom of the part taken*"; line 36, strike all of said line except the words "as it" and strike "of the part taken." in line 37, and in lieu thereof insert the following:

"remains *will be and remain* after the severance, caused by severance therefrom of the part taken." ;

line 39, strike the comma after the word "taken" and in lieu thereof insert ";".

6. In the bill, section 2, line 2, strike the word "*or*" after the word "*power*" and in lieu thereof insert the word "*and*" and in said line insert a comma after the word "*acquired*"; at the end of line 7, after the word "*evidencing*" insert the word "*the*"; line 16, before the word "*resolution*" insert the word "*a*"; line 31, strike the word "*by*" and in lieu thereof insert: ", *by a*"; line 32, insert a comma after the word "*resolution*".

7. In the bill, title, line 2, after the word "upon" insert the word "the"; strike the semicolon at the end of line 7, and in lieu thereof insert: "as prescribed;" ; line 9, insert the word "the" before the word "purchase" and in said line strike the word "otherwise" and in lieu thereof insert: "other acquisition"; line 10, after the word "within" insert: "or partly within"; line 14, strike the semicolon and in lieu thereof insert: "under the prescribed circumstances and procedure;".

(Signed) Roy B. Carlberg, Chairman

Unanimous Consent

Mr. Brodahl asked unanimous consent to place L. B. 352 on Select File for a specific amendment.

There was no objection, and it was so ordered.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 201 L. B. 144

GENERAL FILE CONTINUED

Special Order of Business

LEGISLATIVE BILL 251.

Mr. Ogden offered the following amendment.

1. Amend section 1 of the bill by striking all of lines 2 to 7, inclusive, and inserting in lieu thereof the following:

"shall cooperate with and assist the public schools and public educational institutions in securing funds, services, commodities and equipment which may be made available to them by the federal government or its agencies."

2. Amend section 2 of the bill by striking all of lines 1 to 8, inclusive, and inserting in lieu thereof the following:

"Sec. 2. A copy of all contracts, agreements or arrangements made by any public school or public educational institution in securing funds, services, commodities and equipment from the federal government or its agencies, as provided by section 1 of this act, shall be filed in the office of the Superintendent of Public Instruction."

3. Amend the bill by striking all of section 3 and renumbering section 4 as section 3.

4. Amend the title of the act by striking the same and inserting in lieu thereof the following:

"A BILL

FOR AN ACT relating to schools; to provide that the Superintendent of Public Instruction shall cooperate with and assist public schools and public educational institutions in securing funds, services, commodities and equipment which may be made available to them by the federal government or its agencies; to provide that a copy of all contracts, agreements or arrangements made by such public schools and public educational institutions shall be filed in the office of the Superintendent of Public Instruction; and to declare an emergency."

Mr. Peterson offered an amendment to Mr. Ogden's amendment.

At the end of Line 2, Sec. 2, as amended: add "under the supervision of the Superintendent of Public Instruction."

Add at end of Line 6, Sec. 2, after the word "Instruction" the following:

"Any federal funds or equipment made available for public schools in this state shall be channeled through the State Department of Education and be administered in conformity with the laws of this state."

Mr. Hoyt asked for a division of the question.

Mr. Peterson's amendment to Mr. Ogden's amendment was adopted, the second part with 26 ayes, 7 nays and 10 not voting.

Mr. Ogden's amendment was adopted, as amended.

Mr. Ogden made a motion to advance the bill.

Mr. Schultz made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 8:

Crossland	Mekota	Raasch	Seaton
Hoyt	Pizer	Schultz	Weborg

Voting in the negative, 27:

Adams	Carlberg	Heiliger	Ogden
Anderson, J.	Conklin	Hern	Peterson
Anderson, L.	Cronin	Jeffords	Raecke
Babcock	Cullingham	Kain	Reavis
Brodahl	Doyle	Lee	Sorrell
Burney	Garber	Lusienski	Tvrdik
Burnham	Hanna	Mueller	

Not voting, 8:

Carmody	Foster	Klaver	Ryan
Dooley	Hubka	Norman	Wood

The motion to indefinitely postpone did not prevail.

Advanced to E and R for review.

RECESS

At 12:00, Mr. Garber made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:05 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Norman, Raasch, Ryan and Wood, who were excused.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 217. Laid over.

GENERAL FILE

LEGISLATIVE BILL 180. Laid over.
LEGISLATIVE BILL 324. Laid over.
LEGISLATIVE BILL 215. Amended bill read and considered.

Speaker Peterson Presiding

Mr. Mekota moved that the following substitute bill to L. B. 215 be adopted.

Section 1. Cities of the second class and villages are hereby authorized and empowered to accept by gift or devise or to purchase a municipal hospital, or building suitable for conversion into a municipal hospital, to purchase real estate and erect a building or buildings thereon for hospital purposes, and to maintain, manage, improve, remodel, equip and operate the same.

Sec. 2. Before any such gift or devise may be accepted, the same shall be approved by the city council or village board.

Sec. 3. The mayor and council of such city or the chairman and board of trustees of such village, as the case may be, adopting the proposition to accept such gift or devise, or to make such purchase or erect such building or buildings, or to improve, remodel or equip the same, shall have the power to borrow money and pledge the property and credit of the city or village upon its municipal bonds, or otherwise, for such purpose or purposes; *Provided,* no such bonds shall be issued until after the same have been authorized by a three-fifths vote of the electors voting on the proposition of their issuance, at a general municipal election or at a special election called for the submission of such proposition. Such bonds shall be payable in not exceeding ten years from date and shall bear interest not exceeding the rate of six per cent per annum, payable annually. Notice of the time and place of said election shall be given by publication three successive weeks prior thereto in some legal newspaper printed in and of general circulation in such city or village, or if no newspaper is printed in such city or village, then in a newspaper of general circulation in such city or village. No such election shall be called until a petition therefor, signed by at least ten per cent of the legal voters of such city or village has been presented to the council or to the board of trustees. The num-

ber of voters of said city or village voting for the office of Governor at the last general election prior to the presenting of such petition shall be deemed the number of voters in said city or village for the purpose of determining the sufficiency of such petition. The question of bond issues in such cities and villages, when defeated, shall not be resubmitted within a period of six months from and after the date of such election.

Sec. 4. The mayor and council of cities of the second class and the chairman and board of trustees of villages, as the case may be, shall have the power to levy a tax each year not to exceed two mills on the dollar of actual valuation of all the property subject to taxation therein for the purpose of maintaining and operating such hospital, and shall, by ordinance, determine and declare how the same shall be managed.

Sec. 5. Whenever a city of the second class or village, as the case may be, shall acquire a municipal hospital, as provided in this act, there shall be established a hospital fund of which the treasurer of such city or village shall be the custodian, and all funds received by gift or devise or raised by taxation as herein provided shall be paid into such fund.

Sec. 6. In each city or village, where a municipal hospital is established, the mayor and city council of such city, or the chairman and board of trustees of such village, as the case may be, may provide by ordinance for the creation of a hospital board, which shall be composed of not less than three nor more than five members, who shall be residents of such city or village, and who shall have charge of such municipal hospital and shall have the power to establish rules for the management, operation and use of the same, as provided by such ordinance. Where such hospital board has been appointed and qualified, all accounts against such hospital fund shall be audited by the hospital board, and warrants against such funds shall be drawn by the chairman of such board, and warrants so drawn shall be paid by the city or village treasurer out of such fund.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

The motion prevailed.

Mr. Brodahl offered an amendment which was not adopted with 8 ayes, 16 nays and 19 not voting.

Mr. Mekota moved to amend the title to conform with the amended bill.

The motion prevailed.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were stricken.

Advanced to E and R for review.

LEGISLATIVE BILL 329. Laid over.

LEGISLATIVE BILL 311. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 146. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 222.

Mr. Raecke asked that L. B. 222 be placed at the bottom of General File.

There was no objection. So ordered.

LEGISLATIVE BILL 153. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 327. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Mr. Lee offered the following amendment, which was adopted.

Amend L. B. 327, Section 1, line 22, by inserting after the word "director" the words and punctuation ", who shall be a war veteran,".

Mr. Jeffords offered the following amendment, which was adopted.

Amend L. B. 327, Sec. 1, line 22, after the word "may" by inserting the words "at its option,".

Mr. Raecke offered the following amendment, which was adopted.

Amend L. B. 327, Section 1, line 22, by inserting after the word "Commission" the following: ", with the approval of the county board,".

Advanced to E and R for review.

LEGISLATIVE BILL 217. Read and considered.

Standing Committee amendments 1, 2, 3, 4, 5 and 7 found in the Legislative Journal for the Forty-fifth Day were adopted, but Amendment 6 was rejected.

Messrs. Seaton and Lee offered the following amendment, which was adopted.

Amend Article 3, section 1, by striking all of lines 6 to 9, inclusive, and inserting in lieu thereof the following:

"or departments participate shall be by a vote of a majority of the electors of such municipality voting at said election, at any general or any special election called for that purpose. The governing body of any municipality so".

Messrs. Lee and Seaton offered the following amendment, which was adopted.

Amend Article 6, section 3, by striking lines 3 to 27, inclusive, and inserting in lieu thereof the following:

"by the board, shall be invested and reinvested in securities that are approved for authorized investment of domestic insurance companies under the laws of Nebraska."

President Johnson Presiding

Messrs. Lee and Seaton offered the following amendments which were adopted.

1. Amend Article 2, by inserting a new section after section 30 to be numbered 31, as follows:

"Sec. 31. "Board" means the Board of Educational Lands and Funds."

2. Amend Article 6, section 1 by striking the same and inserting in lieu thereof the following:

"Sec. 1. The general administration of the municipal retirement system is hereby vested in the Board of Educational Lands and Funds."

3. Amend Article 6, section 2, lines 6 to 13, inclusive, by striking the same, and substituting in lieu thereof:

"(1) Hold regular meetings each month, upon a date to be fixed by the board, and such special meetings at such other times as may be called by the Governor. All meetings of the board shall be open to the public."

4. Amend Article 6, section 2, lines 25 to 37, inclusive, by striking the same and inserting in lieu thereof:

"(5) Establish and maintain an office in the Capitol. All books and records of the system shall be kept in such office.

(6) Employ an actuary and such actuarial, clerical, legal, medical and other assistants as may be required for the efficient administration of the system, and to determine and fix their compensation."

5. Amend Article 6, section 2, line 39, by striking the words "a certified public accountant" and substituting in lieu thereof the words "Auditor of Public Accounts."

6. Amend Article 6, section 2, line 84, by striking the word "director" and substituting in lieu thereof the words "secretary of the Board of Educational Lands and Funds"

7. Amend Article 6, section 4, line 5, by striking the word "treasurer" and substituting in lieu thereof the words "Auditor of Public Accounts"

Mr. Lee made a motion to advance the bill to E and R for review.

A record vote was requested.

Voting in the affirmative, 21:

Adams	Foster	Klaver	Pizer
Anderson, J.	Hanna	Lee	Raecke
Burnham	Heiliger	Lusienski	Seaton
Cullingham	Hern	Mekota	Sorrell
Dooley	Hoyt	Peterson	Tvrdik
Doyle			

Voting in the negative, 6:

Carlberg	Garber	Kain	Reavis
Cronin	Jeffords		

Not voting, 16:

Anderson, L.	Carmody	Mueller	Ryan
Babcock	Conklin	Norman	Schultz
Brodahl	Crossland	Ogden	Weborg
Burney	Hubka	Raasch	Wood

Advanced to E and R for review.

Members Excused

Messrs. Cronin and Mueller were excused for Friday, April 13.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 202. Correctly enrolled.
LEGISLATIVE BILL 262. Correctly enrolled.
LEGISLATIVE BILL 305. Correctly enrolled.
LEGISLATIVE BILL 231. Correctly engrossed.
LEGISLATIVE BILL 252. Correctly engrossed.
LEGISLATIVE BILL 254. Correctly engrossed.
LEGISLATIVE BILL 286. Correctly engrossed.
LEGISLATIVE BILL 290. Correctly engrossed.
LEGISLATIVE BILL 350. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 202 L. B. 262 L. B. 305

Adjournment

At 4:50 p. m., Mr. Sorrell made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 13, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

Roll was called and all members were present except Messrs. Cronin, Mueller, Norman and Raasch, who were excused.

The Journal for the seventieth day was approved.

Tribute by Chaplain Bancroft

Immediately following the adjournment yesterday afternoon, we received the tragic news of the death of our President.

News of this type grips us firmly. It creates sadness. We need not long carry a sad spirit, for the things he has accomplished have meant much, not only to us, but to all the world.

This Assembly pays tribute to the memory of the Commander-in-Chief of the Army and Navy of our nation. President Roosevelt was at times under heavy stress and strain because of his stand on some things, but we have noted that he was like us here in this Legislative hall. While we may not and often cannot agree in all of our thinking, yet I am glad to observe that we do not need to become disagreeable. This is indeed a virtue to be commended. This is our privilege in a Democracy such as ours.

As the spiritual leader of this assembly, if I can say anything to help us personally and collectively, it is that we be a unit in the support of our new President, Harry S. Truman. He will need our support. I believe he will need it in a special way as he assumes the duties of our late President at the coming Congress in San Francisco, California, only twelve days hence.

Let us rally to assist him in winning the war and in winning the peace.

MOTION—To Pay Tribute

Mr. President: Out of respect for the memory of the late President of the United States, Franklin D. Roosevelt, whose sudden death has profoundly shocked and grieved the people of the State of Nebraska, as well as the liberty loving people of the entire world, I move that we adjourn. (Signed) Walter R. Raecke.

The motion prevailed.

Adjournment

Pursuant to Mr. Raecke's motion, the Legislature adjourned at 9:10 a. m.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 16, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by Rev. W. D. Bancroft, Baptist Church, Lincoln, who was introduced by President Johnson.

The roll was called and all members were present except Messrs. Norman and Seaton, who were excused.

The Journal for the seventy-first day was approved.

Announcement Concerning Chaplain

Mr. Garber reported to the Legislature of an accident to Chaplain Bancroft, from which he is recovering.

Visitor

Mr. Hern introduced the former Senator, Harry E. Gantz, who addressed the Legislature briefly.

Communications

Petition to Mr. Burnham from twenty residents of Arnold, Nebraska, favoring L. B. 33.

Copy of letter printed in Omaha *World-Herald* to Mr. Sorrell read to Legislature.

Petitions to Mr. Cronin from twenty-four residents of Ewing, Nebraska, and forty-six residents of Stuart, Nebraska, opposing L. B. 252.

Approved by the Governor

April 12, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 89	L. B. 169	L. B. 279
L. B. 216	L. B. 188	L. B. 309
L. B. 163	L. B. 190	L. B. 241
L. B. 281	L. B. 265	L. B. 162

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval April 13, 1945, at 4:00 p. m.

L. B. 201	L. B. 144	L. B. 262
L. B. 132	L. B. 202	L. B. 305

LEGISLATIVE BILL 35. Correctly engrossed.
LEGISLATIVE BILL 187. Correctly engrossed.
LEGISLATIVE BILL 257. Correctly engrossed.
LEGISLATIVE BILL 269. Correctly engrossed.
LEGISLATIVE BILL 304. Correctly engrossed.
LEGISLATIVE BILL 373. Correctly engrossed.
LEGISLATIVE BILL 177. Correctly engrossed.
LEGISLATIVE BILL 120. Correctly enrolled.
LEGISLATIVE BILL 351. Correctly enrolled.
LEGISLATIVE BILL 218. Placed on Select File as amended.

E and R amendments to L. B. 218:

1. In the bill, section 1, line 3, before the word "unless" insert: "*inclusive, as amended,*"; line 30, strike the word "*any*" and in lieu thereof insert the word "*Any*"; line 34, strike "(b) Any (c) *any*" and

in lieu thereof insert: "*(c)* Any"; line 39, strike "~~Any~~ *(d) any*" and in lieu thereof insert: "*(d)* Any"; line 46, strike "~~Any~~ *(e) any*" and in lieu thereof insert: "*(e)* Any"; line 50, strike "~~For~~ *(f) for*" and in lieu thereof insert: "*(f)* For"; line 53, strike "; and" and in lieu thereof insert: "*, inclusive, as amended; and*"; line 54, strike "~~Any~~ *(g) any*" and in lieu thereof insert: "*(g)* Any".

2. In the bill, section 2, line 5, strike the word "Column" and in lieu thereof insert: "~~column~~ *Column*".

3. In the bill, section 3, line 10, before the word "wages" insert: "*inclusive, as amended,*".

4. In the bill, section 4, line 13, strike "~~For~~ *for*" and in lieu thereof insert the word "For", also in lines 23, 49, 68 and 86; line 36, strike the period and in lieu thereof insert: "~~.~~ ,"; line 37, before the word "no" insert: "*inclusive, as amended,*"; line 45, after the semicolon insert the word "*or*"; line 92, strike the period and in lieu thereof insert: ";" (as in statute); line 113, strike "~~For~~ *(g) for*" and in lieu thereof insert: "*(g)* For"; line 117, before the word "has" insert the word "*who*"; line 123, strike "~~For~~ *(h) for*" and in lieu thereof insert: "*(h)* For".

LEGISLATIVE BILL 224. Placed on Select File as amended.

E and R amendments to L. B. 224:

1. In Standing Committee amendment 1, line 7, before the word "power" insert the word "the"; line 8, after the word "labor" insert the word "therefor"; line 9, strike "and without the necessity of letting" and in lieu thereof insert: "or of letting a contract or".

2. Strike Standing Committee amendments 2 and 3 and in the bill, title, strike all of lines 3 to 9, inclusive, and in lieu thereof insert the following:

"such a city, that has established a system of water works and has accumulated reserve funds in its water department, to expend such funds for the purpose of laying and relaying water mains and the installation of equipment for fire protection; and to provide that such a city under such circumstances shall have the right and power to employ the necessary labor therefor without the necessity of advertising for bids or of letting a contract or contracts therefor.".

LEGISLATIVE BILL 280. Placed on Select File as amended.

E and R amendments to L. B. 280:

1. In the bill, section 1, line 6, strike "(a)" and in lieu thereof insert: "*(a) (1)*"; at the beginning of line 7, strike "(b)" and in lieu thereof insert: "*(b) (2)*"; at the end of line 7, strike "(c)" and in lieu thereof insert: "*(c) (3)*"; line 8, strike "(d)" and in lieu thereof insert: "*(d) (4)*"; line 10, strike "(e)" and in lieu thereof insert: "*(e) (5)*"; line 11, strike "(f)" and in lieu thereof insert: "*(f) (6)*"; line 13, strike "*(g)*" and in lieu thereof insert "*(7)*" and in said line insert a comma after the word "*trustees*", also in line 11 after the word "streets".

2. In the title, line 4, before the word "salaries" insert the word "the".

LEGISLATIVE BILL 31. Placed on Select File as amended.

E and R amendments to L. B. 31:

1. In Standing Committee amendment 2, inserted matter, line 2, insert a comma after the word "*regulations*", also in line 3 after the word "business"; at the end of line 2, after the comma, insert: "*as amended,*"; line 3, strike the word "*by*" and in lieu thereof insert the word "*the*" and before the word "*rule*" insert the word "*a*"; line 4, after the word "*commission*" insert the word "*permits*" and in said line strike the word "*may*" and in lieu thereof insert the word "*to*".

2. In Standing Committee amendment 11, line 3, change the figure "13" to "14".

3. In General File amendment by Mr. Hanna, line 3, after the word "section" and before the period, insert: "and show the same as stricken matter".

4. In General File amendment by Mr. Lusienski, inserted matter, line 3, strike "of 3600.00" and in lieu thereof insert: "~~not to exceed three thousand~~ *of thirty-six hundred*", and at the end of said line strike the word "that" and in lieu thereof insert: "~~that~~ *as*"; line 5, after the word "clerk" insert: "~~shall receive an annual salary not to exceed eighteen hundred dollars~~"; lines 6 and 7, underscore ", with the approval of the Governor,"; line 10, strike the word "that" and in lieu thereof insert: "~~that~~ *as the*"; line 11, strike ", and such" and in lieu thereof insert: "~~, and such~~ . *Such*"; lines 12 and 13, strike "from any other source" and in lieu thereof insert: "~~from any other source~~"; line 13, strike the word "other" before the word "pay" and in lieu thereof insert: "~~other~~"; line 14, after the word "services" and before the period insert: "*from any other source*"; insert a comma in line 14 after the word "salaries", in line 15 after "vided" and in line 17 before the word "while".

5. In the bill, section 1, line 9, strike the word "or" at the end of the line and in lieu thereof insert: "~~or~~ ,"; line 11, insert a comma after the word "court"; line 13, strike the comma after the word "term" and in lieu thereof insert "~~,~~"; line 16, strike the word "or" before the word "pursue" and in lieu thereof insert "~~or~~".

6. In the bill, section 3, lines 5 and 6, strike ", and the" and in lieu thereof insert: "~~, and the~~ . *The*"; line 6, strike the word "them" and in lieu thereof insert: "~~them~~ *the judges thereof*".

7. In the bill, section 4, line 2, after the comma and before the word "be" insert: "as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945,"; strike all of lines 3 to 19, inclusive, and in lieu thereof insert the following:

"48-157. The *presiding judge of the* Nebraska Workmen's Compensation Court shall, with the advice and consent of the Governor, appoint a clerk of such court, who shall hold office at the pleasure of the court. ~~It~~ *Said judge* shall in like manner appoint such other assistants and employees, subject to the provisions of the Nebraska Merit System Act, as ~~it~~ *he* may deem necessary to carry out the provisions of sections 48-101 to 48-190, inclusive. The clerk shall, *under the direction of the presiding judge,* keep a full and true record of the proceedings of the court, *record all pleadings and other papers filed with the court, and no other action shall be taken thereon until the same have been recorded. The clerk shall in like manner* issue all necessary notices and writs, superintend the clerical business of the court, and perform such other duties as the *said court judge* may ~~prescribe~~ *direct.* All *other* assistants and employees *of the court* shall perform such duties, pertaining to the affairs thereof, as the court may prescribe.".

8. In the bill, section 5, line 4, strike the comma after the word "notices" and in lieu thereof insert "~~,~~"; line 5, strike ", and in case of" and in lieu thereof insert: "~~, and~~ , in case of *an*"; lines 5 and 6, strike the word "employees" and in lieu thereof insert: "*an employee* ~~employees~~"; line 9, strike "forms of" and in lieu thereof insert: "*form or* forms of *the*"; line 18, before the period insert: ", *inclusive, and amendments thereto*".

9. In the bill, section 6, line 5, after the word "include" insert "*(1)*"; line 6, strike "amount" and in lieu thereof insert: "~~amount~~ *amounts*" and in said line, after the comma and before the word "the" insert "*(2)*"; line 8, strike the word "settlement" and in lieu thereof insert: "~~settlement~~ *settlements*" and in said line strike the word "and" after the comma and in lieu thereof insert: "~~and~~ *(3)*"; line 9, strike "together with" and in lieu thereof insert: "~~together with~~ , *(4)*"; line

10, strike ", as well as" and in lieu thereof insert: "; as well as *and (5)*".

10. In the bill, section 7, line 4, insert a comma after the word "maintain" and also after the word "*House*"; line 5, strike "of all" before the word "documents" and in lieu thereof insert: "of all"; line 6, strike "of all" before the word "rules" and in lieu thereof insert: "of all" and in said line strike ", and of all" and in lieu thereof insert: "; and of all".

11. In the bill, section 8 (formerly 9), line 4, insert a comma after the word "answer", also in line 7 after the word "that" and in line 8 after the word "parties"; line 6, strike "The cause" and in lieu thereof insert: "The cause *It*"; line 8, strike the word "of" and in lieu thereof insert the word "in" (as in the statute).

12. In the bill, section 9 (formerly 10), line 3, strike ", and such" and in lieu thereof insert: "; and such".

13. In the bill, section 10 (formerly 11), line 3, strike the word "or" and in lieu thereof insert: "or ,"; line 4, strike "his dependents, as the case may be," and in lieu thereof insert: "his *the* dependents *of such employee* , as the case may be,"; line 6, strike "and in" and in lieu thereof insert: "and in . *In*"; line 9, insert a comma after the word "case"; lines 12 and 13, strike "time of the district court of such county" and in lieu thereof insert: "time *times* of the district *such* court of such county *therein*"; line 13, before the word "hear" insert: "*try*,"; strike all of line 14 after the word "equity" and all of line 15 up to the word "Such" and in lieu thereof insert: "; when the same for all purposes shall be tried as one in equity."; line 17, strike ", and in" and in lieu thereof insert: "; and in . *In*".

14. In the bill, section 11 (formerly 12), line 4, insert a comma after the word "exceptions" and in said line, before the word "judge" insert the word "*a*".

15. In the bill, strike all of section 13 and all amendments thereto, and in lieu thereof insert the following:

"Sec. 13. That original sections 48-153, 48-155, 48-156, 48-159, 48-164, 48-166, 48-167, 48-177, 48-178, 48-181 and 48-184, Revised Statutes of Nebraska, 1943, and original section 48-157, Revised Statutes of Nebraska, 1943, as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945, are repealed.".

16. In the bill, title, strike all of the title after the word "ACT" in line 2, and all amendments thereto, and in lieu thereof insert the following:

"to amend sections 48-153, 48-155, 48-156, 48-159, 48-164, 48-166, 48-167, 48-177, 48-178, 48-181 and 48-184, Revised Statutes of Nebraska, 1943, and original section 48-157, Revised Statutes of Nebraska, 1943, as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to workmen's compensation; to provide the manner of selecting the presiding judge of the Workmen's Compensation Court; to provide the powers and duties of the presiding judge of such court; to provide what shall constitute a quorum of such court and the matters which may be decided by such quorum; to make certain changes in the qualifications or requirements for judges of such court; to provide certain duties of the clerk of said court; to provide for the appointment of a clerk and all other assistants and employees of the Workmen's Compensation Court by the presiding judge as prescribed; to provide for the recording of pleadings and issuing of necessary notices and writs of such court; to provide for holding the hearings within sixty days from the date of filing a petition in such court and that an order or award shall be made and entered thereon within thirty days after such hearing; to provide for an annual report; to require such court to keep and maintain in its office in the state house a full and true record of all proceedings, documents or papers ordered filed, rules and regulations and decisions or orders; to provide that the presiding judge shall assign a judge to hear a cause; to provide for a rehearing to modify orders, awards or judgments; to provide for serving notice thereof; to provide for a copy of the award in any compensation case by the district court to be filed with the compensation court; to repeal original sections 48-153, 48-155, 48-156, 48-159, 48-164, 48-166, 48-167, 48-177, 48-178, 48-181 and 48-184, Revised Statutes of Nebraska, 1943, and original section 48-157, Revised Statutes of Nebraska, 1943, as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.".

LEGISLATIVE BILL 105. Placed on Select File as amended.

E and R amendments to L. B. 105:

1. In the bill, section 1, line 3, after the word "estate" insert "*(1)*"; line 4, strike "or which may be" and in lieu thereof insert: "*or which may be (2)*"; line 6, strike "*may be*" and in lieu thereof insert "*(3)*"; line 7, strike the comma before the word "may"; line 8, strike the comma after the word "administration" and in lieu thereof insert "*;*"; line 10, strike "*, and provided further*" and in lieu thereof insert: "*; Provided*"; line 12, strike the word "*that*" and in lieu thereof insert: "*, the*".

2. In the bill, title, strike all of line 5 and "of decedent;" in line 6, and in lieu thereof insert the following:

"acquired by him after the death of the decedent under the prescribed method or procedure or under any general authority in the will of the deceased to sell real estate;".

LEGISLATIVE BILL 199. Placed on Select File as amended.

E and R amendments to L. B. 199:

1. In the bill, section 1, line 4, strike ", and, if" and in lieu thereof insert: ", and , if . *If*"; line 6, after the word "upon" insert the word "*the*" and in said line strike the word "the" and in lieu thereof insert: "*the an*"; line 7, after the word "failing" insert: "*in such*" and in said line strike the comma after the word "examination" and in lieu thereof insert ","; line 9, after the word "without" insert **the word "*any*"; line 11, after the word "shall" insert the word "*also*"**; line 17, after the word "*Act*" insert: "*of 1940, and amendments thereto,*" and at the end of said line after the word "*case*" insert "*(1)*"; line 18, before the word "*certificate*" insert the word "*a*"; line 19, strike "*discharge from*" and in lieu thereof insert: "*his discharge from such*"; line 20, strike ", *and*" and in lieu thereof insert: "*; (2)*"; insert the word "*the*" in line 22 before the word "*induction*", in line 23 after the word "*without*" and also after the word "*of*"; line 22, strike the word "*the*" after the word "*into*" and in lieu thereof insert the word "*such*"; line 24, after the word "*fee*" and before the period insert:

", *which would otherwise be required by this section; and (3) the extra charge of thirty cents per month, hereinafter referred to, for a delayed renewal shall not be charged such a holder who applies for such a renewal within ninety days after such discharge*";

line 28, after the word "that" insert the word "*the*" and in said line after the word "for" insert the word "*such*"; line 30, strike ", and that" and in lieu thereof insert: ", and that"; line 31, strike the period and in lieu thereof insert the following:

"*from the original expiration date thereof, except as is otherwise provided in the case of such holders in such military service .*".

2. In the bill, title, strike the word "discharge" at the end of line 7 and strike lines 8, 9 and 10 and "force and effect;" in line 11, and in lieu thereof insert the following:

"his discharge from such service in which to apply for the renewal of such certificate of registration and, until expiration of that period, the prior certificate shall remain in full force and

effect as prescribed; to provide that such a holder who applies for a renewal within such period of ninety days shall not be required to pay an extra fee for a delayed renewal; to define military service by reference;".

LEGISLATIVE BILL 210. Placed on Select File as amended.

E and R amendments to L. B. 210:

1. In the bill, section 1, line 3, before the word "*unless*" insert: "*, inclusive, as amended,*"; line 9, strike "~~The~~ *the*" and in lieu thereof insert the word "The"; strike the comma and in lieu thereof insert "*,*" in line 14 before the word "or", line 15, before the word "is", line 16, before the word "or", line 32, before the word "or", line 59, before the word "or", line 91, before the word "and", line 102, before the word "in"; line 20, strike "~~Services~~ *services*" and in lieu thereof insert the word "Services", and the same in line 37; line 30, strike "~~Service~~ *service*" and in lieu thereof insert the word "Service"; line 38, after the word "unless" insert: "*it be*"; line 42, strike the word "and" before "(2)" and in lieu thereof insert the word "~~and~~"; line 49, strike "~~The~~ *the*" and in lieu thereof insert the word "The"; line 57, strike the word "or" before the word "tenant" and in lieu thereof insert: "*or ,*"; lines 64 and 65, strike ", or" and in lieu thereof insert: "*, or ; (D)*"; lines 65 and 66, strike ", or" and in lieu thereof insert: "*, or ; (E)*"; line 66, strike ", or" and in lieu thereof insert: "*, or ; (F)*"; line 69, strike "(D)" and in lieu thereof insert: "~~(D)~~ *(G)*"; at the end of line 73, after the word "in" insert the word "*the*"; line 96, after the word "that" insert a comma; line 100, after "48-668" insert: "*, inclusive, as amended,*"; line 109, after "48-660" insert: "*, as amended,*"; insert a comma in line 111 after the word "section", in line 112 after the word "Bank" and in line 113 after the word "association"; strike "*,*" " and in lieu thereof insert: "*,*" *,*" in lines 132 and 133; line 137, strike the semicolon and in lieu thereof insert: "*.*"; line 151, strike the word "or" and in lieu thereof insert "~~or~~"; line 198, strike the period and in lieu thereof insert: "*; and*"; line 199, strike the word "*if*" and in lieu thereof insert the word "*If*"; strike "*,*" " and in lieu thereof insert "*",*" in lines 201, 202, 205 and 206; in lines 207 and 208, strike the parentheses and in lieu thereof insert commas.

2. In the bill, section 2, line 4, before the word "shall" insert: "*inclusive, as amended,*"; strike the comma and in lieu thereof insert "*,*" in line 5 after the word "records" and in line 21 after the word "tribunal"; line 16, before the word "contest" insert the word "*the*"; line 24, before the word "shall" insert: "*, inclusive, as amended,*"; line 31, strike "*this act*" and in lieu thereof insert: "*sections 48-601 to 48-668, inclusive, as amended,*".

3. In the bill, section 3, line 13, before the semicolon insert: "*, inclusive, as amended*"; line 30, strike the comma after the word "*provided*" and in lieu thereof insert "~~,~~"; insert a comma in line 33 after the word "deemed" and in line 34 after the word "only"; line 38, before the word "except" insert: "*as amended,*".

4. In the bill, section 4, line 6, after the word "filing" insert: "*(1)*"; line 8, strike ", or of the county" and in lieu thereof insert: "~~,~~ or ~~of the county~~" and in said line, after the word "resides" strike ", or" and in lieu thereof insert: "~~,~~ or *(2)*"; line 10, strike "and in such proceeding" and in lieu thereof insert: "~~and in~~ . *In* such *review* ~~proceeding~~ *proceedings,*"; line 11, strike the word "proceeding" and in lieu thereof insert: "~~proceeding~~ *proceedings*"; lines 14 and 15, strike the word "proceeding" and in lieu thereof insert: "~~proceeding~~ *review proceedings*"; line 15, insert a comma after the word "defendant"; line 26, strike ", and such" and in lieu thereof insert: "~~,~~ ~~and such~~ . *Such*".

5. In the bill, section 5, line 4, strike the word "moneys" and in lieu thereof insert: "~~moneys~~ *money*"; line 7, strike the word "and" and in lieu thereof insert "~~and~~"; line 8, insert a comma after the word "employer"; line 9, strike the word "and" and in lieu thereof insert "~~and~~"; strike the comma at the end of line 22; line 27, strike the word "*on*" and in lieu thereof insert: "*upon a*".

6. In the bill, section 6, lines 21 and 22, strike "each consecutive twelve-month period" and in lieu thereof insert: "~~each consecutive twelve month period~~ *the calendar year*".

7. In the bill, section 8, line 5, strike the word "*organized*" and in lieu thereof insert the word "*authorized*"; line 6, insert a colon after the word "whereby"; line 49, strike the word "*or*" and in lieu thereof insert a comma; line 51, strike the word "*provided*" and in lieu thereof insert the word "*if*"; line 67, strike "*this act*" and in lieu thereof insert: "*sections 48-601 to 48-668, inclusive, as amended*"; strike the words "*this act*" and in lieu thereof insert: "*said sections*" in lines 69 and 74; line 79, strike the words "*this act*" and in lieu thereof insert: "*sections 48-601 to 48-668, inclusive, as amended,*"; line 80, insert a comma after the word "*shall*" and also before the word "*be*"; strike the words "*this act*" and in lieu thereof insert: "*said sections*", in lines 89 and 96.

8. In the bill, section 10, line 1, strike "these acts" and in lieu thereof insert: "this act"; line 2, strike the word "their" and in lieu thereof insert the word "its".

9. In the bill, title, strike all of line 5 after the semicolon, and strike all of lines 6 and 7, and in lieu thereof insert the following:

"to define and redefine "employment" and other terms; to make the prescribed communications, letters and other matters used in connection with unemployment insurance administration privileged and that they shall not be used for certain specified purposes; to redefine";

line 8, after the word "establish" insert the word "the"; line 11, after the word "provide" insert the word "a".

LEGISLATIVE BILL 220. Placed on Select File as amended.

E and R amendments to L. B. 220:

1. In General File amendment by Mr. Cronin, line 1, strike the figure "3" and in lieu thereof insert the figure "4" and strike the word "commission" and in lieu thereof insert the word "commissions".

2. In General File amendment by Mr. Weborg, line 1, strike the figure "2" and in lieu thereof insert the figure "3".

3. In the bill, section 1, line 4, strike the word "members" and in lieu thereof insert: "~~members~~ *persons*"; insert a comma in line 14 after the word "commissioners" and in line 15 after the word "duties"; line 16, strike the word "the" and in lieu thereof insert: "~~the~~ *a*"; line 20, insert a comma after the word "expenses"; line 21, strike the words "not to" and in lieu thereof insert: "*which shall* not to".

LEGISLATIVE BILL 225. Placed on Select File as amended.

E and R amendments to L. B. 225:

1. In Standing Committee amendment 2, line 3, after the word "*birth*" and before the quotation mark insert: "*of the adopted child*".

2. In Standing Committee amendment 3, inserted matter, line 1, strike the word "where" and in lieu thereof insert the word "whenever"; line 5, after the word "birth" insert: "of the adopted child".

3. In the bill, section 1, line 10, strike the word "a" and in lieu thereof insert: "~~a~~ *the*" and in said line after the word "child" insert: ". *The certificate of birth to be used shall be*"; line 18, strike the word "of" and in lieu thereof insert "~~of~~"; line 28, after the word "shall" insert the word "*only*" and in said line strike the word "only" and in lieu thereof insert "~~only~~".

4. In the bill, title, line 7, strike the word "a" after the word "and" and in lieu thereof insert the word "the"; line 8, strike the semicolon and in lieu thereof insert: "substantially in the form prescribed;".

LEGISLATIVE BILL 243. Placed on Select File as amended.

E and R amendments to L. B. 243:

1. In the bill, section 1, line 3, after the word "uniform" insert: "of,"; line 4, insert a comma after the word "thereof", after the word "uniform" and also after the word "thereof" and before the word "similar"; line 6, strike "state or of" and in lieu thereof insert the word "or"; line 8, strike the word "punishable" and in lieu thereof insert: ", upon conviction thereof, shall be punished"; line 11, after the word "both" and before the period, insert: "such a fine and imprisonment"; line 12, strike the word "section" and in lieu thereof insert the word "act"; line 13, after the word "include" insert "(1)"; line 15, strike ", and shall not include" and in lieu thereof insert: "or (2)".

2. In the bill, title, strike "to penalize" in line 2 and strike all of line 3 and "official uniforms;" in line 4, and in lieu thereof insert the following:

"to provide that any person who shall wear the uniform of, or a distinctive part thereof, or a uniform, or a part thereof, similar to the uniforms of the prescribed military and other organizations without authority under the laws of the United States or this state shall be guilty of a misdemeanor; to provide penalties; to define certain terms as used in this act;".

LEGISLATIVE BILL 256. Placed on Select File as amended.

E and R amendments to L. B. 256:

1. In the bill, section 1, line 9, strike "; the" and in lieu thereof insert: "~~;~~ the . *The*"; line 12, after the word "capital" insert the word "*stock*"; line 23, strike the word "who" and in lieu thereof insert: "~~who~~ . *The Attorney General*"; lines 24 and 25, strike "and, upon" and in lieu thereof insert: "~~and,~~ upon . *Upon*"; line 26, after the word "hearing" insert the word "*thereon*"; line 27, before the word "notice" insert the word "*the*".

2. In the bill, title, line 3, strike "ratio between" and in lieu thereof insert: "required ratio between the"; line 4, before the word "combined" insert the word "the"; line 5, before the word "capital" insert the word "paid-up"; strike ", upon" in line 6 and strike all of lines 7 and 8, and in lieu thereof insert: "as prescribed;".

LEGISLATIVE BILL 316. Placed on Select File as amended.

E and R amendments to L. B. 316:

1. In the bill, section 1, strike the comma in line 2 after the word "committee", in line 3 after the word "distributed", in line 4 after the word "typewritten" and in line 5 after the word "advertisement"; line 2, strike "or distribute," and in lieu thereof insert: ", distribute"; line 10, strike the word "or" after the word "person" and in lieu thereof insert a comma.

2. In the bill, section 2, line 5, after the word "both" and before the period insert: "such a fine and imprisonment".

3. In the bill, section 3, strike all of line 2 after the word "general" and all of line 3 up to the word "convention" and in lieu thereof insert: ", special or primary election or a".

4. In the bill, title, strike all of line 4 and "relating to" in line 5, and in lieu thereof insert the following:

"shall publish, distribute or cause to be published or distributed any of the prescribed pamphlets, circulars, cards, dodgers, posters, advertisements or other statements relating to or concerning";

lines 7 and 8, strike "names of the parties responsible for its publication or distribution;" and in lieu thereof insert the following:

"address and name or names of the person, persons, association, committee or corporation responsible for the publication or distribution of the same;".

LEGISLATIVE BILL 355. Placed on Select File as amended.

E and R amendments to L. B. 355:

In the bill, section 1, line 6, strike ", reporting to" and in lieu thereof insert: "~~, reporting~~ . *They shall report* to *the*".

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 120 L. B. 351

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 70. Placed on General File.
LEGISLATIVE BILL 71. Placed on General File with amendments.

Standing Committee amendments mimeographed in lieu of printing in Journal.

(Signed) A. J. Brodahl, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 18. Re: Wage readjustments on behalf of postal employees.

Introduced by Sam Klaver of Douglas, Fred A. Seaton of Adams, and James H. Anderson of Scotts Bluff.

WHEREAS, employees of the United States postal service are today required to perform greater duties than heretofore; and

WHEREAS, employees of the postal service have not received a permanent wage readjustment in more than a decade; and

WHEREAS, the cost of living has greatly increased; and

WHEREAS, the tremendous amount of work now being done by the employees of the postal service is being performed in an efficient manner and the employees are deserving of a wage readjustment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we endorse wage readjustment of postal employees in order that such employees may receive increased compensation commensurate with their work and responsibilities.

2. That a copy of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to the Vice President of the United States as presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States, to the Postmaster General of the United States, and to the chairman of the committee in the United States Senate and the United States House of Representatives before whom the wage readjustment of postal employees is being considered.

INTRODUCTION OF BILLS

Unanimous Consent

Mr. Mekota asked unanimous consent to introduce a bill.

Objection was offered by Mr. Doyle.

Motion: Introduce Bill

Mr. President: I move that the rules be suspended and that I be permitted to introduce my bill. (Signed) John Mekota

The motion was lost with 19 ayes, 3 nays, 21 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 221.

A bill for an act to repeal sections 39-608, 39-609, 39-610 and 39-611, Revised Statutes of Nebraska, 1943, relating to the maintenance of state highways, as being obsolete.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Jeffords	Raasch
Anderson, L.	Doyle	Kain	Raecke
Babcock	Foster	Klaver	Reavis
Brodahl	Garber	Lusienski	Ryan
Burney	Hanna	Mekota	Schultz
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Anderson, J.	Dooley	Norman	Seaton
Cullingham	Lee		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 119.

A bill for an act relating to state-owned motor vehicles; to provide for the head of each department, board, bureau or commission to assign cars to state officers and employees and to make rules and regulations therefor; to provide regulations for the use of state-owned motor vehicles; to provide for the use of and the payment for the expense of driving private motor vehicles; to provide for the filing of all rules and regulations by the heads of the departments, boards, bureaus and commissions relating to this act with the Governor before becoming effective; to require that such rules and regulations be approved by the Governor before becoming effective; and to provide for the installation of a record system for the costs and repairs of such motor vehicles.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hoyt	Peterson
Anderson, J.	Cronin	Hubka	Raasch
Anderson, L.	Crossland	Jeffords	Raecke
Babcock	Doyle	Kain	Reavis
Brodahl	Foster	Klaver	Ryan
Burney	Garber	Lee	Schultz
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Weborg

Voting in the negative, 0.

Not voting, 7:

Cullingham	Lusienski	Pizer	Wood
Dooley	Norman	Seaton	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 353.

A bill for an act to authorize the transfer of old balances from the prescribed obsolete funds; to authorize the transfer from the state hail fund the sum of one thousand six hundred forty-nine dollars and twelve cents now in the current trust fund, and from the capital fund

the sum of forty-nine dollars and thirty cents to the general fund; and to authorize the transfer from the gasoline tax fund the sum of two hundred sixty dollars and thirty-four cents to the highway cash fund.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Jeffords	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood
Conklin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 4:

Cullingham	Garber	Norman	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 349.

A bill for an act to amend sections 2-1046 and 85-111, Revised Statutes of Nebraska, 1943, relating to plant diseases, insect and animal pests; to provide for the qualifications and appointment of the State Entomologist; to define his powers and duties; to provide that the office of State Entomologist shall be in the state capitol; and to repeal the original sections and sections 2-1060 and 2-1061, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burney	Hanna	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 4:

Conklin	Garber	Norman	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 331.

A bill for an act to amend section 21-1317, Revised Statutes of Nebraska, 1943, relating to cooperative credit associations; to provide that any loan, made to a member of a cooperative credit association, in excess of five hundred dollars shall be required to be secured as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cullingham	Jeffords	Raasch
Anderson, J.	Dooley	Kain	Raecke
Anderson, L.	Doyle	Klaver	Reavis
Babcock	Foster	Lee	Ryan
Brodahl	Hanna	Lusienski	Schultz
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Carlberg	Garber	Norman	Seaton
Conklin	Mekota		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 171.

A bill for an act to amend section 42-307, Revised Statutes of Nebraska, 1943, relating to divorce and the annulments and affirmances of marriages; to provide that the court may, in its discretion, make an independent investigation in all cases where minor children are involved; to provide who shall make the investigations and that reports thereof shall be made in writing, signed by the person making the report and filed in the office of the clerk of the district court as specified; to provide for the rebuttal of the statements set forth in such report; to provide how such report shall be considered; to provide for the fee for making such an investigation and that the same shall be taxed as costs; to provide for the disposition of such fee; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Reavis
Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lee	Schultz
Burney	Garber	Mekota	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Carmody	Hern	Peterson	Wood
Cronin	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Conklin	Lusienski	Norman	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 168. With emergency.

A bill for an act to amend section 83-243, Revised Statutes of Nebraska, 1943, relating to Home for Children; to change the maximum amount which may be paid for the maintenance of children placed in private families or boarding homes by the Board of Control, under the prescribed circumstances, from thirty dollars to forty dollars per month for each of said children; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Crossland	Jeffords	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Reavis
Babcock	Doyle	Lee	Ryan
Brodahl	Foster	Lusienski	Schultz
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood
Cronin	Hubka	Pizer	

Voting in the negative, 0.

Not voting, 4:

Burney	Garber	Norman	Seaton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 33.

A bill for an act relating to banks and banking; to provide for the clearing of all checks drawn on any bank or trust company organized under the laws of this state at par, except as prescribed; to make it unlawful to violate the provisions of this act; and to provide penalties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Cullingham	Kain	Reavis
Anderson, L.	Foster	Klaver	Ryan
Babcock	Garber	Lee	Tvrdik
Burney	Hanna	Lusienski	Weborg
Carlberg	Hern	Ogden	Wood
Carmody	Hoyt		

Voting in the negative, 11:

Brodahl	Dooley	Peterson	Schultz
Conklin	Doyle	Raasch	Sorrell
Crossland	Mekota	Raecke	

Not voting, 6:

Burnham	Jeffords	Norman	Seaton
Heiliger	Mueller		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 374. Laid over.
LEGISLATIVE BILL 282.

Mr. Lusienski made a motion that L. B. 282 be returned to General File for the following specific amendments:

1. Amend section 13 of the bill by striking the Klaver amendment adopted March 20, 1945.

2. Amend the title of the act, line 11, by striking the Klaver amendment adopted March 20, 1945.

After discussion Mr. Reavis moved the previous question.

The motion prevailed with 35 ayes, 1 nay and 7 not voting.

A record vote was requested.

Voting in the affirmative, 23:

Anderson, J.	Cronin	Hubka	Peterson
Babcock	Crossland	Kain	Pizer

Brodahl	Dooley	Lee	Raasch
Burney	Hanna	Lusienski	Raecke
Carlberg	Hern	Mekota	Reavis
Conklin	Hoyt	Ogden	

Voting in the negative, 15:

Adams	Doyle	Jeffords	Sorrell
Anderson, L.	Foster	Klaver	Tvrdik
Burnham	Garber	Ryan	Weborg
Carmody	Heiliger	Schultz	

Not voting, 5:

Cullingham	Norman	Seaton	Wood
Mueller			

The motion prevailed.

Members Excused

Mr. Schultz was excused for Tuesday, April 17.
Mr. Dooley was excused for Wednesday, April 18.

Approved by the Governor

April 13, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 144 L. B. 201 L. B. 202 L. B. 262

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

Committee Hearing

The Committee on Education is holding a public hearing at 1:30 p. m. in the East Senate Chamber. We have three bills to be heard, and the meeting will perhaps last three hours.

(Signed) Cliff N. Ogden, Chairman

REPORTS OF STANDING COMMITTEES

Enrollment and Review

LEGISLATIVE BILL 293. Correctly enrolled.
LEGISLATIVE BILL 212. Correctly enrolled.
LEGISLATIVE BILL 109. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

GENERAL FILE

LEGISLATIVE BILL 282.

Mr. Peterson moved the adoption of Mr. Lusienski's amendments, found in this day's Journal.

Adjournment

At 12:10 p. m., Mr. Foster made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 17, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by Rev. W. D. Bancroft, Baptist Church, Lincoln, Nebraska.

The roll was called and all members were present except Mr. Seaton, and Messrs. Norman and Schultz, who were excused.

The Journal for the seventy-second day was approved as corrected.

Communications

Petition to Mr. Cronin from thirty-seven residents of Inman and O'Neill, Nebraska, opposing L. B. 252.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 293	L. B. 331	L. B. 33
L. B. 212	L. B. 221	L. B. 349
L. B. 109	L. B. 168	L. B. 171
L. B. 353	L. B. 119	

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 353. Correctly enrolled.
LEGISLATIVE BILL 349. Correctly enrolled.
LEGISLATIVE BILL 331. Correctly enrolled.

LEGISLATIVE BILL 221. Correctly enrolled.
LEGISLATIVE BILL 171. Correctly enrolled.
LEGISLATIVE BILL 168. Correctly enrolled.
LEGISLATIVE BILL 119. Correctly enrolled.
LEGISLATIVE BILL 33. Correctly enrolled.

LEGISLATIVE BILL 3. Placed on Select File as amended.

E and R amendments to L. B. 3:

1. In Standing Committee amendment 1, inserted matter, line 4, after the word "*rendered*" insert the word "*only*"; strike the word "*only*" at the beginning of line 5; line 6, after the word "*and*" insert: "*such compensation*" and in said line, after the word "*to*" insert the word "*the*".

2. In the bill, section 1, line 3, after the word "be" insert "*(1)*"; line 4, strike "from acting" and in lieu thereof insert: "*from acting to act*" and in said line strike "or is" and in lieu thereof insert: "*or is (2)*"; line 5, strike ", or shall be" and in lieu thereof insert: "*, or shall be (3)*"; line 10, strike the word "bonds" and in lieu thereof insert: "*bonds a bond*" and at the end of said line strike the word "and" and in lieu thereof insert: "*and ,*"; line 18, strike "the appointment being" and in lieu thereof insert: "*the which* appointment being *shall be*"; line 20, after the word "*bond*" insert a comma; line 21, strike "*and such bond shall be*" and in lieu thereof insert: "*which is*".

3. In the bill, section 2, lines 2 and 3, strike "*, which shall be*"; line 3, strike the comma after the word "*judge*" and in lieu thereof insert the word "*in*".

4. In the bill, title, strike all of line 2 after the semicolon and strike all of the remainder of the title, and all amendments thereto, and in lieu thereof insert the following:

> "to amend section 24-507, Revised Statutes of Nebraska, 1943; to provide for the payment of compensation to acting county judges upon a per diem basis only in case the regular county judge is absent due to illness, except as otherwise provided in section 32-1602, Revised Statutes of Nebraska, 1943; to provide a limitation upon the amount so authorized to be paid; to provide for the payment of the premium upon the bond of an acting county judge by the county when a corporate surety bond is furnished; and to repeal the original section." .

LEGISLATIVE BILL 139. Placed on Select File.
LEGISLATIVE BILL 267. Placed on Select File as amended.

E and R amendments to L. B. 267:

1. In the bill, section 1, line 5, strike the comma after the word "years" and in lieu thereof insert ","; lines 5 and 6, strike "; *Provided,*" and in lieu thereof insert: ", *Provided, if*"; line 11, strike ", and annually" and in lieu thereof insert: ", and annually. *Each year*" ; line 12, insert a comma after the word "thereafter" also in line 16 after the word "*district*" and in line 18 before the word "*if*"; line 20, before the word "*moderator*" insert the word "*a*" .

2. In the bill, title, insert the word "the" in line 3 after the word "for" and in line 4 before the word "operation"; line 4, strike the word "operating"; line 5, strike the comma after the word "trustees", insert the word "the" before the word "resumption" and after the word "operation" insert the word "thereof"; line 6, insert the word "a" after the word "of"; line 8, strike the semicolon and in lieu thereof insert: "as prescribed;" ; line 9, strike the word "and" after the semicolon and at the end of the line strike the period and in lieu thereof insert: "; and to declare an emergency." .

LEGISLATIVE BILL 297. Placed on Select File as amended.

E and R amendments to L. B. 297:

1. In Standing Committee amendment 1, inserted matter, line 6, after "70-679," insert: "*inclusive, as amended,*"; in subsection (1), lines 3 and 6, strike "." " and in lieu thereof insert "," ."; line 7, strike the word "or" before the word "only" and in lieu thereof insert "or"; strike the period and in lieu thereof insert ", ;" in the last line of subsections (1), (2), (3) and (4); in subsection (2) line 2, strike the comma after the word "district" and in lieu thereof insert ","; in subsection (5), line 2, strike the period and in lieu thereof insert: ", ; *and*"; in subsection (6), line 6, strike the word "*or*" after the word "*comprises*" and in lieu thereof insert a comma; in Sec. 2, line 4, before the word "*Revised*" insert: "*inclusive,*"; line 19, strike the comma after the word "*directors*"; in Sec. 3, line 3, strike the comma after "*70-616*"; line 4, after the word "*all*" insert the word "*the*" and at the end of said line after the word "*to*" insert the word "*the*"; at the end of line 5, after "70-679," insert "*inclusive,*"; line 6, before the word "*except*" insert: "*and amendments thereto,*"; in Sec. 4, line 3, strike the word "*own*" and in lieu thereof insert the word "*possess*"; line 7, before the word "*Revised*" insert "*inclusive,*".

2. In Standing Committee amendment 2, inserted matter, line 16, strike the semicolon and in lieu thereof insert: "as prescribed;".

LEGISLATIVE BILL 333. Placed on Select File as amended.

E and R amendments to L. B. 333:

1. In the bill, section 1, line 4, strike the word "or" at the end of the line and in lieu thereof insert: "~~or~~ ,"; line 5, strike ", cars or trucks used as wreckers" and in lieu thereof insert: "~~,~~ cars ~~or~~ trucks ~~used as wreckers~~"; line 7, after the word "period" insert: "*of time*"; line 8, insert a comma after the word "sunrise", also in line 13 before the words "upon bringing"; strike "a motor" in line 10, all of line 11 and all of line 12 up to the word "shall" and in lieu thereof insert the following:

"*such* a ~~motor truck or combination thereof~~, motor bus, ~~cars~~ *car* for hire, ~~cars~~ *car* or ~~trucks~~ *truck* used as *a* ~~wreckers~~ *wrecker, for passenger* or for towing purposes, *a motor truck or combination thereof*";

line 14, strike the word "the" before the word "highway" and in lieu thereof insert: "~~the~~ *a*"; line 15, after the word "of" insert the word "*time*"; strike "lighted flare, *or one red reflector flare,*" and in lieu thereof insert: "*such* ~~lighted~~ flare" in lines 19, 20, 21 and 22; lines 23 and 24, strike "lighted flares , *or red reflector flares,*" and in lieu thereof insert: "~~lighted~~ flares"; strike all of line 25 after the word "that", all of line 26 and all of line 27 up to the word "but" and in lieu thereof insert the following:

"*the operator or driver of a* motor ~~vehicles~~ *vehicle* transporting ~~flamables~~ *inflammable materials, merchandise or substances* shall be required to use two *such* flares , *one* to be placed ~~as described heretofore~~ to the front and *one to the* rear *as set forth in this section,*";

line 28, before the word "vehicles" insert the word "*such*".

2. In the bill, title, line 3, strike "provide for" and in lieu thereof insert the word "permit"; line 4, before the word "motor" insert: "the prescribed"; line 5, strike "and cars for hire" and in lieu thereof insert: ", cars for hire and combinations thereof instead of lighted flares"; line 9, before the words "to repeal" insert the following:

"to provide the requirements for placing flares near motor vehicles transporting inflammable materials, merchandise or substances when stopped upon or immediately adjacent to the traveled part of a highway as prescribed; to prohibit the placing of lighted flares adjacent to such vehicles so transporting such inflammable materials, merchandise or substances;".

LEGISLATIVE BILL 354. Placed on Select File as amended.

E and R amendments to L. B. 354:

1. In General File amendment by Mr. Raecke, line 2, strike "the word" " and in lieu thereof insert: "the following: "ten".

2. In the bill, section 1, line 7, strike the period and in lieu thereof insert: ", *as amended.*"; line 12, strike the word "moneys" and in lieu thereof insert: "~~moneys~~ *money*".

3. In the bill, title, line 5, strike the word "may" and in lieu thereof insert the word "shall"; line 6, strike the word "ten" and in lieu thereof insert the word "eight"; line 7, strike "; to provide that all cattle" and in lieu thereof insert: "as prescribed; to provide that no cattle shall be"; line 8, strike the word "any" and in lieu thereof insert the word "the"; line 9, strike "shall be required to be" and in lieu thereof insert: "of the State of Nebraska until all such cattle are".

LEGISLATIVE BILL 383. Placed on Select File as amended.

E and R amendments to L. B. 383:

1. In the bill, section 1, line 24, strike "*for the*" and in lieu thereof insert: ", *as amended by this act, for the first*".

2. In the bill, section 2, line 31 before the word "*meeting*" insert the word "*first*".

3. In the bill, title, line 5, strike the word "hands" and in lieu thereof insert: "physical possession".

Presented to the Governor

Presented to the Governor for approval April 16, 1945, at 2:30 p. m.

L. B. 120 L. B. 351

LEGISLATIVE BILL 263. Placed on Select File as amended.

E and R amendment to L. B. 263:

1. In the bill, section 1, line 8, strike the word "*of*" after "*(2)*"; line 17, strike the comma after the word "*affidavit*".

LEGISLATIVE BILL 311. Placed on Select File.
LEGISLATIVE BILL 315. Placed on Select File as amended.

E and R amendment to L. B. 315:

In the bill, section 2, line 4, strike ", but" and in lieu thereof insert: ", but ,".

LEGISLATIVE BILL 384. Placed on Select File as amended.

E and R amendments to L. B. 384:

1. In the bill, section 1, line 14, after the word "on" insert the word "*the*"; strike "of said proposed" at the end of line 15, all of line 16 and the word "thereto" at the beginning of line 17, and in lieu thereof insert the following:

"~~of said proposed sale~~ *thereof* to *the* said municipality *or municipalities whose bonds are proposed to be so sold* at least ~~thirty~~ *twenty* days prior ~~thereto~~ *to selling the same*";

line 25, strike the comma after the word "sold" and in lieu thereof insert ",".

2. In the bill, title, line 6, after the word "under" insert the word "the"; strike all of line 7 after the semicolon, all of line 8 and all of line 9 up to and including the semicolon and in lieu thereof insert the following:

"to provide that, when the sale of any Nebraska municipal bonds is contemplated, the board shall give notice thereof to the said municipality or municipalities whose bonds are proposed to be so sold at least twenty days prior to selling the same;".

LEGISLATIVE BILL 149. Correctly engrossed.
LEGISLATIVE BILL 234. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 376. Indefinitely postponed.

(Signed) Don E. Hanna, Chairman

Education

LEGISLATIVE BILL 381. Placed on General File as amended.

Standing Committee amendment to L. B. 381:

Amend Section 3, line 21, by striking therefrom the figures "6, 24 and 25."

LEGISLATIVE BILL 380. Placed on General File.
LEGISLATIVE BILL 379. Placed on General File as amended.

Standing Committee amendment to L. B. 379:

Amend Section 2, lines 56 and 57, by striking after the word "in" the words "Nebraska Elementary School Courses of Study, Educational Psychology, Methods of Teaching, School Management."

LEGISLATIVE BILL 372. Indefinitely postponed.

(Signed) Cliff N. Ogden, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 387. By Committee on Education, C. N. Ogden, Chairman.

A bill for an act to amend section 79-519, Revised Statutes of Nebraska, 1943, relating to schools; to increase the tuition to be charged for pupils for children of officers or enlisted men of the United States Army, Navy or Marine Corps, on duty in the State of Nebraska to two dollars per week for children enrolled in the grade school and four dollars and fifty cents per week for children enrolled in high school; specifically to appropriate for the biennium beginning July 1, 1945, and ending June 30, 1947, the sum of one hundred five thousand dollars, or as much thereof as may be necessary for the purpose of paying such tuition; to repeal the original section; and to declare an emergency.

MOTION—Resolution 18

Mr. President: I move that Resolution 18 be adopted. (Signed) Sam Klaver

The motion prevailed with 25 ayes, 3 nays and 15 not voting.

Unanimous Consent

Mr. Klaver asked unanimous consent that the names of Messrs. Tvrdik, Hoyt, Norman, Adams, Ryan, Lusienski and Foster be added as co-introducers of Resolution 18.

No objection was offered and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 231.

A bill for an act to amend section 26-106, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide for the salaries of judges and clerks of the municipal court in cities of the metropolitan and primary class; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 23:

Adams	Doyle	Lee	Ryan
Anderson, J.	Foster	Lusienski	Sorrell
Anderson, L.	Heiliger	Ogden	Tvrdik
Babcock	Hoyt	Peterson	Weborg
Brodahl	Hubka	Pizer	Wood
Conklin	Klaver	Reavis	

Voting in the negative, 8:

Burnham	Carmody	Kain	Raasch
Carlberg	Cronin	Mueller	Raecke

Not voting, 12:

Burney	Dooley	Hern	Norman
Crossland	Garber	Jeffords	Schultz
Cullingham	Hanna	Mekota	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 231. (Signed) Sidney J. Cullingham

MOTION—Strike Enacting Clause

Mr. President: I move that L. B. 252 be returned to Select File for the following specific amendment: "Strike the enacting clause". (Signed) John Mekota

After discussion, Mr. Mueller moved the previous question.

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Mr. Mekota's motion lost with 7 ayes, 27 nays and 9 not voting.

LEGISLATIVE BILL 252.

A bill for an act relating to copyrights and public performing rights in musical compositions; to regulate the sale, license to use or other disposition in this state of such rights as prescribed; to provide for copies of certain instruments and agreements to be filed as prescribed; to prescribe certain powers and duties of the State Treasurer; to prohibit discrimination; to levy a privilege tax; to make certain acts unlawful; to provide penalties; to provide a savings clause; and to repeal Article 13, Chapter 59, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Cullingham	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Reavis
Babcock	Doyle	Klaver	Ryan
Burney	Garber	Lee	Tvrdik
Burnham	Heiliger	Lusienski	Weborg
Conklin	Hoyt	Mueller	

Voting in the negative, 11:

Brodahl	Crossland	Hern	Raecke
Carlberg	Foster	Mekota	Sorrell
Carmody	Hanna	Ogden	

Not voting, 5:

Norman	Schultz	Seaton	Wood
Peterson			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 254.

A bill for an act to amend section 79-2101, Revised Statutes of Nebraska, 1943, relating to schools; to provide that when children of school age, who have not completed the eighth grade, reside with their parents or guardians more than one and one half miles from the schoolhouse in their own district and nearer to the schoolhouse in another district, such children may, at the discretion of the board of the other district, have school privileges in the other district; to provide that if the other district is contracting for the instruction of its pupils, the board of education of such district may, at its option, grant school privileges to such children when the prescribed conditions are met; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Sorrell
Burnham	Hanna	Mekota	Tvrdik
Carlberg	Heiliger	Mueller	Weborg
Carmody	Hern	Peterson	Wood
Conklin	Hoyt		

Voting in the negative, 1:

Garber

Not voting, 4:

Norman	Ogden	Schultz	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 286.

A bill for an act relating to game; to provide that the Game, Forestation and Parks Commission may issue special permits for the

killing of deer when the same become prevalent enough to allow a limited season; to prescribe that such special permits be limited as provided by the regulations of the commission and disposed of in an impartial manner; to provide for the killing of deer under such special permits in Dawes and Sioux counties, in all that part of Sheridan County which is north of the Niobrara River and in the Nebraska National Forest and other game reserves when authorized by the commission; to fix the fee for such a special permit; and to provide for the promulgation of regulations with respect to the tagging and storage of the carcasses of deer after the close of any such limited season.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cronin	Hern	Peterson
Anderson, J.	Crossland	Hoyt	Pizer
Anderson, L.	Cullingham	Hubka	Raasch
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lee	Sorrell
Burnham	Garber	Lusienski	Tvrdik
Carlberg	Hanna	Mekota	Weborg
Carmody	Heiliger	Mueller	Wood
Conklin			

Voting in the negative, 2:

Jeffords	Raecke

Not voting, 4:

Norman	Ogden	Schultz	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 290.

A bill for an act to amend section 32-1011, Revised Statutes of Nebraska, 1943, relating to elections; to require that any person desiring to contest the election of an executive state officer or a mem-

ber of the Legislature shall give bond for costs; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Hanna	Lusienski	Sorrell
Burnham	Heiliger	Mekota	Tvrdik
Carlberg	Hern	Mueller	Weborg
Carmody	Hoyt	Peterson	Wood
Conklin			

Voting in the negative, 1:

Doyle

Not voting, 5:

Garber	Ogden	Schultz	Seaton
Norman			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 350. With emergency.

A bill for an act to amend section 44-1003, Revised Statutes of Nebraska, 1943, relating to fraternal benefit societies; to require regular meetings of the supreme or governing body, and the election of officers or representatives as often as once in four calendar years; to provide for the postponement or deferment of regular meetings of the supreme or governing body and the election of officers or representatives as prescribed, when such a cessation of group meetings is ordered, as an emergency measure, by the government of the United States or the State of Nebraska, or any agency of either; to provide for the continuation in office of all officers and representatives of the supreme or governing body until their successors are elected and qualified; to provide a saving clause; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cronin	Hoyt	Pizer
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burnham	Foster	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hern	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Burney	Jeffords	Ogden	Seaton
Garber	Norman	Schultz	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Peterson Presiding

MOTION—Realignment of Committees

Mr. President: I move that the Committee on Order and Arrangement be directed to consider and report to this session of the Legislature a realignment and change in number of members of the Committees of the legislature as found in Rule 6. (Signed) Earl J. Lee

The motion prevailed.

Approved by the Governor

April 17, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 120 L. B. 132 L. B. 351

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

SELECT FILE

LEGISLATIVE BILL 374. Laid over.

LEGISLATIVE BILL 76. E and R amendments found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 184. Standing Committee amendments found in the Legislative Journal for the Thirty-fourth Day were stricken, excepting Amendment 2.

Mr. Cullingham made a motion to adopt Standing Committee Amendment 2.

The motion prevailed.

Mr. Carlberg offered the following amendments, which were adopted by unanimous consent.

1. In the bill, section 1, strike ": All north of" in line 12 and strike all of lines 13 to 17, inclusive, and in lieu thereof insert the following:

"*described as and being within the following boundaries:* All north of Bedford Avenue to Evans Street between 43rd, and 48th Street, all north of Evans Street between 44th Street and 48th Street, all north of Paxton Street between 44th Street and Florence Blvd., all north of Ames Avenue between Florence Blvd. and the eastern corporate limits. *Commencing at the intersection of Bedford Avenue and 48th Street; thence north on 48th Street, or 48th Street extended or produced, to intersect with Read Street, if extended or produced west; thence east on Read Street, or Read Street so extended or produced, to 40th Street, or 40th Street if extended or produced north; thence north along the west boundary line of the corporate limits of the city of Omaha and following said boundary line to a point on the east boundary line of the*

corporate limits of the city of Omaha where Ames Avenue, if produced and extended east, would first intersect the boundary line between the states of Nebraska and Iowa; thence west on Ames Avenue and Ames Avenue, so extended and produced east, to Florence Boulevard; thence south to Sprague Street; thence west on Sprague Street to 44th Street; thence south to Evans Street; thence east to 43rd Street; thence south to Bedford Avenue; and thence west to point of beginning; Provided, that the corporate limits referred to in this district are the corporate limits as established on the effective date of this act; and provided further, that where references are made to streets, avenues or boulevards in said city of Omaha that the intention is to refer to the center or center line of said streets, avenues or boulevards."

2. In the bill, section 1, strike ": All north from" in line 19, and strike all of lines 20 to 31, inclusive, and in lieu thereof insert the following:

"described as and being within the following boundaries: ~~All north from Blondo Street to Lake between 40th and 50th Streets, north from Charles to Lake between 40th and 40th Streets, north from Charles to Bedford Avenue between 43rd and 40th Streets, north from Charles to Evans between 36th and 43rd Streets, north from Evans to Paxton between 36th and 44th Streets, north from Cuming to Paxton Street between 30th and 36th Streets, north from Indiana to Paxton between 24th and 30th Streets, north from Nicholas to Paxton between 24th Street and Florence Blvd, north from Nicholas to Ames between 16th Street and Florence Blvd, north of Charles to Ames between 16th Street and the eastern corporate limits, and east Omaha.~~ *Commencing at the intersection of Charles Street and 49th Street; thence north to Blondo Street; thence west to 50th Street; thence north to Lake Street and Military Avenue; thence east to 48th Street; thence north to Bedford Avenue; thence east to 43rd Street; thence north to Evans Street; thence west to 44th Street; thence north to Sprague Street; thence east on Sprague Street to Florence Boulevard; thence north to Ames Avenue; thence east to the east boundary line of the corporate limits of the city of Omaha where Ames Avenue, if extended or produced east, would first intersect the boundary line between the states of Nebraska and Iowa; thence southerly on such easterly boundary line of the corporate limits of said city to a point where Charles Street, if extended or produced east, would intersect the east boundary line of the city of Omaha; thence west on Charles Street, so extended or produced, to 30th Street; thence south to Cuming Street; thence west to 36th Street, if extended or produced south; thence north on 36th Street, so extended or produced, to Charles Street; and thence west to the point of be-*

ginning; and also Pershing, Locust and Beechwood voting districts in Douglas County; Provided, that the corporate limits referred to in this district are the corporate limits as established on the effective date of this act; and provided further, that where references are made to streets, avenues or boulevards in said city of Omaha that the intention is to refer to the center or center line of said streets, avenues or boulevards."

3. In the bill, section 1, strike ": All north" in line 33, and strike all of lines 34 to 43, inclusive, and in lieu thereof insert the following:

"described as and being within the following boundaries: All north of Pacific to Leavenworth, between Park Avenue and 30th Street; north from Pacific to Farnam, between 20th Street and Park Avenue; north from Farnam to Indiana, between 24th and 40th Streets; north from Pacific to Nicholas, between 20th and 24th Streets; north from Pierce to Nicholas, between 16th and 20th Streets; north from Hickory to Charles, between 10th and 16th Streets, north from Pine to Charles, between 10th Street and the eastern corporate limits. *Commencing at the east boundary line of the corporate limits of the city of Omaha where such boundary line of said city intersects Pine Street or Pine Street extended or produced east; thence west on Pine Street, or Pine Street so extended or produced, to 10th Street; thence south to Hickory Street; thence west to 16th Street; thence north to Pierce Street, if extended or produced east; thence west on Pierce Street and Pierce Street if so extended or produced, to 20th Street; thence north to Pacific Street; thence west on Pacific Street to 30th Street; thence north to Leavenworth Street; thence east to Park Avenue; thence north to Farnam Street; thence west to 30th Street; thence north to Charles Street; thence east on Charles Street and Charles Street if extended or produced east, to the east boundary line of the corporate limits of the city of Omaha; and thence in a southerly direction on such east or easterly boundary line of said city to the point of beginning; Provided, that the corporate limits referred to in this district are the corporate limits as established on the effective date of this act; and provided further, that where references are made to streets and avenues in said city of Omaha that the intention is to refer to the center or center line of said streets or avenues."*

4. In the bill, section 1, strike ": All north" in line 45 and strike all of lines 46 to 60, inclusive, and in lieu thereof insert the following:

"described as and being within the following boundaries: All north from Hickory Street to Woolworth Avenue, between 29th Street and Park Avenue, north from Hickory to Poppleton Avenue, between 28th and 29th Streets; north from Hickory to Pacific, be-

tween 25th Avenue and 28th Street; north from Center to Pacific, between 24th Street and 25th Avenue; north from Center to Pacific, between 20th and 24th Streets; north from Center to Pierce, between 16th and 20th Streets; north from Center to Hickory between 10th and 16th Streets; north from Center to Pine, between 10th Street and the eastern corporate limits; north from G to Center, between the Burlington R. R. east to the corporate limits; north from H to G, between the Burlington R. R. and 27th Street; all south of G to the corporate limits, between 24th Street and its extension to the Burlington on U Street, east to the corporate limits. *Commencing where the east boundary line of the corporate limits of the city of Omaha intersects Harrison Street, if extended or produced east; thence west on Harrison Street, and Harrison Street so extended and produced, to Railroad Avenue; thence northwesterly along said Railroad Avenue to 24th Street; thence north along 24th Street to G Street; thence west to 27th Street; thence south to H Street; thence west to the center line of the Union Pacific railroad right-of-way; thence northerly along said center line of said right-of-way to Center Street, if extended or produced east; thence west on Center Street, or Center Street so extended or produced east, to 25th Avenue; thence north to Hickory Street; thence west to Park Avenue; thence north to Woolworth Avenue; thence east to 29th Street; thence north to Poppleton Avenue; thence east to 28th Street; thence north to Pacific Street; thence east to 20th Street; thence south to Pierce Street; thence east on Pierce Street and Pierce Street, if extended or produced east, to 16th Street; thence south to Hickory Street; thence east to 10th Street; thence north to Pine Street; thence east on Pine Street and Pine Street if extended or produced east, to the eastern limits of the city of Omaha; and thence in a southeasterly direction along said east or easterly boundary line of said city of Omaha to the point of beginning; Provided, that the corporate limits referred to in this district are the corporate limits as established on the effective date of this act; and provided further, that where references are made to streets and avenues in said city of Omaha that the intention is to refer to the center or center line of said streets and avenues.*"

5. In the bill, section 1, strike ": north" in line 62, and strike all of lines 63 to 80, inclusive, and amendments thereto, and in lieu thereof insert the following:

"*described as and being within the following boundaries*: north from Woolworth Avenue to Pacific Street, between 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Streets; north from Spring to Pacific, between 52nd and 60th Streets; north from F to Pacific, between 46th Avenue and 52nd

~~Street, north from F to Pacific, between 42nd Street to 46th Avenue, north from F to Center, between 42nd Street and the Burlington R. R., north from Center to Leavenworth, between 30th and 42nd Streets, north from Poppleton Avenue to Pacific Street, between 28th and 30th Streets, north from Woolworth to Poppleton, between 29th and 30th Streets, north from Hickory to Woolworth, between Park Avenue and 30th Street, north from Center to Hickory, between 25th Avenue and 30th Street, north from H to F, between 42nd Street and the Burlington R.R., north from H to C, between 24th and 27th Streets, north from Madison to H, between 42nd and 24th and its extension to the R. R., north from Harrison to Madison, between 45th Street and the Burlington R. R.~~ *Commencing at the intersection of Railroad Avenue and Harrison Street in the city of Omaha, thence west on Harrison Street to 45th Street; thence north along the west boundary of the corporate limits of the city of Omaha and following said boundary line to a point where said boundary line intersects Pacific Street, if extended or produced west; thence east along Pacific Street to 46th Avenue; thence north along 46th Avenue to Leavenworth Street; thence east to 30th Street; thence south to Pacific Street; thence east to 28th Street; thence south to Poppleton Avenue; thence west to 29th Street; thence south to Woolworth Avenue; thence west to Park Avenue; thence south to Hickory Street; thence east to 25th Avenue; thence south to Center Street, if extended or produced east; thence east to the center line of the Union Pacific railroad right-of-way; thence in a southerly direction along said center line of said right-of-way to H Street, if extended or produced west; thence east to 27th Street; thence north to G Street; thence east to 24th Street; thence south along said 24th Street to Railroad Avenue; and thence in a southeasterly direction along said Railroad Avenue to the point of beginning; Provided, that where references are made to streets and avenues in said city of Omaha that the intention is to refer to the center or center line of said streets and avenues.*"

6. In the bill, section 1, strike ": North" in line 82 and strike all of lines 83 to 94, inclusive, and in lieu thereof insert the following:

"*described as and being within the following boundaries*: ~~North from Pacific to Howard, between the western corporate limits and 60th Streets, north from Pacific to Dodge, between 56th and 60th Streets, north from Pacific to Charles, between the western corporate limits and 56th Avenue, north from Leavenworth to Charles, between 46th Avenue and 36th Street, north from Leavenworth to Cuming, between 30th and 36th Streets, north from Leavenworth to Farnam, between 30th and Park Avenue.~~ *Commencing at the intersection of Park Avenue and Leavenworth*

Street, in the city of Omaha; thence west to 46th Avenue; thence south on said 46th Avenue to Pacific Street; thence west on Pacific Street to 67th Street; thence north on 67th Street and on 67th Street, if extended or produced, to Howard Street, if extended or produced east; thence east and north along the northerly and westerly lines, respectively, of Elmwood Park to Dodge Street; thence east to 57th Street, if extended or produced north; thence north on 57th Street, so extended or produced, to Underwood Avenue; thence west to a point where Underwood Avenue first intersects J. E. George Boulevard; thence northeasterly on said boulevard to Western Avenue; thence east to 52nd Street; thence north to Charles Street; thence east to 36th Street; thence south on 36th Street, extended or produced south, to Cuming Street; thence east to 30th Street; thence south to Farnam Street; thence east to Park Avenue; and thence south to place of beginning; Provided, that where references are made to streets, avenues or boulevards in said city of Omaha that the intention is to refer to the center or center line of said streets, avenues or boulevards."

7. In the bill, section 1, strike "the city of Omaha: North" in line 96, and strike all of lines 97 to 100, inclusive, and in lieu thereof insert the following:

", *in part, in* the city of Omaha *hereinafter described or within the boundaries hereinafter set forth:* ~~North from Charles to Blondo, between western corporate limits and 49th Street, north from Blondo to Lake, between 66th Street and 50th Street, all north of Lake between 72nd Street and 48th Street, and all of the rural precincts.~~ *(1) Commencing at a point in the city of Omaha where Pacific Street, if extended or produced west, intersects 67th Street, if extended or produced; thence north on 67th Street, so extended or produced, to Leavenworth Street, if extended or produced west; thence west on Leavenworth Street, so extended or produced, to 69th Street, if extended or produced; thence south on 69th Street, if extended or produced, to Pacific Street, if extended or produced west; and thence east on Pacific Street, if so extended or produced, to the point of beginning; (2) commencing at a point in the city of Omaha where 67th Street, if extended or produced, intersects Howard Street, if extended or produced east; thence east and north along the northerly and westerly lines, respectively, of Elmwood Park to Dodge Street; thence east to 57th Street, if extended or produced north; thence north on 57th Street, so extended or produced, to Underwood Avenue; thence west along Underwood Avenue to 63rd Street; thence northwesterly and westerly on 63rd Street and Cuming Street, if extended or produced, to the west boundary line of the city of Omaha; thence southwesterly along such boundary line of the city of Omaha to Dodge*

Street; thence west to 72nd Street; thence south to Howard Street, if extended or produced west; and thence east on Howard Street, if so extended or produced, to the point of beginning; (3) commencing at the point in the city of Omaha where 52nd Street intersects Western Avenue; thence north to Charles Street; thence east to 49th Street; thence north to Blondo Street; thence west to 50th Street; thence north to Lake Street and Military Avenue; thence east on Military Avenue to 48th Street; thence north on 48th Street to Ames Avenue, if extended or produced west; thence west to 52nd Street, if extended or produced north; thence south on 52nd Street, so extended or produced, to Sprague Street; thence west to 56th Street, if extended or produced north; thence south to Pratt Street, if extended or produced west; thence west on Pratt Street, so extended or produced, to a point on the boundary line of the corporate limits of the city of Omaha where such boundary line would intersect 64th Street if extended or produced north; thence north following the boundary line of the corporate limits of the city of Omaha to Sprague Street, if extended or produced west; thence west on Sprague Street, so extended or produced, to 66th Street, if extended or produced north; thence south on 66th Street, so extended or produced, to Military Avenue; thence northwesterly along Military Avenue, if extended or produced, to 72nd Street, being on the west boundary line of the city of Omaha; thence south on said west boundary line to Lake Street, if extended or produced west; thence east on Lake Street, if so extended or produced, to 66th Street, if extended or produced south; thence south on 66th Street, so extended or produced, to Blondo Street, if extended or produced west; thence east on Blondo Street, so extended or produced, to 60th Street, if extended or produced south; thence south on said 60th Street, so extended or produced, to Western Avenue, if extended or produced west; and thence east on Western Avenue, so produced or extended, to the point of beginning; and (4) all of Douglas County outside of the corporate limits of the city of Omaha except Pershing, Locust and Beechwood voting districts in said county; Provided, that the corporate limits referred to in this district are the corporate limits as established on the effective date of this act; and provided further, that where references are made to streets, avenues or boulevards in said city of Omaha that the intention is to refer to the center or center line of said streets, avenues or boulevards."

8. Strike Standing Committee amendment 3 and in the bill, title, strike "5, 6, 8 and 9" in lines 4 and 5, and in lieu thereof insert: "4, 5, 6, 7, 8, 9 and 10" .

Advanced to E and R for engrossment.

LEGISLATIVE BILL 219. E and R amendments found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 121. E and R amendments found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 342.

The specific amendments, offered by Mr. Carlberg, found in the Legislative Journal for the Sixty-ninth Day were adopted by unanimous consent.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 208. E and R amendments, found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 209. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 92. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 352.

Mr. Brodahl offered the following amendment, which was adopted by unanimous consent.

1. Amend the bill by inserting immediately after the enacting clause a new section to be known as section 1 as follows:

"Section 1. That section 83-352, Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-352. If any patient in a state hospital for the insane is possessed of an estate and income sufficient to meet the expense of his care and maintenance in the hospital without depriving those dependent upon him of their necessary support, then the guardian of the patient shall pay to the superintendent of the hospital, quarterly during the time the patient is in the hospital, a sum to be fixed by the Board of Control which shall be an amount equal to the per capita cost of maintaining *the patient in* the hospital. The amounts to be paid to the hospital under this section shall constitute a claim against the estate of the patient and be collectible therefrom."

2. Amend the bill by renumbering section 1 and sec. 2 as sec. 2 and sec. 3, respectively.

3. Amend renumbered section 3, line 1, by striking the word "section" and inserting in lieu thereof the following:

"sections 83-352 and"

4. Amend renumbered section 3, line 2, by striking the word "is" and inserting in lieu thereof the word "are".

5. Amend the title, line 2, by striking the word "section" and inserting in lieu thereof the following:

"sections 83-352 and"

6. Amend the title of the act, line 4, by inserting after the semicolon following the word "insane" the following:

"to provide that the Board of Control shall fix the sum which shall be paid, as prescribed, for the keeping of a patient in such a state hospital at an amount equal to the per capita cost of maintaining such patient in the hospital;"

7. Amend the title of the act, line 12, by striking the word "section" and inserting in lieu thereof the word "sections".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 280. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 218. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 224. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 31. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 105. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 199. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 210. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 220. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 225. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 243. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 256. Laid over.

LEGISLATIVE BILL 316. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Mr. Garber offered an amendment, which was not adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 355. E and R amendment found in the Legislative Journal for the Seventy-second Day was adopted.

Advanced to E and R for engrossment.

President Johnson Presiding

GENERAL FILE

LEGISLATIVE BILL 307. Set for special order April 20, 1945.
LEGISLATIVE BILL 270. Set for special order April 24, 1945.
LEGISLATIVE BILL 191.

Mr. Adams offered the following amendments which were adopted:

1. Amend section 1 of the bill, line 11, by inserting after the word "woman" the following:

", except ninety per cent of her wage,"

2. Amend the title of the act by striking all of line 4 and inserting in lieu thereof the following:

"the property of a married woman, except ninety per cent of her wages, not exempt by statute from sale on execution or attachment, regardless of when or how said property has been or may hereafter be acquired, shall be liable for"

Advanced to E and R for review.

LEGISLATIVE BILL 282.

Mr. Lusienski's amendment found in the Legislative Journal for the Seventy-second Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 180. Laid over.

Mr. Hubka offered the following amendments, upon which no action was taken.

1. Amend section 1 of the bill, lines 17 to 19, inclusive, by striking the new matter therein contained.

2. Amend section 2 of the bill by striking committee amendment 2 and the new matter in lines 23 and 24 of the bill.

3. Amend section 4 of the bill, by striking the same and inserting in lieu thereof the following:

"Sec. 4. *For any loss of, or damage to, any property left by a guest after he has departed from any hotel, restaurant, apartment house or rooming house, and ceased to be a guest thereof, the liability of the proprietor thereof, whether such loss or damage is occasioned by the negligence of such proprietor, his agents or servants, shall be that of gratuitous bailee, and the amount which may be recovered against such proprietor shall not exceed the sum of one hundred fifty dollars unless the guest shall have declared a greater value upon the property in writing and delivered such declaration while a guest thereof to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed in an amount not in excess of the value so declared.*"

4. Amend section 5 of the bill, by striking the same and inserting in lieu thereof the following:

"Sec. 5. *For any loss of, or damage to, any property of a guest while in transport to or from any hotel, restaurant, apartment house or rooming house, whether such loss or damage is occasioned by the negligence of such proprietor, his agents or servants, the amount which may be recovered against such proprietor shall not exceed one hundred fifty dollars unless the guest shall have declared a greater value upon the property in writing and delivered such declaration while a guest thereof to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed in an amount not in excess of the value so declared.*

5. Amend the bill by striking all of Standing Committee amendment 3 and inserting in lieu thereof:

"Sec. 6. *For any loss of, or damage to, any property brought into any hotel, restaurant, apartment house or rooming house, arising out of the negligence of the proprietor, his agents or servants, the proprietor thereof shall not be liable for an amount in excess of three hundred dollars unless such guest shall have declared a greater value upon the property in writing and delivered such declaration, while a guest, to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed but not in excess of the amount declared.*

LEGISLATIVE BILL 324.

Mr. Adams offered the following amendments, which were adopted.

1. Amend section 3 of the bill, line 12, by striking the words "trade name" and inserting in lieu thereof the word "change".

2. Amend section 3 of the bill, line 13, by striking the word "five" and inserting in lieu thereof the word "thirty".

3. Amend section 4 of the bill, line 3, by striking the punctuation after the word "dollars" and inserting in lieu thereof the following:

"for an original registration, and a fee of one dollar for a change in the original registration as provided in section 3 of this act."

4. Amend renumbered section 6 of the bill, line 6, by striking the words "a week for three consecutive weeks".

5. Amend renumbered section 6 of the bill, lines 12 and 13, by striking the words "notice of registration thereof" and inserting in lieu thereof the words "said certificate".

6. Amend renumbered section 6 of the bill, line 15, by striking the figure "6" and inserting in lieu thereof the figure "7".

Mr. Garber offered an amendment, which was not adopted.

Advanced to E and R for review.

Adjournment

At 12:00 Mr. Klaver made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 18, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Dooley, and Messrs. Norman and Seaton, who were excused.

The Journal for the seventy-third day was approved as corrected.

Communications

Letter from Mrs. John W. Cooper of Omaha, Nebraska, in appreciation of Resolution 13, in memory of John W. Cooper.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 17, 1945, at 2:00 p. m.,

L. B. 33	L. B. 171	L. B. 331
L. B. 109	L. B. 212	L. B. 349
L. B. 119	L. B. 221	L. B. 353
L. B. 168	L. B. 293	

LEGISLATIVE BILL 49. Placed on Select File as amended.

E and R amendments to L. B. 49:

1. In the bill, section 1, insert a comma at the end of line 3 after the word "empowered", in line 5 before the word "to" ; strike the

comma and in lieu thereof insert "," in line 5 after the word "maintain", in line 8 after the word "city" and also after the word "along"; line 17, strike "; and such" and in lieu thereof insert: ". and such . *Such*" .

2. In the bill, title, line 4, strike "for distance of" and in lieu thereof insert: "the distance which such cities may construct, maintain and operate"; line 5, strike "corporate limits of city;" and in lieu thereof insert: "the corporate limits of such a city; to change such maximum distance from fifteen miles to eighteen miles;" .

LEGISLATIVE BILL 237. Placed on Select File as amended.

E and R amendments to L. B. 237:

1. In the bill, section 1, line 14, insert a comma after the word "have"; line 15, strike "said court" and in lieu thereof insert: "*the said* court," ; insert a comma in line 23 after the word "shall", in line 24 after the word "held", in line 26 after the word "cases", line 28 after the word "judges", line 29 after the word "trial", line 31 after the word "thereafter", line 32, after the word "parties" and line 37 after the word "cases"; line 24, strike "on which" and in lieu thereof insert: "on which *that*"; line 26, after the word "assign" insert: "*any civil cases that are contested*"; line 27, strike "any civil cases that are contested," and in lieu thereof insert: "any civil cases that are contested,"; line 28, after the word "retain" insert the word "the" (as in statute); line 48, strike "in Courtroom No. 1" and in lieu thereof insert: "in Courtroom No. 1" and in said line, after the word "upon" insert the word "*the*" .

2. In the bill, title, line 6, before the words "to repeal" insert: "to provide a savings clause; and" .

LEGISLATIVE BILL 251. Placed on Select File as amended.

E and R amendments to L. B. 251:

1. In General File amendment 4, by Mr. Ogden, line 12, strike the word "the" before the word "office" and in lieu thereof insert the word "his"; line 11, after the word "institutions" insert: ", under the supervision of the Superintendent of Public Instruction,"; lines 12 and 13, strike "of the Superintendent of Public Instruction;" and in lieu thereof insert: "; to provide how federal funds made available for public schools in this state shall be channeled and administered;" .

2. In General File amendments by Mr. Peterson, line 2, after the quotation mark and before the word "under" insert a comma;

line 3 strike the period after the word "Instruction" and in lieu thereof insert a comma; line 4, after the word "the" and before the word "word" insert: "period following the"; line 8, strike "State Department of Education" and in lieu thereof insert: "Superintendent of Public Instruction" .

LEGISLATIVE BILL 266. Placed on Select File as amended.

E and R amendments to L. B. 266:

1. In the bill, section 1, line 4, insert a comma after the word "petition"; line 5, strike the comma after the word "electors" .

2. In the bill, section 2, line 8, strike ", succeeding" and in lieu thereof insert the word "following"; lines 9 and 10, strike ", at which time they shall convey" and in lieu thereof insert: ". It shall at such time convey the"; line 19, insert a comma after the word "purpose"; line 21, strike the word "the" before the word "tax" and in lieu thereof insert the word "a" and at the end of said line, after the word "all" insert the word "the"; line 23, strike "the tax to" and in lieu thereof insert: "which tax shall"; line 24, strike "commissioners or supervisors" and in lieu thereof insert the word "board" .

3. In the bill, title, at the end of line 7, after the word "after" insert the word "such"; strike the word "and" at the beginning of line 9 and in said line before the word "payment" insert the word, "the"; line 10, strike the period and in lieu thereof insert: "; and to declare an emergency." .

LEGISLATIVE BILL 276. Placed on Select File as amended.

E and R amendments to L. B. 276:

1. In the bill, section 1, line 3, after the word "deeds" insert "(1)"; line 4, strike the word "municipal" and in lieu thereof insert: "any municipality"; line 5, strike the word "and" and in lieu thereof insert: ", (2)"; line 8, after the word "paid" insert the word "a"; lines 8 and 9, strike "for such transfer"; line 10, strike ", and" and in lieu thereof insert: "for such transfer and (3)"; line 11, strike "whereby said municipal" and in lieu thereof insert: ", whereby said municipality"; line 12, strike the word "thereof" and in lieu thereof insert: "acquired the title thereto,"; line 16, strike the word "The" and in lieu thereof insert: "In such action, the"; lines 17 and 18, strike "shall be made a party defendant to such action together with" and in lieu thereof insert a comma; line 20, strike "together with" and in lieu thereof insert the word "and" and in said line, after the word "trustee" insert: ", if any,"; line 21, strike "if any" and in lieu thereof insert: "shall be made party defendants"; at the end of line 23, after

the word "other" insert the word "such"; strike all of line 25 after the word "represent" and "mental subdivisions." in line 26, and in lieu thereof insert: "them." ; line 27, after the word "such" insert the word "an" .

2. In the bill, section 2, line 1, after the word "shall" insert "(1)"; line 2, before the word "describe" insert "(2)"; line 3, before the word "describe" insert "(3)"; line 4, strike "for the property" and in lieu thereof insert the word "therefor"; line 5, strike "and shall further" and in lieu thereof insert "(4)"; line 6, after the word "and" insert: "(5) allege"; line 7, after the word "which" insert the word "the" .

3. In the bill, section 3, line 1, after the word "hearing" insert: "thereon,"; line 3, strike "the court shall"; line 11, before the word "purchase" insert the word "the"; at the end of line 14, after the comma, insert: "which was the"; line 18, strike ", and the" and in lieu thereof insert: ". Such"; strike the word "in" at the end of line 18, all of line 19 and "division" in line 20; line 22, after the word "or" insert the word "by"; line 23, before the word "purchasers" insert: "purchaser or"; insert a comma in line 29 after the word "shall" and also after the word "aforesaid" and in line 32 after the word "and"; lines 42 and 43, strike "; and the" and in lieu thereof insert: ". The" .

4. In the bill, title, line 6, after the word "authorize" insert the word "the" and after the word "of" insert the word "a"; strike all of line 8 beginning with the word "and" and strike all the remainder of the title, and in lieu thereof insert the following:

"; to provide that the county attorney of the county where such real estate is located is authorized to accept service of process for and represent the State of Nebraska and all other designated governmental subdivisions; to provide for an accounting and establishment of liens; to provide for the sale of the property in such proceedings for the satisfaction of liens and the distribution of the proceeds of such sale; and to provide for a discharge of liens and the acquisition of title free and clear of liens." .

LEGISLATIVE BILL 288. Placed on Select File as amended.

E and R amendments to L. B. 288:

1. In the bill, section 1, line 4, after the word "have" insert the word "*the*"; line 6, strike the word "all" and in lieu thereof insert: "*the actual valuation of* all *the*"; line 7, after the word "city" and before the period, insert: "*, except intangible property, for the special purposes set forth herein*"; line 8, strike ", and shall" and in lieu thereof insert: "; and shall" and in said line strike "in the case of"

and in lieu thereof insert: "in the case of"; line 9, after the word "such" insert the word "*a*"; line 11, strike "or for" and in lieu thereof insert: "or for ,"; line 12, strike ", or in" and in lieu thereof insert: ", or in *the*".

2. In the bill, title, strike all of lines 4 to 7, inclusive, and "by section 18-1202;" in line 8, and all amendments thereto, and in lieu thereof insert the following:

"to provide for the increase in the maximum amount which may be levied by such a city or village for the purpose of purchasing equipment for a fire department, installing and equipping a fire alarm system or the payment of bonds authorized by section 18-1202 from three-tenths to five-tenths of a mill;" .

LEGISLATIVE BILL 328. Placed on Select File as amended.

E and R amendments to L. B. 328:

1. In the bill, section 1, at the end of line 4, after the word "from" insert "*(1)*"; line 5, strike "and from" and in lieu thereof insert: "and from *(2)*"; line 6, strike ", and shall be exempt from" and in lieu thereof insert: ", and shall be exempt from *(3)*"; strike all of line 8 and in lieu thereof insert: "*they are* an active member *members thereof*."

2. In the bill, title, line 4, before the word "Nebraska" insert the word "the"; lines 8 and 9, strike "an active member" and in lieu thereof insert: "they are active members thereof".

LEGISLATIVE BILL 148. Correctly engrossed.
LEGISLATIVE BILL 228. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 388. By Committee on Judiciary, John Mekota, Chairman.

A bill for an act to amend sections 1 and 2, Legislative Bill 138, Fifty-eighth Session of the Nebraska Legislature, relating to state government; to define terms; to except rate tariffs, together with rules of interpretation thereof, from requirements of act; to provide manner in which copy of administrative rules shall be filed with the Secretary of State; and to repeal the original sections.

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules, and that **L. B. 388 be** placed on General File. (Signed) John E. Mekota

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Visitor

Mr. Brodahl introduced a former legislator, Mr. W. W. Putney from Wahoo, Nebraska.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 282. Replaced on Select File.
LEGISLATIVE BILL 205. Correctly engrossed.
LEGISLATIVE BILL 231. Correctly enrolled.
LEGISLATIVE BILL 252. Correctly enrolled.
LEGISLATIVE BILL 254. Correctly enrolled.
LEGISLATIVE BILL 286. Correctly enrolled.
LEGISLATIVE BILL 290. Correctly enrolled.
LEGISLATIVE BILL 350. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 231	L. B. 252	L. B. 286
L. B. 254	L. B. 290	L. B. 350

Bill Referred to Standing Committee

L. B.	Committee
387	Education

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules, and to place L. B. 387 on General File without hearing. (Signed) Cliff N. Ogden

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Approved by the Governor

April 17, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform

your honorable body that he has this day approved the following Legislative Bills:

L. B. 33	L. B. 171	L. B. 212	L. B. 353
L. B. 109	L. B. 221	L. B. 293	L. B. 349

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

SELECT FILE

LEGISLATIVE BILL 256. Laid over.

LEGISLATIVE BILL 3. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 139. Laid over until April 24, 1945.

LEGISLATIVE BILL 267. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 297. Laid over until April 24, 1945.

LEGISLATIVE BILL 333. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 354. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 383. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 263. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 311.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 315. E and R amendment found in the Legislative Journal for the Seventy-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 384. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 329. Laid over.
LEGISLATIVE BILL 249. Special Order on Friday, April 20, 1945.
LEGISLATIVE BILL 250. Read and considered.

Mr. Jeffords made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 15:

Babcock	Carmody	Hanna	Raasch
Brodahl	Cronin	Hern	Schultz
Burney	Doyle	Jeffords	Weborg
Carlberg	Garber	Mekota	

Voting in the negative, 19:

Adams	Crossland	Klaver	Ryan
Anderson, J.	Cullingham	Lee	Sorrell
Anderson, L.	Foster	Lusienski	Tvrdik
Burnham	Hoyt	Pizer	Wood
Conklin	Kain	Raecke	

Not voting, 9:

Dooley	Mueller	Ogden	Reavis
Heiliger	Norman	Peterson	Seaton
Hubka			

Mr. Jeffords' motion lost with 15 ayes, 19 nays and 9 not voting.

Advanced to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 306. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Mr. Hubka offered the following amendments, which were adopted:

Amend section 2 of L. B. 306 by striking the word "six" in line 7, as amended by Standing Committee amendment, and inserting in lieu thereof the word "eight".

Amend section 4 of L. B. 306 by striking in line 31 the words "twenty-five" and inserting in lieu thereof the word "five".

Amend L. B. 306, section 6, by striking all new matter in lines 6, 7, 8, 9 and 10.

Amend section 6 of the bill, lines 39 to 68, inclusive, by striking the words *"In all schools"* in line 39 and all of lines 40 to 67, inclusive, and the words *"licenses as provided herein"* in line 68.

Amend the bill by adding a new section to be numbered 7, reading as follows:

"Sec. 7. *No school of cosmetology shall be approved by the Board of Cosmetology Examiners unless it requires as a prerequisite to admission thereto, graduation from the eighth grade of an elementary school, or its equivalent as determined by an examination conducted by the board or county superintendent of schools, and unless it requires as a prerequisite to graduation a course of instruction of not less than fifteen hundred hours. Such course of instruction shall include the following subjects: Care of the face and massaging, shampooing, hairdressing, permanent waving, finger waving, hair cutting, manicuring and such other subjects as may be prescribed by the board.*"

Amend present section 7 by renumbering the same as section 8.

Amend L. B. 306 by adding a new section 8 as follows:

"Any person may appeal from any decision or order of the department of health to the district court of the county wherein such person resides within thirty days after receiving official notice thereof. Such appeal may be taken by the filing of a petition on appeal and shall proceed in the manner provided by law in relation to appeals from county court to district court, and shall be prosecuted to effect as in such case. The court shall hear the appeal as in equity and without a jury and shall render judgment and apportion costs as may be equitable."

and renumber the following sections to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 367. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 332. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 364. Read and considered.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 364, line 19, section 2 by inserting after the word "pupil" the words "and teacher".

Advanced to E and R for review.

LEGISLATIVE BILL 319. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 229. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 318. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 365. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 326. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

Approved by the Governor

April 18, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 119 L. B. 168 L. B. 331

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

RECESS

At 11:55, a. m., Mr. Heiliger made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:05 p. m., President Johnson presiding.

The roll was called and all members were present except Mr. Dooley and Messrs. Norman and Seaton, who were excused.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 347.

Mr. President: Your Committee on Judiciary, to whom was referred Legislative Bill 347, instruct me to report to the Legislature that said Committee can not agree on the disposition of said bill; neither a motion to indefinitely postpone the bill, nor the motion to report the bill to general file, received a majority vote of the committee.

LEGISLATIVE BILL 236. Indefinitely postponed.

(Signed) John E. Mekota

GENERAL FILE

LEGISLATIVE BILL 242. Laid over.

Legislature at Ease

Mr. Mekota requested that the Legislature be at ease until 2:30.

The request was granted, and the Legislature was at ease until 2:30 p. m.

GENERAL FILE—Continued

LEGISLATIVE BILL 366. Read and considered.

Mr. Hern offered the following amendment, which was adopted.

Amend L. B. 366, Section 1, line 7, by striking the word "four" and inserting in lieu thereof the word "three".

Mr. Sorrell asked a call of the House.

A call of the House was ordered and after call the roll showed 37 members present.

Mr. Doyle moved that the call be raised.

The motion prevailed wth 26 ayes, 1 nay and 16 not voting.

Mr. Hern's amendment was adopted with 18 ayes, 14 nays and 11 not voting.

Mr. Garber offered an amendment which was rejected.

Mr. Hern offered an amendment which was rejected.

Mr. Foster made a motion to reconsider action in adopting Mr. Hern's first amendment.

A record vote was requested.

Voting in the affirmative, 23:

Adams	Cullingham	Klaver	Raecke
Anderson, J.	Foster	Lee	Reavis
Anderson, L.	Garber	Lusienski	Sorrell
Babcock	Heiliger	Ogden	Tvrdik
Brodahl	Hubka	Peterson	Wood
Conklin	Kain	Pizer	

Voting in the negative, 11:

Burnham	Cronin	Hern	Schultz
Carlberg	Doyle	Hoyt	Weborg
Carmody	Hanna	Raasch	

Not voting, 9:

Burney	Jeffords	Norman
Crossland	Mekota	Ryan
Dooley	Mueller	Seaton

The motion to reconsider action prevailed.

Mr. Hern's amendment, upon reconsideration, lost with 12 ayes, 19 nays and 12 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 368. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 204.

Mr. Tvrdik made a motion to place L. B. 204 at the bottom of General File.

Mr. Hanna made a motion to amend Mr. Tvrdik's motion to include L. B. 244 and L. B. 268.

Mr. Hanna's motion prevailed.

Mr. Tvrdik's motion, as amended, prevailed.

MOTION—Consider L. B. 382

Mr. President: I move that we consider L. B. 382 at this time. (Signed) Charles Tvrdik

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

LEGISLATIVE BILL 382. Read and considered.

Advanced to E and R for review.

Speaker Peterson Presiding

MESSAGE FROM THE GOVERNOR

Veto L. B. 305

April 18, 1945

Mr. President, Mr. Speaker
and Members of the Legislature.

Gentlemen:

I am returning herewith, without my signature, Legislative Bill 305. This bill will, if enacted, make a fundamental change in our laws relative to descent and distribution.

L. B. 305 would permit married persons to contract with each other with reference to their property. Today it is the law that a husband

or wife could not be deprived of a minimum share of the other's property either by contract or will except by having signed a pre-nuptial contract. It has previously been the policy of the state that the marriage relation created certain rights in the other's property of which he or she could not be deprived. In my judgment, the protection of the marriage relation is so important in our social order that such protection should be afforded those who enter into it.

There is no more confidential relationship than that created when a marriage contract is entered into. It is so important to the state that it has always been regulated and protected by the state. The confidences of the parties to it are so necessary of protection that one may not ordinarily testify against the other while the marriage relation exists. The building of mutual trusts and confidences is thereby encouraged, a vital necessity of successful marriage. But while these things are so necessary and commendable, they afford the means for one to take advantage of the other. A wife having full confidence in her husband might be induced to make a contract which would leave her a pauper upon her husband's death. Coercion, undue influence and fraud, difficult of proof under the mantle which protects the marriage relation, would manifest itself in too many cases. The business experience and acumen of the husband is often so much greater than that of the wife that the latter is at a serious disadvantage in dealing with her husband. I am old fashioned enough to believe that the law must continue to impose minimum requirements with reference to the rights of a married person in the property of the spouse. The opportunity to exert influence is so apparent and the difficulty of proof so great that the enactment of this bill into law would, in my judgment, result in much injustice.

The husband may at the present time devise his property by will as he pleases, subject to the right of the wife to elect to take either under the will or under the statute of descent. This right of election will under the proposed bill be defeated by a post-nuptial contract. The right of election reflects the public policy of most of the states of the Union.

It is also a point to be considered that a contract fairly entered into might become grossly unjust by subsequent accumulations of property. The right of election being eliminated by the making of a post-nuptial contract, no remedy would exist to correct the unjustness thus created.

The protection of the objects of matrimony is essential to our society. The legalizing of post-nuptial contracts might well destroy the tranquility of the marriage relation in many cases. The adjustment of property rights among themselves is something that ought not to be required or permitted to become a source of contention between man and wife. The legislative policy of the past has worked well and

contributed to the protection of the marriage contract. I can see no proper reason that requires so important a change. There may be isolated cases where a husband and wife, attentive to the best interests of the other, could derive mutual benefits from such a contract. But the evils, which are present when such motives are absent, outweigh in my opinion, any good that can come out of it.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

GENERAL FILE—Continued

LEGISLATIVE BILL 371. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 375. Read and considered.

Mr. Ogden offered the following amendment, which was adopted with 19 ayes, 12 nays and 12 not voting:

Amend section 1, line 12, by striking "forty-five hundred" and inserting "five thousand".

Mr. Adams offered the following amendments:

1. Amend section 1 of the bill, line 9, by striking the words "four thousand" and inserting in lieu thereof the words *"forty-five hundred"*.

2. Amend section 1 of the bill, lines 9 and 10, by striking the words "twenty-four hundred" and inserting in lieu thereof the words *"three thousand"*.

3. Amend the title of the act, line 5, by striking the words "to fifty-five hundred" and inserting in lieu thereof the following:

", Director of the Department of Agriculture and Inspection and Commissioner of Labor".

Mr. Hanna requested a division of the question.

Amendments 1 and 2 were adopted, and amendment 3 was withdrawn.

Mr. Doyle offered the following amendment:

Section 1, line 11, strike "six thousand" and insert "six thousand five hundred".

Record vote was requested.

Voting in the affirmative, 22:

Adams	Doyle	Klaver	Reavis
Anderson, J. H.	Heiliger	Lee	Ryan
Babcock	Hoyt	Lusienski	Tvrdik
Brodahl	Hubka	Ogden	Wood
Conklin	Jeffords	Peterson	
Cullingham	Kain	Pizer	

Voting in the negative, 16:

Anderson, L. H.	Carmody	Hanna	Raecke
Burney	Cronin	Hern	Schultz
Burnham	Crossland	Mekota	Sorrell
Carlberg	Garber	Raasch	Weborg

Not voting, 5:

Dooley	Mueller	Norman	Seaton
Foster			

Mr. Doyle's amendment was adopted.

Mr. Burney offered an amendment which was lost with 17 ayes, 19 nays and 7 not voting.

Mr. Ogden offered the following amendment, which was adopted.

Amend title of L. B. 375 to conform with the bill.

Advanced to E and R for review.

LEGISLATIVE BILL 378. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 377. Read and considered.

Mr. Conklin offered the following amendment, which was adopted.

Amend L. B. 377, section 1, line 4, by inserting after the word "convey" the words "with the approval of the Governor".

Advanced to E and R for review.

LEGISLATIVE BILL 339. Read and considered.

Mr. Wood asked to add his name as introducer to L. B. 339. Unanimous consent was granted.

Mr. Burney asked to have his name removed from L. B. 339. Unanimous consent was granted.

Messrs. Lusienski and Sorrell asked to add their names to L. B. 339, as co-introducers. Unanimous consent was granted.

Advanced to E and R for review.

MESSAGE FROM THE GOVERNOR

April 18, 1945

Mr. President, Mr. Speaker
and Members of the Legislature.

Gentlemen:

I am submitting herewith a bill for introduction by Senator Walter Raecke.

The present law authorizes a county under township organization to change to the commission system with either three or five commissioners.

This bill would enable a county to adopt the commissioner system with seven commissioners, being the same number as the number of supervisors. The same districts would be retained and the supervisors would continue to serve as commissioners until successors are elected.

The change would eliminate the township government and township officers, and the commissioners would have charge of all roads in the county. Under the supervisor system, only 40 per cent of the roads can be taken over as county roads. The other roads remain under the supervision of the township boards.

A change to a seven man commission system would eliminate any contest over which supervisors should be eliminated or how the new districts should be set up.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Unanimous Consent

Mr. Raecke asked unanimous consent to revert to the introduction of bills.

No objection was offered, and it was so ordered.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 389. By Walter R. Raecke of Merrick at the request of Dwight Griswold, Governor of Nebraska.

A bill for an act to amend sections 23-148, 23-296, 23-297, 23-298, 23-299, 32-210 and 33-128, Revised Statutes of Nebraska, 1943, relating to county officers and government; to provide that when a county under township organization votes to change to commissioner system, and a county votes to have the same number of commissioners as there were supervisors, the commissioner districts shall be with the same boundaries and comprise the same territory as the township districts; to provide when the supervisors shall be the commissioners until successors are elected; to provide terms of office and method of election of county commissioners when a county has seven commissioners; to provide for unexpended balances; to provide salaries for commissioners; to provide for road districts and for a road fund levy; and to repeal the original sections.

MOTION—Appreciation

Mr. President: I move that the Clerk of the Legislature be requested to extend, on our behalf, our sincere thanks and appreciation to Farm Products Processing Company for the pleasure afforded us on our visit to their Omaha plant, and for the delightful dinner and entertainment at the Fontenelle Hotel. (Signed) C. Petrus Peterson

To Record Vote

Had I been present, I would have voted "aye" on L. B. 231, on final reading on April 17, 1945. (Signed) William Hern

Adjournment

At 5:02 p. m. Mr. Hoyt made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 19, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Norman and Seaton, who were excused.

The Journal for the seventy-fourth day was approved.

Communications

Petition to Mr. Klaver from members of the Townsend Clubs, with eleven signatures, in favor of L. B. 282.

Letter of invitation to the Legislature from The Glenn L. Martin-Nebraska Company, Omaha, Nebraska, to a luncheon and tour of the Plant, Saturday, April 28th.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 284. Placed on Select File as amended.

E and R amendments to L. B. 284:

1. In Standing Committee amendment 1, line 2, strike the figure "6" and in lieu thereof insert the figure "7".

2. In the bill, section 1, insert a comma in line 3 after the word "treatment", in line 15 after the word "institution" and in line 16 after the word "Nebraska"; line 14, strike "or to any" and in lieu thereof insert: "or to any"; line 15, strike the comma after the word "court" and in lieu thereof insert: ", or" .

3. In the bill, section 2, line 4, strike the word "or" and in lieu thereof insert: "or ,"; line 5, strike the word "a" and in lieu thereof insert "a"; line 7, strike "in full force" and in lieu thereof insert: "in full force"; line 8, after the word "Health" insert: "*in full force*"; line 9, before the word "shall" insert: ", *inclusive, as amended,*"; line 10, strike "or to any" before the word "juvenile" and in lieu thereof insert: "or to any ," and in said line strike "to any" before the word "society" and in lieu thereof insert: "to any" .

4. In the bill, section 3, strike the comma and in lieu thereof insert "," in line 8 after the word "house", line 9 after the word "maintained", line 12 after the word "thereof" and line 24, after the word "time"; line 11, strike ", and a notice" and in lieu thereof insert: ", and a notice . *Notice*"; line 12, strike "license, and of" and in lieu thereof insert: "*a* license, and of"; line 15, strike ", and" and in lieu thereof insert: ", and . *It*"; line 16, after the word "state" insert "*(1)*" and in said line, after the comma and before the word "the" insert "*(2)*"; line 18, after the word "and" insert "*(3)*"; line 23, strike ", to visit" and in lieu thereof insert: ", to visit *and inspect*"; lines 24 and 25, strike ", and to inspect the same, or" and in lieu thereof insert: ", and to inspect the same, or . *It may*"; at the end of line 25, after the word "inspect" insert the word "*the*"; line 26, strike ", and to" and in lieu thereof insert: ", and to *may*"; line 27, strike the word "shall" and in lieu thereof insert "shall"; line 30, after the word "such" insert the word "*a*" .

5. In the bill, section 4, at the end of line 4, after "71-713" insert: ", *inclusive, as amended,*"; line 8, after the word "to" insert: "*sanitation and hygiene or*"; lines 9 and 10, strike ", or without due regard to sanitation and hygiene" and in lieu thereof insert: ", or without due regard to sanitation and hygiene"; line 10, strike the word "the" and in lieu thereof insert: "the *such a*"; lines 11 and 12, strike ", either" and in lieu thereof insert: ", either"; line 12, strike "such notice" and in lieu thereof insert: "such notice *it*"; strike all of line 13 beginning with the word "At" and strike the word "given" in line 14, and in lieu thereof insert: "At the same time *The department shall, at the same time, give a* notice of *such* revocation shall be given" .

6. In the bill, section 5, line 3, strike "A birth" and in lieu thereof insert: "A *Each* birth,"; line 6, strike the word "it" and in lieu thereof insert: "it *the same*"; line 8, before the word "boarding" insert the word "*maternity*" (correct in printed bill); lines 9 and 10, strike "still-births" and in lieu thereof insert "stillbirths".

7. In the bill, title, strike the comma at the end of line 2, after "71-705"; strike the word "and" at the end of line 6; line 7, strike the period and in lieu thereof insert: "; and to declare an emergency." .

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 18.

Unanimous Consent

Mr. President: I ask unanimous consent to have L. B. 35 returned to Select File for the following specific amendment. (Signed) Charles F. Tvrdik

Amend L. B. 35 by inserting after the word "Inhabitants" in line 6 of the printed bill, the following:

"and constables serving county courts in counties having a population of eighty thousand or more inhabitants."

and add in line eight of the printed bill, after the word "cities" the words "or within their several counties".

Amend the title by inserting after the word "cities" in line 5 of the printed bill the following:

"and constables serving county courts in counties having a population of eighty thousand or more inhabitants".

Amend the title by inserting after the word "cities" in line 7 of the printed bill the following: "or within their several counties".

No objection was offered and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 187. With emergency.

A bill for an act to amend sections 83-224, 83-225, 83-226 and 83-227, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for the ascertainment and payment of the per capita cost of maintaining feeble-minded persons in the Beatrice State Home; to provide what persons shall pay the cost of maintaining feeble-minded persons in Beatrice State Home; to provide that a board of county commissioners or supervisors may, and upon request of the Board of Control shall, sue upon behalf of the state to recover the per capita cost of maintenance of a feeble-minded person confined in

the Beatrice State Home, and pay over any amount collected to the superintendent of such institution; to provide for the certification of the amounts due to such institution from the various counties, and the levy of a special tax in each county for the payment thereof; to provide for the procedure for and the payment of the expense of keeping patients transferred to said home from other state institutions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Hoyt	Pizer
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lee	Schultz
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Ogden	Weborg
Conklin	Hern	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Mekota	Norman	Seaton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 257. With emergency.

A bill for an act to amend sections 79-2738, 79-2742 and 79-2743, Revised Statutes of Nebraska, 1943, relating to schools; to provide for a teachers' retirement fund in every school district in a city of the metropolitan class in the state, by an assessment of five per cent of every installment of salary, or portion of individual salary not in excess of three thousand dollars per annum, hereafter paid to a teacher regularly employed by such school district, and by the setting aside from the general fund of said school district an equal amount and not less than the amount necessary to meet the pension payments provided in sections 79-2740 and 79-2741, and the refunds herein provided for; to provide for the reimbursement of a teacher or his or

her personal representative for such assessment, deducted from his or her salary in the event of the discharge, resignation or death of such teacher; to provide how a teacher may be reinstated in said fund under certain circumstances; to provide for adjustments for teachers who die after retirement; to repeal said original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Ryan
Brodahl	Hanna	Mekota	Schultz
Burnham	Heiliger	Mueller	Sorrell
Carmody	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Weborg
Crossland	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Burney	Cronin	Jeffords	Seaton
Carlberg	Garber	Norman	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 269.

A bill for an act to amend section 16-6,100, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the amount that may be borrowed for the purpose of construction or aiding in the construction of public buildings in cities of the first class having a population of not less than ten thousand inhabitants to five hundred thousand dollars; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lee	Reavis
Babcock	Doyle	Lusienski	Ryan
Brodahl	Foster	Mekota	Schultz
Burnham	Heiliger	Mueller	Sorrell
Carmody	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Burney	Garber	Jeffords	Seaton
Carlberg	Hanna	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 304. With emergency.

A bill for an act to amend sections 79-2722, 79-2723, 79-2724 and 79-2730, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the certification during the month of July, and the levy of the aggregate school tax for the support of schools in metropolitan cities, and that such levy shall not in any one year exceed fifteen mills on the dollar upon the actual value of all the taxable property in the district, except intangible property; to provide for three separate funds to which such aggregate levy shall be allocated; to provide that prior to 1948, such portion, not in excess of one mill, of the additional levy of not to exceed four mills, being part of said aggregate levy, as shall not be required to be credited to the sinking fund for the payment of interest on, and retiring, funding or servicing the bonded indebtedness of said district, may be levied for and credited to the fund for the general operation of schools, and the remainder thereof, not required to be credited to the sinking fund, may be levied for and credited to the site and building fund; to provide that thereafter and until 1951 not to exceed one and thirty-two hundredths mills of said additional levy may be levied for and credited to the fund for the general operation of schools, and the remainder, not required to be credited to the sinking fund, may be levied for and credited to the site and building fund; to provide that in 1951 and thereafter until 1956 not to exceed two mills of said additional levy may be levied for and credited to the fund for the general operation

of schools in any one year, and the remainder, not required to be credited to the sinking fund and not in excess of one mill, may be levied for and credited to the site and building fund; to provide that thereafter not exceeding two mills of said additional levy may be levied for and credited to the general fund and not exceeding one half mill to the site and building fund; to provide that the levy to be made in 1946 and thereafter for the site and building fund shall be used for the sole purpose of acquiring sites for school buildings and for the erection of school buildings and additions to school buildings; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Hoyt	Peterson
Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lee	Schultz
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mekota	Tvrdik
Carmody	Heiliger	Mueller	Weborg
Conklin	Hern	Ogden	Wood

Voting in the negative, 0.

Not voting, 3:

Norman	Raasch	Seaton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 373. With emergency.

A bill for an act to authorize the Board of Educational Lands and Funds to accept the devise of the specified real estate under the terms and conditions of the last will and testament of Jonathan J. Lydick; to provide for the creation of a special fund to which the income from the real estate so devised shall be credited and from which the charges imposed by said will and the maintenance and upkeep of the real estate shall be paid; to provide for the disposition

of the net income from the real estate so devised; to provide an appropriation; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Anderson, J.	Dooley	Ogden	Weborg
Anderson, L.	Doyle	Peterson	Wood
Brodahl	Foster	Pizer	
Burney	Heiliger	Raasch	
Burnham	Hoyt	Raecke	
Carlberg	Hubka	Reavis	
Conklin	Kain	Ryan	
Crossland	Lee	Sorrell	
Cullingham	Lusienski	Tvrdik	

Voting in the negative, 8:

Carmody	Garber	Hern	Mueller
Cronin	Hanna	Jeffords	Schultz

Not voting, 6:

Adams	Klaver	Norman	Seaton
Babcock	Mekota		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 177.

A bill for an act to amend sections 28-1212, 28-1213, 28-1214 and 28-1215, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide for the inclusion of assignment of funds of cooperative credit associations within the class of instruments that are subject to the provisions and penalties prescribed therein; to provide that any person who, with intent to defraud, shall make or draw, utter or deliver any assignment of funds in a cooperative credit association, under the prescribed conditions or circumstances, shall, upon conviction thereof, be punished as prescribed; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Schultz
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Weborg
Conklin	Hoyt	Peterson	Wood

Voting in the negative, 0.

Not voting, 3:

Dooley	Norman	Seaton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Peterson asked unanimous consent to consider bills on Select File.

No objection.

SELECT FILE

LEGISLATIVE BILL 256. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent.

Amend section 1 of the bill, line 3, by inserting after the word "bank" the following:

"*organized since May 15, 1935 or*".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 35.

Mr. Tvrdik made a motion to adopt his specific amendment found in this day's Journal.

The motion lost with 9 ayes, 11 nays and 23 not voting.

Mr. Tvrdik made a motion to place the bill back on Final reading.

The motion prevailed.

LEGISLATIVE BILL 49. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 237. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 251. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 266. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Mr. Burnham offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 266, Section 2, line 1, after the word "if" to strike "a majority" and insert "sixty per cent".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 276. Laid over.

LEGISLATIVE BILL 288. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 328. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 282.

Advanced to E and R for engrossment.

Bill Referred to Standing Committee

L. B.	Committee
389	Government

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that L. B. 389 be placed on General File, without public hearing. (Signed) Don E. Hanna

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

SPECIAL ORDER OF BUSINESS

Speaker Peterson Presiding

LEGISLATIVE BILL 167. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Mr. Tvrdik offered the following amendments, which were adopted.

1. Amend section 15 of the bill, lines 6 to 8, inclusive, by striking the same and substituting the following in lieu thereof:

"precincts, cities and villages, in books, or *where* unit valuation ledgers *have been adopted* in counties having a population of two hundred thousand *inhabitants* or more *the county clerk shall make the same*, to be provided for that purpose;"

2. Amend section 15 of the bill, line 18, by inserting after the word "*assessor*" the following:

"*in the case of assessment books, and the county clerk in the case of unit valuation ledgers,*"

3. Amend section 16 of the bill, line 10, by inserting after the word "*assessor*" the following:

"*, or in case of unit valuation ledgers to the county clerk,*"

4. Amend section 27 of the bill, line 10, by inserting after the word "accordingly" and before the punctuation the following:

", *or to the county clerk in counties having a population of two hundred thousand inhabitants or more that have adopted the use of unit valuation ledgers, who shall correct the unit valuation ledgers in his office accordingly*"

5. Amend section 28 of the bill, line 24, by striking the word "assessor" and substituting in lieu thereof:

"assessor *county clerk*"

6. Amend section 28 of the bill, line 28, by striking the word "assessor" and substituting in lieu thereof:

"assessor *clerk*"

7. Amend section 29 of the bill, line 6, by inserting after the word "*assessor*" and before the punctuation the following:

"*with respect to tax lists and by the county clerk with respect to unit tax ledgers*"

8. Amend section 29 of the bill, line 15, by striking the same and inserting in lieu thereof:

"the tax lists , *and the county clerk before transmission of or the* unit tax ledgers, to the county treasurer, shall"

9. Amend section 29 of the bill, line 17, by inserting after the word "assessor" the following:

"*or clerk, as the case may be,*"

10. Amend section 30 of the bill, line 8, by inserting after the word "*assessor*" the following:

"*as to tax lists, or the county clerk as to unit tax ledgers,*"

11. Amend section 30 of the bill, line 9, by inserting after the word "*assessor*" the following:

"*in the case of tax lists, or by the county clerk in the case of unit tax ledgers,*"

12. Amend section 30 of the bill, line 17, by inserting after the words "tax list" and before the punctuation the following:

"or unit tax ledger"

13. Amend section 30 of the bill, line 19, by inserting after the word *"assessor"* the following:

"in the case of a tax list, or the county clerk in the case of a unit tax ledger,"

14. Amend the title, line 11, by inserting after the word "lists" and before the punctuation the following:

"except in counties having a population of two hundred thousand inhabitants or more that have adopted unit tax ledgers, which shall be made up and prepared by the county clerk"

Mr. Mueller offered the following amendment, which was adopted.

Amend renumbered section 10, line 57, by inserting after the punctuation following the word "abolished" the following:

"He shall assist the sheriff in the collection of delinquent personal taxes."

Mr. Reavis offered the following amendment, which was adopted.

Amend re-numbered Section 1 of the bill, as amended, line 6 by striking the words "sixteen thousand five hundred" and inserting in lieu thereof "twenty thousand".

Mr. Schultz made a motion to indefinitely postpone L. B. 167.

The motion did not prevail.

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 153. Placed on Select File as amended.

E and R amendments to L. B. 153:

1. In Standing Committee amendment 1, lines 3 and 4, strike *"may, whenever conditions warrant, gravel in similar manner"* and in lieu thereof insert: *"(2) in a similar manner gravel"*; insert a comma

in line 5 after the word *"highway"* and also after the word *"length"*. (Lines shown are in accordance with original amendment).

2. In the bill, Section 1, line 3, strike the word "counties" and in lieu thereof insert: *"counties a county"*; line 4, strike the comma after the word "system" and in lieu thereof insert ";", also in line 9 after the word "highway"; line 5, before the word "furnish" insert *"(1)"*; line 13, strike "and the" and in lieu thereof insert: *"and the . The"*; at the end of line 14, after the word "under" insert: *"the provisions of"*; line 15, before the period insert: *", inclusive"*.

3. In the bill, section 2, strike the comma at the end of line 1.

4. In the bill, title, strike the word "operating" at the end of line 4 and strike all of lines 5, 6, 7 and 8, and up to the semicolon in line 9, and in lieu thereof insert the following:

"in a county operating under the commission system may, whenever conditions warrant, gravel a highway, not more than two miles in length, from the nearest city or village to any cemetery maintained by a city or village cemetery association".

LEGISLATIVE BILL 146. Placed on Select File as amended.

E and R amendments to L. B. 146:

1. In Standing Committee amendment 1, line 2, before the word "by" insert: "inclusive,"; insert a comma in line 4, after the word *"district"*, in line 5 after the word *"municipality"*, in line 6, after the word *"interest"* and in line 7 after the word *"payment"*; lines 7 and 8, strike *"but not"* and in lieu thereof insert: *"which rate shall not be"*. (Lines shown in accordance with original amendment).

2. In the bill, title, line 6, after the semicolon insert the following:

"to provide for the fixing of such rate of interest and the endorsement thereof on such warrants or orders;".

LEGISLATIVE BILL 215. Placed on Select File as amended.

E and R amendments to L. B. 215:

The following amendments to mimeographed amendments adopted April 12, 1945:

1. In section 1, line 2, strike "accept by" and in lieu thereof insert: "(1) accept a", and in said line, after the word "devise" insert the word

"of"; line 3, strike ", or" and in lieu thereof insert: "or a"; line 4, strike the word "to" and in lieu thereof insert: "(2)"; lines 5 and 6, strike ", and to" and in lieu thereof insert: "and (3)"; strike all of line 7 and in lieu thereof insert: "such a hospital.".

2. In section 3, line 4, strike the word "or" after the word "purchase" and in lieu thereof insert a comma; lines 4 and 5, strike ", or to improve, remodel or equip the same," and in lieu thereof insert: "or to maintain, manage, improve, remodel, equip and operate a municipal hospital"; line 3, strike "or to" at the end of the line; insert a comma in line 10 after the word "vote" and in line 22 after the word "village"; line 18, strike ", or" and in lieu thereof insert: "or,"; line 19, strike the word "then"; strike "petition. The" in line 27, all of line 28 and all of line 29 up to the word "within" and in lieu thereof insert the following:

"a petition. If such a bond issue in such a city or village is defeated, the proposition of issuing bonds for such a purpose shall not be resubmitted to the voters therein".

3. In section 4, at the end of line 3, after the word "year" insert the word "of"; line 4, before the word "actual" insert the word "the"; line 5, strike "property subject to taxation therein" and in lieu thereof insert: "taxable property therein, except intangible property,"; line 6, after the word "such" insert the word "a".

4. In section 5, line 1, strike "a city of the second class" and in lieu thereof insert: "such a city"; lines 1 and 2, strike ", as the case may be,"; line 5, strike ", and all" and in lieu thereof insert: ". All"; line 6, insert a comma after the word "taxation" and also after the word "provided".

5. In section 6, line 1, after the word "each" insert the word "such"; line 6, after the word "shall" insert "(1)"; line 7, strike "and who shall" and in lieu thereof insert "(2)"; line 8, strike the word "shall" and in lieu thereof insert "(3)".

6. In the bill, title, strike ", by" in line 3, and strike all of lines 4 to 11, inclusive, and "thereof;" in line 12, and in lieu thereof insert the following:

"a municipal hospital in the prescribed ways and to maintain, manage, improve, remodel, equip and operate the same; to provide for the issuance of bonds thereof for such purpose, as prescribed; to provide for the submission of the question of the issuance of such bonds to the electors of such a city or village as prescribed; to provide for the levy of a tax for such purpose as prescribed; to provide for a fund of such a city or village to be

used for such purposes as prescribed; to provide for the creation of a hospital board and its appointment, powers and duties;".

LEGISLATIVE BILL 278. Placed on Select File as amended.

E and R amendments to L. B. 278:

1. In the bill, Section 1, line 6, strike "(a) when" and in lieu thereof insert: "(a) when *(1) When*"; line 9, strike "(b)" and in lieu thereof insert: "(b) *(2)*"; line 13, strike ", or (c)" and in lieu thereof insert: ", or (c) *(3)*"; line 16, after the period and before the word "A" insert the following:

"A discharge in bankruptcy shall not be deemed a satisfaction of such a judgment or judgments, for the purposes of this act, until after the expiration of three years from the date of such a discharge.";

line 20, strike the comma after the word "creditor" and in lieu thereof insert "," and in said line strike "the trial" and in lieu thereof insert: "the trial *any such*"; line 22, strike ", and" and in lieu thereof insert: ", and . *Under such circumstances*"; line 26, strike "payment of" and in lieu thereof insert: "*the* payment of *any of*"; lines 26 and 27, strike "his giving proof of" and in lieu thereof insert: "his giving *such debtor presenting* proof of *his or her*"; line 28, strike the comma and in lieu thereof insert "," after "cidents" and also after "provided"; line 29, after the word "his" insert: "*or her*"; lines 31 and 32, strike "suspended as hereinbefore provided" and in lieu thereof insert: "*so* suspended as hereinbefore provided"; strike all of line 34 after the period and all of line 35, and all amendments thereto.

2. In the bill, title, line 3, after the word "that", insert: ", for the purposes of this act,": line 5, after the word "of" insert: "a judgment or"; line 6, after the word "vehicles" and before the semicolon, insert: "until after the expiration of three years from the date of such discharge in bankruptcy".

LEGISLATIVE BILL 342. Replaced on Select File as amended.

E and R amendments to L. B. 342:

1. In Specific Amendments by Mr. Carlberg, adopted April 17, 1945, in section 6, last line, after the period, insert the following:

"Each person so appointed and commissioned shall also provide himself with an official record, before entering upon the duties of the office, in which shall be recorded all his official acts, together with a copy of the instrument, certificate of protest, notices, affi-

davits and depositions and other acts not relating to protests, and other matter by him acted upon, except the taking of acknowledgements and proofs of deeds and other instruments required by law to be recorded, either in this or other states. The record and seal of such notary public shall be exempt from levy or sale on execution, attachment or warrant of distraint." ;

at the end of section 7, last line, after the period, insert the following:

"Upon due proof of the loss of such original certificate, the record thereof, so kept by such notary public as prescribed by section 64-106, shall be received by all courts in this state as presumptive evidence of the facts therein recorded: Provided, any person interested in the subject matter of such certificate or record of such certificate may, by other evidence, contradict the matters and things set forth in such certificates, or in the record thereof." ;

in section 10, line 30, after the word "public", insert the following:

", with his official record and certificate thereof, as prescribed by section 64-110, and such";

lines 40 and 41, after the word "commission" insert: "and his official record and certificate thereof".

2. In the bill, title, line 2, strike "section 64-101" and in lieu thereof insert the following:

"sections 64-101, 64-102, 64-103, 64-104, 64-105, 64-106, 64-107, 64-111, 64-112, 64-113 and 33-102";

lines 8 and 9, strike "to provide a savings clause;" and in lieu thereof insert the following:

"to define terms; to require a corporate surety bond for general notaries public; to provide for certain fees; to provide the wording for a seal of a notary public; to provide savings clauses; to provide certain procedure for the issuance of commissions; to eliminate certain requirements as to official records; to provide the duties of certain officers; to provide the effect of a notary public leaving the State of Nebraska; to provide a statute of limitations for certain actions as prescribed;" ;

line 12, strike the word "section" and in lieu thereof insert "sections".

LEGISLATIVE BILL 239. Placed on Select File as amended.

E and R amendments to L. B. 239:

In the bill title at the beginning of line 14 insert "shall adopt or".

Presented to the Governor

Presented to the Governor for approval April 19, 1945, at 10:30 a. m.

L. B. 231	L. B. 254	L. B. 290
L. B. 252	L. B. 286	L. B. 350

(Signed) Roy B. Carlberg, Chairman

Member Excused

Mr. Adams was excused for part of the afternoon.

RECESS

At 11:50 Mr. Sorrell made a motion to recess until 2:00 p. m. The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p. m., President Johnson presiding.

The roll was called and all members were present except Mr. Carlberg, and Messrs. Adams, Norman and Seaton, who were excused.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 167.

Mr. Reavis offered the following amendments, which were adopted.

1. Amend Standing Committee amendment number 3 by striking the words "*sixteen thousand five hundred*" and inserting in lieu thereof the words "*twenty thousand*".

2. Amend Standing Committee amendment number 4 by striking the words "*sixteen* thousand *five hundred*" and inserting in lieu thereof the words "*twenty* thousand".

3. Amend renumbered section 10 of the bill, lines 55 and 56, by striking the words "*twenty-seven hundred fifty*" and inserting in lieu thereof the words "*twenty thousand*".

4. Amend Standing Committee amendment number 8 by striking the word "sixteen" and inserting in lieu thereof the word "twenty".

Laid over.

MOTION—Requesting Report of Committee

Mr. President:

I move that the Committee on Labor be requested to make a report to the Legislature on L. B. 338 on or before Monday, April 23, 1945. (Signed) Wm. Hern

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

MOTION—To Place on General File

Mr. Cullingham made a motion to place L. B. 376 on General File.

A call of the House was ordered and after call the roll showed 39 members present.

Mr. Schultz moved that the call be raised.

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Mr. Cullingham's motion was lost with 18 ayes, 13 nays and 12 not voting.

Members Excused

Mr. Cronin was excused for April 20, 1945.

Mr. Lee was excused from 3:45 p. m., April 19, 1945 and for April 20, 1945, and Mr. Ogden for the balance of the day.

Mr. Raasch was excused for April 20, 1945.

Mr. Schultz was excused from 4:00 p. m., April 19, 1945 and for April 20, 1945.

Approved by the Governor

April 19, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 231 L. B. 252 L. B. 286
L. B. 254 L. B. 290

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor.

Special Order of Business

LEGISLATIVE BILL 370. Read and considered.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 242. Laid over.
LEGISLATIVE BILL 322. Indefinitely postponed.
LEGISLATIVE BILL 261. Laid over until April 23, 1945.

Speaker Peterson Presiding

LEGISLATIVE BILL 385. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 386. Read and considered.

Mr. James H. Anderson offered the following amendment which was adopted.

Amend Sec. 1 of L. B. 386 by striking the word "of" in line 149 and inserting in lieu thereof the word "or".

Mr. Hern offered the following amendment, which was adopted.

1. Amend section 1 of the bill by adding immediately following line 186, the following:

"In Favor of	*For*	*To Come Out of*	*Amount*
Dr. L. H. Hoevet Chadron, Nebraska	Medical Services for Harry A. Taylor	Chadron State Normal Maintenance Fund, Auditor Account Number 430	$244.00
Chadron City Hospital, Chadron, Nebraska	Hospital Services rendered to Harry A. Taylor	Chadron State Normal Maintenance Fund, Auditor account Number 430"	101.95

Mr. Foster offered an amendment, which was not adopted.

Advanced to E and R for review.

Unanimous Consent

Mr. Raecke asked unanimous consent to place L. B. 222 at the bottom of General File.

No objection was offered and it was so ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 299. Replaced on Select File as amended.

E and R amendments to L. B. 299:

In Enrollment and Review Committee amendment to line 40 in section 1, strike the new insertion and in lieu thereof insert: "; *and (7)*".

LEGISLATIVE BILL 323. Replaced on Select File as amended.

E and R amendments to L. B. 323:

In General File amendment by Mr. Adams, line 4, after the words "be amended" and before the words "as follows" insert: "to read".

LEGISLATIVE BILL 211. Correctly engrossed.
LEGISLATIVE BILL 220. Correctly engrossed.
LEGISLATIVE BILL 280. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

Revenue

LEGISLATIVE BILL 102. Indefinitely postponed.
LEGISLATIVE BILL 9. Indefinitely postponed.
(Signed) Walter R. Raecke, Chairman

Accept Invitation

The members voted to accept the invitation to visit the Martin Bomber Plant.

Adjournment

At 4:40 p. m. Mr. Doyle made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 20, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin, Lee, Norman, Raasch, Schultz and Seaton, who were excused.

The Journal for the seventy-fifth day was approved as corrected.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 390. By Committee on Revenue, Walter R. Raecke, Chairman

A bill for an act to amend section 16-203, Revised Statutes of Nebraska, 1943, relating to cities of the second class; to increase the maximum mill limit of taxes that may be levied for general revenue purposes; to repeal the original section; and to declare an emergency.

Mr. Raecke made a motion to suspend the rules and to place L. B. 390 on General File.

The motion carried with 32 ayes, 0 nays and 11 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 149.

A bill for an act to amend section 8-138, Revised Statutes of Nebraska, 1943, relating to banking; to provide limits for rediscounts

and bills payable; to provide for borrowing money on bills payable secured by direct obligations of the United States government; to provide that a bank with the written approval of the Director of Banking may rediscount paper in an amount in excess of its paid-up capital stock and surplus and may transfer, as collateral to its obligation, assets with a face value of more than one and one half times the amount of such obligation; to provide penalties for violations of this act; to permit state banks becoming members of the federal reserve system to have the same privileges as national banks as prescribed; to permit state banks to have the same privileges with federal intermediate credit banks as national banks as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hoyt	Peterson
Anderson, J.	Crossland	Hubka	Pizer
Anderson, L.	Cullingham	Jeffords	Raecke
Babcock	Dooley	Kain	Reavis
Brodahl	Doyle	Klaver	Ryan
Burney	Foster	Lusienski	Sorrell
Burnham	Garber	Mekota	Tvrdik
Carlberg	Hanna	Mueller	Weborg
Carmody	Heiliger	Ogden	Wood

Voting in the negative, 0:

Not voting, 7:

Cronin	Lee	Raasch	Seaton
Hern	Norman	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 234. With emergency.

A bill for an act to authorize the county boards of the several counties to levy a tax of one mill on the dollar upon the actual value of all the taxable property within the county, except intangible property, in addition to all other levies for the purpose of raising funds to cooperate with the government of the United States in the construction and improvement of certain roads within the county; to

provide for the exclusive use of the funds raised by such levy for the prescribed purpose; to prohibit the transfer of the funds so raised to any other fund of the county; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 33:

Adams	Crossland	Jeffords	Raecke
Anderson, J.	Cullingham	Kain	Reavis
Anderson, L.	Doyle	Klaver	Ryan
Babcock	Foster	Lusienski	Sorrell
Brodahl	Garber	Mekota	Weborg
Burney	Hanna	Mueller	Wood
Carlberg	Heiliger	Ogden	
Carmody	Hoyt	Peterson	
Conklin	Hubka	Pizer	

Voting in the negative, 0:

Not voting, 10:

Burnham	Hern	Raasch	Tvrdik
Cronin	Lee	Schultz	
Dooley	Norman	Seaton	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 35. With emergency.

A bill for an act to amend section 33-135, Revised Statutes of Nebraska, 1943, relating to the fees, mileage and traveling expenses of constables; to provide that in cities having a population of more than fifty thousand inhabitants constables serving municipal courts located in such cities shall receive the sum of twelve cents as traveling expenses for each mile actually and necessarily traveled within or outside their several cities in their official duties; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Adams	Crossland	Jeffords	Raecke
Anderson, J.	Cullingham	Kain	Reavis
Anderson, L.	Doyle	Klaver	Ryan
Babcock	Foster	Lusienski	Sorrell
Brodahl	Hanna	Mekota	Tvrdik
Burnham	Heiliger	Mueller	Weborg
Carlberg	Hern	Ogden	Wood
Carmody	Hoyt	Peterson	
Conklin	Hubka	Pizer	

Voting in the negative, 0:

Not voting, 9:

Burney	Garber	Norman	Schultz
Cronin	Lee	Raasch	Seaton
Dooley			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 285. Placed on Select File as amended.

E and R amendments to L. B. 285:

1. In General File amendment by Mr. Conklin, last line, before the period, insert: "and show the same as stricken matter".

2. In the bill, section 1, line 3, strike the word "place" and in lieu thereof insert: *"(1)* place *, (2)"*; line 4, strike the word *"or"* before the word *"advertise"* and in lieu thereof insert: *", (3)"* and at the end of the line, strike *", or"* and in lieu thereof insert: *"or (4)"*; strike the comma and in lieu thereof insert "," in line 6 after "ciation" and line 11 before the word "and"; line 10, after the word "such" insert the word "a".

3. In the bill, section 2, strike the comma and in lieu thereof insert "," in line 4 after the word "out", line 5 after "of" and also after "child" and in line 7 insert a comma after the word *"Control"*;

line 7, after the word "the" insert "*(1)*"; line 8, strike the word "the" and in lieu thereof insert: "the *(2)*"; line 9, strike ", and the" and in lieu thereof insert: "; and the *(3)*".

4. In the bill, section 4, line 7, insert a comma after the word "*Control*"; line 8, strike "that no child" and in lieu thereof insert: "*(1)* that no child *(a)*"; line 9, strike the word "or" before the word "having" and in lieu thereof insert: "or *(b)*" and in said line strike ", or" after the word "deformity" and in lieu thereof insert: "; or *(c)*"; strike the comma and in lieu thereof insert "," in line 10 after the word "mind" and also after the word "character"; line 11, strike "; and" and in lieu thereof insert: "; and *(2)*".

5. In the bill, section 6, line 8, after the word "cause" insert the word "*a*".

6. In the bill, section 7, insert a comma in line 6 after the word "children"; line 7, strike the word "the" and in lieu thereof insert: "the *whose*" and in said line strike "of which" and in lieu thereof insert: "of which"; line 8, strike the word "any" and in lieu thereof insert "any" and in said line strike the comma after "hereof" and in lieu thereof insert ","; line 15, strike "have power to" and in lieu thereof insert "have power to".

7. In the bill, section 8, insert a comma in line 4 after the word "shall" and in line 5 after the word "*act*"; line 8, after the word "having" insert the word "*the*"; strike the comma at the end of line 10 and in lieu thereof insert ",".

8. In the bill, section 9, line 3, strike the comma after the word "*agency*"; line 5, strike ", and" and in lieu thereof insert "; and ,"; line 6, insert a comma after the word "thereof"; line 9, after the word "*both*" and before the comma, insert: "*such a fine and imprisonment*".

9. In the bill, title, line 7, strike the comma after the word "Health" and in lieu thereof insert a semicolon; line 11, strike the word "and"; line 12, strike the period and in lieu thereof insert: "; and to declare an emergency.".

LEGISLATIVE BILL 327. Placed on Select File as amended.

E and R amendments to L. B. 327:

1. In General File amendment by Mr. Lee, last line, strike the comma after the word "veteran".

2. Strike General File amendments by Mr. Jeffords and Mr. Raecke.

3. In the bill, section 1, line 7, strike the word "They" and in lieu thereof insert the following:

"When such a commission shall hereafter be established, the first members shall be appointed by the county board, one for one year, one for two years and one for three years. Thereafter ~~They~~ *they"* ;

line 9, after the period and before the word "The" insert the following:

"The county board may, in its discretion, divide the county into three such commission districts and in that event one commissioner shall be appointed from each of such districts and each commissioner shall have such general supervision of the work in such district as the commission may determine." ;

strike all of line 12 after the word "office", all of line 13 and "of his duty." in line 14, and in lieu thereof insert the following:

"~~and~~ . *Each member* shall ~~each~~ ~~give~~ *furnish a* bond in ~~the~~ *such* sum ~~of~~ *as the county board may determine but not to be less than* five hundred dollars for the faithful performance of his duty. *The cost of such a bond shall be paid as part of the expense of administration."* ;

line 17, strike the word "moneys" and in lieu thereof insert "~~moneys~~ *money*"; line 19, strike the period and in lieu thereof insert the following:

"; Provided, that if the county is not divided into districts, the total compensation for all the commissioners shall not exceed five per cent of the total amount of money so distributed in the county ." ;

line 22, after the word *"may"* insert the following:

", in its discretion and with the approval of the county board," ; line 27, insert a comma before the word *"on"* and also before the word *"any"*; line 29, strike the word *"or"* after *"Nebraska,"*; at the end of line 30, after the period, insert the following:

"The commission or the county board may accept gifts, devises and bequests of real and personal property for uses consistent with the purposes of this act and, to the extent of the powers conferred on said commission or board, execute and carry out such conditions as may be annexed to such a gift, devise or bequest; Provided, if such gift is accepted by the county board, it shall be administered as far as possible by the commission." ;

line 31, strike the word *"such"* and in lieu thereof insert: *"any required"*; line 32, strike *"as may be required shall be"*; line 33, after the word *"county"* insert: *"shall be appointed"*; line 34, strike the

word *"the"* at the end of the line; insert a comma in line 41 after the word *"report"* and in line 42 after the word *"year"*; at the end of line 43, after the word *"form"*, insert: *"as to"*.

4. In the bill, section 2, line 3, after the word "shall" insert *"(1)"*; line 6, strike "and shall" and in lieu thereof insert: *"and shall (2)"*; line 7, strike ", and shall" and in lieu thereof insert: *", and shall (3)"*; line 9, after the word *"and"* insert the word *"the"*; insert a comma in line 11 after the word "county" and before the word "at" and in line 12 after the word "year"; line 15, strike the word "on" after the word "mill" and in lieu thereof insert: *"on upon the dollar of the actual value of all"*, and in said line, after the word "county", strike Standing Committee amendment No. 7, and in lieu thereof insert the following:

", except intangible property, and for the expense of administration, not exceeding three-tenths of a mill upon the dollar of all the taxable property of such county, except intangible property";

line 17, after the word "exceed" insert: *"the amount to be realized from"*; line 18, strike "shall certify the lists" and in lieu thereof insert: *"shall certify the lists list thereof"*; lines 27 and 28, strike "the lists" and in lieu thereof insert: *"the lists such list"*; line 36, after the word "amount" insert: *"before previously"*; line 37, strike the word "lists" and in lieu thereof insert: *"lists list"*; line 39, strike "to the county board" and in lieu thereof insert: *"to the county board"*; line 40, after the word "transactions" and before the period insert: *"to the county board"*; line 41, strike the word "moneys" and in lieu thereof insert: *"moneys money"*.

5. In the bill, section 3, line 4, after the word *"and"* insert the word *"the"*; line 6, strike the word "others" and in lieu thereof insert: *"others some other qualified person"* and in said line strike "members *and"* and in lieu thereof insert: *"any of such* members *or the"*.

6. In the bill, title, strike all of line 4 after the semicolon and strike all of lines 5 to 11, inclusive, and in lieu thereof insert the following:

"to authorize the appointment of a county service director and assistants as prescribed; to provide for the removal of such a county service director; to provide the duties of such a county service director; to provide for the salaries of such a county service director and his assistants; to provide for reports to be filed by a county service director; to provide for the expenses of administration thereof and a".

LEGISLATIVE BILL 344. Placed on Select File as amended.

E and R amendments to L. B. 344:

1. In Standing Committee amendment 1, line 3, strike "$50,000" and in lieu thereof insert: "*fifty thousand dollars,*".

2. In the bill, section 1, line 4, strike the word "by" after the word "or" and in lieu thereof insert "~~by~~"; line 9, after the word "than" insert the word "*a*"; line 25, after the word "population" insert the word "*of*"; insert a comma in line 48 after the word "acceptance" and in line 49 after the word "sold", in line 71 after the word "have" and line 91 after the word "corporation" and also after the word "period"; line 118, before the word "case" insert the word "*the*"; line 124, after the semicolon insert the word "*and*"; line 132 strike the comma after the word "*and*"; line 134, strike the word "*a*" before the word "*total*" and in lieu thereof insert the word "*the*"; line 138, after the word "trustee" insert: "*or other fiduciary herein referred to*"; line 140, strike the semicolon and in lieu thereof insert "~~;~~".

3. In the bill, title, line 4, after the word "trustees" insert: ", guardians, executors and administrators as prescribed".

LEGISLATIVE BILL 121. Correctly engrossed.
LEGISLATIVE BILL 373. Correctly enrolled.
LEGISLATIVE BILL 304. Correctly enrolled.
LEGISLATIVE BILL 177. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 177 L. B. 304 L. B. 373

Unanimous Consent

Mr. Sorrell asked unanimous consent that L. B. 385 be returned to General File for the following specific amendment: "Add the emergency clause".

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 321.

Mr. Carlberg's specific amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Mr. Tvrdik offered the following amendment, which was adopted.

Amend section 1 of the bill, line 27, by inserting after the word "care" the following:

", not to exceed sixty dollars per month"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 374.

Mr. Tvrdik offered the following amendment, which was adopted.

1. Amend section 1 of the bill, lines 6 and 7, by striking the words "from the Institution Cash Fund" and substituting in lieu thereof the following:

"out of available cash in the general fund, not otherwise appropriated,".

2. Amend the title to the bill, line 5, by striking the words "Institution Cash Fund" and substituting the following in lieu thereof:

"general fund".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 276. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 284. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 153. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 146. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 215. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 278. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 342. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 239. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 323. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

Mobile X-Ray Unit

Dr. C. A. Selby, Director of Health, extended to the members and employees of the Legislature an invitation to visit the Mobile X-ray Unit, beginning Friday noon, April 20, 1945.

GENERAL FILE

LEGISLATIVE BILL 385

Mr. Sorrell asked unanimous consent to add the emergency clause to L. B. 385.

No objection was offered and it was so ordered.

Advanced to E and R for review.

Special Order of Business

LEGISLATIVE BILL 167.

Mr. Lusienski offered an amendment, which was later withdrawn.

Mr. Lusienski offered the following amendment to his original amendment.

1. Amend the Lusienski amendment number 1 by inserting after the punctuation following the word "appointment" in line 38 the following:

"The board may designate the county clerk as ex officio county assessor, in which event, the duties of the county assessor shall thereafter devolve upon the county clerk, and shall be considered as part of his duties as such county clerk. The county clerk shall receive no compensation for such duties outside of his regular salary as county clerk."

2. Amend the Lusienski amendment number 2 by inserting after the semicolon in the title, following the word "appointment" the following:

"to provide that the county clerk may be appointed ex officio county assessor and thereafter the duties of the county assessor shall devolve upon the county clerk who shall receive no extra compensation for such duties;"

A record vote was requested.

Voting in the affirmative, 11:

Babcock	Hubka	Ogden	Sorrell
Burney	Kain	Pizer	Wood
Crossland	Lusienski	Reavis	

Voting in the negative, 12:

Anderson, J.	Carlberg	Doyle	Herr
Anderson, L.	Carmody	Garber	Hoyt
Burnham	Dooley	Heiliger	Weborg

Not voting, 20:

Adams	Foster	Mekota	Raecke
Brodahl	Hanna	Mueller	Ryan
Conklin	Jeffords	Norman	Schultz
Cronin	Klaver	Peterson	Seaton
Cullingham	Lee	Raasch	Tvrdik

Mr. Lusienski's amendment to his amendment lost with 11 ayes, 12 nays and 20 not voting.

Mr. Peterson offered the following amendment:

By C. Petrus Peterson

1. Amend renumbered section 10 of the bill by striking all of lines 3 to 57, inclusive, and inserting in lieu thereof the following.

"77-1311. The county assessor, in addition to the other duties provided by law, shall revise annually the real estate assessment for the correction of errors, and, where the properties have been assessed entities and afterward part or parts transferred to other parties, to set off and apportion to each its just and equitable portion of the assessed valuation, shall have general supervision over and direction of the assessment of all property in his county. He shall advise and instruct precinct assessors as to their duties, and shall visit them for that purpose as often as possible, and at least once between April 1 and June 1 of each year. He shall require of precinct assessors that the assessment of property by uniform throughout the county, and that the property be assessed as directed by law; and to that end he shall be authorized to alter or change any assessments made by any precinct assessor so that the same shall conform to law. He shall furnish each precinct assessor all necessary blanks, schedules, maps and lists for the purpose of making such assessments, and shall receive from each precinct assessor the assessment rolls, lists of property with oaths attached and schedules, as fast as the same are completed. He shall carefully examine the assessment rolls, lists, schedules and returns made by precinct assessors, and shall see that the same are correctly made and are complete in all respects. He shall require any necessary or proper changes to be made by the precinct assessor before transmitting the same to the county clerk. As soon as the assessment rolls, lists and returns have been corrected and verified by the county assessor, he shall file the same with the county clerk. The county assessor shall obey all rules and regulations made under this chapter and the instructions sent out by the State Board of Equalization and Assessment. It shall be the duty of the county assessor to examine the records in the office of the register of deeds and

county clerk for the purpose of ascertaining whether mortgages on real estate and personal property, mineral leases, title notes, contracts and bills of sale, intended to operate as a lien in the county, have been fully and correctly listed, and shall add to the assessment roll all omitted mortgages, mineral leases, title notes, contracts and bills of sale intended to operate as a lien and belonging to residents of his county, and not otherwise assessed, upon notice to the owner thereof or his agents. He shall examine the records in the office of the county judge and ascertain whether the property belonging to minors, insane and idiotic persons, and the estate of deceased persons have been fully and correctly listed, and shall add to or change any such assessments so that the same shall be fully assessed. He shall examine the records in the office of the clerk of the district court to ascertain whether any judgments or liens thereon filed, belonging to residents of his county, and not otherwise assessed, have been omitted from the assessment rolls, and in case of any such omission, he shall add the same to the assessment roll after notice to the owner. *He shall make up the assessment books as provided in section 77-1303. He shall work full time and his office shall be separate from that of the county clerk except in counties having a population of twenty thousand inhabitants or less where the office of county assessor shall have previously been abolished.*"

2. Amend renumbered section 11 of the bill by striking all of lines 3 to 16, inclusive, and inserting in lieu thereof the following:

"77-1315. The precinct assessors shall complete their assessment rolls, schedules, lists and returns, and deliver the same to the county assessor for revision, not later than the last Monday of May in each year. The county assessor shall complete his revision of the same and shall file them with the county clerk on or before the second Monday of June of each year. In years in which real estate is assessed for taxation purposes, it shall be the duty of the county assessor, before such filing, to notify the record owner of every piece of real estate which has been valued at a higher figure than at the last previous assessment. Such notice may be given by postcard, addressed to said owner's last known address. It shall describe said real estate, and state the old and new valuation thereof and the date of the convening of the board of equalization."

3. Amend the bill by adding immediately after renumbered section 23 the following twelve additional sections:

"Sec. 24. That section 77-408, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-408. Any county assessor or precinct assessor *officer, elective or appointive,* who shall willfully neglect or refuse in whole or in part to perform the duties required *of him* by law

in the assessment of property for taxation, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty dollars nor more than one hundred dollars.

"Sec. 25. That section 77-713, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-713. Every owner of intangible property and every person or corporation having intangible property in his or its custody or under his or its control as agent, trustee, executor, administrator, guardian or other representative capacity in this state, shall on or before the last Monday in May each year list the same for taxation as of April 1 next preceding. The ~~precinct~~ *county* assessor *and his assistants* shall list or aid in listing intangible property and the return for intangible property shall be made a part of the return of tangible property. A return for intangible property shall be prepared and filed by all taxpayers of the state, whether owners of intangible property or not, but a husband and wife living together, each of whom have taxable property, may either file separate returns for intangible property or include the intangible property of both in a joint return.

"Sec. 26. That section 77-1229, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1229. Every person required to list property shall make out and verify by his oath a statement of all personal property which he is required to list, either as owner, lessee or occupant in control thereof, or as parent, guardian, trustee, executor, administrator, receiver, accounting officer, partner or agent, upon the blanks prescribed by the State Tax Commissioner, which shall be delivered to each ~~tax payer~~ *taxpayer* by the ~~precinct~~ *county* assessor *or his assistants* for that purpose, and when so made out shall be by each person verified before the county ~~or precinct~~ assessor *or his assistants.*

"Sec. 27. That section 77-1234, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1234. It shall be the duty of the State Board of Equalization and Assessment, all county boards, *and* county assessors, ~~and precinct assessors,~~ to notify the county attorney of the proper county of all willful violations of the provisions with respect to listing and return of property for taxation known to them, or any of them; and to sign and verify complaints and informations with respect thereto when prepared by the county attorney.

"Sec. 28. That section 77-1235, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1235. In every case where any person shall refuse to make out and deliver to the ~~proper precinct~~ *county* assessor ,

or any of his assistants, the statement required under section 77-1229, or shall refuse to make and subscribe to any of the oaths or affirmations required, the ~~precinct~~ *county* assessor shall proceed to ascertain the number of each description of the several enumerated articles of property and the value thereof; and such ~~precinct~~ *county* assessor shall make a note of such refusal in a column opposite the person's name, and the county assessor shall add to such valuations, ~~when returned by the precinct assessor,~~ fifty per cent on the value returned.

"Sec. 29. That section 77-1314, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1314. The county assessor shall, in the listing and assessing of property, follow the rules and regulations provided by law and the instructions formulated by the State Board of Equalization and Assessment. Whenever it shall appear to the satisfaction of the board that any county assessor has willfully neglected or refused to obey any of the provisions of law, or rules, regulations or instructions of the board, or has willfully neglected and refused to perform any of the duties imposed upon him by law, or by the rules, regulations or instructions of the board, it shall forthwith remove such county assessor from his office, and the office of county assessor of such county shall thereupon become vacant. ~~Provided, further, the precinct assessor shall be under the supervision of the county assessor and county board, the same as the county assessor is under the supervision of the board. No precinct or county assessor shall be removed from office until after he has been notified and given a hearing by such boards.~~

"Sec. 30. *The county assessor, with the consent of the county board, may appoint, without reference to precinct lines, a deputy and such assistants as may be necessary to enable him to properly discharge the duties of his office.*

"Sec. 31. *The county assessor, with the aid of his deputy and assistants, shall carefully check all returns of property for taxation required to be made in his county, and shall value and assess all property subject to taxation therein, unless otherwise provided by law. He shall also perform such duties in the administration of the revenue laws as may be assigned in writing by the Tax Commissioner.*

"Sec. 32. *The county assessor shall have general supervision over and direction of the assessment of all personal property in his county. He shall advise and instruct all deputies and assistants as to their duties, and shall require of his deputies and assistants that the assessment of property be uniform throughout the county, and that property be assessed as directed by law.*

"Sec. 33. *The county assessor, with the aid of his deputies and assistants, shall carefully examine and check all returns of personal property for taxation, and may make such investigation, examination and inspection of the property set out in the return and of the person making the return, his books, records and papers, as will enable the county assessor to determine that all personal property of the taxpayer is listed for taxation at its actual value.*

"Sec. 34. *The county assessor shall have power to add to the return of any taxpayer such items of personal property as he may find have been omitted, and to change the estimated valuation of any item of property in the return to conform to what he deems to be its actual value. Notice that a change has been made in the return shall be given to the taxpayer or his agent by post card, addressed to the address of the taxpayer set out in the return.*

"Sec. 35. *The office of precinct assessor is abolished, and wherever the words "precinct assessor" may appear in any statute, they shall be construed to refer to and mean county assessor.*"

4. Amend renumbered section 24 by striking all of the section and inserting in lieu thereof the following:

"Sec. 36. That original sections 32-211, 77-408, 77-518, 77-519, 77-713, 77-1211, 77-1219, 77-1229, 77-1234, 77-1235, 77-1239, 77-1240, 77-1303, 77-1307, 77-1311, 77-1314, 77-1315, 77-1316, 77-1317, 77-1319, 77-1601, 77-1603, 77-1604, 77-1605, 77-1606, 77-1608, 77-1613, 77-1615 and 77-1616 and also sections 77-402, 77-403, 77-405, 77-406, 77-1305, 77-1309 and 77-1310, Revised Statutes of Nebraska, 1943, are repealed."

5. Amend the title of the act by striking all of the same following the word "ACT" and inserting in lieu thereof the following:

"to amend sections 32-211, 77-408, 77-518, 77-519, 77-713, 77-1211, 77-1219, 77-1229, 77-1234, 77-1235, 77-1239, 77-1240, 77-1303, 77-1307, 77-1311, 77-1314, 77-1315, 77-1316, 77-1317, 77-1319, 77-1601, 77-1603, 77-1604, 77-1605, 77-1606, 77-1608, 77-1613, 77-1615 and 77-1616, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide for the assessment of motor vehicles; to provide that assessors shall work full time; to provide that assessors' offices shall be separate from those of county clerks except in counties having a population of twenty thousand inhabitants or less where the office of county assessor shall have been previously abolished; to properly designate the county board of equalization when the county board sits and acts as such board of equalization; to provide for the abolition of the office of precinct assessor; to provide for the powers and duties of county assessors and assistants; to provide for the listing of property for

taxation by each taxpayer; and to repeal the original sections and sections 77-402, 77-403, 77-405, 77-406, 77-1305, 77-1309 and 77-1310, Revised Statutes of Nebraska, 1943."

Mr. Mueller made a motion that L. B. 167 be indefinitely postponed.

The motion lost with 12 ayes, 18 nays and 13 not voting.

Mr. Mueller asked unanimous consent to have his name withdrawn from the bill.

No objection was offered and it was so ordered.

Mr. Hanna asked unanimous consent to have his name added to the bill.

No objection was offered and it was so ordered.

Mr. Peterson's amendment was adopted with 18 ayes, 11 nays and 14 not voting.

Mr. Hanna made a motion to advance the bill to Enrollment and Review for review.

The motion prevailed with 16 ayes, 13 nays and 14 not voting.

Approved by the Governor

April 20, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 350.

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y. to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 258. Correctly engrossed.
LEGISLATIVE BILL 269. Correctly enrolled.

LEGISLATIVE BILL 187. Correctly enrolled.
LEGISLATIVE BILL 257. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed,

L. B. 269 L. B. 187 L. B. 257

RECESS

At 11:45 a. m., Mr. Hern made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

Roll was called and all members were present except Messrs. Cronin, Lee, Norman, Raasch, Reavis, Schultz and Seaton, who were excused.

Legislature at Ease

Mr. Mekota requested that the Legislature be at ease until 2:30, and the request was granted.

Unanimous Consent

Mr. Mekota asked unanimous consent to take up Select File.

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 215.

Mr. Mekota asked unanimous consent for the adoption of the following amendment:

Amend section 3 of the mimeographed amendments adopted April 12, 1945, line 8, by inserting after the word "purposes" the following:

"in an amount not to exceed three per cent of the actual valuation of the property in such city or village"

Advanced to E and R for engrossment.

GENERAL FILE

Special Order of Business

LEGISLATIVE BILL 180.

Mr. Hubka's amendments found in the Legislative Journal for the Seventy-third Day were withdrawn.

Mr. Hubka offered the following amendment:

1. Amend section 1 of the bill, lines 17 to 19, inclusive, by striking the new matter therein contained.

2. Amend section 2 of the bill by striking committee amendment 2 and new matter in lines 23 and 24.

3. Amend section 4 of the bill, by striking the same and inserting in lieu thereof:

"Sec. 4. *For any loss of, or damage to, any property left by a guest after he has departed from any hotel, restaurant, apartment house or rooming house, and ceased to be a guest thereof, the liability of the proprietor thereof, whether or not such loss or damage is occasioned by the negligence of such proprietor, his agents or servants, shall be that of gratuitous bailee, and the amount which may be recovered against such proprietor shall not exceed the sum of one hundred fifty dollars unless the guest shall have declared a greater value upon the property in writing and delivered such declaration while a guest thereof to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed in an amount not in excess of the value so declared. Forms for making such declaration shall be furnished by the hotel, restaurant, apartment house or rooming house and a copy thereof, signed by the proprietor or his agent, shall be delivered to the guest.*"

4. Amend section 5 of the bill, by striking the same and inserting in lieu thereof:

"Sec. 5. *For any loss of, or damage to, any property of a guest while in transport to or from any hotel, restaurant, apartment house or rooming house, whether or not such loss or damage is occasioned by the negligence of such proprietor, his*

agents or servants, the amount which may be recovered against such proprietor shall not exceed five hundred dollars unless the guest shall have declared a greater value upon the property in writing and delivered such declaration while a guest thereof to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed in an amount not in excess of the value so declared. Forms for making such declaration shall be furnished by the hotel, restaurant, apartment house or rooming house and a copy thereof, signed by the proprietor or his agent, shall be delivered to the guest."

5. Amend the bill by striking Standing Committee amendment 3 and inserting in lieu thereof:

"Sec. 6. *For any loss of, or damage to, any property brought into any hotel, restaurant, apartment house or rooming house, arising out of the negligence of the proprietor, his agents or servants, the proprietor thereof shall not be liable for an amount in excess of five hundred dollars unless such guest shall have declared a greater value upon the property in writing and delivered such declaration, while a guest, to the hotel, restaurant, apartment house or rooming house, in which event recovery of the actual damages sustained may be allowed but not in excess of the value so declared. Forms for making such declaration shall be furnished by the hotel, restaurant, apartment house or rooming house and a copy thereof signed by the proprietor or his agent shall be delivered to the guest."*

Mr. Peterson offered the following amendment to Mr. Hubka's amendment, which was adopted.

Amend the amendment by changing paragraph 2 to read "Amend by striking section 2 of the bill and amending the title and repealing clause to conform".

Mr. Hubka's amendment, as amended was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 307. Read and considered.

Mr. Ogden offered the following amendment.

1. Amend the bill, by adding a new section, to be numbered 16, reading as follows:

"Sec. 16. *This act shall not become operative in any city of the metropolitan class until the city council of any such city shall have*

had an opportunity to submit the proposition of the acceptance and approval to the electors thereof. At the first general or special election held in any city of the metropolitan class after the effective date of this act, it shall be the duty of the city council to cause the proposition of the acceptance and approval of the provisions of this act to be submitted to the electors thereof. The proposition shall be submitted in the same manner and form, as nearly as possible, as provided by section 14-210 for submission of ordinances by initiative in metropolitan cities. If a majority of the electors voting on such proposition shall vote in favor thereof, then the provisions of this act shall, upon canvass of the vote and certification of the result of the election, become fully operative. If the city council shall fail, neglect or refuse to submit such proposition at the first general or special election held after the effective date of this act, the provisions of this act shall become thereupon fully operative to the same extent and with the same force and effect as though accepted and approved by the electors of such city."

2. Renumber section 16 as section 17.

3. Amend the title by inserting after the punctuation following the word "cities" in line 15, the following:

"to require submission to the electors of any such city of the proposition of acceptance and approval of the provisions of this act; to provide that this act shall not become operative in any such city until opportunity to submit such proposition to the electors has been had; to prescribe the effect of failure to submit such proposition;"

A record vote was requested.

Voting in the affirmative, 9:

Crossland	Jeffords	Klaver	Raecke
Garber	Kain	Ogden	Tvrdik
Hanna			

Voting in the negative, 22:

Adams	Carmody	Hoyt	Peterson
Anderson, J.	Dooley	Hubka	**Pizer**
Anderson, L.	Doyle	Lusienski	**Ryan**
Babcock	Foster	Mekota	Sorrell
Brodahl	Heiliger	Mueller	**Wood**
Burnham	Hern		

Not voting, 12:

Burney	Cronin	Norman	Schultz
Carlberg	Cullingham	Raasch	Seaton
Conklin	Lee	Reavis	Weborg

Mr. Ogden's amendment lost with 9 ayes, 22 nays and 12 not voting.

Mr. Peterson offered the following amendment, which was adopted.

Insert in line 34, of Section 2, after the word "effective" the words "and before the effective date of any Home Rule Charter provisions of a city of the metropolitan class at variance herewith".

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 199. Correctly engrossed.
LEGISLATIVE BILL 385. Placed on Select File.
LEGISLATIVE BILL 105. Correctly engrossed.
LEGISLATIVE BILL 224. Correctly engrossed.
LEGISLATIVE BILL 225. Correctly engrossed.
LEGISLATIVE BILL 243. Correctly engrossed.
LEGISLATIVE BILL 316. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 4:05 p. m., Mr. Raecke made a motion to adjourn.

The motion prevailed with 18 ayes, 8 nays and 17 not voting.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 23, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mekota and Norman, who were excused.

The Journal for the seventy-sixth day was approved as corrected.

Communications

Letter of thanks and appreciation from Senator William J. Norman.

Letter of acknowledgement from the Under Secretary of State, Washington, D. C., relative to Resolution 12.

Letter to Mr. Frank Sorrell from Mr. Kenneth S. Wherry, of the United States Senate.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 41. Placed on Select File as amended.

E and R amendments to L. B. 41:

1. In Standing Committee amendment 1, inserted matter, section 1, line 25, strike the comma after the word "*dollars*"; in section 2, insert a comma in line 4 after the word "act", line 5 after the word "guardian" and also after the word "sought" and line 6 after the word "made"; line 10, strike the comma at the end of the line; in

section 3, line 4, insert a comma after the word "sale"; line 6, strike "with condition" and in lieu thereof insert: "with condition *conditioned*"; line 8, strike the comma after "administrators" and in lieu thereof insert ","; line 11, strike the comma after the word *"dollars"*; in section 4, lines 6 and 7, strike "with condition" and in lieu thereof insert: "with condition *conditioned*"; line 8, insert a comma after the word "sale" and after the word "after" insert the word *"the"*; line 11, strike the comma after the word *"dollars"*; in section 5, line 3, insert a comma after the word "executed"; line 10, strike the word *"the"* after the word *"by"* and in lieu thereof insert: *"such a"* and strike the comma at the end of said line; in section 6, line 12, insert a comma after the word "sale"; line 19, strike the comma after the word *"dollars"*.

2. In Standing Committee amendment 2, inserted matter, strike all of lines 5, 6 and 7 and in lieu thereof insert the following:

"that if the assets of the estate of a person under guardianship or the value of the real property to be sold by the guardian is valued at one thousand dollars or more or if the money to be raised by a mortgage made by a guardian on real estate of his ward amounts to one thousand dollars or more, the".

LEGISLATIVE BILL 191. Placed on Select File with amendments.

E and R amendments to L. B. 191:

1. In General File amendment to section 1, by Mr. Adams, inserted matter, strike the word "wage" and in lieu thereof insert the word *"wages"*.

2. In the bill, section 1, line 3, after the word "The" insert *"(1)"*; lines 4 and 5, strike "and the" and in lieu thereof insert: "and the *(2)*"; strike the comma and in lieu thereof insert "," in line 5 after "profits", line 6 after "personal" and also after "property", in line 7 after "devise", in line 8 after "otherwise" and in line 10 after "husband"; line 5, strike ", and any" and in lieu thereof insert: ", and any *(3)*"; line 6, after the word "by" insert *"(a)"*; line 7, strike ", or" and in lieu thereof insert: ", or (b)"; line 10, strike "the disposal of" and in lieu thereof insert: "the disposal of *by*".

LEGISLATIVE BILL 250. Placed on Select File as amended.

E and R amendments to L. B. 250:

1. In the bill, section 1, line 5, insert a comma before the word "as"; lines 11 and 12, strike "; such" and in lieu thereof insert:

"; such . *Such*"; line 12, strike "to include the following subjects;" and in lieu thereof insert: "to *shall* include the following subjects:"; line 25, strike the word "*purpose*" and in lieu thereof insert the word "*purposes*" (correct in printed bill).

2. In the bill, section 2, line 6, before the word "felony" insert the word "*a*".

3. In the bill, title, line 4, before the word "approval" insert the word "the"; strike all of line 5 after the semicolon and all of lines 6 and 7 and "ber Examiners;" in line 8 and in lieu thereof insert the following:

"to authorize the Department of Health to either refuse to issue or to suspend or revoke a certificate of registration of a barber for violation of any valid regulation promulgated by the Board of Barber Examiners pertaining to service charges and the elimination of unfair and insanitary practices;".

LEGISLATIVE BILL 318. Placed on Select File as amended.

E and R amendments to L. B. 318:

1. In the bill, section 1, line 8, strike "." " and in lieu thereof insert: "." .".

2. In the bill, title, line 4, strike the word "certain" and in lieu thereof insert: "the specified"; line 5, strike the period at the end of the line and in lieu thereof insert: "; and to declare an emergency.".

LEGISLATIVE BILL 339. Placed on Select File as amended.

E and R amendments to L. B. 339:

1. In the bill, section 1, line 2, strike the word "in" and in lieu thereof insert the word "of"; strike all of lines 3 and 4 and in lieu thereof insert the following:

"state to purchase, operate and maintain bridges extending across";

line 6, strike the word "of" after the word "and".

2. In the bill, title, strike all of line 3 and strike all of the remainder of the title, and in lieu thereof insert the following:

"maintenance by counties, cities and towns of an adjoining state of the prescribed bridges, extending across a stream which, at

the point of crossing, is on a boundary line of the State of Nebraska, and a right-of-way to give access to such a bridge from the highway system of this state.".

LEGISLATIVE BILL 365. Placed on Select File as amended.

E and R amendments to L. B. 365:

1. In the bill, section 1, line 2, strike the comma after the word "administration"; line 5, strike "by mail"; line 6, after the word "Nebraska" insert: "by mail".

2. In the bill, title, line 5, strike the comma after the word "administration"; strike the period at the end of the last line and in lieu thereof insert the following: "; and to provide for the contents of such a notice.".

LEGISLATIVE BILL 366. Placed on Select File as amended.

E and R amendments to L. B. 366:

1. In the bill, section 1, strike all of line 9 after the period and strike "than sixty thousand, if" in line 10, and in lieu thereof insert: "~~In any county having a population of not more than sixty thousand,~~ *If*"; line 11, after the word "commissioner" and before the comma, insert: "*in any such county*"; line 20, strike the comma after the word "expenses" and in lieu thereof insert "~~,~~".

2. In the bill, title, line 3, insert the word "the" after the word "for" and also at the end of the line after the word "of".

LEGISLATIVE BILL 368. Placed on Select File as amended.

E and R amendment to L. B. 368:

In the bill, section 1, line 5, strike "moneys have" and in lieu thereof insert: "~~moneys have~~ *money has*"; line 13, strike the word "the" at the end of the line and in lieu thereof insert "~~the~~".

LEGISLATIVE BILL 371. Placed on Select File as amended.

E and R amendments to L. B. 371:

1. Strike Standing Committee amendment 2.

2. In the bill, section 1, line 4, after the word "upon" insert the word "the"; line 5, strike ", together with" and in lieu thereof

insert the word "and"; line 22, strike "No. ———" and in lieu thereof insert "371" and in said line strike the comma after the word "Session" and in lieu thereof insert: "of the".

3. In the bill, section 2, strike all of line 1 beginning with the word "Certified" and all of line 2 up to the word "may" and in lieu thereof insert the following:

"A certified copy or copies of the certificate of birth of any such legitimized child".

4. In the bill, title, strike all of lines 3 and 4, and in lieu thereof insert the following:

"procedure for the issuance of a birth certificate for a child born in Nebraska out of wedlock who is legitimated by the".

LEGISLATIVE BILL 378. Placed on Select File as amended.

E and R amendments to L. B. 378:

1. In the bill, section 1, lines 3 and 4, strike ", and to pay the fee," and in lieu thereof insert: "; and to pay the fee,"; line 4, before the word "fails" insert: "*inclusive, and amendments thereto,*"; line 5, insert a comma after the word "report".

2. In the bill, title, line 4, after the word "file" insert the word "a" and in said line, after the word "pay" insert the word "the"; line 7, strike the word "before" and in lieu thereof insert the word "without".

LEGISLATIVE BILL 218. Correctly engrossed.
LEGISLATIVE BILL 299. Correctly engrossed.
LEGISLATIVE BILL 323. Correctly engrossed.
LEGISLATIVE BILL 384. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 391. By Committee on Appropriations, A. J. Brodahl, Chairman

A bill for an act to amend section 68-303, Revised Statutes of Nebraska, 1943, relating to State Assistance Fund; to increase the maximum salary to be paid to the Director of Assistance; and to repeal the original section.

LEGISLATIVE BILL 392. By Committee on Appropriations, A. J. Brodahl, Chairman

A bill for an act to amend section 68-310, Revised Statutes of Nebraska, 1943, relating to state assistance fund; to provide for the use of such money from the state assistance fund for child welfare services, including boarding home care, and for crippled children services, as may be appropriated by the Legislature for that purpose; and to repeal the original section.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended, and that committee hearing on L. B. 391 be waived, and the bill be placed on General File. (Signed) A. J. Brodahl

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Mr. President: I move that the rules be suspended, and that the committee hearing be waived on L. B. 392, and same be placed on General File. (Signed) A. J. Brodahl

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 148. With emergency.

A bill for an act relating to rural cemetery districts; to provide procedure for the organization and operation of a cemetery district; to provide for the establishment of such a district; to provide that when a district has been organized, it shall have all the powers and duties and be subject to all the liabilities and restrictions incident to cemetery associations organized under Article 5, Chapter 12, Revised Statutes of Nebraska, 1943, except as changed, enlarged or restricted by the provisions of this act; to provide for the officers and trustees thereof and their duties; to provide for the issuance of warrants; to provide for the levy and collection of taxes upon the prescribed taxable property in such districts; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Reavis
Anderson, J.	Crossland	Kain	Ryan
Anderson, L.	Cullingham	Lee	Schultz
Babcock	Dooley	Lusienski	Seaton
Brodahl	Doyle	Mueller	Sorrell
Burney	Foster	Ogden	Tvrdik
Burnham	Hanna	Peterson	Weborg
Carlberg	Heiliger	Pizer	Wood
Carmody	Hern	Raasch	
Conklin	Hoyt	Raecke	

Voting in the negative, 0.

Not voting, 5:

Garber	Klaver	Mekota	Norman
Hubka			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 228.

A bill for an act to amend sections 77-708, 77-709 and 77-710, Revised Statutes of Nebraska, 1943, relating to banks; to provide for the manner of making the return and assessment of the shares of the capital stock of banks, industrial loan and investment companies and trust companies; to provide that such banks, industrial loan and investment companies and trust companies shall pay the tax and have a lien upon the shares of capital stock for repayment; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Crossland	Kain	Raecke
Anderson, J.	Cullingham	Klaver	Reavis
Anderson, L.	Dooley	Lee	Ryan
Babcock	Foster	Lusienski	Seaton
Brodahl	Garber	Mueller	Sorrell

Carlberg	Hanna	Ogden	Tvrdik
Carmody	Heiliger	Peterson	Weborg
Conklin	Hoyt	Pizer	Wood
Cronin	Jeffords	Raasch	

Voting in the negative, 1:

Doyle

Not voting, 7:

Burney	Hern	Mekota	Schultz
Burnham	Hubka	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 205. With emergency.

A bill for an act to amend section 39-242, Revised Statutes of Nebraska, 1943, relating to highways; to increase the levy of assessment that may be levied in improving roads in road districts; to provide that voluntary contributions shall become a part of the district road fund of the district, precinct or township in which taxes are levied and shall be used exclusively in improving public highways of such district; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cronin	Jeffords	Raecke
Anderson, J.	Crossland	Kain	Reavis
Anderson, L.	Cullingham	Klaver	Ryan
Babcock	Dooley	Lee	Schultz
Brodahl	Doyle	Lusienski	Seaton
Burney	Foster	Mueller	Sorrell
Burnham	Hanna	Ogden	Tvrdik
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hern	Pizer	Wood
Conklin	Hoyt	Raasch	

Voting in the negative, 0.

Not voting, 4:

Garber Hubka Mekota Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 285. E and R amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 327. E and R amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 344. E and R amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 385.

Advanced to E and R for engrossment.

Approved by the Governor

April 21, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 373	L. B. 269	L. B. 177
L. B. 304	L. B. 257	L. B. 187

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 21, 1945, at 11:45 a. m.

L. B. 177	L. B. 257	L. B. 304
L. B. 187	L. B. 269	L. B. 373

LEGISLATIVE BILL 217. Placed on Select File as amended.

E and R amendments to L. B. 217:

1. In Standing Committee amendment 7, line 1, after the word "same" insert: "after "Sec. 2." in line 1".

2. In General File amendment 3, by Messrs. Lee and Seaton, to Article 6, section 2, last line, strike the period and in lieu thereof insert a semicolon.

3. In General File amendment 4, by Messrs. Lee and Seaton, line 3, strike the word "Capitol" and in lieu thereof insert: "state capitol"; line 5, strike the period after the word "office" and in lieu thereof insert a semicolon, also in the last line after the word "compensation".

4. In General File amendment 5, by Messrs. Lee and Seaton, line 3, after the quotation mark and before the word "Auditor" insert the word "the".

5. In General File amendment by Messrs. Lee and Seaton, to Article 3, section 1, inserted matter, line 4, strike the word "any".

6. In the bill, Article 1, section 2, line 4, strike "(a)" and in lieu thereof insert "(1)"; line 6, strike "(b)" and in lieu thereof insert "(2)"; section 3, line 2, strike "."" and in lieu thereof insert: "".".

7. In the bill, Article 2, section 5, line 2, before the word "operation" insert the word "the"; strike all of line 3 and in lieu thereof insert: "such as the utility, public health, police and fire departments."; Section 7, at the end of line 3, after the word "requiring" insert the word "the"; Section 12, insert the word "the" in line 2 after the word "for" and in line 4 after the word "by"; insert a comma in line 4 after the word "department" and in line 5 after the word "municipality"; Section 13, line 6, strike "; two" and in lieu thereof

insert: ": Two"; Section 14, line 4, strike ", provided" and in lieu thereof insert: "; *Provided,*"; Section 17, at the end of line 2, after the word "participant" insert the word "and"; Section 18, line 3, before the word "then" insert the word "and"; Section 19, line 7, strike "(a)" and in lieu thereof insert "(1)"; line 10, strike "(b)" and in lieu thereof insert "(2)"; Section 23, line 2, and Section 24, line 2, strike "municipality contributions" and in lieu thereof insert: "the contributions by the municipality"; Section 26, line 1, after the word "means" insert "(1)"; line 2, strike "; or" and in lieu thereof insert ", (2)"; line 4, strike "; or" and in lieu thereof insert: "or (3)"; line 5, strike the comma after the word "survives"; Section 29, line 2, strike the comma after the word "annually" and in said line insert a comma after the word "rate".

8. In the bill, Article 3, section 1, line 3, before the word "subject" insert the word "be"; line 10, strike "of this system"; line 14, after the word "following" insert the word "the".

9. In the bill, Article 4, Section 1, line 9, strike "(a)" and in lieu thereof insert "(1)"; line 10, insert a comma after the word "annum"; line 14, strike the period and in lieu thereof insert a semicolon; line 15, strike "(b)" and in lieu thereof insert "(2)"; line 24, strike the period and in lieu thereof insert: "; and "; line 25, strike "(c)" and in lieu thereof insert "(3)"; line 33, insert a comma after the word "funds"; Section 2, line 5, strike "(a)" and in lieu thereof insert "(1)"; line 8, strike the period and in lieu thereof insert a semicolon; line 9, strike "(b)" and in lieu thereof insert "(2)"; line 21, strike ", provided" and in lieu thereof insert: "; *Provided,*".

10. In the bill, Article 5, Section 1, line 6, strike the word "provided" and in lieu thereof insert the word "if"; line 7, strike "(a)" and in lieu thereof insert "(1)"; strike the period and in lieu thereof insert a semicolon in lines 11 and 19; line 12, strike "(b)" and in lieu thereof insert "(2)" and in said line strike "(1)" and in lieu thereof insert "(a)"; line 13, strike ", or (2)" and in lieu thereof insert: "or (b)"; line 20, strike "(c)" and in lieu thereof insert "(3)"; insert a comma in line 20 after the word "participant", line 22 after the word "participant", line 26 after the word "that" and in line 27 after the word "cause"; line 26, strike ", provided, however" and in lieu thereof insert: "; *Provided, however*"; Section 2, line 6, strike "(a)" and in lieu thereof insert "(1)"; strike the comma and in lieu thereof insert a semicolon at the end of lines 8 and 11; line 9, strike "(b)" and in lieu thereof insert "(2)"; line 12, strike "(c)" and in lieu thereof insert "(3)"; line 13, strike the word "provided" and in lieu thereof insert: "*Provided,*"; lines 15 and 16, strike ", and; provided" and in lieu thereof insert: "; *and provided further,*"; line 19, strike the comma after the word "participant" and in lieu thereof insert a semicolon; line 20, strike "(d)" and in lieu thereof insert

"(4)"; line 23, strike the word "provided" and in lieu thereof insert: "*Provided,*"; line 25, strike "(1)" and in lieu thereof insert "(a)"; lines 26 and 27, strike ", or (2)" and in lieu thereof insert: "or (b)"; Section 4, line 4, strike ", provided" and in lieu thereof insert: "; *Provided,*".

11. In the bill, Article 6, Section 2, line 14, strike the word "on" and in lieu thereof insert the word "upon"; strike the period and in lieu thereof insert a semicolon at the end of lines 17, 21, 46, 48, 50, 57, 62, 70 and 75; strike the period at the end of line 54 and in lieu thereof insert: "; and", also at the end of line 79; insert a comma in line 87 after the word "and" and in line 88 after the word "advice"; line 89, strike the comma after the word "for"; line 98, strike the comma at the end of the line and in lieu thereof insert a semicolon; strike the comma before the word "and" and in lieu thereof insert a semicolon in lines 99 and 106; strike the period and in lieu thereof insert a semicolon at the end of lines 100, 101 and 104; at the end of line 111, after the word "The" insert the word "State"; Section 4, line 3, insert a comma after the word "vouchers"; line 15, strike ", and no" and in lieu thereof insert: ". No"; Section 5, line 9, strike the period and in lieu thereof insert: "; and"; Section 6, line 5, insert a comma after the word "municipalities"; line 15, strike the period and in lieu thereof insert: "; and".

12. In the bill, Article 7, Section 1, line 11, insert a comma after the word "shall"; Section 4, line 3, strike the word "shall".

13. In the bill, title, line 4, strike the period and in lieu thereof insert the following:

"not excepted therefrom; to provide a savings clause; to make certain acts unlawful; and to provide for penalties for the violation thereof.".

LEGISLATIVE BILL 332. Placed on Select File as amended.

E and R amendments to L. B. 332:

1. In Standing Committee amendment 1, line 2, after the word "*parochial*" and before the quotation mark insert the word "schools"; line 3, after the word "*for*" insert "the"; line 4, after the word "*high*" and before the quotation mark insert the word "schools".

2. In Standing Committee amendment 3, line 2, after the word "public" and before the period insert: "and inserting "public" ".

3. In the bill, section 1, line 12, after the word "*provided*" strike the comma and in lieu thereof insert ";".

4. In the bill, title, strike all of line 6, and in lieu thereof insert: "charge, all water for public and parochial grade and high".

LEGISLATIVE BILL 35. Correctly enrolled.
LEGISLATIVE BILL 239. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 35

MOTION—In Honor of J. Sterling Morton

I move that we arise and pause a moment from our deliberations in honor of that sterling character, J. Sterling Morton, who had the foresight to establish Arbor Day. (Signed) Frank Sorrell

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 71. Read and considered.

Standing Committee amendments, as mimeographed, were adopted, excepting Standing Committee amendment 1 to Sec. 24, which was laid over.

Mr. Pizer offered the following amendment, which was adopted.

Amend line 57, Sec. 13, by striking out the figure "$8,000.00" and inserting therein "$11,000.00".

Mr. Hoyt offered the following amendments, which were adopted,

1. Amend section 19 of the Standing Committee amendment to the bill, lines 43 and 44, by striking the following:

", seed testing".

2. Amend section 19 of the Standing Committee amendment to the bill, lines 48 and 49, by striking the following:

"including amount necessary for seed testing activities of the department and,"

3. Amend section 19 of the Standing Committee amendment to the bill, by inserting immediately after line 151 the following:

"Seed testing laboratory: Salaries, wages, maintenance and support of the laboratory as provided by Legislative Bill 131, Fifty-eighth Session of the Nebraska State Legislature, 1945, appropriate $19,000.00 out of the unexpended balance on hand as of June 30, 1945, in the Bureau of Dairies and Foods, Auditor account No. 121, and all fees collected from seed testing and other miscellaneous receipts for the biennium 1945-1947, not to exceed.....$20,000.00"

Mr. Hoyt offered the following amendment, which was adopted.

Amend section 19 of the Standing Committee amendment to the bill, line 63, by striking the figures "$207,430.00" and inserting in lieu thereof "$200,000.00."

RECESS

At 12:00, noon, Mr. Mueller made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

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

Speaker Peterson Presiding

LEGISLATIVE BILL 71.

Mr. Carmody offered the following amendment, which was adopted.

Amend the Standing Committee amendments to L. B. 71, Section 19, line 37, by striking the figures "$30,000.00" and inserting in lieu thereof the figures "$35,000.00".

Laid over.

LEGISLATIVE BILL 70. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 370.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Mr. Klaver offered the following amendment.

Amend line 13 in Section 8, of L. B. 370, reading, "county assessor, the sum of forty-five hundred dollars" be stricken and the same to read "county assessor, the sum of five thousand dollars".

Mr. Klaver moved a call of the House.

A call of the House was ordered and after call the roll showed 38 members present.

Mr. Hern moved that the call be raised and the motion prevailed with 25 ayes, 0 nays and 18 not voting.

Mr. Klaver's amendment was adopted with 18 ayes, 14 nays and 11 not voting.

Mr. Peterson offered the following amendment:

1. Amend section 7 of the bill by striking all of lines 11 and 12 and inserting in lieu thereof the following:

"register of deeds, the sum of ~~twenty-eight~~
thirty-two hundred ..... dollars;"

2. Amend section 7 of the bill, line 13, by striking the words "thirty-two" and inserting in lieu thereof the words "*thirty-six*"

3. Amend section 7 of the bill, lines 14 and 15, by striking the words "twenty-seven hundred fifty" and inserting in lieu thereof the words "*three thousand*"

4. Amend section 7 of the bill by striking all of lines 16 and 17 and inserting in lieu thereof the following:

"county judge, the sum of ~~thirty-seven hundred~~
five thousand ..... dollars;"

5. Amend section 7 of the bill, line 20, by striking the words "thirty-two" and inserting in lieu thereof the words "*thirty-six*"

6. Amend section 7 of the bill, line 21, by striking the words "thirty-two" and inserting in lieu thereof the words "*thirty-six*"

7. Amend section 7 of the bill, line 22, by striking the words "three thousand" and inserting in lieu thereof the words "*thirty-two hundred*"

8. Amend section 7 of the bill, line 25, by striking the words "thirty-four" and inserting in lieu thereof the words "thirty-six"

A record vote was requested.

Voting in the affirmative, 19:

Adams	Foster	Lusienski	Ryan
Anderson, J.	Heiliger	Mekota	Sorrell
Anderson, L.	Hoyt	Ogden	Tvrdik
Brodahl	Klaver	Peterson	Wood
Conklin	Lee	Pizer	

Voting in the negative, 11:

Burnham	Doyle	Kain	Schultz
Carlberg	Hanna	Raasch	Weborg
Carmody	Hern	Raecke	

Not voting, 13:

Babcock	Cullingham	Hubka	Norman
Burney	Dooley	Jeffords	Reavis
Cronin	Garber	Mueller	Seaton
Crossland			

Mr. Peterson's amendment was adopted.

Mr. Reavis offered the following amendment, which was adopted.

Amend section 4 by striking in line 8, the words "twenty-four" and inserting in lieu thereof the words "twenty-six".

Line 16, strike the words "twenty-two hundred fifty" and insert in lieu thereof "twenty-four hundred".

Line 17, strike the italicized words "thirty-five" and insert in lieu thereof "twenty-six".

Line 20, strike "twenty-four" and insert the words "twenty-six".

Line 21, strike "twenty-four" and insert in lieu thereof the words "twenty-six".

Line 22, strike the words "two thousand" and insert in lieu thereof the words "twenty-two hundred".

Line 27, reinsert stricken word "fourteen" and strike italicized word "sixteen".

Mr. Brodahl offered the following amendment, which was adopted.

Amend Section 4, L. B. 370, as follows:

Line 12, strike "twenty-one hundred" and insert in lieu thereof the words "eighteen hundred".

Mr. Hubka offered the following amendment:

Amend sec. 6, of L. B. 370, by striking in line 15, the words "forty-two" and inserting in lieu thereof the words "thirty-two".

Mr. Lee offered the following amendment to Mr. Hubka's amendment.

Amend the Hubka amendment to L. B. 370, section 6, by striking the words "thirty-two" and inserting in lieu thereof the words "thirty-six".

A record vote was requested.

Voting in the affirmative, 14:

Adams	Cullingham	Lee	Peterson
Anderson, J.	Foster	Lusienski	Sorrell
Anderson, L.	Heiliger	Ogden	Wood
Babcock	Klaver		

Voting in the negative, 18:

Burnham	Doyle	Hubka	Reavis
Carlberg	Garber	Kain	Schultz
Carmody	Hanna	Pizer	Seaton
Crossland	Hern	Raecke	Weborg
Dooley	Hoyt		

Not voting, 11:

Brodahl	Cronin	Mueller	Ryan
Burney	Jeffords	Norman	Tvrdik
Conklin	Mekota	Raasch	

Mr. Lee's amendment to Mr. Hubka's amendment was not adopted.

A record vote was requested on Mr. Hubka's amendment.

Voting in the affirmative, 28:

Adams	Crossland	Klaver	Raasch
Anderson, L.	Doyle	Lee	Reavis
Babcock	Foster	Lusienski	Schultz
Brodahl	Hanna	Mekota	Seaton
Burney	Hoyt	Ogden	Sorrell
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood

Voting in the negative, 1:

Anderson, J.

Not voting, 14:

Burnham	Dooley	Kain	Raecke
Carlberg	Garber	Mueller	Ryan
Cronin	Heiliger	Norman	Tvrdik
Cullingham	Hern		

Mr. Hubka's amendment was adopted.

Mr. Kain made a motion to indefinitely postpone L. B. 370.

A record vote was requested.

Voting in the affirmative, 22:

Brodahl	Cronin	Hern	Raasch
Burney	Crossland	Hoyt	Raecke
Burnham	Dooley	Jeffords	Reavis
Carlberg	Doyle	Kain	Schultz
Carmody	Garber	Mekota	Weborg
Conklin	Hanna		

Voting in the negative, 20:

Adams	Foster	Lusienski	Ryan
Anderson, J.	Heiliger	Mueller	Seaton
Anderson, L.	Hubka	Ogden	Sorrell
Babcock	Klaver	Peterson	Tvrdik
Cullingham	Lee	Pizer	Wood

Not voting, 1:

Norman

The motion prevailed.

President Johnson Presiding

LEGISLATIVE BILL 249. Set for Special Order, Tuesday, April 24, 1945.

LEGISLATIVE BILL 307. Laid over.
LEGISLATIVE BILL 161. Laid over.
LEGISLATIVE BILL 261. Amended bill read.

Laid over.

Adjournment

At 5:00 p. m., Mr. Garber made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 24, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

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

The Journal for the seventy-seventh day was approved as corrected.

Communications

Card from A. S. Avery opposing Teacher's Pension Bill.

Petition favoring the bill designating U. S. Highway No. 6 as the Grand Army of the Republic Memorial Highway, with 50 signatures from Omaha and Council Bluffs.

STANDING COMMITTEE REPORTS

Labor

Mr. President: Your Committee on Labor and Public Welfare, to whom was referred Legislative Bill 338, instruct me to report to the Legislature that said Committee cannot agree on the disposition of said bill; neither a motion to indefinitely postpone the bill, nor the motion to report the bill to general file, received a majority vote of the committee.

(Signed) Don E. Hanna, Chairman

MOTIONS—To Instruct Committee

Mr. President: I move that Government Committee be requested to make report to Legislature on L. B. 78. (Signed) Ladd J. Hubka.

Mr. Peterson moved to lay the motion on the table.

The motion prevailed.

Mr. President: I move the Committee on Government be requested to make a report on L. B. Nos. 253, 94, 295. (Signed) F. A. Mueller, Thomas H. Adams, Harry F. Burnham, Fred A. Seaton

Mr. Peterson moved to lay the motion on the table.

The motion prevailed.

RESOLUTION

LEGISLATIVE RESOLUTION 19. Re: Educational privileges of the "GI Bill of Rights".

Introduced by H. P. Heiliger of Lancaster.

WHEREAS, the Federal Government, by the "GI Bill of Rights," has extended to our honorably discharged servicemen and women the opportunity to complete their educations by making loans of not to exceed $500 per year, which amount is payable directly to the educational institutions for tuition, books, supplies, equipment and other necessary school expenses; and

WHEREAS, such payments for tuition are to cover the school's "customary cost of tuition"; and

WHEREAS, the nonresident tuition fee at our publicly-supported university and colleges is higher per school year than the resident tuition fee; and

WHEREAS, by action of the American Association of University Presidents and similar associations, and with the sanction of the Veterans' Administration, the "nonresident" tuition is being collected by publicly-supported universities and colleges from all ex-servicemen and women who desire to avail themselves of the educational privileges of the GI Bill of Rights, regardless of whether or not such servicemen and women are residents and citizens of the state supporting such university or college; and

WHEREAS, by such action our Nebraska boys and girls who are now bravely and unselfishly serving in the Armed Forces will be discriminated against just because they happen to have been in the service, when some other boy or girl who did not serve our country in its time of need will be able to attend our State University and other state schools and colleges without the payment of nonresident tuition; and

WHEREAS, such action casts an additional burden upon the taxpayers of Nebraska, who have supported the state educational institutions and whose sons and daughters who have served or are serving in the Armed Forces are discriminated against because of being compelled to pay the nonresident tuition fee; and

WHEREAS, it is the opinion of the Legislature of Nebraska that such action is not only discriminatory, but also unconstitutional, in that, by requiring payment of such "nonresident" tuition from our Nebraska citizens who served in the armed forces, such action infringes upon their constitutional rights; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA OF THE FIFTY-EIGHTH SESSION:

That the heads of our educational institutions be urged to take immediate action to eliminate such discriminatory and unconstitutional practices which materially deprive ex-servicemen and women of one of their rights of Nebraska citizenship; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the presidents of the educational institutions of Nebraska.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 288. Replaced on Select File as amended.

E and R amendments to L. B. 288:

1. In Section 1, after the word "city" insert: *"or village"*, in lines 9 and 11 and also insert said words in line 7, after the word "city" and before E and R Committee Amendment to said line.

2. In the bill, title, line 3 strike "cities and villages, all" and in lieu thereof insert: "all cities and villages"; and in the Enrollment and Review Committee amendment to the title, inserted matter, line 2, strike the word "such".

LEGISLATIVE BILL 229. Placed on Select File as amended.

E and R amendments to L. B. 229:

1. In the bill, section 1, line 3, strike "," and in lieu thereof insert: ",", "; line 4, before the word "shall" insert: *"as amended,"*; line 5, strike the word "resident" and in lieu thereof insert: *"who are resident residents"*; line 9, insert a comma after the word "who" and

also after the word "defects"; line 10, strike the word "or" and in lieu thereof insert: "or ," and at the end of said line strike the comma; line 15, strike "special statutory provisions" and in lieu thereof insert: "*there are* special statutory provisions *in force in the State*"; strike all of line 16 and in lieu thereof insert: "are in force.".

2. In the bill, title, line 3, after the word "to" insert the word "the"; strike all of lines 5 and 6 and in lieu thereof insert:

"children who, in order to profit from regular school instruction, need facilities not available in the regular public school classes attended by physically normal children, in the".

LEGISLATIVE BILL 319. Placed on Select File as amended.

E and R amendments to L. B. 319:

1. In the bill, section 1, line 4, strike the word "a" before the word "school" and in lieu thereof insert: "*a any*"; line 5, strike "vote of" and in lieu thereof insert: "vote of *the*"; line 6, after the word "to" insert "*(1)*"; line 10, strike ", and to" and in lieu thereof insert "and to *(2)*"; line 13, strike "*of trustees*" and in said line after the word "*may*" insert: ", *in its discretion,*"; line 14, after the word "*for*" insert the word "*the*"; line 15, strike the word "*for*" before the word "*the*" and in lieu thereof insert the word "*of*"; insert a comma in lines 20 and 21 after the word "districts"; line 24, before the word "attendance" insert the word "*the*".

2. In the bill, title, strike the word "such" at the end of line 9 and strike all of lines 10, 11 and 12 and in lieu thereof insert:

"that the board of any school district may contract with another district for the instruction and transportation of pupils for a period of not more than one school year when petitioned to do so by at";

strike all of line 15 after the word "for" and all of line 16, and in lieu thereof insert: "the form of such a contract; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 326. Placed on Select File as amended.

E and R amendments to L. B. 326:

1. In Standing Committee amendment 4, inserted matter, line 6, strike "strike the present" and in lieu thereof insert: "eliminate the"; line 7, after the word "certificate" and before the semicolon insert: "now required by said section".

2. In the bill, section 1, (formerly Sec. 3) line 61, strike "height"; line 63, strike "feet ..... inches" and in lieu thereof insert: "height, ... feet, ... inches,"; line 64, insert "," at the end of the line; line 66, insert "," before "eyes" and also before "having".

LEGISLATIVE BILL 367. Placed on Select File as amended.

E and R amendments to L. B. 367:

1. In the bill, section 1, line 5, strike ", provided" and in lieu thereof insert: ", provided *if*"; line 7, before the word "or" insert the word "*years*"; line 9, insert a comma after the word "years" and before the word "during" and at the end of said line, after the word "of" insert the word "*the*"; insert a comma in line 16 after the word "not", line 21 after the word "otherwise", line 26 after the word "equivalent", line 27, after the word "*may*", and line 28 after the word "*discretion*"; line 16, after the word "when" insert the word "*the*"; line 25, strike the word "who" and in lieu thereof insert: ", who,";.

2. In the bill, section 2, insert a comma in line 8 after the word "not", line 9 before the word "in", line 15 after the word "not", line 26 after the word "*may*" and also after the word "*discretion*"; line 15, strike the word "payments" and in lieu thereof insert: "*the* payments *payment*"; line 24, strike all of said line after the word "who" and in lieu thereof insert: "by the payment of cash **can support the applicant** *by the payment of money; Pro-*".

3. In the bill, title, strike "paupers and public" in line 3 and strike all of lines 4 to 9, inclusive, and in lieu thereof insert the following:

"old age and blind assistance; to change the requirements for being eligible to receive such assistance; to eliminate all relatives, except parents and children, from the requirement that such a person shall not have relatives who can support an applicant for such assistance; to provide that assistance may be paid, in the discretion of the board, to an applicant who is otherwise eligible for a period of time not to exceed sixty days while the ability of the parents and children of such applicant to furnish support is being investigated; and to".

LEGISLATIVE BILL 386. Placed on Select File as amended.

E and R amendments to L. B. 386:

1. In the bill, section 1, line 53, after the word "car" insert the word "from"; line 121, strike the word "lost" and after the word

"gasoline" insert the word "lost"; line 173, strike the word "for" and in lieu thereof insert: "of proposed".

2. In the bill, title, line 4, before the word "secretary" insert the word "the".

LEGISLATIVE BILL 352. Correctly engrossed.
LEGISLATIVE BILL 315. Correctly engrossed.
LEGISLATIVE BILL 311. Correctly engrossed.
LEGISLATIVE BILL 149. Correctly enrolled.
LEGISLATIVE BILL 234. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 149 L. B. 234

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 211.

A bill for an act to amend sections 21-1711, 21-1715, 21-1725, 21-1727, 21-1731, 21-1745 and 21-1751, Revised Statutes of Nebraska, 1943, relating to credit union act; to provide that one copy of an amendment or amendments to the articles of association shall be filed in the office of the county clerk of the county where the credit union has its principal place of business; to provide for the fee for such filing; to provide that a member must own at least one fully paid share to be in good standing, to obtain a loan and to vote at membership meeting; to provide that the board of directors shall determine the rate of dividend and fix the compensation of the treasurer; to provide certain special requirements in regard to loans to a director, officer or member of the credit or supervisory committee; to prohibit endorsements by certain persons; to provide a method for the verification of loan and share accounts; to provide for dividends from net savings instead of net earnings; to provide what the board of directors may, at its option, consider in determining dividends; to provide for the security which may, at the option of the credit committee, be required for loans to members; to provide for the application of share balance when a member is in default, has breached his obligations or is about to leave the field of membership of the credit union; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cronin	Jeffords	Raasch
Anderson, J.	Crossland	Kain	Raecke
Anderson, L.	Cullingham	Klaver	Ryan
Babcock	Doyle	Lee	Schultz
Brodahl	Foster	Lusienski	Seaton
Burney	Hanna	Mueller	Sorrell
Burnham	Heiliger	Ogden	Tvrdik
Carlberg	Hern	Peterson	Weborg
Carmody	Hoyt	Pizer	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Dooley	Hubka	Norman	Reavis
Garber	Mekota		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 220.

A bill for an act to amend section 39-869, Revised Statutes of Nebraska, 1943, relating to interstate bridge commission; to remove the provision that no commissioner shall be eligible for reappointment; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Hoyt	Raasch
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Ryan
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell

Burnham	Garber	Mueller	Tvrdik
Carlberg	Hanna	Ogden	Weborg
Carmody	Heiliger	Peterson	Wood
Conklin	Hern	Pizer	

Voting in the negative, 0.

Not voting, 4:

Hubka	Mekota	Norman	Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 280.

A bill for an act to amend section 17-209, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide for the salaries of village trustees and village marshal; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Crossland	Hoyt	Pizer
Anderson, J.	Cullingham	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Ryan
Brodahl	Foster	Lee	Seaton
Burney	Garber	Lusienski	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Conklin	Hern	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 6:

Carmody	Mekota	Reavis	Schultz
Hubka	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 139. Laid over.
LEGISLATIVE BILL 297. Laid over.
LEGISLATIVE BILL 185.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 41. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Babcock offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 41:

In Sec. 1, line 25 of the Standing Committee amendments
In Sec. 2, line 11 of the Standing Committee amendments
In Sec. 3, line 11 of the Standing Committee amendments
In Sec. 4, line 11 of the Standing Committee amendments
In Sec. 5, line 11 of the Standing Committee amendments
In Sec. 6, line 19 of the Standing Committee amendments

by inserting after the word *"guardian"*, the following:

", if a natural person,"

Amend the title, line 8, of the Standing Committee amendment 2, by inserting ", if a natural person," after the word "guardian".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 191. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 250. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 318. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 339. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 365. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 366. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 368. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 371. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 378. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 217. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Laid over.

LEGISLATIVE BILL 332. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Burney made a motion that L. B. 332 be indefinitely postponed.

A record vote was requested.

Mr. Ryan moved a call of the House.

A call of the House was ordered and after call the roll showed 41 members present.

Mr. Hanna moved that the call be raised.

The motion prevailed with 20 ayes, 15 nays and 8 not voting.

Voting in the affirmative, 19:

Anderson, L.	Carmody	Hern	Mueller
Babcock	Conklin	Hubka	Peterson
Brodahl	Crossland	Jeffords	Raasch
Burney	Garber	Kain	Raecke
Carlberg	Hanna	Lee	

Voting in the negative, 20:

Adams	Dooley	Lusienski	Schultz
Anderson, J.	Doyle	Mekota	Seaton
Burnham	Foster	Pizer	Sorrell
Cronin	Hoyt	Reavis	Tvrdik
Cullingham	Klaver	Ryan	Weborg

Not voting, 4:

Heiliger	Norman	Ogden	Wood

The motion to indefinitely postpone the bill did not prevail.

Mr. Schultz offered the following amendment, upon which no action was taken.

Amend L. B. 332, Sec. 1, line 3, after the word "district" by striking the word "shall" and inserting in lieu thereof the words "may at their discretion".

Laid over.

GENERAL FILE

LEGISLATIVE BILL 261.

Standing Committee amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Mr. Sorrell Presiding

Mr. James H. Anderson offered the following amendments which were adopted.

Amend L. B. 261 as follows:

1. Amend subdivision 2 of Section 2, by striking in line 7 the words "of Lancaster" and inserting in lieu thereof the words "where the aggrieved person resides".

2. Insert after the word "petition" in line 11 of Sec. 2, Subdivision 2, the words "as a case in equity".

3. Amend Sec. 2, Subdivision 2 of L. B. 261, as amended by the J. H. Anderson amendment, by adding after the word "resides" in line 7, the words "but in the event the aggrieved person is a non-resident, then said petition shall be filed in the District Court of Lancaster county".

Advanced to E and R for review.

President Johnson Presiding

Unanimous Consent

Mr. Brodahl asked unanimous consent to consider L. B. 387 and L. B. 390 at this time.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 387. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 390. Read and considered.

Mr. Raecke offered the following amendment, which was adopted.

Amend the title to L. B. 390 by striking the word "second" in line 3 and inserting in lieu thereof the word "first".

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 355. Correctly engrossed.
LEGISLATIVE BILL 184. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

RECESS

At 11:55 a. m., Mr. Cullingham made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

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

Unanimous Consent

Mr. Kain asked to revert to Select File and bring back L. B. 208 for the following specific amendment.

1. Amend the bill by adding immediately after section 16 a new section to be known as section 17, as follows:

"Sec. 17. That section 19-802, Revised Statutes of Nebraska, 1943, be amended to read as follows:

19-802. For the purpose of acquiring and improving an aviation field as hereinbefore authorized, any such city may sell bonds of such city to be designated "aviation field bonds," to provide the necessary funds therefor, in an amount not to exceed one *two* per cent of the assessed valuation of the property in such city. Such bonds shall run for not less than ten nor more than twenty years from the date of issuance thereof, and draw interest at a rate not in excess

of six per cent per annum. Such bonds may not be sold for less than par, and in no case without the proposition of issuing the same having first been submitted to the legal electors of such city at a general or special election held therein, and a majority of the votes cast upon the question of the issue of said bonds being in favor of issuing such bonds; but the authority to sell such bonds as herein provided shall not be limited by any other or special provision of law found elsewhere outside of sections 19-801 to 19-807."

2. Renumber sections 17 and 18 as sections 18 and 19, respectively.

3. Amend the bill by adding immediately after renumbered section 19, a new section to be known as section 20, as follows:

"Sec. 20. That original section 19-802, Revised Statutes of Nebraska, 1943, is repealed."

4. Amend the title of the act, line 2, by inserting after the word "ACT" the following:

"to amend section 19-802, Revised Statutes of Nebraska, 1943,"

5. Amend the title of the act, line 20, by striking the word "and".

6. Amend the title of the act, line 21, by inserting after the word "airports" the following:

"; to provide that for the purpose of acquiring and improving an aviation field any city may sell bonds of such city in an amount not to exceed two per cent of the assessed valuation of the property in such city; and to repeal the original section."

SELECT FILE

LEGISLATIVE BILL 208.

Mr. Kain's specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 332.

Mr. Tvrdik offered the following specific amendment, which was adopted by unanimous consent.

Strike the word "shall" in line 3, Sec. 1, and insert in lieu thereof the words "may in its discretion" and strike the words in line 5, section 1, "The public, and parochial schools". Strike the words "school districts" in line 8, Sec. 1, and insert in lieu thereof the word "schools".

Amend the title in line 4, by striking the word "shall" and inserting in lieu thereof the words "may in their discretion".

Advanced to E and R for engrossment.

Unanimous Consent

Mr. Carlberg asked unanimous consent that L. B. 339 be referred back to Select File for the following specific amendment:

1. In the bill, section 1, strike the period at the end of line 7, and in lieu thereof insert the following:

"; *Provided*, that the consent herein granted shall not be construed to exempt any property acquired hereunder from taxation."

2. In the Enrollment and Review Committee amendment to the title, last line, strike the period and insert the following:

"; and to provide, however, that the consent granted by this act shall not be construed to exempt any property so acquired from taxation.".

No objection was offered. So ordered.

LEGISLATIVE BILL 339.

Mr. Carlberg's specific amendment, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

MOTION—To Return to General File

Mr. President: I move that L. B. 297 be moved back to General File for the following specific amendments. (Signed) Walter R. Raecke.

1. Strike all of the amendments reported by Standing Committee on March 22, 1945, and all amendments thereof by Committee on Enrollment and Review.

2. Amend section 1 of the bill, line 29, by striking the same, and inserting in lieu thereof:

"Except in a district having within its proposed boundaries twenty-five or more cities or villages, the ~~The~~ names and addresses of the members"

3. Amend section 1 of the bill, line 34, by striking the new matter contained therein.

4. Amend section 1 of the bill, lines 35 and 36, by striking the same and inserting in lieu thereof:

"are elected and qualified. *In any proposed district having within its boundaries twenty-five or more cities and villages, the petition shall set forth the number of directors of the district and shall provide that the board of directors to serve until their successors are elected and qualified shall be appointed by the Governor within thirty days after approval of the formation of the district.* In the petition the directors named *or to be appointed by the Governor* shall be divided as nearly as possible"

5. Amend section 1 of the bill, lines 45 to 47, by striking the same and inserting in lieu thereof:

"~~name of each director, it shall be stated~~ *The group to which each proposed director belongs shall be designated in the petition or, in case the district has within its proposed boundaries twenty-five or more cities and villages, shall be set forth in the order of appointment by the Governor.* ~~to which of the three groups he belongs.~~"

6. Amend section 2 of the bill, line 6, by striking the same and inserting in lieu thereof:

"named in the petition, *or appointed by the Governor in case the district has within its boundaries twenty-five or more cities and villages,* shall qualify"

7. Strike all of section 3 of the bill and substitute in lieu thereof the following:

"Sec. 3. That section 70-615, Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-615. A vacancy on the board of directors shall exist in the event of the (a) death, disability or removal from the district of any director, (b) removal from the subdivision from which said director was elected, (c) elimination or detachment from the district of the territory in which a director or directors reside, or (d) failure

of any candidate for director to receive at least five per cent of the number of votes cast at the same election for Governor in the district or in the subdivision of the district, respectively, in which such person is a candidate for director. In the event of a vacancy from any of said causes, or otherwise, such vacancy or vacancies shall, except as to districts referred to in section 70-614.01, be filled by the board of directors *Governor*. The members thus elected to fill vacancies shall serve until members to fill out the balance of such terms, respectively, may be elected at a general election as provided in section 70-610."

8. Amend section 4 of the bill by striking the same and inserting in lieu thereof the following:

"Sec. 4. That section 70-626, Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-626. Subject to the limitations of the petition for its creation and all amendments thereto, a public power district may own, construct, reconstruct, purchase, lease, or otherwise acquire, improve, extend, manage, use or operate any electric light and power plants, lines and systems, either within or beyond, or partly within and partly beyond, the boundaries of the district, and may engage in, or transact business, or enter into any kind of contract or arrangement with any person, firm, corporation, state, county, city, village, governmental subdivision or agency, or with the government of the United States, the Rural Electrification Administration, the Public Works Administration, or with any officer, department, bureau or agency thereof, or with any corporation organized by federal law, including the Reconstruction Finance Corporation, or any successor thereof, or with any body politic or corporate, for any of the purposes above mentioned, or for or incident to the exercise of any one or more of the foregoing powers, or for the generation, distribution, transmission, sale or purchase of electrical energy for lighting, power, heating, and any and every other useful purpose whatsoever, and for any and every service involving, employing, or in any manner pertaining to the use of, electrical energy, by whatever means generated or distributed, or for the financing or payment of the cost and expense incident to the acquisition or operation of any such power plant or system, or incident to any obligation or indebtedness entered into or incurred by the district. *A contract of purchase, lease or acquisition of an existing electric light and power plant, lines or system, from any person, firm, association or private corporation by any such power district, shall not be valid unless and until a copy of such contract shall have been on file with the Department of Roads and Irrigation and open to public inspection and examination for a period of thirty days.*"

9. Amend the bill by inserting a new section to be numbered 5 reading as follows:

"Sec. 5. That section 70-670, Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-670. In addition to any other rights and power hereinabove conferred upon any district organized under sections 70-601 to 70-679, such district shall have and exercise the power of eminent domain for the purposes and after the manner provided for in sections 46-241 to 46-243, 46-246, 46-247, 46-251 and 46-252, or in any one or more of said sections.; ~~Provided, that when~~, *and shall also have the power to acquire by condemnation from any person, firm, association or private corporation any and all property owned, used or operated, or useful for operation, in the generation, transmission or distribution of electrical energy, including an existing electric utility system or any part thereof. In the case of the acquisition through the exercise of the power of eminent domain of an existing electric utility system or part thereof, the Attorney General shall, upon request of any public power district, represent such district in the institution and prosecution of condemnation proceedings, and the procedure for condemnation shall be in the same manner as provided by sections 70-672 to 70-679, inclusive, except that the body appointed by the Supreme Court shall constitute a court of power claims instead of a court of water claims. After acquisition of an existing electric utility system through the exercise of the power of eminent domain, the district shall reimburse the state for all costs and expenses incurred in the condemnation proceedings by the Attorney General, to be approved and allowed by the condemnation court. When* any irrigation district shall exercise the power of eminent domain as to water being used for power purposes, or when any person, firm, association, corporation or organization seeks to acquire any water being used for power purposes, the procedure provided in sections ~~70-672~~ *70-672* to 70-679, *inclusive,* shall apply.

10. Amend section 5 of the original bill by striking the same and inserting as section 6 the following:

"Sec. 6. That original sections 70-604, 70-609, 70-615, 70-626 and 70-670, Revised Statutes of Nebraska, 1943, are repealed."

11. Renumber section 6 of the original bill as section 7.

12. Amend the title by striking line 2, and substituting in lieu thereof the following:

"FOR AN ACT to amend sections 70-604, 70-609, 70-615, 70-626 and 70-670,"

13. Amend the title, by striking lines 5 to 13, inclusive, and substituting in lieu thereof:

"members of the first board of directors by the Governor in districts having within its proposed boundaries twenty-five or more cities and villages; to provide for filling of vacancies upon the board of directors by the Governor; to require the filing of contract for the purchase, lease or acquisition of an existing electric light and power plant, lines or system from any person, firm, association or private corporation, by any such district, with the Department of Roads and Irrigation for a period of thirty days before the same can become valid and effective; to enlarge the power of eminent domain of a public power district, and to provide that upon request, the Attorney General shall represent such district in condemnation proceedings; to provide for reimbursement of the state of all costs and expenses in the condemnation proceedings by the Attorney General; to repeal the original sections; and to declare an emergency."

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 297.

Mr. Raecke's amendments found in this day's Journal were adopted.

Mr. Tvrdik offered an amendment, which was not adopted, with 3 ayes, 22 nays and 18 not voting.

Advanced to E and R for review.

MOTION—Place on General File

Mr. President: I move that L. B. 139 be referred back to General File for the following specific amendment: "Add the emergency clause and amend the title to conform". (Signed) C. Petrus Peterson

The motion prevailed.

LEGISLATIVE BILL 139.

Mr. Peterson's amendment, found in this day's Journal was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 270. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 307.

Mr. Peterson offered the following amendment, which was adopted.

1. Amend section 2, line 4, by inserting after the word "*act*" the following:

"*and before the effective date of any Home Rule Charter provision of a city of the metropolitan class at variance therewith.*"

2. Amend the bill, by adding a new section, to be numbered 17 reading as follows:

"Sec. 17. *Any city of the metropolitan class which has heretofore or may hereafter adopt a Home Rule Charter may adopt an amendment or amendments to its charter at variance with the provisions of this act, and such amendment or amendments shall control and supersede inconsistent provisions of this act as to all persons who become members of the police department after the adoption of such amendment or amendments. The provisions of any amendment of a Home Rule Charter at variance with the provisions of this act, which amendment was adopted prior to the effective date of this act, shall be controlling and supersede the provisions of this act as to such persons, and such persons only, who become members of the police department after the adoption of any such charter amendment.*"

3. Renumber section 16 as section 17.

4. Amend the title, line 15, by inserting after the punctuation following the word "cities" the following:

"to provide the effect of adoption of charter amendments in cities of the metropolitan class which have heretofore adopted or may hereafter adopt a Home Rule Charter;"

Mr. Lee offered the following amendment, upon which no action was taken.

Amend L. B. 307 by striking all of section 13 and renumbering the subsequent sections to conform thereto.

Laid over.

LEGISLATIVE BILL 249. Set for Special Order April 25, 1945.
LEGISLATIVE BILL 161. Read and considered.

Mr. Lusienski made a motion to advance the bill.

Mr. Hoyt made a substitute motion to indefinitely postpone the bill, which prevailed with 18 ayes, 6 nays and 19 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 24, 1945, at 1:30 p. m.,

L. B. 35

LEGISLATIVE BILL 205. Correctly enrolled.
LEGISLATIVE BILL 228. Correctly enrolled.
LEGISLATIVE BILL 375. Placed on Select File as amended.

E and R amendments to L. B. 375:

1. In General File amendment 1 by Mr. Adams, line 3, after the quotation mark and before the word "*forty-five*" insert "four thousand".

2. In General File amendment 2, by Mr. Adams, line 3, after the quotation mark and before the word "*three*" insert: "twenty-four hundred".

3. In General File amendment by Mr. Doyle, line 2, strike "six thousand five hundred" and in lieu thereof insert: "six thousand *sixty-five hundred*".

4. In General File amendment by Mr. Ogden, line 2, after the quotation mark and before the word "*five*" insert: "forty-five hundred".

5. In the bill, title, strike "salary of" in line 4 and strike all of line 5, and in lieu thereof insert the following:

"salaries of The Director of the Department of Agriculture and Inspection, Commissioner of Labor, Director of Health, State Engineer and Director of Insurance, as prescribed;".

LEGISLATIVE BILL 377. Placed on Select File as amended.

E and R amendments to L. B. 377:

1. In General File amendment by Mr. Conklin, line 2, insert a comma after the quotation mark and before the word "with", also after the word "Governor" and before the quotation mark.

2. In the bill, section 1, line 4, after the word "part" insert the word "thereof"; line 5, strike the word "or" and in lieu thereof insert "and also"; line 6, strike the word "shall" and in lieu thereof insert the word "will".

3. In the bill, Section 2, line 6, after the word "any" insert the word "such"; line 8, insert a comma after the word "given", also in line 7 after the word "instrument"; line 14, strike "the sale of such real estate" and in lieu thereof insert: "such sales of real".

4. In the bill, title, insert a comma in line 3 after the word "Engineer" and in line 4 after the word "Nebraska"; strike "any part" in line 4 and strike all of lines 5 to 12, inclusive, and in lieu thereof insert the following:

", with the approval of the Governor, any part of any real estate acquired as provided in section 39-603, Revised Statutes of Nebraska, 1943, not needed for highway purposes and also personal property acquired in connection therewith; to confer certain powers and duties upon the State Engineer for the Department of Roads and Irrigation and, in the name of the State of Nebraska, to execute deeds, bills of sale and other instruments upon the specified conditions; to provide for the validity of and certain requirements for such instruments; to provide for the disposal of the money received from such sales; and to".

LEGISLATIVE BILL 374. Correctly engrossed.
LEGISLATIVE BILL 385. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

Members Excused

Messrs. Dooley, Schultz and Weborg were excused for Wednesday, April 25, 1945.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 205 L. B. 228

Adjournment

At 4:50 p. m., Mr. Ogden made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 25, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Dooley, Norman, Schultz and Weborg, who were excused.

The Journal for the seventy-eighth day was approved as corrected.

Communications

Two petitions favoring the resolution designating U. S. Highway No. 6 as the Grand Army of the Republic Memorial Highway, with 15 signatures from North Platte and Maxwell, Nebraska, and 28 signatures from Lincoln, Nebraska.

MOTION—To Pass Over Veto

Mr. President: I move that L. B. 305 be taken up for passage. (Signed) Harry A. Foster.

ATTORNEY GENERAL'S OPINION

Senator Harry A. Foster
State House
Lincoln, Nebraska

April 20, 1945

Dear Doctor:

Enclosed please find memorandum upon the question you presented yesterday, relating to the right of a wife or husband to bar the right to inherit property by a post-nuptial agreement.

It appears that not all of the states have passed upon the question, but we trust that this information will be sufficient for your purpose.

Very truly yours,

WALTER R. JOHNSON
Attorney General
/s/H. Emerson Kokjer
Deputy Attorney General

HEK/mhw
Enc.

MEMORANDUM

May a wife or husband bar the right to inherit property left by the spouse by a post-nuptial agreement?

MAJORITY VIEW

In many jurisdictions, since the passage of statutes enlarging the rights and powers of married women, a post-nuptial release by a wife to her husband of an interest in her husband's property on his death is held to be valid, if it is fair and equitable, and supported by an adequate consideration.

This view is supported by cases from the following states: Arizona, Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Mississippi, Pennsylvania, South Carolina, Virginia, West Virginia, New Jersey, Ohio and Missouri. (17)

MINORITY VIEW

In several jurisdictions a post-nuptial release of a wife's interest in her husband's estate, embodied in a contract between a husband and wife without the intervention of a trustee, is held to be invalid.

This view is supported by cases from the following states: Alabama, Connecticut, Delaware, Iowa, Maine, Massachusetts, New York, Washington, Wisconsin, Nebraska and Texas. (11)

It should be noted that under certain circumstances some of the states following the minority view allow a settlement of property rights by a post-nuptial contract. For example, when there is an actual separation and where there are valid grounds for divorce.

The above information is obtained from the annotation in 49 A. L. R., p. 116 and the A. L. R. Blue Book and Supplemental Decisions.

This motion is made at the request of other Senators, Supreme and District Court Judges and other citizens interested in this legislation.

Mr. Foster moved a call of the House.

A call of the House was ordered and after call the roll showed 38 members present.

Mr. Hanna moved that the call be raised.

The motion prevailed with 20 ayes, 0 nays and 23 not voting.

Voting in the affirmative, 18:

Adams	Carmody	Hubka	Mueller
Anderson, J.	Foster	Jeffords	Raasch
Anderson, L.	Garber	Lee	Reavis
Brodahl	Hanna	Lusienski	Sorrell
Carlberg	Heiliger		

Voting in the negative, 13:

Babcock	Doyle	Kain	Raecke
Burnham	Hern	Peterson	Ryan
Cronin	Hoyt	Pizer	Seaton
Crossland			

Not voting, 12:

Burney	Dooley	Norman	Tvrdik
Conklin	Klaver	Ogden	Weborg
Cullingham	Mekota	Schultz	Wood

The motion to take up the bill for passage did not prevail.

STANDING COMMITTEE REPORTS

Legislative Administration

MONTHLY STATEMENT

Officers' and Employees' Salaries Paid During the Month of April

Work Periods March 16-31—April 1-15

Name	*Position*	*Days*	*Rate*	*Amount Earned*	*Federal Taxes*	*Amount Paid*
L. T. Fleetwood	Asst. Clerk	26	8.00	208.00	33.90	174.10
J. W. Lundy	Sgt. at Arms	31	5.50	170.50	17.70	152.80
Clarence Linch	Asst. Sgt. at Arms	14	5.00	70.00	5.70	64.30
Martin Pederson	Postmaster	26	4.50	117.00	6.50	110.50
Wm. P. Bancroft	Chaplain	19	4.50	85.50	. . .	85.50
Grace Furst	Engrossing Clerk	24	6.50	156.00	14.40	141.60
Zelma Steenbock	Asst. Engro'g. Clk.	25	6.50	162.50	16.00	146.50
Louise F. Sholes	Asst. Jrnl. Clk.	24	6.50	156.00	14.40	141.60
Goldie Green	Sec. Lt. Gov.	(16	6.00			
		(10	6.50	161.00	23.90	137.10
Erma Goering	Docket Clerk	24½	6.00	147.00	21.10	125.90
Nellie von Dorn	Secretary	(26	6.50			
Approved overtime allowance		(62½ hr.	.80	219.00	35.90	183.10
Carol J. Streight	Secretary	22	6.00	132.00	18.10	113.90
Mary Morrison	Secretary	24	6.00	144.00	20.60	123.40
Margaret Wulf	Secretary	22	6.00	132.00	18.10	113.90
Viola Schmidt	Secretary	24	6.00	144.00	20.60	123.40
Katharine Mackiewicz	Secretary	12½	6.00	75.00	6.60	68.40
Rita Thornton	Secretary	22	6.00	132.00	26.50	105.50
Myrtle McKay	Secretary	26	6.00	156.00	23.10	132.90
Eva Ruff	Secretary	25½	6.00	153.00	13.90	139.10
Winifred E. Giles	Secretary	9	6.00	54.00	1.20	52.80
Kathryn McCrackin	Secretary	8	6.00	48.00	1.20	46.80

Name	*Position*	*Days*	*Rate*	*Amount Earned*	*Federal Taxes*	*Amount Paid*
Hazel Schwarz	Secretary	24½	6.00	147.00	12.70	134.30
Vashti Greenlee	Secretary	26	6.00	156.00	23.10	132.90
Nadine Campbell	Secretary	25	6.00	150.00	13.50	136.50
Elsa Fischer	Secretary	14	6.00	84.00	7.40	76.60
Eunice Spencer	Secretary	22	6.00	132.00	26.50	105.50
Alice M. Davis	Secretary	26	6.00	156.00	14.80	141.20
Azora Sharp	Secretary	25	6.00	150.00	21.90	128.10
Delia Rankin	Secretary	7	6.50	45.50	.60	44.90
Jeanne Brown	Secretary	26	6.00	156.00	14.80	141.20
Delores Dunham	Secretary	(3	5.00			
		(21	6.00	141.00	19.80	121.20
Arlene Jelinek	Secretary	25	6.00	150.00	21.90	128.10
Alice Javorsky	Secretary	23	6.00	138.00	19.40	118.60
Lela Schall	Stencils	25½	6.00	153.00	13.90	139.10
G. F. Martin	Chief Bill Clerk	23	6.50	149.50	21.50	128.00
W. T. Voss	Assistant Bill Clerk	8	5.00	40.00	.50	39.50
F. R. Miller	Assistant Bill Clerk	23	5.00	115.00	6.10	108.90
Gus Neuman	Assistant Bill Clerk	23	5.00	115.00	14.50	100.50
Nancy J. Halligan	Assistant Bill Clerk	18	5.00	90.00	9.10	80.90
Betty Adams	Assistant Bill Clerk	(5	4.00			
		(15	5.00	95.00	10.30	84.70
Marion Marlow	Assistant Bill Clerk	23½	5.00	117.50	14.90	102.60
Evelyn Schuknecht	Mimeograph Operator	23	5.00	115.00	14.50	100.50
Henry N. Remington	Chief Page	23	5.00	115.00	6.30	108.70
Betty Fullagar	Page and Messenger	15	4.00	60.00	4.10	55.90
Martha Simon	Page and Messenger	23	4.00	92.00	9.90	82.10
Richard Cronin	Page and Messenger	21½	4.00	86.00	8.70	77.30

Margaret Heim	Page and Messenger	3	4.00	12.00	...	12.00
O. J. Burckhardt	Assistant Custodian	26	4.50	117.00	6.50	110.50
Ezra N. Watt	Assistant Custodian	12	4.50	54.00	6.60	47.40
A. J. McCallum	Assistant Custodian	26	4.50	117.00	6.50	110.50
Louis Nelson	Assistant Custodian	22	4.50	99.00	3.00	96.00
Gertrude Tyler	Telephone Operator	(26	4.50			
Retroactive time allowance		(13	.50	123.50	7.70	115.80
Orma Hull Kline	Proof Reader	177 hr.	.75	132.75	9.40	123.35
Claire Hunt	Proof Reader	177 hr.	.75	132.75	17.80	114.95
C. D. Blauvelt	Proof Reader	160 hr.	.75	120.00	2.10	117.90

EMPLOYEES ON MONTHLY BASIS

Name	*Position*	*Months*	*Rate*	*Amount Earned*	*Federal Taxes*	*Amount Paid*
Clarence M. Davis	Legal Adviser	1 mo.	375.00	375.00		
Approved overtime by Doyle		62½ hr.	1.80	112.50		
				487.50	78.20	409.30
Evelyn Stroy	Journal Clerk	1 mo.	175.00	175.00	26.40	148.60
Marguerite Price	Appr. Committee	1 mo.	175.00	175.00	26.40	148.60
Jo Fisher	Judiciary Committee	1 mo.	175.00	175.00	34.80	140.20
Hollis S. Thurber	Bookkeeper	1 mo.	150.00	150.00	13.10	136.90
Ernest Fouts	Chief Custodian	1 mo.	125.00	125.00	16.50	108.50
SUB-TOTAL						7,041.40
Continental National Bank—Federal Withholding Tax Account						925.10
TOTALS				7,966.50	925.10	7,966.50

(Signed) John F. Doyle, Chairman.

Enrollment and Review

LEGISLATIVE BILL 324. Placed on Select File as amended.

E and R amendments to L. B. 324:

1. In Standing Committee amendment 1, inserted matter, line 2, insert a comma after the word "name"; line 3, strike "becomes interested therein" and in lieu thereof insert the following:

"shall engage in business and use and register the same trade name without knowledge that a person had been engaged in business under the same trade name prior to such effective date" .

2. In Standing Committee amendment 6, inserted matter, line 1, strike "and any" and in lieu thereof insert: ". Any"; line 2, strike the comma after the word "years" .

3. Strike Standing Committee amendment 12.

4. In General File amendment 3 by Mr. Adams, line 1, after the figure "4" insert: "renumbered 5"; line 2, after the word "inserting" insert: "before the new matter inserted by Standing Committee amendment 6," .

5. In the bill, section 1, line 1, insert a comma after the word "act"; line 3, strike the comma after the word "singular" and in lieu thereof insert the word "and".

6. In the bill, section 2, line 4, strike the comma before the word "and" .

7. In the bill, section 3, line 4, strike: "of all parties concerned"; line 5, strike "together with" and in lieu thereof insert: "setting forth (1) all persons concerned therewith, (2)"; line 7, strike "and setting forth" and in lieu thereof insert "(3)"; line 8, strike "together with" and in lieu thereof insert: "and (4)"; line 12, insert a comma at the end of the line, after the word "registered".

8. In the bill, section 6 (formerly 5) line 1, strike "registration of" and in lieu thereof insert: "the registration of a"; line 5, after the word "by" insert the word "the"; line 8, strike ", or" and in lieu thereof insert: "or ,"; line 9, strike "then said notice shall be published"; line 11, after the word "person" insert: ", who is not excepted by section 2 of this act,"; line 13, strike "in this section required" and in lieu thereof insert: "is required by this section" .

9. In the bill, section 7 (formerly 6), line 1, after the word "person", insert: ", not excepted by section 2 of this act,"; line 3,

insert a comma after the word "name"; line 4, strike ", and" and in lieu thereof insert: "and, " .

10. In the bill, title, strike all of lines 3 to 6, inclusive, and in lieu thereof insert the following:

"the term "trade name"; to define "person" as used in this act; to provide for the registration thereof in the office of the Secretary of State and certain procedure and requirements therefor; to provide for the publication of the certificate of such registration and the filing of proof of such publication as prescribed; to provide that this act shall not apply to certain persons as prescribed; to provide for the length of time which certificates of registration thereof shall remain in force; to provide for renewals thereof; to fix fees; to provide duties for certain officers; to make exceptions as to those to whom this act shall apply; to provide the requirements for such a trade name; to provide for the proceedings in the event of the prescribed changes; to make certain acts unlawful; and to provide penalties for the viola-" .

LEGISLATIVE BILL 364. Placed on Select File as amended.

E and R amendments to L. B. 364:

1. Strike General File amendment by Mr. Hoyt.

2. In the bill, section 1, line 4, strike ", and shall have" and in lieu thereof insert: "; and shall have"; line 14, strike the word "with" and in lieu thereof insert: "with *and*"; strike all of line 16, after the word "year", all of line 17 and all of line 18 up to the word "It", and in lieu thereof insert the following:

"; and it . *It* shall cause *to be kept, in a book provided for such purpose,* a record of the advancement *of all pupils* in each branch of study of all pupils to be kept in a book provided for this purpose ." ;

line 21, after the word "secure" insert the word *"the"* .

3. In the bill, section 2, line 17, after the semicolon insert the word *"and"*; strike all of line 19 and in lieu thereof insert the following:

"study *to the satisfaction of his or her teacher,* a pupil, *may apply* by applying to the county superintendent, may *to*" ;

lines 20 and 21, strike ", which shall be conducted by him" and in lieu thereof insert the following:

"; *Such pupil shall present or cause to be presented to the superintendent a letter or certificate from said teacher in regard to the work of such pupil in said course. If the teacher's letter or certificate complies with the requirements of this section, such child may take the state-wide examination* which shall be conducted by him *such county superintendent*".

4. In the bill, section 3, insert a comma in line 3 after the word "entitled" and in line 4 before the word "to".

5. In the bill, title, line 8, after the semicolon and before the word "to" insert: "to provide what the minimum course of study for the first eight grades in common schools shall include;".

LEGISLATIVE BILL 382. Placed on Select File as amended.

E and R amendments to L. B. 382:

1. In the bill, section 1, line 5, strike the comma after the word "services" and in lieu thereof insert "; "; line 10, after the word "allowed" insert: "*to such clerk or first assistant clerk*".

2. In the bill, title, lines 4 and 5, strike "and first assistant clerk of the Legislature;" and in lieu thereof insert the following:

"of the Legislature from thirty-six hundred dollars to four thousand dollars per year and the first assistant clerk thereof from eight dollars per day to ten dollars per day, as prescribed;".

LEGISLATIVE BILL 354. Correctly engrossed.
LEGISLATIVE BILL 49. Correctly engrossed.
LEGISLATIVE BILL 92. Correctly engrossed.
LEGISLATIVE BILL 148. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 148

MOTION—Postage for Members

Mr. President: I move that each member be allowed 12c per day postage for each and every day the Legislature is not in session. (Signed) James A. Ryan.

Mr. Carmody offered the motion to amend the Ryan amendment by: striking "12c per day postage for each and every day the Legislature is not in session," and inserting "$35.00 for postage while the Legislature is not in session".

A record vote was requested.

Voting in the affirmative, 17:

Anderson, L.	Carmody	Heiliger	Kain
Babcock	Conklin	Hern	Mekota
Brodahl	Cullingham	Hoyt	Pizer
Burney	Hanna	Jeffords	Wood
Burnham			

Voting in the negative, 10:

Adams	Crossland	Klaver	Raasch
Anderson, J.	Doyle	Lusienski	Ryan
Cronin	Foster		

Not voting, 16:

Carlberg	Lee	Peterson	Seaton
Dooley	Mueller	Raecke	Sorrell
Garber	Norman	Reavis	Tvrdik
Hubka	Ogden	Schultz	Weborg

Mr. Carmody's motion prevailed with 17 ayes, 10 nays and 16 not voting.

Mr. James H. Anderson offered the motion to amend the Ryan motion as amended by: striking the figures "$35" and inserting in lieu thereof the figures "$50.00".

Mr. Anderson's motion prevailed with 20 ayes, 13 nays, and 10 not voting.

A record vote was requested on the original motion.

Voting in the affirmative, 21:

Adams	Doyle	Hern	Ogden
Anderson, J.	Foster	Hubka	Raasch
Anderson, L.	Garber	Klaver	Reavis
Brodahl	Hanna	Lee	Ryan
Cronin	Heiliger	Lusienski	Wood
Cullingham			

Voting in the negative, 11:

Babcock	Carmody	Hoyt	Pizer
Burnham	Conklin	Kain	Raecke
Carlberg	Crossland	Mekota	

Not voting, 11:

Burney	Mueller	Schultz	Tvrdik
Dooley	Norman	Seaton	Weborg
Jeffords	Peterson	Sorrell	

The motion prevailed.

MOTION—Reconsider Action

Mr. President: I move we reconsider our action of April 23, on L. B. 370. (Signed) John F. Doyle.

A record vote was requested.

Voting in the affirmative, 24:

Adams	Conklin	Klaver	Reavis
Anderson, J.	Cullingham	Lee	Ryan
Anderson, L.	Doyle	Lusienski	Seaton
Babcock	Foster	Mueller	Sorrell
Brodahl	Heiliger	Ogden	Tvrdik
Burney	Hubka	Peterson	Wood

Voting in the negative, 12:

Burnham	Crossland	Jeffords	Pizer
Carlberg	Hanna	Kain	Raasch
Carmody	Hoyt	Mekota	Raecke

Not voting, 7:

Cronin	Garber	Norman	Weborg
Dooley	Hern	Schultz	

The motion prevailed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 121. Laid over.
LEGISLATIVE BILL 258. With emergency.

A bill for an act to amend sections 23-901, 23-902, 23-903, 23-904, 23-905, 23-906, 23-908, 23-909, 23-910, 23-913, 23-914, 23-915 and 23-918, Revised Statutes of Nebraska, 1943, relating to County Budget Act; to define fiscal year; to provide changes in the scope and contents of the county budget document; to provide that the Auditor of Public Accounts shall act in an advisory capacity in the preparation of such budget; to change the time for performance of acts to conform to the fiscal year; to prescribe the procedure to be followed in the adoption of county budget; to provide a different fiscal year and different time for performance of acts required in counties having a population of two hundred thousand inhabitants or more than in other counties; to authorize counties having a population of two hundred thousand inhabitants or more to change to a fiscal year corresponding with other counties; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 4:

Dooley	Norman	Schultz	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 199.

A bill for an act to amend section 81-849, Revised Statutes of Nebraska, 1943, relating to the practice of engineering and architecture; to provide that where the holder of an unexpired certificate of registration has been or is inducted into the military service of the United States, such holder shall have ninety days after his discharge from such service in which to apply for the renewal of such certificate of registration and, until expiration of that period, the prior certificate shall remain in full force and effect as prescribed; to provide that such a holder who applies for a renewal within such period of ninety days shall not be required to pay an extra fee for a delayed renewal; to define military service by reference; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Dooley	Peterson	Schultz	Weborg
Norman			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 105.

A bill for an act to amend section 30-413, Revised Statutes of Nebraska, 1943, relating to decedent's estates; to permit the sale by an executor, administrator with the will annexed or administrator

of real estate acquired by him after the death of the decedent under the prescribed method or procedure or under any general authority in the will of the deceased to sell real estate; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hoyt	Pizer
Anderson, J.	Cronin	Hubka	Raasch
Anderson, L.	Crossland	Kain	Raecke
Babcock	Cullingham	Klaver	Reavis
Brodahl	Doyle	Lee	Ryan
Burney	Foster	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Dooley	Jeffords	Peterson	Weborg
Garber	Norman	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 224.

A bill for an act relating to cities of the first class; to authorize such a city, that has established a system of water works and has accumulated reserve funds in its water department, to expend such funds for the purpose of laying and relaying water mains and the installation of equipment for fire protection; and to provide that such a city under such circumstances shall have the right and power to employ the necessary labor therefor without the necessity of advertising for bids or of letting a contract or contracts therefor.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Dooley	Peterson	Schultz	Weborg
Norman			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 225.

A bill for an act to amend section 71-626, Revised Statutes of Nebraska, 1943, relating to vital statistics; to provide that whenever a decree of adoption has been entered by any court of record of another state as to a child born in Nebraska, the judge of the county court of the county in Nebraska in which the child was born may issue a certificate of birth of the adopted child and send to the Department of Health a certified copy of such adoption decree and the certificate of birth for registration substantially in the form prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Seaton

Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 4:

Dooley	Norman	Schultz	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 243. With emergency.

A bill for an act relating to crimes and punishments; to provide that any person who shall wear the uniform of, or a distinctive part thereof, or a uniform, or a part thereof, similar to the uniforms of the prescribed military and other organizations without authority under the laws of the United States or this state shall be guilty of a misdemeanor; to provide penalties; to define certain terms as used in this act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lee	Ryan
Burney	Garber	Lusienski	Seaton
Burnham	Hanna	Mekota	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody	Hern	Ogden	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Dooley	Peterson	Schultz	Weborg
Norman			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 316.

A bill for an act relating to elections; to provide that no person, association, organization, committee or corporation shall publish, distribute or cause to be published or distributed any of the prescribed pamphlets, circulars, cards, dodgers, posters, advertisements or other statements relating to or concerning a candidate for election to any municipal, county or state office, which does not contain the address and name or names of the person, persons, association, committee or corporation responsible for the publication or distribution of the same; to define terms; and to provide a penalty.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Conklin	Hubka	Raasch
Anderson, J.	Cronin	Kain	Raecke
Anderson, L.	Crossland	Klaver	Reavis
Babcock	Cullingham	Lee	Ryan
Brodahl	Doyle	Lusienski	Seaton
Burney	Foster	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hern	Ogden	Wood
Carmody	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 8:

Dooley	Hanna	Norman	Schultz
Garber	Jeffords	Peterson	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 217. Laid over.

LEGISLATIVE BILL 288. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 229. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 319. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 326. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 367. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 386. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

Mr. Kain Presiding

LEGISLATIVE BILL 375. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment with 23 ayes, 7 nays and 13 not voting.

LEGISLATIVE BILL 377. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Speaker Peterson Presiding

LEGISLATIVE BILL 71.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 71 as follows:

Section 19, line 63, strike the figure "$200,000.00" and insert in lieu thereof the figure "$195,000.00".

Section 19, strike the figure "$20,000.00" in line 7 of the Hoyt amendment following line 151, section 19 and found on page 1163 of the Journal. Insert in lieu thereof the figure "$25,000.00".

Mr. Brodahl offered the following amendments, which were adopted:

Mr. Brodahl—General File Amendment L. B. 71

1. Amend section 24 of the Standing Committee amendments to the bill by striking lines 10 to 14, inclusive.

2. Amend section 24 of the Standing Committee amendments to the bill, line 18, by striking the following:

", estimated" .

3. Amend section 24 of the Standing Committee amendments to the bill by striking all of line 26 and inserting in lieu thereof the following:

"Motor Vehicle Division: Motor vehicle title fund; reappropriate unexpended balance on hand as of June 30, 1945, in Auditor account No. 193, then appropriate all fees collected during the biennium 1945-1947 and credited to the general fund under the provisions of section 60-115, Revised Statutes of Nebraska, 1943, for the purpose of paying the cost of administration of the motor vehicle title act, and the surplus, if any, to be transferred to the motor vehicle cash fund, as determined by the director of motor vehicles, estimated ..... $60,000.00"

4. Amend section 24 of the Standing Committee amendments to the bill, line 32, by inserting after the word "fees" the following:

"and the surplus in the "motor vehicle title fund" as determined by the director of motor vehicles," .

5. Amend section 24 of the Standing Committee amendments to the bill by inserting immediately after line 47 the following:

"Bureau of Highways:" .

Mr. Brodahl—General File Amendment to L. B. 71

1. Amend the Standing Committee amended bill, section 7, line 10, by inserting after the word "membership" the following:

"and traveling expenses," .

Mr. Brodahl—General File Amendment L. B. 71

1. Amend section 19 of the Standing Committee amendments to the bill, line 102, by striking the figures "$10,000.00" and inserting in lieu thereof the figures "$20,000.00".

2. Amend section 19 of the Standing Committee amendments to the bill, line 106, by striking the figures "$310,000.00" and inserting in lieu thereof the figures "$385,000.00" .

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amended bill, section 22, line 26, by striking the comma after the word "Marshal" and insert in lieu thereof a colon.

2. Amend the Standing Committee amended bill, section 22, by adding immediately after line 36 the following:

"Rural Electrical Inspection Fees: Reappropriate all funds on hand estimated at $712.40 and then appropriate for cost of inspections, as provided by Legislative Bill 66, Fifty-eighth Session of Nebraska State Legislature, 1945, and for administration of such act, no estimate."

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amended bill, section 24, line 50, by striking the comma and the word "all" and inserting in lieu thereof the following:

". All"

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amendment to the amended bill, section 37, lines 5 and 6, by striking the following:

"; reappropriate the unexpended balance on hand as of July 30, 1945" .

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amended bill, section 50, by striking all of lines 7 to 11, inclusive, and inserting in lieu thereof the following:

" "maintenance" ".

Mr. Brodahl—General File Amendment L. B. 71

1. Amend renumbered section 39 of the Standing Committee amended bill by inserting immediately after line 53 the following:

"Appropriate from Feeble-Minded Tax Fund—Special Levy Special property tax levy apportioned among counties to support Beatrice State Home, as provided by Legislative Bill 187, Fifty-eighth Session, Nebraska State Legislature, 1945, first appropriate any collections received after April 21, 1945, then appropriate all proceeds from collections during the biennium, 1945-1947, estimated ..... $215,000.00"

2. Amend renumbered section 39 of the Standing Committee amended bill, line 63, by inserting after the comma following the word "blind" the following:

"all funds received during biennium and any unexpended balance on hand as of June 30, 1945,"

3. Amend renumbered section 39 of the Standing Committee amended bill, line 63, by striking the figures "$60,000.00" and inserting in lieu thereof the figures "$40,000.00" .

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amended bill, section 42, by inserting immediately after line 47 the following:

"Endowment and Income Funds:

Reappropriate unexpended balance on hand as of June 30, 1945, in all endowment and income funds for the purposes of said funds."

2. Amend the Standing Committee amended bill, section 40, by striking all of lines 61 to 65, inclusive.

Mr. Brodahl—General File Amendment L. B. 71

1. Amend the Standing Committee amended bill, section 51, line 7, by inserting after the figure "1943" the following:

", as amended by Legislative Bill 115, Fifty-eighth Session of the Nebraska State Legislature, 1945"

Mr. Brodahl—General File Amendment L. B. 71

1. Amend section 18 of Standing Committee amended bill by striking line 3 and inserting in lieu thereof the following:

"salaries, wages and maintenance, including not to exceed $2,000.00 for purchase and installation of book-keeping machine and supplies ..... $56,000.00"

Mr. Garber offered the following amendment, upon which no action was taken:

Amend L. B. 71, Sec. 40, line 24 after the word "appropriate" by inserting the following: "No change in policy of financing county agents".

Change the figures "$280,000" to "$220,000".

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 25, 1945, at 9:45 a. m.

L. B. 149 L. B. 228
L. B. 205 L. B. 234

(Signed) Roy B. Carlberg, Chairman

RECESS

At 12:00, noon, Mr. Carmody made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., Speaker Peterson presiding.

The roll was called and all members were present except Messrs. Dooley, Norman, Schultz and Weborg, who were excused.

GENERAL FILE

LEGISLATIVE BILL 71

Mr. Garber offered an amendment to L. B. 71.

Mr. Doyle asked for a division of the question.

Mr. Garber's amendment was not adopted.

Advanced to E and R for review.

Member Excused

Mr. Babcock was excused for the remainder of the day.

LEGISLATIVE BILL 249. Read and considered.

Mr. James H. Anderson offered the following amendment, which was adopted.

1. Amend the bill by adding immediately after section 6 a new section to be known as section 7 as follows:

"Sec. 7. The Board of Barber Examiners may suspend or revoke the certificate of registration of any barber who has violated any order of the board promulgated hereunder; *Provided,* no certificate of registration shall be suspended or revoked by the board until the person accused has been given at least twenty days' notice in writing of the charge against him and a public hearing by the board."

2. Renumber section 7 as section 8.

3. Amend the bill by adding immediately after renumbered section 8, a new section to be known as section 9 as follows:

"Sec. 9. At the time of application for renewal of certificate of registration to practice barbering, each barber shall pay and remit to

the board a fee of two dollars. The fees so paid shall be used by the board to help defray the cost of administration of this act."

4. Renumber sections 8, 9 and 10 as sections 10, 11 and 12, respectively.

5. Amend the title of the act, line 10, by inserting after the semicolon following the word "therein" the following:

"to give such board authority to suspend or revoke certificates of registration when any barber has violated any order of the board and the person accused has been notified in writing; to provide that at the time of application for renewal of certificate of registration each barber shall pay a fee of two dollars to the board to help defray the cost of administration of this act;"

Mr. Cronin made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 11:

Brodahl	Conklin	Hanna	Mekota
Burney	Cronin	Hern	Raecke
Carmody	Garber	Jeffords	

Voting in the negative, 23:

Adams	Doyle	Klaver	Ryan
Anderson, J.	Foster	Lee	Seaton
Anderson, L.	Heiliger	Lusienski	Sorrell
Burnham	Hoyt	Ogden	Tvrdik
Crossland	Hubka	Pizer	Wood
Cullingham	Kain	Raasch	

Not voting, 9:

Babcock	Mueller	Peterson	Schultz
Carlberg	Norman	Reavis	Weborg
Dooley			

Mr. Cronin's motion did not prevail.

A record vote was requested on the motion to advance.

Voting in the affirmative, 22:

Adams	Doyle	Lee	Ryan
Anderson, J.	Foster	Lusienski	Seaton
Anderson, L.	Heiliger	Ogden	Sorrell
Burnham	Hoyt	Pizer	Tvrdik
Crossland	Kain	Raasch	Wood
Cullingham	Klaver		

Voting in the negative, 8:

Brodahl	Cronin	Hanna	Mekota
Burney	Garber	Jeffords	Raecke

Not voting, 13:

Babcock	Dooley	Mueller	Reavis
Carlberg	Hern	Norman	Schultz
Carmody	Hubka	Peterson	Weborg
Conklin			

Advanced to E and R for review.

Member Excused

Mr. Lester Anderson was excused for the balance of the day.

LEGISLATIVE BILL 307.

Mr. Lee's amendment found in the Legislative Journal for the Seventy-eighth Day was withdrawn.

Advanced to E and R for review.

LEGISLATIVE BILL 242. Read and considered.

Mr. Carmody made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 18:

Brodahl	Hanna	Kain	Seaton
Burney	Hern	Mekota	Sorrell
Carmody	Hoyt	Peterson	Wood
Conklin	Hubka	Raecke	
Crossland	Jeffords	Reavis	

Voting in the negative, 12:

Adams	Cronin	Foster	Pizer
Anderson, J.	Cullingham	Lee	Raasch
Carlberg	Doyle	Mueller	Ryan

Not voting, 13:

Anderson, L.	Garber	Lusienski	Schultz
Babcock	Heiliger	Norman	Tvrdik
Burnham	Klaver	Ogden	Weborg
Dooley			

The motion prevailed.

Statement of Vote

Mr. President: I voted "yes" on L. B. 242 to try to open the doors of the Legislature to thousands of men and women who are now barred, by financial reasons, from serving. (Signed) John F. Doyle

LEGISLATIVE BILL 391. Read and considered.

Advanced to E and R for review, with 19 ayes, 3 nays and 21 not voting.

LEGISLATIVE BILL 392. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 381. Read and considered.

Standing Committee Amendment found in the Legislative Journal for the Seventy-third Day was adopted.

Mr. Ogden offered the following amendment, which was adopted.

Amend L. B. 381, Sec. 2, line 2, by striking the figures "6, 24 and 25".

Laid over.

MOTION—Legislative Help

Mr. President: I move that we request other departments of State government to give us the use of their good stenographic help to aid in the closing days of the session. (Signed) Sidney J. Cullingham.

The motion prevailed.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 393. By the Committee on Judiciary, John E. Mekota, Chairman.

A bill for an act to amend sections 43-208, 43-210, 43-217 and 43-222, Revised Statutes of Nebraska, 1943, relating to juvenile courts; to raise the age limit at which delinquent, dependent or neglected children, who have not pleaded guilty to or been convicted of crime, may be committed to the care of the state industrial schools; to authorize juvenile courts to commit all delinquent, dependent or neglected children under the age of eighteen years to the care and custody of the Board of Control; to provide for temporary assignment of custody until the Board of Control, upon investigation, shall determine what assignment of custody should be made; to repeal the original sections; and to declare an emergency.

MOTION—To Suspend the Rules

Mr. President: I move that the rules be suspended and that L. B. 393 be placed on General File. (Signed) John E. Mekota.

The motion prevailed, with 32 ayes, 0 nays and 11 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 306. Placed on Select File as amended.

E and R amendments to L. B. 306:

1. In General File amendment 1 by Mr. Hubka, last line, strike "the word "eight" " and in lieu thereof insert: " ~~"six~~ *eight*" ".

2. In the 3rd General File amendment by Mr. Hubka, last line, strike the period and in lieu thereof insert: "and reinsert the period." .

3. In the 4th General File amendment by Mr. Hubka, line 3, strike "the words"; line 4, after the word *"herein"* and before the quotation mark insert *"."* .

4. In the 5th General File amendment by Mr. Hubka, inserted matter, line 3, insert a comma after the word "*requires*".

5. In the 6th General File amendment by Mr. Hubka, line 2, strike the figure "8" and in lieu thereof insert the figure "9".

6. In the 7th General File amendment by Mr. Hubka, inserted matter, line 1, after the quotation mark and before the word "Any" insert: "Sec. 8."; line 6, strike the word "and" and in lieu thereof insert: ". *It*"; line 7, strike the word "relation" and in lieu thereof insert the word "*regard*" and in said line, insert the word "*the*" after the word "from" and also at the end of the line after the word "to"; line 8, strike ", and shall" and in lieu thereof insert the word "*and*"; line 10, strike the word "shall"; and strike the last line of the amendments, beginning with the word "and".

7. In the bill, section 1, line 3, after the word "shall" insert "*(1)*"; line 4, strike "*, or*" and in lieu thereof insert: "*or (2)*"; strike "issued pursuant" in line 6, all of line 7 and "of Health." in line 8, and in lieu thereof insert the following:

"*, as the case may be,* issued *by the Department of Health* pursuant to the provisions of sections 71- 301 to 71-310 *, inclusive, as amended* by the Director of Health ." ;

line 9, strike the word "or" after the word "establishment" and in lieu thereof insert: "*or* ," and in said line strike the word "a" before the word "school" and in lieu thereof insert "*a*"; strike all of lines 10 to 15, inclusive, and in lieu thereof insert the following:

"unless it is at all times under the direct supervision and management of a registered cosmetologist *at all times* , and not . *Not* more than one apprentice to three registered operators, or less, shall be employed at any one time in any beauty culture shop *to three registered operators, or less* ; *Provided, however,* that no registered cosmetologist *shall* may receive from such registered apprentice any money or thing of value *from such registered apprentice* for such as-" ;

line 21, strike the word "provided" and in lieu thereof insert: "*provided if*"; line 24, strike, ", and the" and in lieu thereof insert: "*, and the . The*"; line 26, before the word "shall" insert: "*, inclusive, as amended,*" and in said line insert a comma after the word "receipts"; line 27, insert a comma after the word "sections" and also after the word "funds" and strike the comma after the word "year" and in lieu thereof insert "*,*"; line 28, insert a comma after the word "collected" and in said line strike the word "the" after the word "of" and in lieu thereof insert "*the*"; line 29, after the word "or" insert the word "*the*", also

in line 31 after the word "in"; line 32, strike ", and" and in lieu thereof insert: "~~,~~ and ,";

8. In the bill, section 2, line 12, strike the comma after the word "board" and in lieu thereof insert: "~~,~~ ;" ; strike all of lines 16 to 19, inclusive, and in lieu thereof insert the following:

"examination of an applicant and grant a certificate of registration, upon the payment of the required fees, to an applicant if he or she has complied with the requirements of another state or territory, the District of Columbia or a foreign country, state or" ;

at the end of line 21, after the word *"time"* insert the word *"the"*.

9. In the bill, section 3, line 4, before the word "have" insert: *", inclusive, as amended,"*; line 6, strike *", or a"* and in lieu thereof insert the word *"or"* and in said line strike "and every holder of a" and in lieu thereof insert: *"as the case may be* ~~and every~~ *. Every* holder of a *either"*; line 8, strike the comma after the word "place" and in lieu thereof insert "~~,~~", after the word "his" insert: *"or her"* and strike the comma before the word *"or"*.

10. In the bill, section 4, line 5, strike the word "is" and in lieu thereof insert: "~~is~~ *shall be"*; line 6, strike the word *"A"* and in lieu thereof insert: *"The fee to be paid for a"*; strike all of line 8 and in lieu thereof insert: *"basis, as provided for in section 71-303, as amended, shall be fifteen"*; line 9, after the word "for" insert the word *"the"*; line 10, strike the word "is" and in lieu thereof insert: "~~is~~ *shall be"*; line 11, insert a comma after the word "cosmetologist" and also after the word "practice"; lines 16 and 17, strike "an expired certificate *not more than five years old"* and in lieu thereof insert: "~~an expired~~ *a* certificate *, which has expired not more than five years,"*; line 18, after the word *"expiration"* and before the comma insert the word *"thereof"*; insert a comma in line 20 after the word "cosmetologist" and in line 21 after the word *"years"*; line 24, after the word *"pay"* insert: *", as"*; line 31, after the word *"and"* insert: *"three dollars"*; line 33, strike *", the sum of three dollars"*.

11. In the bill, section 5, line 6, after the word "of" insert the word *"a"*; strike the word "or" at the beginning of line 11, and in lieu thereof insert: "~~or~~ ," and in said line, strike the comma after the word "drugs" and in lieu thereof insert "~~,~~" ; strike "upon twenty days' " in line 14 and all of lines 15 to 18, inclusive, and in lieu thereof insert the following:

"~~upon~~ *at a public hearing held by the department after* twenty days' written notice to the holder thereof~~,~~ nor except at a public hearing held by the department pursuant to such notice . Upon

the *such a* hearing , ~~of any such proceeding~~ the department may administer oaths~~,~~ and ~~may~~ procure the attendance of witnesses and *the* production of".

12. In the bill, section 6, insert a comma in line 3 after the word "board" and in line 4 after the word "Examiners"; line 5, strike the word "to" and in lieu thereof insert: "~~to~~ . *It shall*"; line 17, strike the comma after the word "removal" and also after the word "otherwise" and in lieu thereof insert "~~,~~"; strike "compensation of ten" in line 19 and all of line 20, and in lieu thereof insert the following:

"~~compensation of~~ ten dollars per day~~,~~ *as compensation for his or her services* only, however, on the days when ~~they are in~~ *the board is*";

line 21, strike the comma after the word "meeting" and in lieu thereof insert: "~~,~~ *and*"; line 25, strike "and no" and in lieu thereof insert: "*inclusive, as amended. No* ~~and no~~"; line 27, strike "those collected by the" and in lieu thereof insert: "~~those collected by~~ the *money collected as*"; line 29, strike "and render him" and in lieu thereof insert: "~~and render him~~ . *It shall include (1)*"; line 30, strike the word "and" and in lieu thereof insert: "~~and~~ *(2)*"; line 31, strike ", together with" and in lieu thereof insert: "~~,~~ ~~together with~~ *and (3)*".

13. In the bill, title, strike "to provide" in line 4 and all of lines 5 to 12, inclusive, and "ogist Examiners;" in line 13 and in lieu thereof insert the following:

"to require a license to conduct a school of cosmetology; to provide rules and regulations for obtaining a certificate to practice cosmetology or conduct a school of cosmetology; to provide for the display of the certificate by a registered cosmetologist and school of cosmetology; to provide a schedule of fees for admission and renewal of certificates to practice cosmetology or to operate a school of cosmetology; to authorize the Department of Health to either refuse to issue or to suspend or revoke any such certificate for the violation of any valid regulations or orders of the Board of Cosmetology examiners; to provide the basic course of instruction required of such a school; to provide for the appointment of members of the Board of Cosmetologist Examiners and certain powers and duties of such board and of the Department of Health;".

LEGISLATIVE BILL 193. Placed on Select File as amended.

E and R amendments to L. B. 193:

1. In the bill, section 1, strike all of lines 1 to 22, inclusive, and all amendments thereto, and in lieu thereof insert the following:

"Section 1. That section 23-903, Revised Statutes of Nebraska, 1943, as amended by legislative bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945, be amended to read as follows:

23-903. The budget of the county shall present a complete financial plan for the period for which said budget is drawn, as hereinafter provided. It shall set forth (1) all proposed expenditures for the administration, operation, and maintenance of all offices, departments, activities, funds, and institutions of the county, (2) the actual or estimated operating deficits from prior years, (3) all interest and debt redemption charges during the period covered by said budget, (4) all expenditures for capital projects to be undertaken or executed during the period covered by said budget, including expenditures for local improvements which may be paid for in whole or in part by special assessments and operating reserves, and (5) the anticipated income, including all fees, license taxes, taxes to be levied, and all other means of financing the proposed expenditures for the period covered by said budget. *; Provided, however, in counties having a population of more than one hundred and twenty-five thousand inhabitants, sections 23-901 to 23-919, inclusive, as amended, shall not apply to any matters connected with the foreclosure of taxes and the county board can at any time appropriate, from the unexpended balances out of the general fund, the sums of money necessary to carry through such a tax foreclosure action or actions."*.

2. In the bill, strike all of section 2, and all amendments thereto, and in lieu thereof insert the following:

" Sec. 2. That original section 23-903, Revised Statutes of Nebraska, 1943, as amended by legislative bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945, is repealed. " .

3. In the bill, title, line 3, before the word "relating" insert: "as amended by legislative bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945,"; last line, strike the period and in lieu thereof insert the following:

"23-903, Revised Statutes of Nebraska, 1943, as amended by legislative bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945." .

LEGISLATIVE BILL 70. Placed on Select File as amended.

E and R amendments to L. B. 70:

1. In the bill, section 1, insert a comma in line 4 after the word "sums" and in line 5 after the word "necessary".

2. In the bill, section 2, line 5, before the word "upon" insert: "as amended,".

3. In the bill, title, insert the word "the" in line 4 after the word "prescribe" and line 5 after the word "for".

LEGISLATIVE BILL 31. Correctly engrossed.
LEGISLATIVE BILL 383. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman.

Adjournment

At 4:30 p. m., Mr. Klaver made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 26, 1945.

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mekota, Norman and Weborg, who were excused.

The Journal for the seventy-ninth day was approved as corrected.

Communication

Letter to Mr. Raasch, addressed to the Members of the Legislature from Rev. Leo Gruendeman in the name of the Nebraska District of the Evangelical Lutheran Joint Synod of Wisconsin and other States, opposing L. B. 332.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 211. Correctly enrolled.
LEGISLATIVE BILL 220. Correctly enrolled.
LEGISLATIVE BILL 280. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 211 L. B. 220 L. B. 280

Mr. Heiliger brought up consideration of his resolution.

MOTION—Resolution

Mr. Foster offered the motion that Resolution 19 be referred to Committee on Education.

The motion prevailed.

MOTION—Return to Select File

Mr. President: I move we return L. B. 299 to Select File for the following specific amendment: Strike in Section 1, line 25, the words "nine hundred and fifty" and insert in lieu thereof the words "twelve hundred" and then amend the title as follows: in line 15, after the word and punctuation "annum" insert: "In Counties under township organization having twenty-two thousand or more inhabitants and less than sixty thousand inhabitants, member of the board shall be allowed a salary of twelve hundred dollars per annum". (Signed) Ladd J. Hubka.

The motion prevailed with 15 ayes, 9 nays and 19 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 121. With emergency.

A bill for an act to amend sections 44-309 and 44-310, Revised Statutes of Nebraska, 1943, relating to insurance; to prescribe legal investments for domestic insurance companies; to provide a saving clause; to repeal the original sections and section 44-311, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cronin	Hoyt	Raasch
Anderson, J.	Crossland	Hubka	Raecke
Anderson, L.	Cullingham	Jeffords	Reavis
Babcock	Dooley	Kain	Ryan
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Garber	Lusienski	Sorrell
Carlberg	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Ogden	Wood
Conklin	Hern	Pizer	

Voting in the negative, 0.

Not voting, 4:

Mekota	Norman	Peterson	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Member Excused

Mr. Mueller was excused for the balance of the day.

LEGISLATIVE BILL 218.

A bill for an act to amend sections 48-603, 48-624, 48-626 and 48-628, relating to unemployment compensation; to redefine "employer"; to amend the table of weekly benefit amounts; to extend the maximum duration of benefit payments; to redetermine disqualifications for benefits; to provide for weekly benefit amount and maximum duration when there is current a benefit year which has not expired prior to the effective date of this act; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Cronin	Hern	Raasch
Anderson, J.	Crossland	Hoyt	Raecke
Babcock	Cullingham	Hubka	Reavis
Brodahl	Dooley	Kain	Ryan
Burnham	Doyle	Klaver	Seaton
Carlberg	Foster	Ogden	Sorrell
Carmody	Hanna	Peterson	Tvrdik
Conklin	Heiliger	Pizer	Wood

Voting in the negative, 0.

Not voting, 11:

Anderson, L.	Jeffords	Mekota	Schultz
Burney	Lee	Mueller	Weborg
Garber	Lusienski	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 323.

A bill for an act to amend sections 86-318, 86-322, 86-324 and 86-327, Revised Statutes of Nebraska, 1943, relating to electric transmission lines; to regulate the manner of construction of such transmission lines; to provide the extent of the jurisdiction of the State Railway Commission over the construction of such transmission lines; to repeal the original sections and section 86-320, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, "Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Conklin	Hoyt	Raasch
Anderson, J.	Cronin	Hubka	Raecke
Anderson, L.	Crossland	Jeffords	Reavis
Babcock	Cullingham	Kain	Ryan
Brodahl	Doyle	Klaver	Schultz
Burney	Foster	Lee	Seaton
Burnham	Hanna	Ogden	Sorrell
Carlberg	Heiliger	Peterson	Tvrdik
Carmody	Hern	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Dooley	Lusienski	Mueller	Weborg
Garber	Mekota	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 384. With emergency.

A bill for an act to amend section 72-252, Revised Statutes of Nebraska, 1943, relating to bonds and securities held in the various funds under the management and trusteeship of the Board of Educational Lands and Funds; to empower the board to sell such bonds under the specified terms and conditions; to provide that, when the sale of any Nebraska municipal bonds is contemplated, the board shall give notice

thereof to the said municipality or municipalities whose bonds are proposed to be so sold at least twenty days prior to selling the same; to eliminate, until March 1, 1947, the requirement that bonds shall not be sold at less than the same cost the state; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Adams	Cronin	Heiliger	Pizer
Anderson, J.	Crossland	Hubka	Raasch
Anderson, L.	Cullingham	Jeffords	Reavis
Babcock	Dooley	Kain	Ryan
Brodahl	Doyle	Lee	Sorrell
Burney	Foster	Ogden	Tvrdik
Carmody	Hanna	Peterson	Wood
Conklin			

Voting in the negative, 5:

Hern	Raecke	Schultz	Seaton
Hoyt			

Not voting, 9:

Burnham	Klaver	Mekota	Norman
Carlberg	Lusienski	Mueller	Weborg
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 239. With emergency.

A bill for an act to amend sections 77-1303, 77-1615, 77-1616, 77-1617 and 77-1706, Revised Statutes of Nebraska, 1943, and section 77-1613, Revised Statutes of Nebraska, 1943, as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to revenue and taxation; to extend the privilege and authority to county boards in all counties, in their discretion, to cause to be used unit tax ledgers in lieu of tax lists; to provide for the compilation, preparation and delivery of unit tax ledgers, and the manner and method of application of unit tax ledgers in the levy and col-

lection of taxes; to provide for the manner of writing tax receipts in counties that shall adopt or have adopted the unit tax ledger system and the payment of the cost of preparation of such tax receipts; to repeal original sections 77-1303, 77-1615, 77-1616, 77-1617 and 77-1706, Revised Statutes of Nebraska, 1943, and original section 77-1613, Revised Statutes of Nebraska, 1943, as amended by legislative bill 26, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Cronin	Hoyt	Raasch
Anderson, J.	Crossland	Hubka	Raecke
Anderson, L.	Cullingham	Kain	Reavis
Babcock	Dooley	Klaver	Ryan
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Mekota	Seaton
Burnham	Hanna	Ogden	Sorrell
Carlberg	Heiliger	Peterson	Tvrdik
Carmody	Hern	Pizer	Wood
Conklin			

Voting in the negative, 0.

Not voting, 6:

Garber	Lusienski	Norman	Weborg
Jeffords	Mueller		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

April 25, 1945

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 234 L. B. 228 L. B. 35
L. B. 149 L. B. 205

Respectfully submitted,

(Signed) H. G. Greenamyre,
Sec'y to the Governor.

MESSAGE FROM THE GOVERNOR

April 26, 1945

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I desire to inform your honorable body that I have made the following appointments:

Arch W. Jarrell, Grand Island, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1946.

C. J. Reynolds, Fremont, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1947.

Thomas J. Dredla, Crete, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1948.

Marcus L. Poteet, Lincoln, Nebraska, Nebraska Liquor Control Commission, appointed for a period of six years and until May 25, 1951.

Earl Monahan, Hyannis, Nebraska, Nebraska Brand Committee, appointed until August 28, 1949.

Clark B. Evans, Wisner, Nebraska, State Real Estate Commission, appointed until August 28, 1949.

Grove M. Porter, Nebraska City, Nebraska, State Racing Commission, appointed to March 30, 1948.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 394. By Committee on Public Works,
Sidney J. Cullingham, Chairman.

A bill for an act to authorize the Department of Roads and Irrigation to accept as a gift any bridge and approaches thereto, or any part thereof, for highway traffic, over any river on a boundary line between this state and an adjoining state, which bridge constitutes a connecting link between a state or federal highway, or extension thereof, in this state and similar highways in an adjoining state; to authorize the Department of Roads and Irrigation to make agreements, receive and accept conveyances of title, and to thereafter operate and maintain such bridges and approaches thereto, free of tolls, as a part of the state highway system, and to prescribe the conditions with reference thereto; and to repeal section 66-425, Revised Statutes of Nebraska, 1943.

MOTION—Suspension of Rules

Mr. President: I move that the rules be suspended and that L. B. 394 be placed on General File. (Signed) Sidney J. Cullingham

Mr. Cullingham moved a call of the House.

A call of the House was ordered and the roll showed 28 members present.

Mr. Reavis moved that the call be raised.

The motion prevailed with 29 ayes, 0 nays, and 14 not voting.

Mr. Cullingham's original motion prevailed with 30 ayes, 0 nays and 13 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval April 26, 1945, at 8:45 a. m.

L. B. 148

LEGISLATIVE BILL 387. Placed on Select File as amended.

E and R amendments to L. B. 387:

1. In the bill, section 1, lines 3 and 4, strike "wherein children, as described" and in lieu thereof insert: ", wherein *one or more of the* children, as described *referred to*"; line 4, strike the comma after "79-518" and in lieu thereof insert ";"; line 5, strike "such pupil" and in lieu thereof insert: "*each of* such pupil *pupils*".

2. In the bill, section 2, line 4, strike "State General Fund," and in lieu thereof insert: "*general fund of this state*" and in said line, before the word "claims" insert the word "*the*".

3. In the bill, title, line 4, strike the word "for" and in lieu thereof insert: "who are"; line 6, insert a comma after the word "Nebraska", also in line 12 after the word "necessary"; line 7, strike the word "children" and in lieu thereof insert: "each such child" and the same in line 8; line 9, strike "specifically to appropriate" and in lieu thereof insert: "to specifically appropriate from the general fund of this state," .

LEGISLATIVE BILL 146. Correctly engrossed.
LEGISLATIVE BILL 153. Correctly engrossed.
LEGISLATIVE BILL 256. Correctly engrossed.
LEGISLATIVE BILL 263. Correctly engrossed.
LEGISLATIVE BILL 318. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

NOTICE OF COMMITTEE HEARING

The Committee on Education will hold hearing on Legislative Resolution No. 19, Monday, April 30, at 1:30 p. m. (Signed) Cliff N. Ogden, Chairman.

SELECT FILE

LEGISLATIVE BILL 217.

Mr. Lee offered the following amendment, which was adopted.

1. Amend the number 4 amendment of Senators Lee and Seaton, adopted April 12, 1945, amending Article 6, section 2, and the Enrollment and Review amendment number 3 by striking all of subsection (6) and inserting in lieu thereof the following:

"(6) Employ some person of executive ability, who is qualified by experience and training, as the executive officer or director and such actuarial, clerical, medical and other assistants as may be required for the efficient administration of the system, determine and fix their compensation and pay all the expenses of administration;"

2. Amend Article 6, section 2, by striking all of lines 84 to 89, inclusive, as amended, and inserting in lieu thereof the following:

"The executive officer or director shall be in charge of the administration of the system and shall have such additional powers and duties as are properly delegated by the board, and in addition it shall be his duty to:"

3. Amend Article 6, section 2, by striking all of line 115 beginning with the word "The", and all of lines 116 to 121, inclusive.

4. Amend Article 6, section 4, line 3, by inserting after the word "disbursements" the following:

", including the expenses of administration,"

Advanced to E and R for engrossment.

LEGISLATIVE BILL 324. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 364. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 382. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Mr. Tvrdik reported on an opinion from Walter R. Johnson, Attorney General, on the above bill.

Advanced to E and R for engrossment.

Unanimous Consent

Mr. Reavis asked unanimous consent to place L. B. 375 on Select File for the following specific amendment:

1. Amend the bill by adding a new section, to be numbered 2, reading as follows:

"Sec. 2. That section 81-148, Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-148. The Purchasing Agent shall receive a salary of ~~three~~ *four* thousand ~~six hundred~~ dollars per annum, payable in equal monthly installments.

2. Renumber section 2 as section 3.

3. Amend renumbered section 3, line 1, by striking the following:

"section 81-103"

and inserting in lieu thereof the following:

"sections 81-103 and 81-148"

4. Amend the title of the act, line 2, by striking the following:

"section 81-103"

and inserting in lieu thereof the following:

"sections 81-103 and 81-148"

5. Amend the title of the act by amending Enrollment and Review amendment number 5 by striking the word "and" after the word "Engineer" and inserting a comma in lieu thereof and inserting after the word "Insurance" the words "and Purchasing Agent"

6. Amend the title of the act, line 6, by striking the word "section" and inserting in lieu thereof the word "sections".

No objection was offered and it was so ordered.

LEGISLATIVE BILL 375.

Mr. Reavis asked for unanimous consent for the adoption of his specific amendment found in this day's Journal.

Objection was made.

Mr. Reavis made a motion for the adoption of his specific amendment.

Mr. Reavis asked for a call of the House.

A call of the House was ordered and after call the roll showed 33 members present.

Mr. Klaver moved that the call be raised.

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

Mr. Reavis' amendment was adopted with 24 ayes, 10 nays and 9 not voting.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 193. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 306. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 70. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 299.

Mr. Hubka asked unanimous consent for the adoption of his specific amendment, found in this day's Journal.

Objection was offered.

Mr. Hubka made a motion to adopt his specific amendment.

The motion prevailed with 25 ayes, 5 nays and 13 not voting.

Mr. Schultz offered an amendment by unanimous consent. Objection was made.

Mr. Schultz made a motion to return L. B. 299 to General File for the following specific amendment:

Amend L. B. 299, Sec. 1, lines 31 and 32, by striking "eight hundred" and inserting in lieu thereof "one thousand fifty".

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 299.

Mr. Schultz made a motion to adopt his specific amendment, found in this day's Journal.

The motion prevailed.

Mr. Hoyt offered the following amendment, which was adopted:

Amend L. B. 299, line 44, by striking the words "six hundred" and inserting in lieu thereof the words "eight hundred and fifty."

Mr. Carlberg offered the following amendment, which was adopted:

Amend L. B. 299, lines 45 and 46, by striking the words "nine hundred and fifty" and inserting in lieu thereof the words "twelve hundred" and amend the title to correspond.

Mr. Hubka made a motion that the title be amended to conform to the amended bill.

The motion prevailed.

Laid over.

LEGISLATIVE BILL 370.

Mr. Raecke offered the following amendments:

1. Strike the Peterson amendment 4 to Section 7, adopted April 23, 1945.

2. Amend Section 7 of the bill, line 16, by striking the new matter and reinserting the stricken matter in lines 16 and 17.

3. Strike the third paragraph of the Reavis amendment to Section 4, adopted April 23, 1945.

4. Amend Section 4 of the bill, line 17, by striking the new matter and reinserting the stricken matter.

5. Strike the Hubka amendment to section 6, adopted April 23, 1945.

6. Amend Section 6 of the bill, line 15, by striking the new matter and reinserting the stricken matter.

7. Amend section 3 of the bill by striking all of lines 15, 16, 17 and 18 and the new matter in line 19 and reinserting the new matter in line 19.

8. Amend Section 5 of the bill by striking the new matter in line 15 and reinserting the stricken matter.

9. Amend the bill, Section 8, by striking the new matter in line 16 and reinserting the stricken matter.

RECESS

At 12:05 Mr. Hoyt made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., Speaker Peterson presiding.

The roll was called and all members were present except Messrs. Mueller, Norman and Weborg, who were excused.

MOTION—Place on General File

Mr. Sorrell moved that L. B. 338 be placed on General File.

Mr. Reavis raised the point of order.

The chair ruled that the bill was still in the committee, and the motion was not in order.

Mr. Sorrell moved to suspend the rules and to place L. B. 338 on General File.

Mr. Sorrell moved a call of the House.

A call of the House was ordered and after call the roll showed 39 members present.

Mr. Hanna moved that the call be raised and the motion prevailed with 24 ayes, 4 nays and 15 not voting.

Mr. Sorrell's original motion lost with 18 ayes, 6 nays and 19 not voting.

GENERAL FILE

LEGISLATIVE BILL 370.

Mr. Klaver asked for division of question on Mr. Raecke's amendment found in this day's Journal.

Mr. Ogden offered the following amendment:

Strike from Raecke amendment, matter referring to section 8.

Mr. Ogden's amendment was adopted with 17 ayes, 14 nays and 12 not voting.

Mr. Raecke withdrew the balance of his amendment.

Mr. Hubka offered an amendment to the bill, which was not adopted.

Mr. Hern made a motion to indefinitely postpone L. B. 370.

The motion lost with 11 ayes, 21 nays and 11 not voting.

Mr. Burnham offered the following amendment, which was adopted.

Section 5, line 10, strike the words "twenty-two" and insert the words "two thousand". Also in line 15, strike the words "thirty-eight" and insert the words "twenty-seven".

Mr. Hoyt offered the following amendment which was adopted:

Amend L. B. 370, Section 2, line 13, by striking the words "and fifty" and inserting in lieu thereof the words "one hundred".

Mr. Adams offered the following amendment, which was adopted.

Amend L. B. 370, Sec. 7, line 31, by striking the words "twenty-seven hundred" and inserting in lieu thereof *"three thousand"*; and by striking from line 34 the words "twenty-two" and inserting in lieu thereof the words *"twenty-five"*; and by striking from line 36 the words "twenty-two" and inserting in lieu thereof the words *"twenty-five"*.

Member Excused

Mr. James H. Anderson was excused for the remainder of the day.

At Ease

The Legislature was at ease from 3:25 to 3:35 p. m.

MOTION—Mimeograph Bill

Mr. Schultz made a motion that L. B. 370 be mimeographed with all amendments incorporated.

The motion prevailed.

Members Excused

Messrs. Schultz, Cronin and Reavis were excused for Friday, April 27, 1945.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 26, 1945, at 2:30 p. m.

L. B. 211 L. B. 220 L. B. 280

LEGISLATIVE BILL 139. Replaced on Select File
LEGISLATIVE BILL 180. Placed on Select File as amended.

E and R amendments to L. B. 180:

1. In General File amendment 3, by Mr. Hubka, inserted matter, line 1, strike the figure "4" and in lieu thereof insert the figure "3"; line 3, strike the comma after the word *"house"* ; strike the comma at the end of line 5, after the word *"proprietor"* and in lieu thereof insert the word *"or"*; line 6, strike the comma after the word *"bailee"*; line 10, insert a comma after the word *"declaration"* and also after the word *"thereof"*; line 15, strike *"and a"* and in lieu thereof insert: *". A"*.

2. In General File amendment 4, by Mr. Hubka, inserted matter, line 1, strike the figure "5" and in lieu thereof insert the figure "4"; line 4, strike the comma after the word *"proprietor"* and in lieu thereof insert the word *"or"*; insert a comma in line 8, after the word *"declaration"* and also after the word *"thereof"*, also in line 14 after the word *"agent"*; line 13, strike *"and a"* and in lieu thereof insert: *". A"*.

3. In General File amendment 5, by Mr. Hubka, strike all of line 1 after the word "by" and all of line 2, and in lieu thereof insert: "inserting a new section as follows:" ; in the inserted matter, line 1, strike the figure "6" and in lieu thereof insert the figure "5"; line 3, strike the comma after the word *"proprietor"* and in lieu thereof insert the word *"or"*; line 7, after the word *"guest"* and before the comma insert the word *"thereof"*; line 12, strike *"and a"* and in lieu thereof insert: *". A"* .

4. In General File amendment by Mr. Peterson, line 2, after the word "bill" insert: "and amendment thereto" .

5. In the bill, section 1, line 4, after the word "who" insert *"(1)"*; lines 5 and 6, strike "in good order, and" and in lieu thereof insert: *"(a)* in good order, and *(b)"*; strike all of line 11 beginning with the word "and" and strike all of lines 12 to 16, inclusive, and in lieu thereof insert the following:

"and who *(2)* keeps *(a) suitable locks or bolts* on the doors of the sleeping rooms used by guests, suitable locks or bolts, and *(b) suitable fastenings* on the transoms and windows of said rooms, suitable fastenings and who *(3) constantly and conspicuously* keeps *posted, in not less than ten places in said place of business,* a copy of this section, printed in distinct type, constantly and conspicuously posted, in not less than ten places in all, in said place of business, shall be liable for the loss or in-" ;

line 20, before the word "hotel" insert the word "*a*"; line 21, strike the word "the" and in lieu thereof insert "*the*"; line 23, strike "it, and deposit it" and in lieu thereof insert: "~~it~~, and deposit *it the same*"; line 24, strike ", and to" and in lieu thereof insert: "~~,~~ and *to*"; strike the comma and in lieu thereof insert "~~,~~" in line 25 after the word "place", line 28 after the word "dollars", line 33 after the word "vault", line 40 after the word "samples" and line 41 after the word "house"; insert a comma in line 26, after the word "guest", in line 27 after the word "property", line 31 after the word "may", line 32 after the word "guest" and line 45 after the word "same"; line 30, strike *"Provided,"* and in lieu thereof insert: "~~Provided,~~ *and provided*"; line 31 before the word "hotel" insert the word "*a*"; line 34, strike ", and" and in lieu thereof insert: "~~,~~ and , *in such a case,*"; line 38, strike *"Provided,"* and in lieu thereof insert: "~~Provided,~~ *and provided still*"; line 49, strike ", provided he has for delivery," and in lieu thereof insert: "~~,~~ provided *if* he has *said storage warehouse receipt* for delivery~~,~~"; lines 50 and 51, strike ", said storage warehouse receipt" and in lieu thereof insert: "~~,~~ said storage warehouse receipt" .

6. In the bill, section 3, line 1, strike the figure "3" and in lieu thereof insert the figure "2" and in said line strike the word *"provided"* and in lieu thereof insert: ", *provided for*"; line 2, before the word *"shall"* insert: ", *Revised Statutes of Nebraska, 1943, and any amendments thereto,*" .

7. In the bill, section 6, line 1, strike the word "sections" and in lieu thereof insert the word "section" and in said line strike "and 41-123"; line 2, strike the word "are" and in lieu thereof insert the word "is" .

8. In the bill, title, strike all of line 2 after the word "amend" and all of lines 3, 4 and 5, and in lieu thereof insert the following:

"section 41-122, Revised Statutes of Nebraska, 1943, relating to hotels and inns; to provide for the limitation of the liability of hotels, restaurants, apartment houses and rooming houses to guests and to make the specified changes in such liability; to provide for certain forms and declarations affecting such liability; to" ;

line 6, strike the word "sections" and in lieu thereof insert the word "section" .

LEGISLATIVE BILL 270. Placed on Select File as amended.

E and R amendments to L. B. 270:

1. In the bill, section 1, line 8, strike the comma at the end of the line, after the word "district" (not in statute) .

2. In the bill, section 2, line 3, strike the word "*inclusive*" and in lieu thereof insert: ", *inclusive, as amended,*"; line 5, strike ", or may be" and in lieu thereof insert: ", or may be"; line 9, strike the word "Said" and in lieu thereof insert: "Said *The*"; line 11, before the word "adopt" insert "*(1)*"; line 16, strike ", and to" and in lieu thereof insert: "and to *(2)*"; strike the comma in line 19 after the word "district" and in line 21 after the word "Commission" (not in statute) .

3. In the bill, section 3, line 4, strike the word "said" after the word "the" (not in statute) and strike the word "said" at the end of the line and in lieu thereof insert: "the *a*"; insert a comma at the end of line 5 after the word "regulations" and in line 6 after the word "safety"; line 7, strike the comma and in lieu thereof insert "," after the word "installation" and also after the word "equipment" (in statute); line 11, strike "shall thereafter" and in lieu thereof insert: "shall thereafter"; line 12, strike ", and, when" and in lieu thereof insert: ", and when . *When such rules and regulations are*"; line 13, before the word "shall" insert the word "*they*"; line 14, strike the word "shall" and in lieu thereof insert "shall"; line 16, after the word "nothing" insert the word "*contained*"; lines 16 and 17, strike the word "contained" and in lieu thereof insert: "and section 14-1038 contained" (in statute); line 19, strike the word "herein" and in lieu thereof insert: "in Sections 14-1037 to 14-1041 *herein*" .

4. In the bill, section 5, line 3, strike the word "Said" and in lieu thereof insert the word "The" (as in statute); line 5, after the word "from" insert the word "the" (as in statute); line 6, strike ", and the funds," and in lieu thereof insert: ", and the . *The* funds," ; line 10, strike "in payment of" and in lieu thereof insert: "in *for the* payment of *the*" .

5. In the bill, title, lines 5 and 6, strike "all of the power and authority" and in lieu thereof insert: "powers and authorities"; line 8, after the word "appearing" insert: "in part"; line 9, after the semicolon and before the words "to repeal" insert: "to include in said sections electric plants, in addition to gas plants, and electricity, in addition to gas;" .

LEGISLATIVE BILL 297. Placed on Select File as amended.

E and R amendments to L. B. 297:

1. In specific amendment 2, by Mr. Raecke, line 3, after the quotation mark and before the word "*Except*" insert "(6)" .

2. In specific amendment 4 by Mr. Raecke, inserted matter, insert a comma in line 5 after the word "*directors*" and in line 6, after the

word "*qualified*"; line 7, before the word "*approval*" insert the word "*the*"; last line, after the word "possible" and before the quotation mark insert the word "into".

3. In specific amendment 13, by Mr. Raecke, line 1, strike the figure "6" and in lieu thereof insert the figure "5"; in the inserted matter, line 4, before the word "filling" insert the word "the"; line 13, strike ", and" and in lieu thereof insert a semicolon; line 14, strike "upon request,"; line 15, after the word "proceedings" and before the semicolon insert: "upon request"; line 16, before the word "reimbursement" insert the word "the" and in said line, strike the word "of" after the word "state" and in lieu thereof insert the word "for" .

LEGISLATIVE BILL 332. Placed on Select File as amended.

E and R amendments to L. B. 332:

1. In specific amendment 1 by Mr. Tvrdik, line 2, after the quotation mark and before the word "may" insert the word "shall" and insert a comma after the word "may" and also after the word "discretion" ; strike all of lines 3 to 6, inclusive, and in lieu thereof insert:

"strike all of line 5, section 1, and all amendments thereto, and in lieu thereof insert: "municipalities and the public schools" "; in line 8, strike the words "school districts" and in lieu thereof insert: "school districts *schools*" and strike all amendments to said line."

2. In specific amendment 2 by Mr. Tvrdik, line 1, strike the figure "4" and in lieu thereof insert the figure "5"; line 2, insert a comma after the word "may" and also after the word "discretion" .

3. Due to amendments made by Mr. Tvrdik, in the bill, title, strike Enrollment and Review Committee amendments to line 6 and in said line, as reinserted, strike the word "parochial" .

LEGISLATIVE BILL 267. Correctly engrossed.
LEGISLATIVE BILL 328. Correctly engrossed.
LEGISLATIVE BILL 3. Correctly engrossed.
(Signed Roy B. Carlberg, Chairman

Adjournment

At 4:00 p. m., Mr. Tvrdik made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 27, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., Speaker Peterson presiding.

Prayer was offered by Dr. Victor E. Reichert, Rabbi of Rockdale Avenue Temple, Cincinnati, Ohio.

The roll was called and all members were present except Messrs. Conklin, Cronin, Dooley, Norman, Reavis, Schultz, and Weborg, who were excused.

The Journal for the eightieth day was approved as corrected.

Communication

Card of gratitude from Mrs. Edward Jelen and family, and Mrs. Mary Jelen and family.

GENERAL FILE

LEGISLATIVE BILL 381.

Mr. Burney made a motion to indefinitely postpone L. B. 381.

After discussion, Mr. Doyle moved the previous question.

The motion did not prevail, with 12 ayes, 16 nays and 15 not voting.

Mr. Lester Anderson was excused for the remainder of the day.

A record vote was requested.

Voting in the affirmative, 19:

Babcock	Carmody	Hern	Mueller
Brodahl	Crossland	Jeffords	Raasch
Burney	Doyle	Lee	Raecke
Burnham	Garber	Lusienski	Wood
Carlberg	Hanna	Mekota	

Voting in the negative, 11:

Adams	Kain	Peterson	Sorrell
Anderson, J.	Klaver	Pizer	Tvrdik
Hoyt	Ogden	Ryan	

Not voting, 13:

Anderson, L.	Dooley	Hubka	Schultz
Conklin	Foster	Norman	Seaton
Cronin	Heiliger	Reavis	Weborg
Cullingham			

The motion prevailed.

LEGISLATIVE BILL 380. Read and considered.

Mr. Garber made a motion to indefinitely postpone L. B. 380.

A record vote was requested.

Voting in the affirmative, 8:

Burnham	Carmody	Garber	Jeffords
Carlberg	Doyle	Hanna	Wood

Voting in the negative, 19:

Adams	Hern	Lusienski	Raecke
Anderson, J.	Hoyt	Mekota	Ryan
Babcock	Hubka	Ogden	Sorrell
Foster	Klaver	Pizer	Tvrdik
Heiliger	Lee	Raasch	

Not voting, 16:

Anderson, L.	Cronin	Kain	Reavis
Brodahl	Crossland	Mueller	Schultz
Burney	Cullingham	Norman	Seaton
Conklin	Dooley	Peterson	Weborg

The motion did not prevail.

Mr. Garber offered an amendment which was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 379. Read and considered.

Standing Committee Amendments, found in the Legislative Journal for the Seventy-third Day were adopted.

Mr. Garber offered the following amendments:

Amend L. B. 379, Section 2, by striking in line 65, the following ", and (4) the success-" and inserting in lieu thereof the punctuation ".".

Strike all of lines 66 to 69, inclusive.

A record vote was requested.

Voting in the affirmative, 11:

Brodahl	Carlberg	Hanna	Seaton
Burney	Carmody	Jeffords	Wood
Burnham	Garber	Raasch	

Voting in the negative, 17:

Adams	Hoyt	Mekota	Raecke
Anderson, J.	Kain	Ogden	Ryan
Babcock	Klaver	Peterson	Sorrell
Foster	Lee	Pizer	Tvrdik
Hern			

Not voting, 15:

Anderson, L.	Cullingham	Hubka	Reavis
Conklin	Dooley	Lusienski	Schultz
Cronin	Doyle	Mueller	Weborg
Crossland	Heiliger	Norman	

Mr. Garber's motion lost, with 11 ayes, 17 nays and 15 not voting.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 390. Placed on Select File as amended.

E and R amendment to L. B. 390:

In the bill, section 1, line 6, after the word "Nebraska" and before the semicolon insert: ", *except intangible property*".

LEGISLATIVE BILL 391. Placed on Select File as amended.

E and R amendment to L. B. 391:

In section 1, line 14, after "68-325," insert: ", *inclusive, as amended,*" .

LEGISLATIVE BILL 392. Placed on Select File as amended.

E and R amendments to L. B. 392:

1. In the bill, section 1, line 7, after the word "for" insert the word "*the*"; line 8, insert a comma after the word "administration"; line 12, strike the word "sum" and in lieu thereof insert: "*sum amount*"; line 13, strike "from the" and in lieu thereof insert: "*from the of said*"; line 14, strike "*that purpose*" and in lieu thereof insert: "*such purposes*"; line 39, after the word "pay" insert the word "*the*" and in said line insert a comma after the word "salaries" and after the word "part", also in line 44 after the word "personnel" and in line 45 before the word "may".

2. In the bill, title, line 3, before the word "state" insert the word "the"; strike all of line 4 and in lieu thereof insert: "the division and use of the money in the state assistance fund; to provide for the use of such amount thereof"; line 6, strike the comma after the word "services" .

LEGISLATIVE BILL 76. Correctly engrossed.
LEGISLATIVE BILL 250. Correctly engrossed.
LEGISLATIVE BILL 276. Correctly engrossed.
LEGISLATIVE BILL 333. Correctly engrossed.
LEGISLATIVE BILL 368. Correctly engrossed.
LEGISLATIVE BILL 378. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

GENERAL FILE—Continued

Mr. Carmody Presiding

LEGISLATIVE BILL 388. Read and considered.

Mr. Peterson offered the following amendments, which were adopted:

1. Amend section 1 of the bill, line 8, by inserting after the word "courts" the following:

", State Railway Commission".

2. Amend section 1 of the bill, lines 15 and 16, by reinstating the stricken matter and striking the new matter contained therein.

3. Amend the title of the act, lines 4 to 6, inclusive, by striking the following:

"to except rate tariffs, together with rules of interpretation thereof, from requirements of act;".

Advanced to E and R for review.

Speaker Peterson Presiding

LEGISLATIVE BILL 389. Read and considered.

Mr. Hubka Presiding

Speaker Peterson Presiding

Advanced to E and R for review.

LEGISLATIVE BILL 222.

Mr. Raecke made a motion to indefinitely postpone L. B. 222.

The motion prevailed.

Member Excused

Mr. Klaver was excused for the afternoon.

RECESS

At 11:55 a. m. Mr. Hern made a motion to recess until 2:00 p. m.

Mr. Ogden made a substitute motion to recess until 1:30 p. m.

Mr. Ogden's motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., Speaker Peterson presiding.

The roll was called and all members were present except Messrs. L. Anderson, Conklin, Cronin, Dooley, Klaver, Norman, Reavis, Schultz and Weborg, who were excused.

STANDING COMMITTEE REPORT

Labor and Public Welfare

LEGISLATIVE BILL 338. Placed on General File.

Mr. President: At a special session of your Committee on Labor and Public Welfare, called to meet in consideration of another matter, a motion was made to report L. B. 338 to General File. The motion carried by a vote of five for and three against, one member not voting. (Signed) Don E. Hanna, Chairman.

GENERAL FILE

LEGISLATIVE BILL 299.

Mr. Mekota moved to reconsider action in adopting the second half of Standing Committee amendment 1, found in the Legislative Journal for the Forty-fourth Day, which struck line 46, beginning with the word "Provided", and all of lines 47, 48, 49 and 50 of L. B. 299, Section 1.

Mr. Hanna moved a call of the House.

A call of the House was ordered and after call the roll showed 34 members present.

Mr. Sorrell moved to raise the call, which lost with 12 ayes, 14 nays and 17 not voting.

Mr. Hern moved to raise the call, which prevailed with 27 ayes, 0 nays and 16 not voting.

Mr. Mekota's motion prevailed with 25 ayes, 3 nays and 15 not voting.

Mr. Hanna made a motion to reject the second half of Standing Committee amendment 1, as stated above.

The motion prevailed.

Mr. James H. Anderson made a motion to reconsider action in adopting the General File amendments offered by Messrs. Carlberg and Hoyt on April 26 and the specific amendments offered by Messrs. Schultz and Hubka on April 26.

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

Mr. Carlberg withdrew his amendment offered on April 26 and found in the Legislative Journal for the Eightieth Day.

Mr. Hoyt withdrew his amendment offered on April 26 and found in the Legislative Journal for the Eightieth Day.

Mr. Schultz' amendment offered on April 26 and found in the Legislative Journal for the Eightieth Day was rejected.

Mr. Hubka's amendment offered on April 26 and found in the Legislative Journal for the Eightieth Day was rejected with 6 ayes, 14 nays and 23 not voting on his motion to retain the amendment.

Advanced to E and R for review.

LEGISLATIVE BILL 204.

Mr. Tvrdik made a motion to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL 244.

Mr. Raasch made a motion to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL 268.

Mr. Jeffords made a motion to indefinitely postpone.

The motion prevailed.

Mr. Kain Presiding

LEGISLATIVE BILL 338. Read and considered.

Mr. Hubka made a motion to lay over the bill, which lost for want of a second.

Mr. Peterson offered the following amendment, which was adopted:

1. Amend section 1 of the bill, lines 7 and 8, by striking the same and inserting in lieu thereof:

" ~~to another division, outside of yard limits,~~ any light engine *a distance greater than fifteen miles outside of the yard limits of the station where the movement of such light engine originates,* which *engine* is not manned with a crew consisting of one en-"

2. Amend the title, lines 5 to 7, inclusive, by striking the same and inserting in lieu thereof:

"so that operation thereof is not permitted a distance greater than fifteen miles outside of the yard limits of any station where the movement of such light engine originates"

Mr. J. H. Anderson moved to indefinitely postpone L. B. 338.

A record vote was requested.

Mr. Hern moved a call of the House.

A call of the House was ordered and after call the roll showed 31 members present.

Mr. Hern moved that the call be raised and the motion prevailed with 15 ayes, 1 nay and 27 not voting.

Voting in the affirmative, 11:

Anderson, J.	Hanna	Lee	Raasch
Babcock	Hubka	Mekota	Wood
Brodahl	Jeffords	Mueller	

Voting in the negative, 16:

Adams	Foster	Lusienski	Ryan
Burney	Heiliger	Peterson	Seaton
Carmody	Hern	Pizer	Sorrell
Crossland	Hoyt	Raecke	Tvrdik

Not voting, 16:

Anderson, L.	Cronin	Garber	Ogden
Burnham	Cullingham	Kain	Reavis
Carlberg	Dooley	Klaver	Schultz
Conklin	Doyle	Norman	Weborg

Mr. J. H. Anderson's motion to indefinitely postpone lost, with 11 ayes, 16 nays and 16 not voting.

Mr. J. H. Anderson asked that the bill be laid over and made Special Order for Monday, April 30.

A record vote was requested.

Mr. Pizer Presiding

Voting in the affirmative, 20:

Adams	Burnham	Hubka	Raasch
Anderson, J.	Doyle	Jeffords	Ryan
Babcock	Foster	Kain	Sorrell
Brodahl	Hanna	Lee	Tvrdik
Burney	Heiliger	Mekota	Wood

. . Voting in the negative, 6:

Carmody	Hoyt	Pizer	Raecke
Hern	Lusienski		

Not voting, 17:

Anderson, L.	Cullingham	Mueller	Reavis
Carlberg	Dooley	Norman	Schultz
Conklin	Garber	Ogden	Seaton
Cronin	Klaver	Peterson	Weborg
Crossland			

Mr. J. H. Anderson's motion prevailed.

Speaker Peterson Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 375. Replaced on Select File as amended.

E and R amendment to L. B. 375:

In the bill, title, line 3, strike the word "executive" and in lieu thereof insert: "said administrative".

LEGISLATIVE BILL 215. Correctly engrossed.
LEGISLATIVE BILL 121. Correctly enrolled.
(Signed) Roy B. Carlberg, Chairman

Committee on Committees

Mr. President: Your Committee on Committees has set for hearing, the appointments of:

Arch W. Jarrell, Grand Island, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1946.

A. J. Reynolds, Fremont, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1947.

Thomas J. Dredla, Crete, Nebraska, member of Nebraska Merit System Council, appointed until March 1, 1948.

Marcus L. Poteet, Lincoln, Nebraska, Nebraska Liquor Control Commission, appointed for a period of six years and until May 25, 1951.

Earl Monahan, Hyannis, Nebraska, Nebraska Brand Committee, appointed until August 28, 1949.

Clark B. Evans, Wisner, Nebraska, State Real Estate Commission, appointed until August 28, 1949.

Grove M. Porter, Nebraska City, Nebraska, State Racing Commission, appointed until March 30, 1948.

for public hearing in the West Lounge on May 2, 1945 at 1:30 p. m.
(Signed) Charles F. Tvrdik, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 121

Mr. Doyle asked for an indication from the members by use of the machine to show in what form they would like to have their stamps issued.

The result showed 16 wished book form, 9 wished sheets, and 2 wished ½ books and ½ sheets.

SELECT FILE

LEGISLATIVE BILL 387. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 139.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 180. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Mr. Hern offered the following amendment, which was adopted by unanimous consent.

Amend the General File amendment by Mr. Hubka, paragraph 5, April 20, 1945, by striking the words "five hundred" in line 5 and inserting in lieu thereof the words "one thousand".

Mr. Hubka offered the following amendments, which were adopted by unanimous consent.

1. Amend section 4 of the bill, as amended by Hubka amendment of April 20, 1945, by inserting at the end of the section the following:

"A copy of this section printed in not smaller than 10 point type shall be conspicuously posted in each room of each hotel, restaurant, apartment house or rooming house desiring to obtain the benefit of this section."

2. Amend section 5 of the bill, as amended by Hubka amendment of April 20, 1945, by inserting at the end of the section the following:

"A copy of this section printed in not smaller than 10 point type shall be conspicuously posted in each room of each hotel, restaurant, apartment house or rooming house desiring to obtain the benefit of this section."

3. Amend section 6 of the bill, as amended by Hubka amendment of April 20, 1945, by inserting at the end of the section the following:

"A copy of this section printed in not smaller than 10 point type shall be conspicuously posted in each room of each hotel, restaurant, apartment house or rooming house desiring to obtain the benefit of this section."

Advanced to E and R for engrossment.

LEGISLATIVE BILL 270. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 297. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 332. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 320.

Advanced to E and R for engrossment.

GENERAL FILE—Continued

LEGISLATIVE BILL 393. Read and considered.

Mr. Mekota offered the following amendments, which were adopted:

1. Amend the bill by adding a new section to be numbered section 1 as follows:

"Section 1. That section 43-205, Revised Statutes of Nebraska, 1943, be amended to read as follows:

43-205. Any *The county attorney or any* reputable person being a resident *residing* in the county *, with the consent of the county attorney*, having knowledge of a child in his county who appears to be neglected, dependent, or delinquent, may file with the clerk of court having jurisdiction in the matter, a complaint in writing, setting forth the facts verified by affidavit. It shall be sufficient that the affidavit is upon information and belief."

2. Renumber sections 1, 2, 3, 4, 5 and 6 as sections 2, 3, 4, 5, 6 and 7, respectively.

3. Amend renumbered section 6, line 1, by inserting after the word "sections" the following:

"43-205,"

4. Amend the title of the act, line 2, by inserting after the word "sections" the following:

"43-205,"

5. Amend the title of the act, line 4, by inserting after the semicolon following the word "courts" the following:

"to provide that the county attorney or any reputable person residing in the county, with the consent of the county attorney, may file a complaint when a child appears to be neglected, dependent or delinquent;"

Advanced to E and R for review.

LEGISLATIVE BILL 394. Read and considered.

Mr. Cullingham offered the following amendment, which was adopted:

Amend L. B. 394 by adding the emergency clause and amend the title to conform.

Laid over.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 210. Replaced on Select File as amended.

E and R amendment to L. B. 210:

In section 5, line 18, strike ". In" and in lieu thereof insert: "; In ; *Provided, in*".

(Signed) Roy B. Carlberg, Chairman

Visitor

Speaker Peterson presented Mr. Arthur H. Schwartz of the Counsel of Joint Legislative Committee on Legislative Procedures and Expenditures of the State of New York, who addressed the Legislature briefly.

Adjournment

At 4:15 p. m., Mr. Foster made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 30, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Weborg, who was excused, and Mr. Cronin, who was excused until 10:30 a. m.

The Journal for the eighty-first day was approved as corrected.

Communications

Two letters acknowledging receipt of Legislative Resolution No. 9, from Lt. Col. Alford C. Boatsman, Commanding Officer 134th Inf., and Capt. Elbert B. O'Keeffe, 134th Inf.

Approved by the Governor

To the President, the Speaker and Members of the Legislature. April 27, 1945

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 211 L. B. 220 L. B. 280

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval April 28, 1945, at 8:30 a. m.

L. B. 121

LEGISLATIVE BILL 299. Replaced on Select File as amended.

E and R amendment to L. B. 299:

In Enrollment and Review Committee amendment 3, adopted April 10, 1945, strike the word "to" at the end of line 14 (inserted matter) and all of lines 15 and 16, so that title will conform with General File amendment by Mr. Mekota, adopted April 27, 1945.

LEGISLATIVE BILL 261. Placed on Select File as amended.

E and R amendments to L. B. 261: (Amendments to printed amendments)

1. In section 1, line 8, after the word "by" insert the word "the" and in said line strike "without appeal"; line 9, after the word "perfected" and before the comma insert: "without being appealed".

2. In section 4, line 12, strike the word "Failure" and in lieu thereof insert: "The failure" and in said line insert a comma after the word "accident" and also after the word "provided"; line 13, strike "failure to give correctly" and in lieu thereof insert: "correctly give".

3. In section 5, line 1, before the word "Within" insert "(1)"; at the end of line 4 after the word "suspend" insert "(a)"; strike the word "and" at the end of line 6 and in lieu thereof insert: "(b) the privilege,"; line 7 strike "the privilege" and in lieu thereof insert a comma; line 8, strike ", and" and in lieu thereof insert: "and (c) the privilege," and at the end of said line, after the word "nonresident" insert a comma; line 9, strike "the privilege"; line 10, strike the word "or" after the word "operator" and in lieu thereof insert a comma; insert a comma in line 11 after the word "sufficient" and in line 12 after the word "department"; line 13, strike the word "as" and in lieu thereof insert the word "which"; line 18, before the word "This" insert "(2)" and in said line strike "(1)" and in lieu thereof insert "(a)"; line 21, strike "(2)" and in lieu thereof insert "(b)"; line 24, strike "(3)" and in lieu thereof insert "(c)"; line 28, strike "(4)" and in lieu thereof insert "(d)"; line 30, before the word "No" insert "(3)"; insert a comma

in line 37 after the word "company", line 38 after the word "state", line 53 after the word "furnish" and also after the word "department"; lines 39 and 40, strike "on its behalf"; line 40, after the word "process" insert: "in its behalf,"; line 51, before the word "notice" insert the word "a".

4. In section 6, insert a comma in line 9 after the word "if", in line 10 after the word "accident", line 16 after the word "person"; line 16, strike the word "him" and in lieu thereof insert the word "it"; line 17, strike the word "has" and in lieu thereof insert: ", has (a)"; line 18, strike the word "or" after the word "liability" and in lieu thereof insert: ", (b)" and at the end of said line strike "or has" and in lieu thereof insert: ", (c)"; line 20, strike the word "has" and in lieu thereof insert "(d)".

5. In section 7, line 3, insert a comma after the word "suspended" and in said line strike the word "shall" after the word "and"; line 22, strike the comma after the word "*provided*".

6. In section 10, line 1, strike "Security deposited" and in lieu thereof insert: "The security deposited,"; line 2, insert a comma after the word "act".

7. In section 15, line 2, strike "section 1 (10)" and in lieu thereof insert: "subdivision (10) of section 1".

8. In section 16, line 16, strike the word "then" and in lieu thereof insert: "the department,"; line 17, strike "the department".

9. In section 19, insert a comma in line 3 after the word "carrier", line 4 after the word "state" and in line 9 after the word "designate"; line 8, strike the word "shall".

10. In section 20, line 6, strike ", or" and in lieu thereof insert: "or,"; line 7, strike the word "then"; line 8, strike the word "provided" and in lieu thereof insert the word "if".

11. In section 21, line 2, insert a comma after the word "act", also in line 1 before the word "as"; line 62, strike ", and" and in lieu thereof insert: "and,".

12. In section 23, line 8, strike "insuring solely" and in lieu thereof insert: "solely insuring"; insert a comma in line 9 after the word "use" and in line 10 after the word "behalf"; line 10, strike "insured's employ" and in lieu thereof insert: "employ of the insured".

13. In section 24, line 4, strike "each owning" and in lieu thereof insert: "who each own"; line 6, strike ", which" and in lieu thereof insert: ". The"; line 7, after the word "for" insert the word "the" and

in said line strike "section 1 (10)" and in lieu thereof insert: "subsection (10) of section 1"; line 8, strike "Such bond" and in lieu thereof insert the word "It"; line 22, insert a comma after the word "bond".

14. In section 25, line 8, after the word "unless" insert: "it is".

15. In section 28, insert a comma at the end of line 1 after the word "responsibility", line 2 after the word "act" and in line 3 after the word "shall".

16. In section 29, insert a comma in line 21 after the word "damages", line 22 after the word "proof", line 25 after the word "request", line 33 after the word "person"; line 22, strike the word "any" before the word "judgment" and in lieu thereof insert the word "or"; line 36, after the word "date" insert the word "such".

17. In section 31, line 1, after the word "person" insert "(1)"; line 2, strike the word "or" and in lieu thereof insert "(2)"; line 4, strike ", or" and in lieu thereof insert: "or (3)".

18. In section 32, insert a comma at the end of line 3 after the word "revocation", line 10 after the word "registration" and also after the word "act", line 14 after the word "notice" and also after the word "act"; strike the period and in lieu thereof insert: "such a fine and imprisonment." in lines 8, 12, 20 and 24; line 9, after the word "return" insert the word "the".

19. In section 34, line 4, insert a comma before the word "as"; line 7, strike the word "he" and in lieu thereof insert the word "it"; lines 11 and 12, strike "upon reasonable grounds"; line 12, after the word "self-insurance" and before the period insert: "upon reasonable grounds".

20. In section 36, line 2, strike the word "or" before the word "judgment" and in said line strike the comma after the word "therefrom"; line 3, strike the comma after the word "state".

21. In the amendment to the title, inserted matter, insert the word "the" in line 9 after the word "for" and line 10 after the word "provide"; line 9, after the word "of" insert the word "a"; line 11, strike "a penalty" and in lieu thereof insert the word "penalties"; line 12, after the semicolon and before the word "and" insert: "to provide savings clauses; to provide how this act may be cited;".

22. At the beginning of the printed amendments, before "Section 1." insert the following:

"1. Strike all of the bill, after the enacting clause, and in lieu thereof, insert the following:".

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 352.

A bill for an act to amend sections 83-352 and 83-353, Revised Statutes of Nebraska, 1943, relating to state hospitals for the insane; to provide that the Board of Control shall fix the sum which shall be paid, as prescribed, for the keeping of a patient in such a state hospital at an amount equal to the per capita cost of maintaining such patient in the hospital; to provide that a county board may, and upon request of the Board of Control shall, sue upon behalf of the state to recover the per capita cost of the maintenance of an insane patient confined in a state hospital, and pay over any amount collected to the superintendent of the hospital in which the insane patient is confined; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Doyle	Kain	Pizer
Anderson, J.	Foster	Klaver	Raasch
Babcock	Garber	Lee	Raecke
Brodahl	Hanna	Lusienski	Reavis
Burney	Heiliger	Mekota	Ryan
Burnham	Hern	Mueller	Seaton
Carmody	Hoyt	Norman	Sorrell
Conklin	Hubka	Ogden	Tvrdik
Crossland	Jeffords	Peterson	Wood
Dooley			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Cronin	Schultz	Weborg
Carlberg	Cullingham		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Had I been present, I would have voted for L. B. 352. (Signed) Sidney J. Cullingham.

LEGISLATIVE BILL 315.

A bill for an act to amend sections 55-108 and 55-114, Revised Statutes of Nebraska, 1943, relating to the militia; to remove the exception that the Adjutant General shall hold his office until he has reached the age of seventy years, and make the retirement age the same as other staff officers; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Dooley	Kain	Raasch
Anderson, J.	Doyle	Klaver	Raecke
Babcock	Foster	Lee	Reavis
Brodahl	Hanna	Lusienski	Ryan
Burney	Heiliger	Mueller	Schultz
Burnham	Hern	Norman	Seaton
Carmody	Hoyt	Ogden	Sorrell
Conklin	Hubka	Peterson	Tvrdik
Crossland	Jeffords	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Cronin	Garber	Weborg
Carlberg	Cullingham	Mekota	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Had I been present I would have voted for L. B. 315. (Signed) Sidney J. Cullingham.

LEGISLATIVE BILL 311.

A bill for an act to repeal Article 2, Chapter 70, Revised Statutes of Nebraska, 1943, relating to hydroelectric power districts, as being obsolete.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Foster	Lee	Raasch
Anderson, J.	Hanna	Lusienski	Reavis
Babcock	Heiliger	Mekota	Ryan
Brodahl	Hoyt	Mueller	Schultz
Burney	Hubka	Norman	Seaton
Carmody	Jeffords	Ogden	Sorrell
Conklin	Kain	Peterson	Tvrdik
Crossland	Klaver	Pizer	Wood
Doyle			

Voting in the negative, 0.

Not voting, 10:

Anderson, L.	Cronin	Garber	Raecke
Burnham	Cullingham	Hern	Weborg
Carlberg	Dooley		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Had I been present, I would have voted for L. B. 311. (Signed) Sidney J. Cullingham.

LEGISLATIVE BILL 184.

A bill for an act to amend section 5-104, Revised Statutes of Nebraska, 1943, relating to apportionment; to correct errors in the description of the boundaries of legislative districts 4, 5, 6, 7, 8, 9 and 10; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams	Dooley	Jeffords	Raasch
Anderson, L.	Doyle	Kain	Raecke
Babcock	Foster	Lee	Reavis
Brodahl	Garber	Lusienski	Ryan
Burney	Hanna	Mekota	Seaton

Burnham	Heiliger	Mueller	Sorrell
Conklin	Hern	Ogden	Tvrdik
Crossland	Hoyt	Peterson	Wood
Cullingham	Hubka	Pizer	

Voting in the negative, 1:

Carmody

Not voting, 7:

Anderson, J.	Cronin	Norman	Weborg
Carlberg	Klaver	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 355. With emergency.

A bill for an act to amend section 71-182, Revised Statutes of Nebraska, 1943; to restore to chiropractors the privilege of signing death certificates; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Adams	Doyle	Kain	Raasch
Anderson, J.	Foster	Klaver	Raecke
Anderson, L.	Garber	Lee	Reavis
Babcock	Hanna	Lusienski	Ryan
Brodahl	Heiliger	Mekota	Seaton
Burnham	Hern	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Crossland	Hubka	Pizer	Wood
Cullingham	Jeffords		

Voting in the negative, 0.

Not voting, 9:

Burney	Cronin	Mueller	Schultz
Carlberg	Dooley	Peterson	Weborg
Conklin			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 374. With emergency.

A bill for an act to create and establish a revolving fund to be known as the "County Insane Reimbursement Fund"; to provide for the transfer thereto of the sum of two hundred thousand dollars from the general fund; and the appropriation of the amount thereof for the use of said fund; to provide an appropriation for said fund for the biennium beginning July 1, 1945, and ending July 1, 1947; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Doyle	Kain	Pizer
Anderson, J.	Foster	Klaver	Raasch
Anderson, L.	Hanna	Lee	Reavis
Babcock	Heiliger	Lusienski	Ryan
Brodahl	Hern	Mueller	Seaton
Burnham	Hoyt	Norman	Sorrell
Carmody	Hubka	Ogden	Tvrdik
Crossland	Jeffords	Peterson	Wood
Cullingham			

Voting in the negative, 0.

Not voting, 10:

Burney	Cronin	Mekota	Schultz
Carlberg	Dooley	Raecke	Weborg
Conklin	Garber		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 385. Laid over.
LEGISLATIVE BILL 354.

A bill for an act to amend sections 54-147 and 54-152, Revised Statutes of Nebraska, 1943, relating to livestock; to provide that the

Nebraska brand committee shall charge and collect a uniform fee of not to exceed eight cents per head on all cattle inspected by it as prescribed; to provide that no cattle shall be sold at any livestock sales ring within the brand area of the State of Nebraska until all such cattle are first inspected for brands by the Nebraska brand committee; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Dooley	Jeffords	Pizer
Anderson, J.	Doyle	Kain	Raasch
Anderson, L.	Foster	Klaver	Raecke
Babcock	Garber	Lee	Reavis
Brodahl	Hanna	Lusienski	Schultz
Burnham	Heiliger	Mekota	Seaton
Conklin	Hern	Norman	Sorrell
Crossland	Hoyt	Ogden	Tvrdik
Cullingham	Hubka	Peterson	Wood

Voting in the negative, 1:

Carmody

Not voting, 6:

Burney	Cronin	Ryan	Weborg
Carlberg	Mueller		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 49.

A bill for an act to amend section 16-686, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide the distance which such cities may construct, maintain and operate rural transmission and distribution lines from the corporate limits of such a city; to change such maximum distance from fifteen miles to eighteen miles; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Dooley	Kain	Pizer
Anderson, J.	Doyle	Klaver	Raecke
Anderson, L.	Foster	Lee	Reavis
Brodahl	Garber	Lusienski	Ryan
Burney	Hanna	Mekota	Schultz
Burnham	Heiliger	Mueller	Seaton
Carmody	Hern	Norman	Sorrell
Conklin	Hoyt	Ogden	Tvrdik
Crossland	Hubka	Peterson	Wood
Cullingham			

Voting in the negative, 0.

Not voting, 6:

Babcock	Cronin	Raasch	Weborg
Carlberg	Jeffords		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 92. Laid over.
LEGISLATIVE BILL 31. Laid over.
LEGISLATIVE BILL 383. With emergency.

A bill for an act to amend sections 32-812 and 32-919, Revised Statutes of Nebraska, 1943, relating to elections; to provide for the time ballots received by mail in any election held by any city of the metropolitan class must be in the physical possession of the clerk or election commissioner; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Crossland	Hubka	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Garber	Mekota	Schultz
Burnham	Hanna	Mueller	Seaton

Carlberg	Heiliger	Norman	Sorrell
Carmody	Hern	Ogden	Tvrdik
Conklin	Hoyt	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Jeffords	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Introduce Bill

Mr. President: I move that the rules be suspended and that L. B. 395 be read and placed on General File. (Signed) A. J. Brodahl.

The motion prevailed.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 395. By William A. Crossland of Wayne, A. J. Brodahl of Saunders and Fay Wood of Seward

A bill for an act to amend sections 17-508, 17-702, 17-703 and 17-704, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 32, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to cities and villages; to attach the emergency clause so that the provisions of said Legislative Bill 32 shall become operative at once; to repeal the original sections; and to declare an emergency.

A call of the House was requested.

Mr. Hanna moved that the call be raised, and the motion prevailed with 33 ayes, 0 nays and 10 not voting.

The original motion prevailed with 33 ayes, 5 nays and 5 not voting.

Approved by the Governor

To the President, The Speaker and Members of the Legislature. April 30, 1945

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 148 L. B. 121

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

GENERAL FILE

LEGISLATIVE BILL 338. Read and considered.

Mr. Hern moved that L. B. 338 be advanced to E and R for review.

Mr. Reavis offered the following amendment:

Amend L. B. 338 by "striking the enacting clause".

Mr. Hern moved a call of the House.

A call of the House was ordered and after call the roll showed 41 members present.

Mr. Ryan asked for record vote on the original motion.

Mr. James Anderson moved that the call be raised and the motion prevailed with 25 ayes, 13 nays and 5 not voting.

Voting in the affirmative, 21:

Anderson, J.	Cronin	Hanna	Mekota
Anderson, L.	Crossland	Hubka	Mueller
Babcock	Dooley	Jeffords	Raecke
Brodahl	Doyle	Kain	Reavis
Burney	Garber	Lee	Schultz
Burnham			

Voting in the negative, 14:

Carmody	Hoyt	Pizer	Seaton
Foster	Klaver	Raasch	Sorrell
Heiliger	Lusienski	Ryan	Tvrdik
Hern	Ogden		

Not voting, 8:

Adams	Conklin	Norman	Weborg
Carlberg	Cullingham	Peterson	Wood

Mr. Reavis' motion prevailed with 21 ayes, 14 nays and 8 not voting.

MOTION—To Place on General File

Mr. Sorrell moved that L. B. 167 be returned to General File.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 139. Correctly engrossed.
LEGISLATIVE BILL 191. Correctly engrossed.
LEGISLATIVE BILL 209. Correctly engrossed.
LEGISLATIVE BILL 237. Correctly engrossed.
LEGISLATIVE BILL 251. Correctly engrossed.
LEGISLATIVE BILL 266. Correctly engrossed.
LEGISLATIVE BILL 270. Correctly engrossed.
LEGISLATIVE BILL 278. Correctly engrossed.
LEGISLATIVE BILL 344. Correctly engrossed.
LEGISLATIVE BILL 382. Correctly engrossed.
LEGISLATIVE BILL 316. Correctly enrolled.
LEGISLATIVE BILL 199. Correctly enrolled.
LEGISLATIVE BILL 105. Correctly enrolled.
LEGISLATIVE BILL 224. Correctly enrolled.
LEGISLATIVE BILL 225. Correctly enrolled.
LEGISLATIVE BILL 243. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 316 L. B. 105 L. B. 225
L. B. 199 L. B. 224 L. B. 243

GENERAL FILE—Continued

LEGISLATIVE BILL 167.

Mr. Peterson offered the following amendment:

1. Amend the bill by adding immediately after renumbered section 35 the following three additional sections as follows:

"Sec. 36. That section 2-1401, Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1401. At the time of the assessment of property for taxation the ~~precinct~~ *county* assessor *or his assistants* shall also enroll the name of each person operating a farm or ranch, or otherwise engaging in agricultural production, together with his total acreage of all land operated and the acreage of crops planted and to be planted, on all land operated by such person, the number and kind of livestock raised the previous year, and other agricultural resources, upon a form provided by the Department of Agriculture and Inspection. In case the farm operator withholds the information, the ~~precinct~~ *county* assessor *or his assistants* shall enter on ~~said~~ *such* form the name, address and total acres in the farm or ranch operated, and write "Refused." The ~~precinct~~ *county* assessor *or his assistants* shall verify under oath his agricultural report on said form and ~~deliver as soon as completed to the county assessor who~~ shall submit ~~said~~ *the completed* report as directed by the Director of the Department of Agriculture and Inspection.

"Sec. 37. That section 11-119, Revised Statutes of Nebraska, 1943, be amended to read as follows:

11-119. The following named officers shall give bond with penalties of the following amounts:

(1) The Governor, fifty thousand dollars;

(2) The Lieutenant Governor, fifty thousand dollars;

(3) The Auditor of Public Accounts, fifty thousand dollars;

(4) The Secretary of State, fifty thousand dollars;

(5) The Attorney General, fifty thousand dollars;

(6) The State Treasurer, not less than six hundred thousand dollars, and not more than double the amount of money that may come into his hands, to be fixed by the Governor;

(7) The Superintendent of Public Instruction, fifty thousand dollars;

(8) The ~~clerk~~ *Clerk* of the Supreme Court, ten thousand dollars;

(9) The private secretary of the Governor, ten thousand dollars;

(10) The deputy auditor, ten thousand dollars;

(11) The deputy secretary of state, five thousand dollars;

(12) The deputy state treasurer, fifty thousand dollars;

(13) Any employee who serves as a bond clerk in the office of the State Treasurer, ten thousand dollars;

(14) Each other employee in the office of the State Treasurer, not less than one thousand dollars, and not more than ten thousand dollars, to be fixed by the Governor;

(15) The deputy attorney general, ten thousand dollars;

(16) The deputy superintendent of public instruction, five thousand dollars;

(17) The ~~state librarian~~ *State Librarian,* five thousand dollars;

(18) The warden of the penitentiary, ten thousand dollars;

(19) The deputy warden, five thousand dollars;

(20) The superintendent of the hospital for insane, ten thousand dollars;

(21) The assistant superintendent, five thousand dollars;

(22) The steward, five thousand dollars;

(23) The principal of the school for blind, five thousand dollars;

(24) The principal of the school for deaf, five thousand dollars;

(25) The superintendent of each industrial school, ten thousand dollars;

(26) The secretary of the board of regents of the state university, ten thousand dollars;

(27) Each county attorney, in a sum not less than one thousand dollars, to be fixed by the county board;

(28) Each clerk of the district court, not less than five thousand dollars, nor more than ten thousand dollars, to be determined by the county board;

(29) Each county clerk, not less than one thousand dollars, nor more than ten thousand dollars, to be determined by the county board;

(30) Each county treasurer, not less than ten thousand dollars, and not more than the amount of money that may come into his hands, to be determined by the county board;

(31) Each county judge, in counties having not more than six thousand inhabitants, three thousand dollars; over six thousand inhabitants and not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants and not more than fifty thousand inhabitants, ten thousand dollars; over fifty thousand inhabitants, twenty-five thousand dollars;

(32) Each sheriff, in counties of not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants, ten thousand dollars;

(33) Each county superintendent of public instruction, one thousand dollars;

(34) Each county surveyor, five hundred dollars;

(35) Each county commissioner or supervisor, in counties of not more than twenty thousand inhabitants, one thousand dollars; over twenty thousand and not more than thirty thousand inhabitants, two thousand dollars; over thirty thousand and not more than fifty thousand inhabitants, three thousand dollars; over fifty thousand inhabitants, five thousand dollars;

(36) Each constable, three hundred dollars;

(37) Each justice of the peace, two hundred and fifty dollars;

(38) Each township clerk, two hundred fifty dollars;

(39) Each township treasurer, two thousand dollars;

(40) Each county assessor, not more than five thousand dollars and not less than two thousand dollars;

(41) Each precinct or township, *deputy or assistant* assessor, not less than two hundred and fifty dollars;

(42) Each school district treasurer, five hundred dollars, or not more than the amount that may come into his hands, the amount to be fixed by the director and moderator of the district;

(43) Each notary public, two thousand dollars;

(44) Each road overseer, two hundred and fifty dollars.

"Sec. 38. That section 33-129, Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-129. In counties having a population of over two hundred thousand, the county assessor shall have two chief deputies, a chief field deputy and a chief office deputy. The compensation of the precinct assessors shall be five dollars per day for the time actually and necessarily employed in the discharge of their duties. Eight hours shall constitute a day's work. Provided, that in any county where the county assessor and the county board shall deem it more practical and economical, they shall be empowered to pay the precinct assessors on the basis of so much per schedule actually made out and delivered by such precinct assessor, but in no event shall the amount paid per schedule exceed the average cost per schedule for the last five preceding years. Vouchers for the amount claimed by the precinct assessors as such compensation shall be approved by the county assessor before the claims are allowed by the county board."

2. Amend renumbered section 36 by striking all of line 1 and inserting in lieu thereof the following:

"Sec. 39. That original sections 2-1401, 11-119, 32-211, 33-129, 77-408, 77-518,"

3. Amend renumbered section 36, line 5, by striking the word "section" and inserting in lieu thereof:

"sections 32-212 and"

4. Amend the title of the act as amended by striking the first line of the Peterson amendment adopted April 20, 1945, and inserting in lieu thereof the following:

"to amend sections 2-1401, 11-119, 32-211, 33-129, 77-408, 77-518, 77-519,"

5. Amend the title of the act as amended by the Peterson amendment adopted April 20, 1945, by inserting after the semicolon following the words "precinct assessor" the following:

"to provide for the amount of bond to be given by a deputy or assistant assessor and to eliminate the provisions for bond of precinct assessor;"

6. Amend the title of the act, line 19, by striking the word "section" and inserting in lieu thereof the following:

"sections 32-212 and"

Mr. Hern moved to indefinitely postpone L. B. 167.

Mr. Peterson withdrew his amendment temporarily.

Mr. Hern's motion to indefinitely postpone lost with 11 ayes, 16 nays and 16 not voting.

Mr. Peterson moved the adoption of his amendments to L. B. 167.

The motion prevailed.

Mr. Hoyt offered the following amendments:

1. Amend section 25 of the Peterson amendments adopted April 20, 1945, by striking all of lines 8 and 9, and inserting in lieu thereof the following:

"the same for taxation as of April 1 next preceding. The *county assessor and his assistants or the* precinct assessor shall list or aid in listing"

2. Amend section 26 of the Peterson amendments adopted April 20, 1945, by striking all of lines 9 to 12, inclusive, and inserting in lieu thereof the following:

"which shall be delivered to each ~~tax payer~~ *taxpayer* by the *county assessor or his assistants or* the precinct assessor for that purpose, and when so made out shall be by each person verified before the county *assessor or his assistants* or *the* precinct assessor."

3. Amend section 27 of the Peterson amendments adopted April 20, 1945, lines 4 and 5, by striking the following:

"*, and* county assessors, ~~and precinct assessors,~~" and inserting in lieu thereof the following:

", county assessors *and his assistants,* and precinct assessors,"

4. Amend section 28 of the Peterson amendments adopted April 20, 1945, by striking all of lines 4 and 5, and inserting in lieu thereof the following:

"make out and deliver to the *county assessor, or any of his assistants, or* to the proper precinct assessor, the statement required under section"

5. Amend section 28 of the Peterson amendments adopted April 20, 1945, line 7, by striking the words "~~precinct~~ *county*" and inserting in lieu thereof the following:

"*county assessor, or any of his assistants, or the* precinct"

6. Amend section 28 of the Peterson amendments adopted April 20, 1945, line 10, by striking the words "~~precinct~~ *county*" and inserting in lieu thereof the following:

"*county assessor, or any of his assistants, or the* precinct"

7. Amend section 28 of the Peterson amendments adopted April 20, 1945, lines 12 and 13, by striking the following:

"~~, when returned by the precinct assessor,~~"

and inserting in lieu thereof the following:

", when returned by the *assistant or* precinct assessor,"

8. Amend section 29 of the Peterson amendments adopted April 20, 1945, lines 14 to 17, inclusive, by reinstating the stricken matter.

9. Amend section 30 of the Peterson amendments adopted April 20, 1945, line 1, by inserting after the word "assessor", the following:

"*in counties having a population of more than twenty thousand inhabitants*"

10. Amend section 31 of the Peterson amendments adopted April 20, 1945, line 2, by inserting after the word "assistants" the words "*and precinct assessors*"

11. Amend section 32 of the Peterson amendments adopted April 20, 1945, line 4, by inserting after the word "assistants" the words "*and precinct assessors*"

12. Amend section 32 of the Peterson amendments adopted April 20, 1945, line 5, by inserting after the word "assistants" the words "*and precinct assessors*"

13. Amend section 33 of the Peterson amendments adopted April 20, 1945, line 2, by inserting after the word "assistants" the words "*and precinct assessors*"

14. Amend section 35 of the Peterson amendments adopted April 20, 1945, by striking all of lines 1 to 4, inclusive, and inserting in lieu thereof the following:

"Sec. 35. *The office of precinct assessor in counties having a population of more than twenty thousand inhabitants is abolished, and wherever the words "precinct assessor" may appear in any statute, they shall be construed to refer to and mean county assessor in counties having a population of more than twenty thousand inhabitants.*"

15. Amend the bill by adding immediately after renumbered section 35 the following three additional sections as follows:

"Sec. 36. That section 2-1401, Revised Statutes of Nebraska, 1943, be amended to read as follows:

2-1401. At the time of the assessment of property for taxation the *county assessor or his assistants or the* precinct assessor shall also enroll the name of each person operating a farm or ranch, or otherwise engaging in agricultural production, together with his total acreage of all land operated and the acreage of crops planted and to be planted, on all land operated by such person, the number and kind of livestock raised the previous year, and other agricultural resources, upon a form provided by the Department of Agriculture and Inspection. In case the farm operator withholds the information, the *county assessor or his assistants or the* precinct assessor shall enter on said *such* form the name, address and total acres in the farm or ranch operated, and write "Refused." The precinct *or assistant* assessor shall verify under oath his agricultural report on said form and deliver as soon as completed to the county assessor who shall submit said *the completed* report as directed by the Director of the Department of Agriculture and Inspection.

"Sec. 37. That section 11-119, Revised Statutes of Nebraska, 1943, be amended to read as follows:

11-119. The following named officers shall give bond with penalties of the following amounts:

(1) The Governor, fifty thousand dollars;

(2) The Lieutenant Governor, fifty thousand dollars;

(3) The Auditor of Public Accounts, fifty thousand dollars;

(4) The Secretary of State, fifty thousand dollars;

(5) The Attorney General, fifty thousand dollars;

(6) The State Treasurer, not less than six hundred thousand dollars, and not more than double the amount of money that may come into his hands, to be fixed by the Governor;

(7) The Superintendent of Public Instruction, fifty thousand dollars;

(8) The ~~clerk~~ *Clerk* of the Supreme Court, ten thousand dollars;

(9) The private secretary of the Governor, ten thousand dollars;

(10) The deputy auditor, ten thousand dollars;

(11) The deputy secretary of state, five thousand dollars;

(12) The deputy state treasurer, fifty thousand dollars;

(13) Any employee who serves as a bond clerk in the office of the State Treasurer, ten thousand dollars;

(14) Each other employee in the office of the State Treasurer, not less than one thousand dollars, and not more than ten thousand dollars, to be fixed by the Governor;

(15) The deputy attorney general, ten thousand dollars;

(16) The deputy superintendent of public instruction, five thousand dollars;

(17) The ~~state librarian~~ *State Librarian*, five thousand dollars;

(18) The warden of the penitentiary, ten thousand dollars;

(19) The deputy warden, five thousand dollars;

(20) The superintendent of the hospital for insane, ten thousand dollars;

(21) The assistant superintendent, five thousand dollars;

(22) The steward, five thousand dollars;

(23) The principal of the school for blind, five thousand dollars;

(24) The principal of the school for deaf, five thousand dollars;

(25) The superintendent of each industrial school, ten thousand dollars;

(26) The secretary of the board of regents of the state university, ten thousand dollars;

(27) Each county attorney, in a sum not less than one thousand dollars, to be fixed by the county board;

(28) Each clerk of the district court, not less than five thousand dollars, nor more than ten thousand dollars, to be determined by the county board;

(29) Each county clerk, not less than one thousand dollars, nor more than ten thousand dollars, to be determined by the county board;

(30) Each county treasurer, not less than ten thousand dollars, and not more than the amount of money that may come into his hands, to be determined by the county board;

(31) Each county judge, in counties having not more than six thousand inhabitants, three thousand dollars; over six thousand inhabitants and not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants and not more than fifty thousand inhabitants, ten thousand dollars; over fifty thousand inhabitants, twenty-five thousand dollars;

(32) Each sheriff, in counties of not more than twenty thousand inhabitants, five thousand dollars; over twenty thousand inhabitants, ten thousand dollars;

(33) Each county superintendent of public instruction, one thousand dollars;

(34) Each county surveyor, five hundred dollars;

(35) Each county commissioner or supervisor, in counties of not more than twenty thousand inhabitants, one thousand dollars; over twenty thousand and not more than thirty thousand inhabitants, two thousand dollars; over thirty thousand and not more than fifty thousand inhabitants, three thousand dollars; over fifty thousand inhabitants, five thousand dollars;

(36) Each constable, three hundred dollars;

(37) Each justice of the peace, two hundred and fifty dollars;

(38) Each township clerk, two hundred and fifty dollars;

(39) Each township treasurer, two thousand dollars;

(40) Each county assessor, not more than five thousand dollars and not less than two thousand dollars;

(41) Each precinct or township, *deputy or assistant* assessor, not less than two hundred and fifty dollars;

(42) Each school district treasurer, five hundred dollars, or not more than the amount that may come into his hands, the amount to be fixed by the director and moderator of the district;

(43) Each notary public, two thousand dollars;

(44) Each road overseer, two hundred and fifty dollars.

"Sec. 38. That section 32-212, Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-212. In each even-numbered year, there shall be elected *in counties having a population of twenty thousand inhabitants or less,* in each precinct, ward or township, one precinct assessor whose term of office shall be for two years~~;~~ ~~Provided, that in counties with a population of 150,000 inhabitants or more there shall be no election of a precinct assessor; but the county assessor of such counties shall, by and with the consent of the county board, appoint all precinct, ward or township assessors in such county.~~ Any vacancy occurring in the office of precinct assessor, from any cause, shall be filled by appointment by the county assessor. In counties containing cities having over ~~4,000~~ *four thousand* inhabitants, except as hereinbefore provided in the case of counties with a population of ~~150,000~~ *more than twenty thousand* inhabitants ~~or more~~, the county assessor shall decide on the number of assessors required to assess the property of the city, and the number so determined for such city shall be appointed, and the county assessor shall assign such local assessors to the district to be assessed by him.

16. Amend renumbered section 36 by striking all of line 1 and inserting in lieu thereof the following:

"Sec. 39. That original sections 2-1401, 11-119, 32-211, 32-212, 77-408, 77-518,"

17. Amend the title of the act as amended by striking the first line of the Peterson amendment adopted April 20, 1945, and inserting in lieu thereof the following:

"to amend sections 2-1401, 11-119, 32-211, 32-212, 77-408, 77-518, 77-519,"

18. Amend the title of the act as amended by the Peterson amendment adopted April 20, 1945, by inserting after the words "precinct assessor" the following:

"in counties having a population of more than twenty thousand inhabitants; to provide for the amount of bond to be given by a deputy or assistant assessor;"

RECESS

At 12:00, noon, Mr. Schultz made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

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

GENERAL FILE—Continued

LEGISLATIVE BILL 167. (Continued)

Mr. Mueller offered an amendment to the Hoyt amendment which was lost.

Mr. Hoyt's amendment was lost with 14 ayes, 18 nays and 11 not voting.

Mr. Kain made a motion to indefinitely postpone L. B. 167, which prevailed with 18 ayes, 15 nays and 10 not voting.

LEGISLATIVE BILL 370.

Mr. Peterson offered the following amendment, which was adopted:

Amend L. B. 370, section 7, line 39, by striking the words "twenty-two" and inserting in lieu thereof the words "twenty-five".

Messrs. Tvrdik, Norman and Klaver offered the following amendment, which was adopted:

Amend L. B. 370, line 12, section 8, reading "register of deeds, the sum of $3700.00" to be stricken and the same to read "register of deeds, the sum of $4000.00".

Mr. Ogden offered the following amendment, which was adopted with 21 ayes, 11 nays and 11 not voting:

Amend L. B. 370, section 8, line 22, by striking "thirty-two hundred" and inserting in lieu thereof "four thousand".

Mr. Adams offered the following amendment, which was adopted:

Amend L. B. 370, section 7, line 48, by striking "twenty-two" and inserting in lieu thereof "twenty-five".

Mr. Cullingham offered the following amendment, which was adopted:

Amend L. B. 370, mimeographed bill, section 8, line 50, by striking the word "two" and inserting the word "five" in lieu thereof.

Mr. Ryan offered the following amendment, which was adopted:

Amend L. B. 370, mimeographed bill, page 10, line 23, by striking the words "forty-two hundred" and inserting in lieu thereof the words "forty-seven hundred".

Mr. Burney offered the following amendment, which was adopted:

Amend L. B. 370, mimeographed bill, section 3, lines 17 to 20, inclusive, by striking same, and in line 21, strike "twenty-six" and re-insert "twenty-two".

Mr. James H. Anderson offered the following amendment, which was adopted:

Amend L. B. 370, as mimeographed, by striking the new matter in each section pertaining to county assessors and restoring the stricken matter; provided the amendment shall not apply to sections 7 and 8.

Mr. Brodahl offered the following amendment, which was adopted:

Amend section 4, line 13 of the mimeographed bill, by striking the word "seven" and inserting in lieu thereof the word "eight".

Mr. Burnham offered the following amendment, which was adopted:

Amend L. B. 370, section 5:

Line 7, strike "twenty-five" and insert "twenty-six".

Line 18, strike "twenty-five" and insert "twenty-six".

Line 19, strike "twenty-five" and insert "twenty-six".

Line 20, strike "twenty-one" and insert "twenty-two".

Speaker Peterson Presiding

Mr. Pizer offered the following amendment, which was adopted:

Amend L. B. 370, section 6, line 11, by striking "eight hundred fifty" and inserting in lieu thereof "nine hundred fifty".

Mr. Brodahl offered the following amendment, which was adopted:

Amend L. B. 370, section 3, line 11, by striking "two thousand" and inserting in lieu thereof "seventeen hundred".

Mr. Hern made a motion to indefinitely postpone L. B. 370.

A record vote was requested.

Voting in the affirmative, 11:

Burnham	Garber	Hoyt	Raecke
Carlberg	Hanna	Kain	Schultz
Carmody	Hern	Raasch	

Voting in the negative, 24:

Adams	Conklin	Klaver	Reavis
Anderson, J.	Cronin	Lusienski	Ryan
Anderson, L.	Cullingham	Norman	Seaton
Babcock	Doyle	Ogden	Sorrell
Brodahl	Foster	Peterson	Tvrdik
Burney	Heiliger	Pizer	Wood

Not voting, 8:

Crossland	Hubka	Lee	Mueller
Dooley	Jeffords	Mekota	Weborg

The motion to indefinitely postpone did not prevail.

Mr. Brodahl offered the following amendment, which was adopted:

Amend section 3, lines 15 and 16 of the mimeographed bill, by striking "twenty-one" and inserting "twenty-two"; line 22, strike "twenty-two" and insert "twenty-four"; line 23, strike "twenty-two" and insert "twenty-four"; line 24, strike "seventeen" and insert "eighteen"; line 21, strike "twenty-two" and insert "twenty-four".

The Legislature was at ease from 3:15 to 3:40 p. m.

Mr. Norman offered the following amendment, which was adopted:

Amend L. B. 370, mimeographed bill, section 8, line 46, page 10, by striking the words "three thousand" and inserting in lieu thereof the words "thirty-three hundred".

Mr. Brodahl offered the following amendment, which was adopted:

Amend the amended bill, L. B. 370, section 4, line 23, by striking the words "twenty-two" and inserting "twenty-one".

Mr. Babcock offered the following amendment, which was adopted:

Amend L. B. 370, mimeographed bill:

Sec. 1, line 13, strike "$1,600" and insert "$1,700"; line 17, strike "$1,300" and insert "$1,400"; line 14, strike "$2,000" and insert "$2,100"; line 15, strike "$2,000" and insert "$2,100".

Sec. 2, line 18, strike "$2,200" and insert "$2,300"; line 19, strike "$2,200" and insert "$2,300"; line 20, strike "$1,500" and insert "$1,600".

Mr. Lusienski offered the following amendment, which was adopted by unanimous consent:

Amend the Burnham amendment to L. B. 370 on Class 5 counties, to amend on page 6 of the mimeographed bill: Line 12, strike "eight" and insert in lieu thereof "nine".

Advanced to E and R for review.

Members Excused

The Appropriations Committee was excused for the remainder of the afternoon.

LEGISLATIVE BILL 394.

Mr. Cullingham made a motion to advance to E and R for review.

A record vote was requested.

Mr. Sorrell moved a call of the House.

A call of the House was ordered and after call the roll showed 34 members present.

Mr. Doyle moved that the call be raised and the motion prevailed with 25 ayes, 1 nay and 17 not voting.

Voting in the affirmative on the original motion, 13:

Cronin	Klaver	Reavis	Sorrell
Cullingham	Ogden	Ryan	Tvrdik
Doyle	Pizer	Seaton	Wood
Foster			

Voting in the negative, 17:

Anderson, L.	Carmody	Hubka	Lusienski
Babcock	Dooley	Jeffords	Peterson
Brodahl	Hern	Kain	Raecke
Burney	Hoyt	Lee	Schultz
Burnham			

Not voting, 13:

Adams	Crossland	Heiliger	Norman
Anderson, J.	Garber	Mekota	Raasch
Carlberg	Hanna	Mueller	Weborg
Conklin			

The motion to advance did not prevail and the bill was made special order for Tuesday, May 1, 1945.

MOTION—Postage for Lieutenant Governor

Mr. President: I move that the Lieutenant Governor receive the $50.00 postage allowance while the Legislature is not in session.
(Signed) James A. Ryan

The motion prevailed.

UNANIMOUS CONSENT—To Place on General File

Mr. Peterson asked unanimous consent to place L. B. 307 on General File for the following specific amendment:

1. Add a new section 17 as follows:

"Sec. 17. If any clause, sentence, paragraph or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph or any part thereof directly involved in the controversy in which such judgment has been rendered."

2. Renumber the last section as "Sec. 18".

3. In section 3, line 28, by inserting after the word *"any"* the words *"forfeiture of"* and in line 29, strike the words *"minor children."* and insert in lieu thereof *"such minor child or children who shall receive the pension provided for in section 8 of this act."*

4. In section 4, line 12, by inserting after the word *"any"* the words *"forfeiture of"* and in line 12 strike the words *"minor children;"* and insert in lieu thereof *"such minor child or children who shall receive the pension provided for in section 8 of this act;"*

5. Amend the title to conform thereto.

GENERAL FILE

LEGISLATIVE BILL 307.

Mr. Peterson asked unanimous consent for the adoption of his specific amendment, found in this day's Journal.

No objection was offered, and it was so ordered.

Advanced to E and R for review.

Unanimous Consent

Mr. James H. Anderson asked unanimous consent to consider L. B. 395.

No objection was offered, and it was so ordered.

LEGISLATIVE BILL 395.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Education

RESOLUTION 19. Placed on General File.

The Committee on Education advanced Resolution 19 to General File by a majority vote, feeling that this is important enough that it

should be brought to the attention of the presidents of Nebraska universities and colleges. (Signed) Cliff N. Ogden, Chairman

Enrollment and Review

LEGISLATIVE BILL 384. Correctly enrolled.
LEGISLATIVE BILL 323. Correctly enrolled.
LEGISLATIVE BILL 41. Correctly engrossed.
LEGISLATIVE BILL 284. Correctly engrossed.
LEGISLATIVE BILL 377. Correctly engrossed.
LEGISLATIVE BILL 297. Correctly engrossed.
LEGISLATIVE BILL 31. Replaced on Select File as amended.

E and R amendments to L. B. 31:

In line 19 of the inserted matter in enrollment and review amendment 16 to the title, after the word "prescribed" insert the following: "; to increase the salaries of the judges thereof to thirty-six hundred dollars per annum instead of not to exceed three thousand dollars; to provide for the fixing of the salaries of the clerk and all other assistants and employees of the court by the court with the approval of the Governor".

LEGISLATIVE BILL 388. Placed on Select File as amended.

E and R amendments to L. B. 388:

1. In the bill, section 1, line 2, strike "Legislature," and in lieu thereof insert: "State Legislature, 1945,"; line 4, before the word "For" insert: "Section 1."; line 10, strike the comma after the word "application" and in lieu thereof insert ";".

2. In the bill, section 2, line 2, strike "Legislature," and in lieu thereof insert: "State Legislature, 1945,"; line 3, before the word "Each" insert: "Sec. 2."; insert the word *"the"* at the end of line 8, after the word *"unless"*; line 9, after the word *"form"* insert the word *"shall"*.

3. In the bill, section 3, line 2, strike "Legislature," and in lieu thereof insert: "State Legislature, 1945,".

4. In the bill, title, line 3, strike the word "Legislature" and in lieu thereof insert: "State Legislature, 1945"; line 6, strike "manner in which" and in lieu thereof insert: "the manner in which a"; line 4, after "government;" insert: "to eliminate the State Railway Commission from the provisions of this act;".

LEGISLATIVE BILL 379. Placed on Select File as amended.

E and R amendments to L. B. 379:

1. In the bill, section 1, line 4, strike "certificates within the following classes only" and in lieu thereof insert the following:

"*only the following classes of* certificates within the following classes only";

strike the word "Certificate" and in lieu thereof insert: "Certificate *Certificates*" in lines 5 and 6, 8, 8 and 9, 9, 10 and 11; strike the word "*Certificate*" in line 7, and in lieu thereof insert the word "*Certificates*".

2. In the bill, section 2, line 7, after the figure "311" and before the period insert: ", *inclusive*"; line 36, after "*79-311*" and before the period insert: ", *inclusive*"; line 37, strike "*(1)*" and in lieu thereof insert "*(a)*"; line 40, strike "*(2)*" and in lieu thereof insert "*(b)*"; line 52, strike "*(1)*" and in lieu thereof insert "*(a)*"; line 53, strike "*(2)*" and in lieu thereof insert "*(b)*"; line 55, strike "*(3)*" and in lieu thereof insert "*(c)*"; line 65, strike "*(4)*" and in lieu thereof insert "*(d)*"; line 70, after the word "*upon*" insert the word "*its*"; insert a comma in line 71 after the word "*credit*" and in line 72 after the word "*education*"; line 78, strike the word "*as*" and in lieu thereof insert: "*to be*".

3. In the bill, title, insert the word "the" in line 3 after the word "for", line 4 after the word "of" and before the word "issuance", and line 6 after the word "for"; line 7, insert a comma after the word "issuance".

LEGISLATIVE BILL 393. Placed on Select File as amended.

E and R amendments to L. B. 393:

1. In General File amendment 1, by Mr. Mekota, inserted matter, line 7, after the word "of" and before the word "court" insert the word "*the*"; line 10, strike the word "that" and in lieu thereof insert: "*that if*".

2. In the bill, section 1, line 1, strike the word "Section" and in lieu thereof insert "Sec."; line 6, before the word "care" insert "*(1)*"; at the end of line 6, strike the words "to the" and in lieu thereof insert: "*to the (2)*"; at the end of line 7, strike the words "to the" and in lieu thereof insert: "*to the (3)*"; line 13, strike the words "to the" and in lieu thereof insert: "*to the (4)*"; strike the comma and in

lieu thereof insert "," in line 11 after the word "provided", line 31 after the word "*provided*"; insert a comma in line 27 after the word "designate".

3. In the bill, section 3 (formerly section 2,) insert a comma in line 4 after the word "hearing"; line 21, before the word "Girls" insert: "Boys, or if a girl, to the State Industrial School for"; line 24, strike ", and" and in lieu thereof insert: ", and . *The*"; line 28, before the word "control" insert the word "*the*".

LEGISLATIVE BILL 71. Placed on Select File as amended.

E and R amendments to L. B. 71:

To mimeographed Standing Committee amendments dated 4-16-45:

1. Insert the word "the" in section 3, line 7, after the word "including"; line 8 after the word "of"; section 15, line 9 after the word "including"; and line 43 after the word "including"; section 21, line 27 after the word "during", line 68 after the word "during", also in line 72; section 24, line 63 before "State", line 85 after "of"; section 25, line 9 after "of"; section 26, line 3, after "of", line 19 after "and" and also after "including", line 21 after "of", line 23 after "painting"; section 28, line 18 after "during"; section 35, line 14 after "to", line 21 after "in"; section 37, line 29 after "at", line 31 after "at" and also lines 32 and 36; section 39, line 69 after "for"; section 40, line 39, after "of"; section 45, line 19, after "to".

2. In section 35, line 8, strike the semicolon and in lieu thereof insert a comma.

3. In section 37, (new number 39) line 36, after the word "Construction" insert: "of a"; line 41, before the word "coal" insert the word "a".

4. In section 52 (new number 54), line 8, insert a comma after the word "or".

5. In section 37 (new number 39) lines 29 and 30, strike "Nebraska Institute for Feeble-minded Youth at" and in lieu thereof insert: "Beatrice State Home,"; line 32, strike "State Hospital at" and in lieu thereof insert: "Norfolk State Hospital,"; line 37, before the word "State" insert the word "Norfolk".

6. In section 45 (new number 47), lines 19 and 20, strike "institution for feeble-minded at" and in lieu thereof insert: "Beatrice State Home,".

7. In Standing Committee amendments, dated April 23, amendment to section 23, line 13, in the inserted matter, after the figure

"154" and before the quotation mark insert a comma; in the amendment inserting a new section to follow section 36, line 2, after the word "amendment" and before the comma, insert: "and before "(g) Board of Control" "; in the amendment to section 37, line 55, in line 1, after the figure "37" insert: "(renumbered section 39)".

8. In General File amendment by Mr. Pizer to section 13, line 1, strike the figure "27" and in lieu thereof insert the figure "57".

9. In General File amendments by Mr. Hoyt, amendment 2, line 3, after the word "including" insert the word "the"; in amendment 3, line 2, after the figure "151" insert the following: "and following the Standing Committee amendment inserted after said line".

10. In General File amendments by Mr. Brodahl, amendment to section 22, line 36, inserted matter, line 6, insert the word "the" before the word "Nebraska"; in the amendment to section 50, lines 7 to 11, inclusive, in line 1, after the comma and before the word "section" insert the word "renumbered" and in the last line, insert a period before the last quotation mark; in the amendment to section 42, line 47, in line 1, before the word "section" insert the word "renumbered"; in the amendment to section 40, lines 61 to 65, inclusive, in line 2, before the word "by" insert: "(renumbered 42),"; in the amendment to section 51, line 7, at the end of line 1, after the word "section" insert the word "renumbered"; in the amendment to section 18, inserted matter, line 2, before the word "purchase" insert the word "the" and in line 3, before the word "bookkeeping" insert the word "a"; in the amendment to renumbered section 37, line 1, after the figure "37" insert: "now section 39", and in the inserted matter, line 3, after the word "support" insert the word "the", and in line 5, strike the comma after the word "Session" and in lieu thereof insert: "of the"; in the amendment to section 39, line 63, inserted matter, line 1, after the word "during" insert the word "the".

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 323 L. B. 384

Adjournment

At 5:00 p. m. Mr. Foster made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 1, 1945

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by Rev. John F. Wichelt, of the First Evangelical Church, Lincoln, Nebraska.

The roll was called and all members were present except Messrs. Reavis and Weborg, who were excused.

The Journal for the eighty-second day was approved as corrected.

Communication

Letter from A. A. Misegadis of Talmage, Nebraska, opposing the barber bill.

Unanimous Consent

Mr. James H. Anderson asked unanimous consent to place L. B. 76 on Select File for the following specific amendment:

1. Strike in Sec. 10, line 13, the word "means" and insert in lieu thereof the word "mean".

2. In Sec. 12, lines 2 and 5, strike the word "commission" wherever it appears, and insert in lieu thereof the word "department".

No objection was offered and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 92. With emergency.

A bill for an act relating to public power districts; to provide that upon the acquisition by any city or village of the distribution system of a public power or public power and irrigation district by condemnation, there shall be a reduction in price proportionate to the bonded indebtedness retired and the reserves established therefor out of the earnings from the operation of the district while such city or village was a part of such district as prescribed; to provide that, upon retirement of the bonded indebtedness incurred for the purchase, lease or other acquisition of an electric distribution system within or partly within the corporate limits of a city or village by any public power or public power and irrigation district, the electric distribution system shall, upon request, be conveyed without cost to the municipality within which it is situated under the prescribed circumstances and procedure; to amend section 70-650, Revised Statutes of Nebraska, 1943; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Crossland	Hoyt	Raasch
Anderson, J.	Cullingham	Hubka	Raecke
Anderson, L.	Dooley	Jeffords	Ryan
Babcock	Doyle	Kain	Schultz
Brodahl	Foster	Klaver	Seaton
Burnham	Garber	Lee	Sorrell
Carmody	Hanna	Lusienski	Tvrdik
Conklin	Heiliger	Peterson	Wood
Cronin			

Voting in the negative, 2:

Burney	Pizer

Not voting, 8:

Carlberg	Mekota	Norman	Reavis
Hern	Mueller	Ogden	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present, I would have voted for L. B. 92. (Signed) John E. Mekota

Had I been present, I would have voted for L. B. 92. (Signed) W. J. Norman

LEGISLATIVE BILL 146.

A bill for an act to amend section 45-106, Revised Statutes of Nebraska, 1943, relating to sanitary districts; to provide that the rate of interest on warrants or orders issued by any sanitary district whose area is located partly within a municipality shall not exceed six per cent per annum; to provide for the fixing of such rate of interest and the endorsement thereof on such warrants or orders; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Ryan
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Peterson	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 9:

Carlberg	Mekota	Ogden	Reavis
Garber	Norman	Raasch	Weborg
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 153.

A bill for an act to amend section 39-210, Revised Statutes of Nebraska, 1943, relating to highways; to provide that the board of

county commissioners in a county operating under the commission system may, whenever conditions warrant, gravel a highway, not more than two miles in length, from the nearest city or village to any cemetery maintained by a city or village cemetery association; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Crossland	Hoyt	Raasch
Anderson, J.	Cullingham	Kain	Raecke
Anderson, L.	Dooley	Klaver	Ryan
Babcock	Doyle	Lee	Schultz
Brodahl	Foster	Lusienski	Seaton
Burney	Garber	Mueller	Sorrell
Carmody	Hanna	Peterson	Tvrdik
Conklin	Heiliger	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 10:

Burnham	Hubka	Norman	Reavis
Carlberg	Jeffords	Ogden	Weborg
Hern	Mekota		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 256.

A bill for an act to amend section 8-120, Revised Statutes of Nebraska, 1943, relating to banks; to increase the required ratio between the average daily deposits and the combined paid-up capital stock and surplus of commercial banks having a paid-up capital stock of less than twenty-five thousand dollars as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Cronin	Hubka	Raasch
Anderson, J.	Crossland	Jeffords	Raecke
Anderson, L.	Cullingham	Kain	Ryan
Babcock	Dooley	Klaver	Schultz
Brodahl	Doyle	Lee	Seaton
Burney	Foster	Lusienski	Sorrell
Burnham	Hanna	Mueller	Tvrdik
Carlberg	Heiliger	Peterson	Wood
Carmody	Hoyt		

Voting in the negative, 1:

Pizer

Not voting, 8:

Conklin	Hern	Norman	Reavis
Garber	Mekota	Ogden	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 263.

A bill for an act to amend section 42-105, Revised Statutes of Nebraska, 1943, relating to marriage; to provide the conditions upon which a marriage license may be issued to a minor; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Hubka	Pizer
Anderson, J.	Crossland	Jeffords	Raasch
Anderson, L.	Cullingham	Kain	Raecke
Babcock	Dooley	Klaver	Ryan
Brodahl	Doyle	Lee	Schultz
Burney	Foster	Lusienski	Seaton
Burnham	Garber	Mekota	Sorrell
Carlberg	Hanna	Mueller	Tvrdik
Carmody	Heiliger	Peterson	Wood
Conklin	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Hern	Ogden	Reavis	Weborg
Norman			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 318. With emergency.

A bill for an act relating to public funds of the state; to provide that all bonds held by the State of Nebraska belonging to the specified funds shall be stamped and signed by the State Treasurer showing the fund to which the bond belongs; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Crossland	Hubka	Ogden
Anderson, J.	Cullingham	Jeffords	Peterson
Anderson, L.	Dooley	Kain	Pizer
Babcock	Doyle	Klaver	Raasch
Brodahl	Foster	Lee	Raecke
Burney	Garber	Lusienski	Ryan
Burnham	Hanna	Mekota	Seaton
Carmody	Heiliger	Mueller	Sorrell
Conklin	Hoyt	Norman	Tvrdik
Cronin			

Voting in the negative, 1:

Schultz

Not voting, 5:

Carlberg	Reavis	Weborg	Wood
Hern			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 267. With emergency.

A bill for an act to amend section 79-601, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the discontinuance of the operation of schools under a board of six trustees and the resumption of operation thereof under a board consisting of a director, moderator and treasurer, when such change is authorized by a vote of the electors as prescribed; to provide for the manner of making such change; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lee	Raecke
Babcock	Doyle	Lusienski	Ryan
Brodahl	Foster	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Wood
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Carlberg	Hern	Reavis	Weborg
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 328.

A bill for an act to amend section 55-187, Revised Statutes of Nebraska, 1943, relating to militia; to provide that officers and enlisted men of the Nebraska State Guard shall be exempt from working on roads and highways, from the payment of any poll tax levied for that purpose and from sitting on any grand or petit jury within this state while they are active members thereof; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Cronin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raasch
Anderson, L.	Cullingham	Lee	Raecke
Babcock	Doyle	Lusienski	Ryan
Brodahl	Foster	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Wood

Voting in the negative, 2:

Carmody	Jeffords

Not voting, 5:

Dooley	Hern	Reavis	Weborg
Garber			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 3.

A bill for an act relating to courts; to amend section 24-507, Revised Statutes of Nebraska, 1943; to provide for the payment of compensation to acting county judges upon a per diem basis only in case the regular county judge is absent due to illness, except as otherwise provided in section 32-1602, Revised Statutes of Nebraska, 1943; to provide a limitation upon the amount so authorized to be paid; to provide for the payment of the premium upon the bond of an acting county judge by the county when a corporate surety bond is furnished; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, "Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raasch

Anderson, L.	Cullingham	Lee	Raecke
Babcock	Doyle	Lusienski	Ryan
Brodahl	Foster	Mekota	Schultz
Burney	Hanna	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Wood
Conklin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Dooley	Hern	Reavis	Weborg
Garber			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 1, 1945, at 9:15 a. m.

L. B. 105	L. B. 224	L. B. 243	L. B. 323
L. B. 199	L. B. 225	L. B. 316	L. B. 384

LEGISLATIVE BILL 229. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Unanimous Consent

Mr. Peterson asked unanimous consent to bring back L. B. 297 to Select File for the following specific amendment.

1. Amend section 4 of the bill as amended by Raecke amendments of April 24, 1945, by striking the new matter in lines 27 to 33, inclusive, and inserting in lieu thereof:

"In the case of the acquisition by purchase, lease or any other contractual obligation, of an existing electric light and power

plant, lines or system, from any person, firm, association or private corporation by any such power district, a copy of the proposed contract shall be filed with the Department of Roads and Irrigation and open to public inspection and examination for a period of thirty days before such proposed contract may be signed, executed or delivered, and such proposed contract shall not be valid for any purpose and no rights may arise thereunder until after such period of thirty days has expired."

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 297.

The amendments offered by Mr. Peterson, found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 76.

Mr. James H. Anderson's amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 390. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Advanced to E and and R for engrossment.

LEGISLATIVE BILL 391. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Laid over.

LEGISLATIVE BILL 392. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Laid over.

LEGISLATIVE BILL 375. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Advanced to E and and R for engrossment.

LEGISLATIVE BILL 210. E and R amendment found in the Legislative Journal for the Eighty-first Day was adopted.

Advanced to E and and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Mr. Hubka asked unanimous consent for the adoption of the following amendment:

Amend L. B. 299, Section 1, by striking in line 20 the words "including mileage and per diem," and insert in said line 20 after the word "of" the words "per diem".

Line 42 after the word and punctuation "dollars;" insert the following: "Provided, further, that members of a county board in counties of less than sixty thousand inhabitants, upon certifying the actual necessary miles traveled in privately owned cars upon business of the county, shall be paid from the general fund the sum of five cents per mile for each mile so traveled;"

Amend the title by inserting in line three after the word "fees" the following ", mileage".

Objection was offered to Mr. Hubka's amendment.

Mr. Hubka made a motion to move L. B. 299 back to General File for the specific amendment just offered.

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

LEGISLATIVE BILL 261. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Mr. Lee offered the following amendment, which was adopted by unanimous consent.

1. Amend section 5 of the amendments to the bill, line 29, by inserting after the word "act" the following:

"or to any operator of a motor vehicle owned by such self insurer"

Mr. Garber offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 261, line 29, following the Lee amendment, Section 5 of the amendments to the bill, by placing a comma after the word "insurer", then add the following: "or 5, if such operator is released from liability by a court of Justice".

Advanced to E and and R for engrossment.

LEGISLATIVE BILL 31. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 388. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and and R for engrossment.

LEGISLATIVE BILL 379. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Mr. Garber made a motion to return L. B. 379 to General File for the following specific amendment.

Amend L. B. 379, page 3, Section 2, Plan 2, line 65, by striking "and (4) the successful" and all of lines 66, 67, 68 and 69.

The motion prevailed with 22 ayes, 11 nays and 10 not voting.

LEGISLATIVE BILL 393. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 71. Laid over.

LEGISLATIVE BILL 391.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 392.

Mr. Hanna offered the following amendment, which was adopted by unanimous consent.

1. Amend section 1 of the bill by inserting immediately after line 14, the following additional subsection:

"(c) For medical, surgical and hospital care of recipients of assistance in such amounts as may be determined by the Director of Assistance, who is authorized, in his discretion, to prescribe rules and regulations for furnishing of such services, to establish maximum fee schedules and rates controlling payment thereof, and to make payments directly to the persons, firms, associations or corporations furnishing such services instead of to the recipients of assistance;"

2. Renumber subsection (c) as subsection (d).

3. Amend the title, line 6, by inserting after the punctuation following the word "purpose" the following:

"to provide for the use of money from the state assistance fund, in the discretion of the Director of Assistance, for the payment of medical, surgical and hospital care of recipients of assistance under rules and regulations prescribed by the Director of Assistance;"

Mr. Seaton asked unanimous consent for the adoption of an amendment.

Objection was offered.

Mr. Seaton made a motion to return L. B. 392 to General File for the following specific amendment.

1. Amend section 1 of the bill, by inserting after line 59 the following additional subsection:

"(2) Each member of the Board of Control, for his services with respect to administration of the state assistance fund, shall re-

ceive the sum of one thousand dollars per annum, to be paid from the state assistance fund, in addition to the salary set out in section 83-104."

2. Amend the title, line 7, by inserting after the punctuation following the word "purpose" the following:

"to provide for payment out of the state assistance fund of salary to each member of the Board of Control for services in the administration of the state assistance fund;"

Mr. Seaton's motion lost with 12 ayes, 16 nays and 15 not voting.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 299.

Mr. Hubka's amendment, found in this day's Journal, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 379.

Mr. Garber made a motion to adopt his amendment, found in this day's Journal.

A record vote was requested.

Mr. Ogden moved a call of the House.

A call of the House was ordered and after call the roll showed 40 members present.

Mr. Schultz moved that the call be raised and the motion prevailed with 20 ayes, 11 nays and 12 not voting.

Voting in the affirmative, 20:

Anderson, L.	Carmody	Doyle	Mekota
Babcock	Conklin	Garber	Raasch
Burney	Cronin	Hanna	Schultz
Burnham	Crossland	Jeffords	Seaton
Carlberg	Dooley	Lusienski	Wood

Voting in the negative, 17:

Adams	Hoyt	Mueller	Pizer
Anderson, J.	Hubka	Norman	Ryan
Cullingham	Kain	Ogden	Sorrell
Foster	Lee	Peterson	Tvrdik
Heiliger			

Not voting, 6:

Brodahl	Klaver	Reavis	Weborg
Hern	Raecke		

Mr. Garber's amendment was adopted.

Mr. Carmody made a motion to indefinitely postpone.

A record vote was requested.

Voting in the affirmative, 28:

Adams	Doyle	Kain	Raasch
Anderson, L.	Foster	Klaver	Ryan
Brodahl	Garber	Lusienski	Schultz
Burnham	Hanna	Norman	Seaton
Carmody	Heiliger	Ogden	Sorrell
Conklin	Hoyt	Peterson	Tvrdik
Cronin	Jeffords	Pizer	Wood

Voting in the negative, 5:

Burney	Mekota	Mueller	Raecke
Crossland			

Not voting, 10:

Anderson, J.	Cullingham	Hubka	Reavis
Babcock	Dooley	Lee	Weborg
Carlberg	Hern		

The motion to indefinitely postpone prevailed.

MOTION—Return to General File

Mr. Carmody made a motion to return L. B. 380 to General File for the following specific amendment: "Strike the enacting clause".

The motion prevailed with 29 ayes, 1 nay and 13 not voting.

GENERAL FILE

LEGISLATIVE BILL 380.

Mr. Carmody's amendment to strike the enacting clause prevailed with 25 ayes, 0 nays and 18 not voting.

To Record Vote

Mr. President: Had I been present, I would have voted "yes" for L. B. 338, when voted on yesterday. (Signed) Ernest C. Raasch

MOTION—Express Appreciation

Mr. President: I move that the Clerk be requested to express to Glenn L. Martin Company our sincere thanks for the very interesting and instructive tour which we had the privilege of making through their plant and for all the many courtesies extended us while we were their guests. (Signed) C. Petrus Peterson

The motion prevailed.

RECESS

At 11:55, Mr. Jeffords made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Hern, Reavis, and Weborg, who were excused.

Unanimous Consent

Mr. James H. Anderson asked for unanimous consent to have amended bill, L. B. 261, returned to Select File for the following specific amendment:

1. In Sec. 6, Subdivision 3, line 9, after the word "vehicle" insert "unless said owner is operating said vehicle at the time of the accident." and strike the balance of the subdivision, with the exception of the period.

No objection was offered and the motion prevailed.

SELECT FILE

LEGISLATIVE BILL 261.

Mr. James H. Anderson asked for unanimous consent to have the amendment adopted.

No objection was offered and the amendment was adopted.

Mr. Lee moved that L. B. 261 be advanced to E and R for engrossment.

The motion prevailed.

STANDING COMMITTEE REPORT

Judiciary

LEGISLATIVE BILL 347. Indefinitely postponed.

This bill provides retirement for state employees.

The committee indefinitely postpones the bill, although some of those who voted for indefinite postponement were in favor of reporting the bill to general file.

Heretofore there has been a tie vote.

This definite action was taken in order that the Legislature may take such action as it deems appropriate.

(Signed) John E. Mekota, Chairman

GENERAL FILE (Continued)

LEGISLATIVE BILL 394.

Mr. Cullingham moved that L. B. 394 be sent to E and R for review.

A record vote was requested.

Voting in the affirmative, 11:

Crossland	Klaver	Ryan	Tvrdik
Cullingham	Norman	Seaton	Wood
Foster	Ogden	Sorrell	

Voting in the negative, 22:

Anderson, L.	Conklin	Hoyt	Lusienski
Brodahl	Cronin	Hubka	Peterson
Burney	Dooley	Jeffords	Pizer
Burnham	Garber	Kain	Raecke
Carlberg	Hanna	Lee	Schultz
Carmody	Heiliger		

Not voting, 10:

Adams	Doyle	Mueller	Reavis
Anderson, J.	Hern	Raasch	Weborg
Babcock	Mekota		

The motion lost with 11 ayes, 22 nays and 10 not voting.

Mr. Cullingham moved that the bill be indefinitely postponed.

The motion prevailed.

Members Excused

Mr. Brodahl asked that the members of the Appropriations Committee be excused, and it was so ordered.

LEGISLATIVE RESOLUTION 19.

Laid over for Special Order, Wednesday, May 2, 1945.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 70. Correctly engrossed.
LEGISLATIVE BILL 288. Correctly engrossed.
LEGISLATIVE BILL 339. Correctly engrossed.
LEGISLATIVE BILL 307. Placed on Select File as amended.

E and R amendments to L. B. 307:

1. In General File amendment 2, by Mr. Peterson, adopted April 24, 1945, line 2, strike the figure "17" and in lieu thereof insert the figure "16", and the same in line 3; in amendment 4, inserted matter, line 1, insert the word "the" before the word "adoption".

2. In the bill, section 1, strike the word "moneys" and in lieu thereof insert: "moneys *money*" in lines 18 and 21; line 18, insert a comma after the word "fines", also in line 20 after the word "department", line 52 after "properties" and line 87 after "*salary*" and also after "*provided*"; line 26, strike the word "moneys" and in lieu thereof insert: "*(a)* moneys *money*"; line 19, after the word "for" insert the word "*the*"; strike the comma and in lieu thereof insert "," in line 27 after the word "picnics" and in line 101 after the word "thereof"; line 28, after the word "any" insert: "*of the*"; line 30, strike "; all moneys" and in lieu thereof insert: ", all moneys , *(b)*"; line 32, after the word "upon" insert the word "*the*"; line 33, strike "; and also all" and in lieu thereof insert: ", and also all *(c)*"; line 37, before the word "The" insert "*(a)*"; line 38, strike the word "moneys" and in lieu thereof insert: "moneys *money*"; line 39, strike the word "shall" and in lieu thereof insert "shall"; lines 40 and 41, strike "together with" and in lieu thereof insert: "together with , *(b)*"; line 44, strike ", and" and in lieu thereof insert: ", and *(c)*"; line 46, strike the comma after the word "forfeited" and in lieu thereof insert ","; line 50, strike "and the" and in lieu thereof insert: "and the . *The*"; line 53, strike "advertisement published once a week for" and in lieu thereof insert: "*an* advertisement *of such sale* published once a week for"; line 54, strike ", and the" and in lieu thereof insert: ", and the . *The*"; strike all of line 61 after the word "same" and "monthly turned over" in line 62, and in lieu thereof insert: ", and such moneys . *Such money* so forfeited shall be monthly turned over *each month*"; line 79, strike the word "*section*" and in lieu thereof insert the word "*act*"; line 83, strike "*Provided,*" and in lieu thereof insert: "*and provided*"; line 86, strike the comma after the word "*pension*"; line 103, strike "and after allowing" and in lieu thereof insert: "and after allowing *retaining*".

3. In the bill, section 2, insert a comma in line 3 after the word "person", line 11 after the word "council"; line 12, strike the word "shall" and in lieu thereof insert "shall" and in said line, after the word "half" insert the word "*of*"; line 32, strike "*apply only*" and in lieu thereof insert: "*only apply*"; line 34, strike "*, and*" and in lieu thereof insert: "*; and provided further,*".

4. In the bill, section 3, line 2, insert a comma after the word "*act*"; line 3, strike "*, and shall have*" and in lieu thereof insert the word "*and*" and in said line strike the comma after the word "*years*"; lines 4 and 5, strike the word "*whatever*"; lines 6 and 7, strike "*of the age of fifty-five years, or over*" and in lieu thereof insert: "*at least fifty-five years of age*"; line 8, strike "*application made in writing*" and in lieu thereof insert: "*written application*"; line 9, strike the word "*shall*" and in lieu thereof insert the word "*to*"; line 18, before the word "*pension*" insert the word "*total*"; line 19, strike "*a total of*";

line 24, strike "*minor children*" and in lieu thereof insert: "*his minor child or children, whether natural or adopted*"; strike all of line 25 and in lieu thereof insert: "*lives, unless she remarries. Upon*"; line 26, strike the word "*all*" and in lieu thereof insert: "*, all her*"; line 27, strike "*, and the*" and in lieu thereof insert: "*. The*".

5. In the bill, section 4, strike all of line 2 after the word "*shall*", all of line 3, and all of line 4 up to and including the word "*time*" and in lieu thereof insert the word "*die*"; line 6, strike "*minor children*" and in lieu thereof insert: "*his minor child or children, natural or adopted*"; line 7, strike "*in no event*" and in lieu thereof insert the word "*not*"; line 8, strike the comma after the word "*month*" and in lieu thereof insert: "*. The*" and in said line strike the word "*to*" and in lieu thereof insert the word "*shall*"; line 9, strike "*shall remain unmarried, and upon*" and in lieu thereof insert: "*lives, unless she remarries. Upon*"; line 10, insert a comma after the word "*remarriage*"; lines 10 and 11, strike "*, and the*" and in lieu thereof insert: "*. The*"; strike the word "*sustained*" at the end of line 14 and all of line 15, and in lieu thereof insert: "*was an active member of the department.*" .

6. In the bill, section 5, line 25, after the word "*receive*" insert the word "*either*".

7. In the bill, section 7, line 6, after the word "paid" insert: "*a pension*" and in said line, after the word "as" insert the following: "*the widows of*"; strike all of line 11 up to the word "children" and in lieu thereof insert: "*shall* be no *surviving* widow, then the minor *child or*"; line 12, after the word "during" insert: "*its or*"; line 13, strike the semicolon and in lieu thereof insert: "*as is provided by section 8 hereof;*" and in said line after the word "the" insert: "*child or*"; line 15, strike "as to" and in lieu thereof insert: "as to *such child or*" .

8. In the bill, section 8, after the word "*children*" insert: "*, a total of*", at the end of line 6 and also in line 7; line 10, strike "*; and provided,*" and in lieu thereof insert: "*or the legally adopted child or children of the deceased member of the department; and provided*".

9. In the bill, section 9, line 5, strike "*minor children*" and in lieu thereof insert: "*any of his minor children, natural or adopted,*"; after the word "*children*" insert: "*, a total of*" in line 8 and also in line 9; line 10, insert a comma after the word "*Provided*" .

10. In the bill, section 11, line 4, strike the comma after the word "*age*", line 6, insert the word "*the*" after the word "*in*"; line 8, strike the word "*thereon*" and in lieu thereof insert the word "*therein*" and

in said line, after the word *"have"* insert the word *"the"*; lines 8 and 9, strike *"it shall be its"*; insert a comma in line 14 after the word *"regulations"*, line 15 after *"impairment"*, line 19 after *"when"*; lines 15 and 16, strike *", as the case may be"*; strike the comma at the end of line 18 after the word *"same"*.

11. In the bill, section 12, strike the comma and in lieu thereof insert the word *"or"* in line 6 after the word "Navy" and in line 8 after the word *"insurrection"*; line 10, strike the comma after the word *"year"*.

12. In the bill, section 13, line 4, strike the word *"them"* and in lieu thereof insert the word *"then"* (correct in the printed bill).

13. In the bill, section 14, line 2, insert a comma after the word *"act"*; line 5, after the word *"or"* and before the word *"in"* insert: *"which come due and owing"*; lines 5 and 6, strike: *"to be due and owing"* .

14. In the bill, section 15, insert a comma in line 1 after the word *"entitled"*, line 2 after *"disability"*, and line 6 after *"dependents"*.

15. In the bill, title, line 6, before the word "children" insert: "natural or adopted"; line 8, after the word "for" insert the word "the"; line 15, after the amendment by Mr. Peterson, and before the words "and to" insert:

"to provide a savings clause and the effect of an adjudication that any clause, sentence, paragraph or part of this act is invalid for any reason upon the remainder of said act;".

(Signed) Roy B. Carlberg, Chairman

GENERAL FILE

LEGISLATIVE BILL 329.

Mr. Adams made a motion to indefinitely postpone the bill.

The motion prevailed.

LEGISLATIVE BILL 272.

Mr. Klaver made a motion to indefinitely postpone the bill.

The motion prevailed.

MOTION—To Return To Select File

Mr. Raecke made a motion to return L. B. 297 to Select File for the following specific amendment:

1. Amend section 3 of the bill, as amended by paragraph 7 of the Raecke amendment of April 24, 1945, by striking lines 14 to 16, inclusive, and substituting in lieu thereof:

"shall, except as to districts referred to in section 70-614.01 *and except in districts having within their boundaries twenty-five or more cities and villages,* be filled by the board of directors. *In districts having within their boundaries twenty-five or more cities and villages, vacancies shall be filled by the Governor.* The members thus elected *appointed* to fill vacancies shall serve until members to"

2. Amend the title, as amended by the Raecke amendment of April 24, 1945, by inserting in line 4 of the amendment after the word "vacancies" and before the word "upon" the words "in such districts".

3. Amend the title, as amended by paragraph 13 of the Raecke amendment of April 24, 1945, by inserting the words "a copy of the proposed" before the word "contract" in line 6 of the amendment, and by inserting in line 11 of the amendment, after the word "same" and before the word "can" the words "is signed, executed or delivered and".

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 297.

Mr. Raecke's amendment, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

MOTION—Bills in Committee

Mr. President: I move that all bills in the hands of Standing Committees, except E and R, be indefinitely postponed. (Signed) C. Petrus Peterson

The motion prevailed.

Adjournment

At 3:45 Mr. Jeffords made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 2, 1945

Pursuant to adjournment, the Legislature met at 9:10 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Ryan and Weborg, who were excused.

The Journal for the eighty-third day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 261. Replaced on Select File as amended.

E and R amendments to L. B. 261:

1. In the specific amendment by Mr. Garber, line 2, strike the word "comma" and in lieu thereof insert the word "semicolon" and in line 3 strike "5," and in lieu thereof insert "(e)".

2. In the specific amendment by Mr. J. H. Anderson, line 3, strike the period after the word "accident" and in line 4 strike the words "the period" and in lieu thereof insert: " "; or" ".

3. In the bill, section 5, line 28, strike the word "or" after the semicolon.

LEGISLATIVE BILL 249. Placed on Select File as amended.

E and R amendments to L. B. 249:

1. In General File amendment 1 by Mr. J. H. Anderson, inserted matter, line 5, after the word "until" insert "*(1)*"; line 6, after the

word "and" insert "*(2)*"; line 7, after the word "hearing" insert: "*is had*".

2. In General File amendment 3, by Mr. J. H. Anderson, inserted matter, line 1, before the word "application" insert the word "*the*" and in said line insert the word "*a*" before the word "renewal" and also at the end of the line after the word "of"; in line 5, after the words "cost of" insert the word "*the*".

3. In General File amendment 5, by Mr. J. H. Anderson, inserted matter, line 5, before the word "application" insert the word "the" and in said line insert the word "a" before the word "renewal" and also at the end of the line after the word "of"; line 8, before the word "administration" insert the word "the" and at the end of said line, after the semicolon, insert the following:

"to provide for the payment of the expenses of the administration of this act; to provide a savings clause;"..

4. In the bill, section 1, line 6, insert a comma after the word "act".

5. In the bill, section 2, line 3, strike the comma after the word "board" in two places.

6. In the bill, section 3, line 5, strike the word "or" at the beginning of the line; line 11, strike the word "at" and in lieu thereof insert the word "upon"; line 14, strike the word "for" after the word "county" and in lieu thereof insert the word "by"; line 20, strike the word "and" and in lieu thereof insert: "or,"; line 21, before the word "regulations" insert the word "the"; line 22, strike the comma after the word "county" and in said line strike "equitably to" and in lieu thereof insert: "to equitably".

7. In the bill, section 4, line 2, insert a comma after the word "act" also at the end of line 1 after the word "board"; line 5, before the word "orders" insert the word "the" and in said line strike ", opportunity" and in lieu thereof insert: "and an opportunity for any such persons"; line 6, strike the word "to" before the word "introduce"; line 13, insert a comma before the word "within"; lines 13 and 14, strike "the board shall cause" and in lieu thereof insert: "cause a"; line 16, after the word "county" insert: "or counties"; line 20, strike "such investigation, or of any" and in lieu thereof insert: "any investigation or"; line 23, strike the comma after the word "subpoenas" and in lieu thereof insert the word "and"; line 24, strike the comma after the word "witnesses"; line 25, before the word "disobedience" insert the word "the"; line 32, before the word "disobedience" insert the word "the" and in said line strike the word "to" and in lieu thereof insert the word "of"; line 27, strike the comma after the word "board";

line 33, strike the comma after the word "court"; line 35, strike ", and each" and in lieu thereof insert: ". Each"; lines 36 and 37, strike ", or member" and in lieu thereof insert: "or a member thereof"; line 39, after the word "upon" insert the word "the"; line 41, strike the comma after the word "party" and insert a comma before the word "subpoenaed"; line 42, strike the comma after the word "board"; line 47, after the word "to" insert "(a)"; line 48, insert the word "the" after the word "to" and also before the word "income"; lines 50 and 51, strike "the board shall give due consideration to" and in lieu thereof insert "(b)".

8. In the bill, section 5, line 5, strike ", and notice" and in lieu thereof insert: ". Notice"; line 7, after the word "but" insert the word "the"; line 8, strike "of compliance" and in lieu thereof insert: "to comply".

9. In the bill, section 8 (formerly 7), line 3, after the word "after" insert the word "the"; line 7, strike ", if" and in lieu thereof insert: "if,"; line 11, strike all of said line after the word "of" and in lieu thereof insert: "the testimony at the hearing, the original papers"; line 12, strike ", and" and in lieu thereof insert "and the"; strike the comma in line 15 after the word "thereof" and also in line 17 after the word "board"; line 24, after the word "by" insert the word "the"; line 25, after the word "person" insert: "or persons"; line 27, after the word "him" insert: "or them".

10. In the bill, title, line 5, after the word "promulgate" insert: "and enforce"; line 6, strike "and to enforce the same"; line 8, after the word "practices" and before the semicolon insert: "as prescribed".

LEGISLATIVE BILL 320. Correctly engrossed.
LEGISLATIVE BILL 326. Correctly engrossed.
LEGISLATIVE BILL 332. Correctly engrossed.
LEGISLATIVE BILL 342. Correctly engrossed.
LEGISLATIVE BILL 366. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

SELECT FILE

LEGISLATIVE BILL 307. E and R amendments found in the Legislative Journal for the Eighty-third day were adopted.

Advanced to E and R for engrossment.

Unanimous Consent

Mr. Garber asked unanimous consent to take up L. B. 261 on Select File.

No objection was offered and it was so ordered.

LEGISLATIVE BILL 261. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 385. With emergency.

A bill for an act to repeal sections 74-812, 74-813 and 74-814, Revised Statutes of Nebraska, 1943, relating to railroads; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Crossland	**Jeffords**	Peterson
Anderson, J.	Cullingham	**Kain**	Pizer
Babcock	Doyle	**Klaver**	Raasch
Brodahl	Foster	**Lee**	Raecke
Burney	Hanna	Lusienski	Reavis
Burnham	Heiliger	Mekota	Schultz
Carmody	Hern	Mueller	Seaton
Conklin	Hoyt	Norman	Sorrell
Cronin	Hubka	Ogden	Tvrdik

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Dooley	Ryan	Wood
Carlberg	Garber	Weborg	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 250.

A bill for an act to amend sections 71-208 and 71-217, Revised Statutes of Nebraska, 1943, relating to the practice of barbering; to provide the requirements for the approval of barber schools and colleges; to authorize the Department of Health to either refuse to issue or to suspend or revoke a certificate of registration of a barber for violation of any valid regulation promulgated by the Board of Barber Examiners pertaining to service charges and the elimination of unfair and insanitary practices; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Adams	Hanna	Lee	Raasch
Anderson, J.	Heiliger	Lusienski	Raecke
Crossland	Hern	Mueller	Schultz
Cullingham	Hoyt	Norman	Seaton
Dooley	Hubka	Ogden	Sorrell
Doyle	Kain	Peterson	Tvrdik
Foster	Klaver	Pizer	Wood

Voting in the negative, 7:

Babcock	Carmody	Garber	Mekota
Burney	Cronin	Jeffords	

Not voting, 8:

Anderson, L.	Burnham	Conklin	Ryan
Brodahl	Carlberg	Reavis	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 276.

A bill for an act relating to revenue and taxation; to authorize the bringing of an action for the curing of defects in tax foreclosure proceedings heretofore had; to provide for the procedure in such actions; to authorize the bringing of a suit against the State of Nebraska in such proceedings; to provide that the county attorney of the county

where such real estate is located is authorized to accept service of process for and represent the State of Nebraska and all other designated governmental subdivisions; to provide for an accounting and establishment of liens; to provide for the sale of the property in such proceedings for the satisfaction of liens and the distribution of the proceeds of such sale; and to provide for a discharge of liens and the acquisition of title free and clear of liens.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Crossland	Hubka	Raasch
Anderson, J.	Cullingham	Jeffords	Raecke
Anderson, L.	Dooley	Kain	Reavis
Babcock	Doyle	Klaver	Schultz
Brodahl	Foster	Lee	Seaton
Burney	Garber	Mueller	Sorrell
Burnham	Hanna	Norman	Tvrdik
Carmody	Heiliger	Ogden	Wood
Conklin	Hern	Peterson	
Cronin	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 5:

Carlberg	Mekota	Ryan	Weborg
Lusienski			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 333. With emergency.

A bill for an act to amend section 39-7,118, Revised Statutes of Nebraska, 1943, relating to highways; to permit the use of red reflector flares by the prescribed motor buses, trucks, passenger cars, cars for hire and combinations thereof instead of lighted flares; to provide when such flares shall be required as equipment; to provide where flares shall be placed when vehicles are parked on or adjacent to the highway; to provide the requirements for placing flares near motor vehicles transporting inflammable materials, merchandise or sub-

stances when stopped upon or immediately adjacent to the traveled part of a highway as prescribed; to prohibit the placing of lighted flares adjacent to such vehicles so transporting such inflammable materials, merchandise or substances; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Klaver	Raecke
Babcock	Foster	Lee	Reavis
Brodahl	Garber	Lusienski	Schultz
Burney	Hanna	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Conklin	Hern	Norman	Tvrdik
Cronin	Hoyt	Ogden	Wood
Crossland	Hubka	Peterson	

Voting in the negative, 0.

Not voting, 4:

Carlberg	Carmody	Ryan	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 368.

A bill for an act to amend section 2-103, Revised Statutes of Nebraska, 1943, relating to agriculture; to provide what items shall be included in the annual report of the State Board of Agriculture to the Governor; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Hoyt	Peterson
Anderson, J.	Cullingham	Hubka	Pizer
Anderson, L.	Dooley	Jeffords	Raasch
Babcock	Doyle	Kain	Raecke
Brodahl	Foster	Lusienski	Reavis
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Conklin	Heiliger	Norman	Tvrdik
Cronin	Hern	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Carlberg	Klaver	Ryan	Weborg
Carmody	Lee	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 378. With emergency.

A bill for an act to amend section 21-313, Revised Statutes of Nebraska, 1943, relating to corporations; to prescribe the amount of the penalty for failure to file a report and pay the occupation tax of corporations required so to do; to prescribe the time within which such report and fee may be paid without being subject to such penalty; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams	Crossland	Hubka	Pizer
Anderson, J.	Cullingham	Jeffords	Raasch
Anderson, L.	Dooley	Kain	Raecke
Babcock	Doyle	Klaver	Reavis
Brodahl	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Hanna	Mueller	Sorrell
Carmody	Heiliger	Norman	Tvrdik
Conklin	Hern	Ogden	Wood
Cronin	Hoyt	Peterson	

Voting in the negative, 0.

Not voting, 4:

Carlberg	Lee	Ryan	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 215. With emergency.

A bill for an act relating to cities of the second class and villages; to authorize such cities and villages to acquire a municipal hospital in the prescribed ways and to maintain, manage, improve, remodel, equip and operate the same; to provide for the issuance of bonds thereof for such purpose, as prescribed; to provide for the submission of the question of the issuance of such bonds to the electors of such a city or village as prescribed; to provide for the levy of a tax for such purpose as prescribed; to provide for a fund of such a city or village to be used for such purposes as prescribed; to provide for the creation of a hospital board and its appointment, powers and duties; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the negative, 0.

Voting in the affirmative, 36:

Adams	Cronin	Hoyt	Norman
Anderson, J.	Crossland	Hubka	Ogden
Anderson, L.	Cullingham	Jeffords	Pizer
Babcock	Dooley	Kain	Raecke
Brodahl	Doyle	Klaver	Reavis
Burney	Foster	Lee	Seaton
Burnham	Hanna	Lusienski	Sorrell
Carmody	Heiliger	Mekota	Tvrdik
Conklin	Hern	Mueller	Wood

Voting in the negative, 0.

Not voting, 7:

Carlberg	Peterson	Ryan	Weborg
Garber	Raasch	Schultz	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 76. Correctly re-engrossed.
LEGISLATIVE BILL 319. Correctly engrossed.
LEGISLATIVE BILL 327. Correctly engrossed.
LEGISLATIVE BILL 365. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

MOTION—To Appoint Committee

Mr. President: I move that a Committee of three be appointed to fix final day of adjournment and make arrangements for same.
(Signed) Fred A. Mueller

The motion prevailed, and the president appointed Mr. Mueller, Chairman, and Messrs. Garber and Tvrdik.

MOTION—Caucus for Legislative Council

Mr. Peterson made a motion to recess until 10:30 to caucus for selection of members from the different districts to serve on the Legislative Council.

The motion prevailed.

AT EASE

The Legislature was at ease from 10:00 a. m. to 10:30 a. m.

MOTION—L. B. 320

Mr. Adams made a motion to hold L. B. 320 on E and R for engrossment, and not to print the same.

The motion prevailed.

MOTION—To Return to General File

Mr. Lee made a motion to return L. B. 392 to General File for the following specific amendments:

1. Amend section 1 of the bill by inserting after line 59 the following additional subsection:

"(2) Each member of the Board of Control, for his services with respect to administration of the state assistance fund, shall receive the sum of eight hundred dollars per annum, to be paid from the state assistance fund, in addition to the salary set out in section 83-104, Revised Statutes of Nebraska, 1943."

2. Amend the title, line 7, by inserting after the punctuation following the word "purpose" the following:

"to provide for payment out of the state assistance fund of salary to each member of the Board of Control for services in the administration of the state assistance fund;"

The motion prevailed with 18 ayes, 7 nays and 18 not voting.

GENERAL FILE

LEGISLATIVE BILL 392.

Mr. Lee's amendment, found in this day's Journal was adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 219. Correctly engrossed.
(Signed) Roy B. Carlberg, Chairman

RECESS

At 11:00 a. m., Mr. Raecke made a motion to recess until 3:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 3:10 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Babcock, Hubka, Klaver, Ogden and Weborg, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 389. Placed on Select File as amended.

E and R amendments to L. B. 389:

1. In the bill, section 1, line 13, strike *"Provided,"* and in lieu thereof insert: *"and provided"*.

2. In the bill, section 2, line 4, before the word "the" insert: *"inclusive,"*; line 9, strike *"the counties vote"* and in lieu thereof insert: *"such a county votes"*.

3. In the bill, section 3, line 12, strike ", and their" and in lieu thereof insert: *", and their . Their"*; line 13, strike "in cases of" and in lieu thereof insert: *"in cases of for"* .

4. In the bill, section 5, line 15, strike the word "their" and in lieu thereof insert: *"their such board"*; line 18, strike ", and it" and in lieu thereof insert: *"and it . It"*; line 19, strike "their duty" and in lieu thereof insert: *"the their duty of such county board"*; line 20, strike the comma after the word "towns" and in lieu thereof insert ";".

5. In the bill, section 7, line 11, strike *"Provided,"* and in lieu thereof insert: *"and provided,"*; line 15, strike *"Provided,"* and in lieu thereof insert: *"and provided, still"*; line 35, strike the word *"further"* and in lieu thereof insert: *"further however"*.

6. In the bill, section 8, line 5, strike the comma after the word *"located"*; line 6, strike *"valuation of"* and in lieu thereof insert: *"on the actual valuation of all the"*; line 7, after the word *"district"* and before the period insert: *", except intangible property"*; line 9, strike *"the taxable property"* and in lieu thereof insert: *"all the taxable property, except intangible property,"*; line 11, after the word *"shall"* insert *"(1)"*; strike the semicolon at the end of line 12 and strike *"and the same shall"* in line 13, and in lieu thereof insert: *", (2)"*; line 14, strike *", and shall"* and in lieu thereof insert: *"and (3)"* .

7. In the bill, title, line 11, after the word "until" insert the word "their"; line 13, strike "when a county" and in lieu thereof insert: "in a county which"; line 16, after the word "levy" and before the semicolon, insert the following: "in counties having a seven commissioner form of government".

LEGISLATIVE BILL 370. Placed on Select File as amended.

E and R amendments to L. B. 370:

1. In General File amendment by Mr. Tvrdik, to section 8, line 12, in line 2 strike "$3700.00" and in lieu thereof insert: "thirty-seven hundred" and in line 3 strike "$4000.00" and in lieu thereof insert: "~~thirty-seven hundred~~ *four thousand*".

2. In General File amendment by Mr. Ogden, to section 8, line 22, in line 2, after the quotation mark and before the word "four" insert "~~thirty-two hundred~~".

3. In General File amendment by Mr. Cullingham, to section 8, line 50, in line 2, after the quotation mark and before the word "five" insert "~~two~~".

4. In General File amendment by Mr. Ryan, last line, after the quotation mark and before the word "forty-seven" insert: "~~forty-two~~".

5. In General File amendment by Mr. Burnham, to section 5, in lines 1, 2 and 3, after the quotation mark and before "twenty-six" insert "~~twenty-five~~", in each line; in line 4, after the quotation mark and before "twenty-two" insert "~~twenty-one~~".

6. In General File amendment by Mr. Pizer, line 2, after the quotation mark and before the word "nine" insert: "~~eight hundred fifty~~".

7. In General File amendment by Mr. Brodahl, to section 3, lines 15 and 16, in line 2, after the quotation mark and before the word "twenty-two" insert "~~twenty-one~~"; lines 3 and 4, also 6, after the quotation mark and before the word "twenty-four" insert "~~twenty-two~~"; line 5, before the word "eighteen" and after the quotation mark, insert "~~seventeen~~".

8. In General File amendment by Mr. Norman, line 3, strike the word "thousand" and in lieu thereof insert the word "*hundred*".

9. In General File amendment by Mr. Babcock, in line 1 strike "$1,600" and insert "$1,700" and in lieu thereof insert "the word "sixteen" and in lieu thereof insert "~~sixteen~~ *seventeen*"; in line 2 strike "$1,300" and insert "$1,400", and in lieu thereof insert: "the word "thirteen" and in lieu thereof insert "~~thirteen~~ *fourteen*"; in line 3, strike the figure "$2,000" and in lieu thereof insert "two thousand" and in said line strike the figure "$2,100" and in lieu thereof insert "~~two thousand~~ *twenty-one hundred*", and the same in line 4; in line 5, strike the figure "$2,200" and in lieu thereof insert "twenty-two" and in said line strike the figure "$2,300" and in lieu thereof insert "~~twenty-two~~ *twenty-three*" and the same in line 6; line 7, strike the figure "$1,500" and in lieu thereof insert the word "fifteen" and in said line strike the figure "$1,600" and in lieu thereof insert "~~fifteen~~ *sixteen*".

10. In General File amendment by Mr. Lusienski, line 1, strike the name "Burnham" and in lieu thereof insert the name "Anderson"; line 3, after the quotation mark and before the word "nine" insert "eight".

LEGISLATIVE BILL 297. Correctly re-engrossed.
LEGISLATIVE BILL 285. Correctly engrossed.
LEGISLATIVE BILL 395. Placed on Select File.
LEGISLATIVE BILL 299. Replaced on Select File.
LEGISLATIVE BILL 208. Correctly engrossed.
LEGISLATIVE BILL 321. Correctly engrossed.
LEGISLATIVE BILL 49. Correctly enrolled.
LEGISLATIVE BILL 92. Correctly enrolled.
LEGISLATIVE BILL 146. Correctly enrolled.
LEGISLATIVE BILL 153. Correctly enrolled.
LEGISLATIVE BILL 256. Correctly enrolled.
LEGISLATIVE BILL 263. Correctly enrolled.
LEGISLATIVE BILL 311. Correctly enrolled.
LEGISLATIVE BILL 315. Correctly enrolled.
LEGISLATIVE BILL 318. Correctly enrolled.
LEGISLATIVE BILL 328. Correctly enrolled.
LEGISLATIVE BILL 352. Correctly enrolled.
LEGISLATIVE BILL 354. Correctly enrolled.
LEGISLATIVE BILL 355. Correctly enrolled.
LEGISLATIVE BILL 374. Correctly enrolled.
LEGISLATIVE BILL 383. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 49	L. B. 263	L. B. 352
L. B. 92	L. B. 311	L. B. 354
L. B. 146	L. B. 315	L. B. 355
L. B. 153	L. B. 318	L. B. 374
L. B. 256	L. B. 328	L. B. 383

RESOLUTION

LEGISLATIVE RESOLUTION 20. Re: Legislative Council quarters.

Introduced by John E. Mekota of Saline.

BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

1. That the custodian of the state capitol of the State of Nebraska be directed to assign and set aside for the use of the Nebraska Legis-

lative Council for its work ad interim definite quarters in the state capitol known as rooms 1104, 1104a, 1106 and 1108, and rooms 2028 and 2301 for the use of the press until further order of the Legislature.

2. That the custodian of the state capitol be directed to assign rooms 1110 and 1112 to the Legislative Council for the use of the bill drafting service for the period beginning December 1, 1946 and extending through the Legislative session of 1947.

3. That the legislative custodian be directed to equip such quarters so assigned to Council with legislative furniture and equipment, as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; and that said legislative custodian be charged with the duty of furnishing the quarters so assigned to Council with regular and proper janitor service after this Legislature shall have adjourned, until further order of the Legislature, as other legislative rooms and quarters are kept and maintained.

4. That copies of this resolution be delivered by the Clerk of this Legislature to the custodian of the state capitol and to the legislative custodian after the same shall have been spread at large upon the Legislative Journal.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that Legislative Resolution 20 be adopted. (Signed) John E. Mekota

Mr. Mekota moved a call of the House.

A call of the House was ordered and after call the roll showed 34 members present.

Mr. Mekota made a motion to raise the call and the motion prevailed with 31 ayes, 0 nays and 12 not voting.

The Resolution was adopted with 34 ayes, 0 nays and 9 not voting.

MOTION—Place on Select File

Mr. Raecke asked unanimous consent to place L. B. 389 on Select File for the following specific amendments:

1. Amend section 2 of the bill, line 12, by striking the word "*township*" and inserting in lieu thereof the word "*supervisor*".

2. Amend section 3 of the bill, line 9, by striking the word "*township*".

3. Amend section 3 of the bill, line 10, by striking the word *"township"* and inserting in lieu thereof the word *"supervisor"*.

4. Amend section 6 of the bill, line 14, by striking the figures *"1946"* and inserting in lieu thereof the figures *"1948"*.

5. Amend section 8 of the bill, line 2, by striking the words *"commissioner district"* and inserting in lieu thereof the words *"former township"*.

No objection, so ordered.

SELECT FILE

LEGISLATIVE BILL 389. E and R amendments found in this day's Journal were adopted.

Mr. Raecke's specific amendments, found in this day's Journal, were adopted by unanimous consent.

Mr. Raecke offered the following specific amendments, which were adopted by unanimous consent:

1. Strike all of section 7.

2. Renumber sections 8 and 9 as sections 7 and 8, respectively.

3. Amend renumbered section 8, line 2, by striking the following: ", 32-210 and 33-128" and inserting in lieu thereof the following: "and 32-210".

4. Amend the title, lines 2 and 3, as follows: ", 32-210 and 33-128" and inserting in lieu thereof the following: "and 32-210".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 299.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

In the bill, section 1, line 42, strike *"Provided,"* and in lieu thereof insert: *"Provided, and provided"*; line 46, strike the period and in lieu thereof insert:

", ; and provided still further, in counties not under a township organization, but having a county board of seven commissioners

as provided by section 23-297, as amended, the commissioners shall be allowed a salary in the same amount as though the county was under township organization.".

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE RESOLUTION 19.

Mr. Heiliger offered the following amended resolution.

Legislative Resolution 19. Re: Educational Privileges of the "G. I. Bill of Rights"

Introduced by H. P. Heiliger of Lancaster.

PREAMBLE

WHEREAS, the National Government under the "G. I. Bill of Rights" undertakes to assist certain honorably discharged veterans in completing their education by paying for tuition, books and other school supplies not to exceed $500 per year, and

WHEREAS, under the present law any payments made for tuition, books and school supplies shall be deducted from any adjusted compensation which may hereafter be authorized, and

WHEREAS, the non-resident tuition fee at our publicly supported institutions of higher learning is higher than the resident tuition fee, and

WHEREAS, our publicly supported institutions of higher learning are, with the sanction of the Veterans' Administration, collecting the non-resident fee from veterans attending such institutions under the provisions of the G. I. Bill of Rights regardless of whether or not such veterans are residents of the state, and

WHEREAS, the collection of the non-resident fee from veterans who are residents of the state of Nebraska may ultimately diminish the benefits which they will receive in the form of adjusted compensation, and

WHEREAS, the collection by a state supported educational institution of a non-resident fee for educational privileges extended to veterans who are in fact residents of the state is contrary to public policy;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the governing authorities of our publicly supported institutions of higher learning be urged to eliminate the non-resident fee from charges made to veterans who are bona fide residents of Nebraska until such time as the National Government shall amend its laws so as to provide that payments made for tuition, books and school supplies shall not diminish any future benefits to be paid to such veterans, and

2. That a copy of this resolution be sent to each member of the Board of Regents of the University of Nebraska, to each member of the Board of Education for State Normal Schools, and to the chief executive of each of the state supported educational institutions.

Legislative Resolution 19, as amended, was adopted with 30 ayes, 0 nays and 13 not voting.

SELECT FILE

LEGISLATIVE BILL 395.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 370. E and R amendments found in the Legislative Journal of this day were adopted.

Mr. Heiliger offered the following amendment, which was adopted by unanimous consent:

Amend Section 7, page 9, by inserting between lines 41 and 42 the following:

"A second deputy county clerk at a salary to be fixed by the county board, not to exceed $2,500.00".

Mr. Carlberg made a motion to indefinitely postpone L. B. 370.

A record vote was requested.

Mr. Ryan moved a call of the House

A call of the House was ordered and the roll showed 36 members present.

Mr. Tvrdik made a motion to adjourn.

Mr. Carmody made a motion to recess until 4:30 p. m.

Mr. Carmody's motion did not prevail.

Adjournment

At 4:15 Mr. Tvrdik made a motion to adjourn.

The motion prevailed with 19 ayes, 15 nays and 9 not voting.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, May 3, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by Rabbi M. H. Marks of South Street Temple.

The roll was called and all members were present except Messrs. Weborg, Hanna and Ryan who were excused for a part of the day.

The Journal for the eighty-fourth day was approved as corrected.

Communications

Letters from Senator Wherry and Representative Karl Stefan acknowledging receipt of Legislative Resolution No. 18.

Letter from The American Legion, Department of Nebraska, Lincoln, Nebraska, expressing thanks to the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 371. Correctly engrossed.
LEGISLATIVE BILL 367. Correctly engrossed.
LEGISLATIVE BILL 387. Correctly engrossed.
LEGISLATIVE BILL 193. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman.

RESOLUTION

LEGISLATIVE RESOLUTION 21. Re: Interstate Toll Bridges

Introduced by Sidney J. Cullingham of Douglas

PREAMBLE

WHEREAS, there are eight interstate toll bridges across the Missouri river connecting the states of Iowa and Nebraska, and

WHEREAS, three of these bridges are now privately owned and subject to state and local taxation in both Iowa and Nebraska, and

WHEREAS, it is desirable that all toll bridges shall become free bridges at the earliest date practicable, and

WHEREAS, the state of Iowa has, by law, authorized the state highway commission to enter into written agreements with the private owners of toll bridges whereby the state will accept transfer of title of such bridges and operate and maintain them free of tolls, and

WHEREAS, the Iowa statute provides that upon the conclusion of such agreement the privately owned bridges shall immediately be exempted from state and local taxation in Iowa to the end that their indebtedness shall be liquidated at an earlier date, and that their transfer to state ownership shall be facilitated, and

WHEREAS, the Iowa statute, by its express terms, will not become effective until the adjoining state enters into an agreement to accept ownership of one half of the bridge and agrees to pay one half of the cost of maintenance thereof, and

WHEREAS, it is the opinion of the Attorney General of Nebraska that the Department of Roads and Irrigation does not under present statutes have authority to enter into agreements on behalf of the state to accept ownership and maintenance obligations of such interstate bridges, and

WHEREAS, the Legislature of Nebraska has rejected Legislative Bill 394 which would have conferred upon the Department of Roads and Irrigation authority to enter into agreements for the acceptance of title of such bridges and the maintenance thereof free of tolls, and

WHEREAS, Legislative Bill 394 was rejected because of uncertainty as to the exact condition and status of such bridges, and the extent to which the state would incur obligations by accepting ownership, now, therefore

BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Nebraska Legislative Council be directed to examine into the following matters with respect to all interstate bridges connecting the state of Nebraska with adjoining states:

a. ownership and legal status;

b. original cost and amount of indebtedness now outstanding thereon;

c. receipts from tolls and expenditures for operation and maintenance;

d. probable date of liquidation of outstanding indebtedness;

e. whether or not the owners would be willing to transfer title upon retirement of the indebtedness, and

f. the probable amount of obligations which the state would incur for maintenance if it should accept title to these bridges.

2. That for the purpose of this investigation the Legislative Council shall have authority to examine the records and accounts of any agency in the state of Nebraska, public or private, now owning or operating an interstate bridge, and shall, upon request, receive the assistance and cooperation of the Department of Roads and Irrigation, and

3. That the Legislative Council be directed to report the result of its findings, together with its recommendations, to the Legislature at its next regular session.

MOTION—To Suspend Rules

Mr. President: I move the rules be suspended and that Resolution Number 21 be adopted. (Signed) Sidney J. Cullingham

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 139. Laid over.
LEGISLATIVE BILL 270. Laid over.
LEGISLATIVE BILL 191.

A bill for an act to amend section 42-201, Revised Statutes of Nebraska, 1943, relating to husband and wife; to provide that the property of a married woman, except ninety per cent of her wages, not exempt by statute from sale on execution or attachment, regard-

less of when or how said property has been or may hereafter be acquired, shall be liable for the necessaries of life furnished said married woman, her husband or family; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 29:

Adams	Foster	Klaver	Pizer
Anderson, J.	Heiliger	Lee	Raecke
Anderson, L.	Hern	Lusienski	Reavis
Babcock	Hoyt	Mueller	Seaton
Conklin	Hubka	Norman	Sorrell
Crossland	Jeffords	Ogden	Tvrdik
Cullingham	Kain	Peterson	Wood
Doyle			

Voting in the negative, 4:

Carmody	Cronin	Dooley	Schultz

Not voting, 10:

Brodahl	Carlberg	Mekota	Ryan
Burney	Garber	Raasch	Weborg
Burnham	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 237.

A bill for an act to amend section 26-107, Revised Statutes of Nebraska, 1943, relating to municipal courts; to provide for the selection of a presiding judge thereof; to prescribe his powers and duties; to provide a savings clause; and to repeal the original section.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cronin	Jeffords	Pizer
Anderson, J.	Crossland	Kain	Raasch
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Schultz
Burney	Foster	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka	Peterson	

Voting in the negative, 0:

Not voting, 4:

Garber	Hanna	Ryan	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 251. With emergency.

A bill for an act relating to schools; to provide that the Superintendent of Public Instruction shall cooperate with and assist public schools and public educational institutions in securing funds, services, commodities and equipment which may be made available to them by the federal government or its agencies; to provide that a copy of all contracts, agreements or arrangements made by such public schools and public educational institutions, under the supervision of the Superintendent of Public Instruction, shall be filed in his office; to provide how federal funds made available for public schools in this state shall be channeled and administered; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Mr. Ogden moved a call of the House.

A call of the House was ordered, and after call the roll showed 40 members present.

Mr. Ogden moved that the call be raised, and the motion prevailed with 34 ayes, 0 nays and 9 not voting.

Voting in the affirmative, 29:

Adams	Conklin	Hern	Norman
Anderson, J.	Crossland	Hubka	Ogden
Babcock	Cullingham	Kain	Peterson
Brodahl	Dooley	Klaver	Raecke
Burney	Doyle	Lee	Reavis
Burnham	Foster	Lusienski	Sorrell
Carlberg	Heiliger	Mueller	Tvrdik
Carmody			

Voting in the negative, 9:

Cronin	Mekota	Raasch	Seaton
Garber	Pizer	Schultz	Wood
Hoyt			

Not voting, 5:

Anderson, L.	Jeffords	Ryan	Weborg
Hanna			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 266. With emergency.

A bill for an act relating to rural high schools; to provide for the discontinuance and dissolution of a rural high school organized under Article 8, Chapter 79, Revised Statutes of Nebraska, 1943; to provide the procedure therefor; to provide for the winding up of the affairs of such a district after such discontinuance and dissolution has been voted; to prescribe the manner of the payment of indebtedness of the dissolved district; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams	Cronin	Hubka	Peterson
Anderson, J.	Crossland	Jeffords	Pizer
Anderson, L.	Cullingham	Kain	Raasch
Babcock	Dooley	Klaver	Raecke
Brodahl	Doyle	Lee	Reavis
Burney	Foster	Lusienski	Schultz
Burnham	Garber	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Wood

Voting in the negative, 0:

Not voting, 3:

Hanna	Ryan	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 278.

A bill for an act to amend section 60-515, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that, for the purposes of this act, a discharge in bankruptcy shall not be deemed a satisfaction of a judgment or judgments resulting from the ownership or operation of motor vehicles until after the expiration of three years from the date of such discharge in bankruptcy; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Jeffords	Peterson
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Raecke
Brodahl	Doyle	Lusienski	Reavis
Burney	Foster	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka		

Voting in the negative, 1:

Schultz

Not voting, 4:

Garber	Hanna	Ryan	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 344.

A bill for an act to amend section 24-601, Revised Statutes of Nebraska, 1943, relating to trusts and trustees; to provide for investment by trustees, guardians, executors and administrators as prescribed in stocks or other securities of management type investment companies qualified under the Federal Investment Company Act of 1940, which are authorized for sale by the Bureau of Securities of the Department of Banking and the maximum amount that may be invested therein; to provide the maximum amount that trustees may invest in both common stocks and stocks or other investment securities of such management type investment companies; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Anderson, L.	Doyle	Lee	Raecke
Babcock	Foster	Lusienski	Reavis
Brodahl	Heiliger	Mueller	Schultz
Burnham	Hern	Norman	Seaton
Carmody	Hoyt	Ogden	Sorrell
Conklin	Hubka	Peterson	Tvrdik
Crossland			

Voting in the negative, 1:

Klaver

Not voting, 9:

Burney	Garber	Mekota	Weborg
Carlberg	Hanna	Ryan	Wood
Cronin			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 382. With emergency.

A bill for an act to amend section 50-112, Revised Statutes of Nebraska, 1943, relating to the Legislature; to provide for an increase in the salary of the Clerk of the Legislature from thirty-six hundred dollars to four thousand dollars per year and the first assistant clerk thereof from eight dollars per day to ten dollars per day, as prescribed; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hern	Norman	Tvrdik
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka	Peterson	

Voting in the negative, 0.

Not voting, 8:

Carlberg	Garber	Mekota	Schultz
Cronin	Hanna	Ryan	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 41.

Returned to Select File for specific amendment.

LEGISLATIVE BILL 284. With emergency.

A bill for an act to amend sections 71-701, 71-702, 71-703, 71-705 and 71-706, Revised Statutes of Nebraska, 1943, relating to public health; to remove homes for the care of infants from the operation of the provisions of the act with reference to maternity homes; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Garber	Mekota	Schultz
Burnham	Heiliger	Mueller	Seaton
Carlberg	Hern	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Hanna Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 377. With emergency.

A bill for an act relating to the Department of Roads and Irrigation; to provide authority for the State Engineer, on behalf of the State of Nebraska, to sell and convey, with the approval of the Governor, any part of any real estate acquired as provided in section 39-603, Revised Statutes of Nebraska, 1943, not needed for highway purposes and also personal property acquired in connection therewith; to confer certain powers and duties upon the State Engineer for the Department of Roads and Irrigation and, in the name of the State of Nebraska, to execute deeds, bills of sale and other instruments upon

the specified conditions; to provide for the validity of and certain requirements for such instruments; to provide for the disposal of the money received from such sales; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41.

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Garber	Mekota	Schultz
Burnham	Heiliger	Mueller	Seaton
Carlberg	Hern	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2.

Hanna Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Peterson Presiding

REPORT OF STANDING COMMITTEE

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Mr. Arch W. Jarrell, Nebraska Merit System Council; Mr. C. J. Reynolds, Nebraska Merit System Council; Mr. Thomas J. Dredla, Nebraska Merit System Council; Mr. Marcus L. Poteet, Nebraska Liquor Control Commission; Mr. Earl Monahan, Nebraska Brand Com-

mittee; Mr. Clark B. Evans, Nebraska State Real Estate Commission; Mr. Grove M. Porter, Nebraska State Racing Commission.

(Signed) Charles F. Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted, and that the appointments be confirmed by the Legislature, and that each appointment be voted on separately. (Signed) Charles F. Tvrdik, Chairman

The motion prevailed.

Vote on Mr. Jarrell

Voting in the affirmative, 33:

Adams	Doyle	Lee	Raasch
Anderson, J.	Garber	Lusienski	Raecke
Anderson, L.	Heiliger	Mekota	Reavis
Brodahl	Hern	Mueller	Ryan
Burney	Hoyt	Norman	Schultz
Burnham	Hubka	Ogden	Seaton
Carmody	Kain	Peterson	Sorrell
Cronin	Klaver	Pizer	Tvrdik
Crossland			

Voting in the negative, 0.

Not voting, 10:

Babcock	Cullingham	Hanna	Weborg
Carlberg	Dooley	Jeffords	Wood
Conklin	Foster		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Jarrell confirmed.

Vote on Mr. Reynolds

Voting in the affirmative, 32:

Adams	Cullingham	Kain	Peterson
Anderson, L.	Dooley	Klaver	Pizer
Brodahl	Doyle	Lee	Raecke
Burney	Foster	Lusienski	Reavis
Burnham	Heiliger	Mekota	Ryan
Carmody	Hern	Mueller	Schultz
Cronin	Hoyt	Norman	Seaton
Crossland	Hubka	Ogden	Tvrdik

Voting in the negative, 0.

Not voting, 11:

Anderson, J.	Conklin	Jeffords	Weborg
Babcock	Garber	Raasch	Wood
Carlberg	Hanna	Sorrell	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Reynolds confirmed.

Vote on Mr. Dredla

Voting in the affirmative, 34:

Adams	Dooley	Klaver	Pizer
Anderson, L.	Doyle	Lee	Raecke
Babcock	Foster	Lusienski	Reavis
Brodahl	Heiliger	Mekota	Ryan
Burney	Hern	Mueller	Schultz
Carmody	Hoyt	Norman	Seaton
Cronin	Hubka	Ogden	Sorrell
Crossland	Jeffords	Peterson	Tvrdik
Cullingham	Kain		

Voting in the negative, 0.

Not voting, 9:

Anderson, J.	Conklin	Hanna	Weborg
Burnham	Garber	Raasch	Wood
Carlberg			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Dredla confirmed.

Vote on Mr. Poteet

Voting in the affirmative, 34:

Adams	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raecke
Babcock	Dooley	Lee	Reavis
Brodahl	Doyle	Lusienski	Ryan
Burney	Foster	Mekota	Schultz
Burnham	Heiliger	Norman	Seaton
Carlberg	Hern	Ogden	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Cronin	Hubka		

Voting in the negative, 0.

Not voting, 9:

Anderson, J.	Hanna	Mueller	Weborg
Conklin	Jeffords	Raasch	Wood
Garber			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Poteet confirmed.

Vote on Mr. Monahan

Voting in the affirmative, 36:

Adams	Crossland	Hubka	Peterson
Anderson, L.	Dooley	Kain	Pizer
Babcock	Doyle	Klaver	Raecke
Brodahl	Foster	Lee	Reavis
Burney	Garber	Lusienski	Ryan
Burnham	Hanna	Mekota	Schultz
Carlberg	Heiliger	Mueller	Seaton
Carmody	Hern	Norman	Sorrell
Cronin	Hoyt	Ogden	Tvrdik

Voting in the negative, 0.

Not voting, 7:

Anderson, J.	Cullingham	Raasch	Wood
Conklin	Jeffords	Weborg	

Having received a majority of the votes of all members, the President declared the appointment of Mr. Monahan confirmed.

Vote on Mr. Evans

Voting in the affirmative, 33:

Adams	Dooley	Kain	Peterson
Anderson, L.	Doyle	Klaver	Pizer
Babcock	Foster	Lee	Raecke
Brodahl	Garber	Lusienski	Reavis
Burnham	Heiliger	Mekota	Ryan
Carmody	Hern	Mueller	Sorrell
Cronin	Hoyt	Norman	Tvrdik
Crossland	Hubka	Ogden	Wood
Cullingham			

Voting in the negative, 0.

Not voting, 10:

Anderson, J.	Conklin	Raasch	Seaton
Burney	Hanna	Schultz	Weborg
Carlberg	Jeffords		

Having received a majority of the votes of all members, the President declared the appointment of Mr. Evans confirmed.

Vote on Mr. Porter

Voting in the affirmative, 34:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lee	Raecke
Babcock	Doyle	Lusienski	Reavis
Brodahl	Foster	Mekota	Ryan
Burney	Heiliger	Norman	Sorrell
Burnham	Hern	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Wood
Cronin	Hubka		

Voting in the negative, 0.

Not voting, 9:

Carmody	Hanna	Mueller	Seaton
Conklin	Jeffords	Schultz	Weborg
Garber			

Having received a majority of the votes of all members, the President declared the appointment of Mr. Porter confirmed.

Approved by the Governor

May 2, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following Legislative Bills:

L. B. 243	L. B. 384
L. B. 323	L. B. 199

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 267. Correctly enrolled.
LEGISLATIVE BILL 368. Correctly enrolled.
LEGISLATIVE BILL 385. Correctly enrolled.
LEGISLATIVE BILL 184. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

Announcement

The employees of the Legislature invited the Senators, State Officials, newspapermen and lobbyists to a dance Monday, May 7, 1945.

The Legislature was at ease from 11:10 to 11:30 a. m.

REPORT—Legislative Council Caucus

Mr. President: We hereby report the nomination and move the approval of the following legislators as members of the Legislative Council from their respective Congressional Districts, to wit:

First Congressional District

Speaker C. Petrus Peterson, Joseph C. Reavis, Arthur Carmody, Daniel Garber. (Fred Seaton Secretary.)

Second Congressional District

Cliff N. Ogden, Harry A. Foster, Tom Dooley, Charles Tvrdik. (Sydney Cullingham, Secretary)

Third Congressional District

Walter R. Raecke, Edwin Schultz, A. J. Brodahl, Roy B. Carlberg. (Fay Wood, Chairman)

Fourth Congressional District

James H. Anderson, Lloyd Kain, Fred Mueller, Carl P. Jeffords. (Fred A. Mueller, Secretary)

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

Member Excused

Mr. Cronin was excused for Friday, May 4, 1945

Unanimous Consent

Mr. Hubka asked unanimous consent to place L. B. 41 on Select File for the following specific amendments:

1. Amend section 1 of the bill as it appeared on final reading, line 24, by striking the words "*assets are*" and inserting in lieu thereof the words "*personal property is*".

2. Amend section 2 of the bill as it appeared on final reading, line 10, by striking the words "*assets are*" and inserting in lieu thereof the words "*personal property is*".

3. Amend the bill as it appeared on final reading by striking sections 3, 4, 5 and 6 and renumbering section 7 as section 3.

4. Amend renumbered section 3 of the bill as it appeared on final reading, by striking all of said section and inserting in lieu thereof the following:

"Sec. 3. That original sections 38-110 and 38-408, Revised Statutes of Nebraska, 1943, are repealed."

5. Amend the title of the bill as it appeared on final reading by striking all of title of said bill and inserting in lieu thereof the following:

"A BILL

FOR AN ACT to amend sections 38-110 and 38-408, Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide if the personal property of the estate of a person under guardianship is valued at one thousand dollars or more, the guardian, if a natural person, shall furnish a corporate surety bond; and to repeal the original sections."

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 41.

Mr. Hubka's amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 249. E and R amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 370.

Mr. Heiliger asked unanimous consent to withdraw his amendment found in the Legislative Journal for the Eighty-fourth Day.

No objection was offered and it was so ordered.

Mr. Carlberg's motion to indefinitely postpone L. B. 370, pending from the preceding day, lost with 10 ayes, 27 nays and 6 not voting.

Advanced to E and R for engrossment.

RESOLUTION 7

Mr. Lee made a motion to adopt Resolution 7.

Mr. Lusienski offered the following amendments to Legislative Resolution 7, which were adopted.

1. Amend the resolution by adding immediately following subdivision A, three additional subdivisions to read as follows:

"B. That the Legislative Council in conducting this study be directed to hold public hearings at which public officials, students of taxation, representatives of business, professional and civic groups and private citizens generally shall have an opportunity to express their views.

"C. That said public hearings shall be held at such times and places as will facilitate the attendance of persons from all the principal regions of the state.

"D. That the Legislative Council in its deliberations upon this subject shall give special consideration to proposals for revising our tax laws in such a manner as to relieve the excessive burden upon real estate."

2. Amend the resolution by relettering subdivision "B" as subdivision "E".

Mr. Lusienski's name was added to the resolution by unanimous consent.

Mr. Lee's motion to adopt the resolution prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 392. Re-placed on Select File as amended.

E and R amendments to L. B. 392:

1. In the bill, section 1, line 15, before "(d)" inserted by specific amendment 2 of Mr. Hanna, insert "(c)"; at the end of line 17, after the semicolon, insert the word "*and*"; line 18, strike "(d)" and in lieu thereof insert: "(d) *(e)*"; line 22, strike "(c)" and in lieu thereof insert: "(c) *(d)*"; line 25, before the word "A" insert "*(2)*"; line 26, strike "(c)" and in lieu thereof insert: "(c) *(1) (d)*"; line 38, after the word "subsection" insert "*(1)*"; line 44, before the word "Such" insert "*(3)*"; line 59, strike "(d)" and in lieu thereof insert: "(d) *(1) (e)*".

2. In specific amendment 1 by Mr. Lee, inserted matter, line 1, strike "(2)" and in lieu thereof insert "*(4)*"; in amendment 2, inserted matter, line 2, before the word "salary" insert the word "a".

LEGISLATIVE BILL 390. Correctly engrossed.
LEGISLATIVE BILL 391. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

SELECT FILE

LEGISLATIVE BILL 392. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

RECESS

At 11:50 a. m., Mr. Cronin made a motion to recess until 4:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 4:05 p. m., President Johnson presiding.

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

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 210. Correctly engrossed.
LEGISLATIVE BILL 364. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 184	L. B. 368
L. B. 385	L. B. 267

Speaker Peterson Presiding

Communication

Communication addressed to Speaker C. Petrus Peterson in connection with the presentation of a gavel made from native walnut, of our State, from Mr. W. C. Langworthy of Seward, Nebraska. Mr. Fay Wood made an explanation regarding the presentation of the gavel, and gave a brief history of the same.

SELECT FILE

LEGISLATIVE BILL 71. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Mr. Hoyt offered the following specific amendment, which was adopted by unanimous consent:

Amend L. B. 71, Section 19 by striking the figure "$19,000.00" in line 4 of the Hoyt amendment following line 151, Section 19, and found on page 1163 of the Journal. Insert in lieu thereof the figure "$24,000.00"

Mr. Brodahl offered the following specific amendments, which were adopted by unanimous consent:

1. Amend section 4 of the Standing Committee amended bill, line 3, by striking the figures "$7,200.00" and inserting in lieu thereof the figures "$8,000.00".

2. Amend section 18 of Standing Committee amended bill, line 3, as amended by the Brodahl amendment adopted April 25, 1945, by

striking the figures "$56,000.00" and inserting in lieu thereof the figures "$56,800.00".

3. Amend section 19 of the Standing Committee amended bill, line 63, as amended by the Hoyt amendment adopted April 25, 1945, by striking the figures "$195,000.00" and inserting in lieu thereof the figures "$196,000.00".

4. Amend section 21 of the Standing Committee amended bill, line 4, by striking the figures "$74,000.00", and inserting in lieu thereof the figures "$77,000.00".

5. (a) Amend section 21 of the Standing Committee amended bill, line 26, by striking the word "and" and inserting a comma in lieu thereof and inserting after the word "veterinarians" the words "and division of child welfare, maternity homes".

(b) Amend section 21 of the Standing Committee amended bill, line 37, by striking the figures "$75,000.00" and inserting in lieu thereof the figures "$76,500.00".

(c) Amend section 25 of the Standing Committee amended bill by striking all of lines 62 to 68, inclusive, and inserting in lieu thereof the following:

"National Foundation for Infantile Paralysis, administered by Director of State Assistance, for care of crippled children, no estimate"

6. Amend section 22 of the Standing Committee amended bill, line 15, by striking the figures "$95,000.00" and inserting in lieu thereof the figures "$96,000.00".

7. Amend section 23 of the Standing Committee amended bill, line 6, by striking the figures "$36,000.00" and inserting in lieu thereof the figures "$37,200.00".

8. (a) Amend section 22 of Standing Committee amended bill by striking lines 12 to 15, inclusive, and inserting in lieu thereof the following: "of the biennium, 1945-1947 . . . $95,000.00".

(b) Amend section 22 of Standing Committee amended bill, line 25, by striking the words "not to exceed" and inserting in lieu thereof the word "estimated".

9. Amend section 13 of Standing Committee amended bill by inserting immediately after line 5 the following: "Adult-immigrant Education, salaries, wages, maintenance and aid to schools . . $12,000.00".

10. Amend section 11 of Standing Committee amended bill by inserting immediately after line 28 the following:

"Costs and expenses of condemnation proceedings under provisions of Legislative Bill 297, Fifty-eighth Session of the Nebraska State Legislature, 1945 . . . . . $50,000.00".

President Johnson Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for approval May 3, 1945, at 4:30 p. m.

L. B. 49	L. B. 263	L. B. 352
L. B. 92	L. B. 311	L. B. 354
L. B. 146	L. B. 315	L. B. 355
L. B. 153	L. B. 318	L. B. 383
L. B. 256	L. B. 328	L. B. 374

(Signed) Roy B. Carlberg, Chairman

Adjournment

At 4:15 p. m. Mr. Carmody made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, May 4, 1945

Pursuant to adjournment, the Legislature met at 9:05 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cronin and Ryan who were excused.

The Journal for the eighty-fifth day was approved as corrected.

Communications

Letters from William D. Hassett, Secretary to the President, Washington, D. C., and from Representative A. L. Miller, Washington, D. C., acknowledging receipt of Legislative Resolution No. 18.

Letter to Mr. Lusienski from Dr. D. E. Maxwell of Columbus, Nebraska, regarding claim filed against the state.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 209.

A bill for an act relating to airports; to empower municipalities and other political subdivisions to promulgate, adminster and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports and to acquire, by purchase, grant or condemnation, air rights and other interests in land; to define terms as used in this act; to provide a savings clause; to provide penalties and reme-

dies for violations of this act or of any ordinance or regulation made under the authority conferred herein; to amend section 81-831, Revised Statutes of Nebraska, 1943; and to repeal the original section and also section 81-833, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams	Cullingham	Jeffords	Pizer
Anderson, J.	Dooley	Kain	Raasch
Babcock	Doyle	Klaver	Raecke
Brodahl	Foster	Lee	Reavis
Burney	Garber	Lusienski	Schultz
Burnham	Hanna	Mekota	Seaton
Carlberg	Heiliger	Mueller	Sorrell
Carmody	Hern	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Crossland	Hubka	Peterson	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Cronin	Ryan	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Mueller asked unanimous consent to revert to Select File.

No objection was offered and it was so ordered.

Speaker Peterson Presiding

SELECT FILE

LEGISLATIVE BILL 71.

Mr. Doyle offered the following unanimous consent amendment.

Amend L. B. 71, page 20, line 15, by striking "$164,175.00" and inserting in lieu thereof "$132,615.00".

Objection was offered to Mr. Doyle's amendment.

Mr. Doyle made a motion to return L. B. 71 to General File for the above specific amendment.

After discussion Mr. James H. Anderson moved the previous question.

The President stated the question "Shall the debate now cease?"

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Mr. Doyle's motion lost with 15 ayes, 23 nays and 5 not voting.

Mr. Hanna Presiding

Mr. Schultz made a motion to return L. B. 71 to General File for a specific amendment.

The motion lost with 9 ayes, 16 nays and 18 not voting.

Mr. Peterson offered the following amendment which was adopted by unanimous consent:

1. Amend the Standing Committee amendment number 3 to section 23 of Standing Committee amended bill by inserting after the words "Wagner-Peyser Act" the following:

"; Provided, that no funds so appropriated shall be used for teachers employment service".

Mr. Brodahl offered the following amendments which were adopted by unanimous consent:

1. Amend section 13 of the Standing Committee amended bill by striking all of lines 50 to 54, inclusive.

Speaker Peterson Presiding

2. (a) Amend section 1 of the Standing Committee amended bill by inserting immediately following line 54 the following:

"37. MERIT SYSTEM COUNCIL

38. 1943 STATUTE COMMISSION"

(b) Amend section 1 of the Standing Committee amended bill, line 56, by striking the figure "37" and inserting in lieu thereof the figure "39"; line 58, by striking the figures "38" and inserting in lieu thereof the figures "40"; line 59, by striking the figures "39" and inserting in lieu thereof the figures "41"; line 60, by striking the figures "40" and inserting in lieu thereof the figures "42"; line 62, by striking the figures "41" and inserting in lieu thereof the figures "43"; line 63, by striking the figures "42" and inserting in lieu thereof the figures "44"; line 64, by striking the figures "43" and inserting in lieu thereof the figures "45"; line 65, by striking the figures "44" and inserting in lieu thereof the figures "46"; line 67, by striking the figures "45" and inserting in lieu thereof the figures "47"; line 68, by striking the figures "46" and inserting in lieu thereof the figures "48"; by inserting immediately after line 68 the following words and figures "49. POST WAR CONSTRUCTION FUND"; line 70, by striking the figures "47" and inserting in lieu thereof the figures "50"; line 71, by striking the figures "48" and inserting in lieu thereof the figures "51"; line 72, by striking the figures "49" in inserting in lieu thereof the figures "52"; line 73, by striking the figures "50" and inserting in lieu thereof the figures "53"; line 74, by striking the figures "51" and inserting in lieu thereof the figures "54"; line 75, by striking the figures "52" and inserting in lieu thereof the figures "55"; and line 76, by striking the figures "53" and inserting in lieu thereof the figures "56".

3. Amend section 15 of the Standing Committee amended bill by inserting immediately following the amendment number 2 to said section adopted April 23, 1945 as follows:

"Nebraska Municipal Retirement System: Appropriate all receipts during the biennium, 1945-1947, as provided by Legislative Bill 217, Fifty-eighth Session of the Nebraska State Legislature, no estimate."

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules and open the following amendment for discussion before asking unanimous consent for its adoption. (Signed) A. J. Brodahl

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

1. Amend the bill by inserting immediately after renumbered section 48 of Standing Committee amended bill, the following section to be known as section 49:

"Sec. 49. POST WAR CONSTRUCTION FUND

The money appropriated and set apart in the "Post War Construction Fund" by the provisions of Legislative Bill 68, Fifty-eighth Session of the Nebraska State Legislature, 1945, is hereby specifically appropriated, set apart and allocated to the several departments or agencies of the state, to be expended for the purposes indicated, as set forth in subsections 1 to 4, inclusive of this section.

(1) Board of Control: (a) Lincoln State Hospital, construction of a new ward building, $390,000.00; (b) Beatrice State Home, construction of a new dormitory building, $235,000.00; construction of a new laundry building complete with equipment, $100,000.00; and construction of a new employees building, $95,000.00; (c) Hastings State Hospital, construction of a new building for treatment of deteriorated and infirm men, $400,000.00; (d) Boys' Training School, construction of two dormitory buildings, $265,000.00; and construction of a new boiler house, $90,000.00; and (e) Home for Children, construction of two new cottage type dormitory buildings, $110,000.00.

(2) University of Nebraska: (a) construction of a new armory building for Army and Navy Reserve Officers Training Corps, $300,000.00; (b) construction of a new general classroom building to house the College of Business Administration, Junior Division, School of Journalism, and other departments of the College of Arts and Sciences, $550,000.00; (c) construction and equipping an addition to Avery Laboratory for Department of Chemical Engineering, $200,000.00; and (d) construction of two new hay barns at the Experiment Substation located at North Platte, $8,000.00.

(3) Normal Schools: (a) Chadron State Normal, purchase and installation of new boiler and boiler house improvement, $30,000.00; (b) Kearney State Normal, repairs and improvement of heating plant, $30,000.00; (c) Peru State Normal, repair of and replacements for gymnasium building, $18,000.00; and (d) Wayne State Normal: (a) repair of roofs on two buildings, $20,000.00; and (b) construction of an Industrial and Vocational Arts building, or addition, and equipment therefor, $35,000.00.

(4) Governor's Mansion: purchase of site and construction, equipping and furnishing of a mansion, $100,000.00.

2. Renumber the renumbered sections 49 to 55, inclusive, as sections 50 to 56, inclusive, respectively.

Members Excused

The agriculture committee was excused for the remainder of the morning.

Visitor

Mr. Peterson presented Dr. Frederick Taylor Wilson, author, historian and lecturer, who has been associated with the Tennessee legislature in the past, who addressed the legislature briefly.

MOTION—To Revert to Third Reading

Mr. President. I move that we return to Third Reading. (Signed) James H. Anderson

The motion prevailed.

BILL ON FINAL READING

Mr. Peterson made a motion to suspend the rules and to place L. B. 297 and L. B. 76 on Final Reading.

The motion prevailed with 34 ayes, 0 nays and 9 not voting.

The following bill was read and put upon final passage.

LEGISLATIVE BILL 76.

A bill for an act relating to the production of potatoes grown in Nebraska; to provide for the creation in the Department of Agriculture and Inspection of a Division of Potato Development; to define the powers and duties of such department in connection therewith; to provide for the creation of an advisory committee, to be known as the Nebraska Potato Development Committee, and to prescribe its powers and duties; to provide for the licensing of potato shippers and the display thereof; to provide for the cancellation of such a license; to provide for keeping certain records and making certain reports; to define terms as used in this act; to provide for the imposing of an excise tax; to provide for the establishment in the state treasury of the "Nebraska Potato Development Fund"; to provide a savings clause; to make certain acts and practices unlawful as prescribed; and to provide penalties for the violation of this act.

Whereupon the President stated: "All the provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cullingham	Kain	Pizer
Anderson, J.	Doyle	Klaver	Raasch
Anderson, L.	Foster	Lee	Raecke
Babcock	Garber	Lusienski	Reavis
Brodahl	Hanna	Mekota	Schultz
Burney	Heiliger	Mueller	Seaton
Carlberg	Hern	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Burnham	Dooley	Ryan	Weborg
Cronin	Jeffords		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RECESS

At 11:45 Mr. Hanna made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:05 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Cronin, Ryan and Weborg, who were excused, and Messrs. Babcock and Schultz.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 4, 1945, at 10:00 a. m.

L. B. 184	L. B. 368
L. B. 267	L. B. 385

(Signed) Roy B. Carlberg, Chairman

Approved by the Governor

May 4, 1945

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 49	L. B. 263	L. B. 368
L. B. 92	L. B. 267	L. B. 374
L. B. 146	L. B. 311	L. B. 385
L. B. 153		

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 324. Correctly engrossed.
LEGISLATIVE BILL 386. Correctly engrossed.
LEGISLATIVE BILL 388. Correctly engrossed.
LEGISLATIVE BILL 282. Correctly engrossed.
LEGISLATIVE BILL 31. Correctly engrossed.
LEGISLATIVE BILL 185. Correctly engrossed.
LEGISLATIVE BILL 261. Correctly engrossed.
LEGISLATIVE BILL 333. Correctly enrolled.
LEGISLATIVE BILL 284. Correctly enrolled.
LEGISLATIVE BILL 378. Correctly enrolled.
LEGISLATIVE BILL 239. Correctly enrolled.
LEGISLATIVE BILL 218. Correctly enrolled.
LEGISLATIVE BILL 377. Correctly enrolled.
LEGISLATIVE BILL 395. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 333	L. B. 378	L. B. 218
L. B. 284	L. B. 239	

Approved by the Governor

May 4, 1945

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 105	L. B. 318	L. B. 355
L. B. 225	L. B. 328	L. B. 383
L. B. 315	L. B. 354	

Respectfully submitted,

(Signed) H. G. Greenamyre
Secretary to the Governor

SELECT FILE

LEGISLATIVE BILL 71. Continued.

Mr. James H. Anderson made a motion to divide the Brodahl specific amendment under discussion. The Legislature voted on Part 1 of Mr. Brodahl's amendment, which provided for the allocation of the Post War Construction Fund.

The Legislature was at ease from 3:00 to 3:15 p. m.

After discussion, Mr. Ogden moved the previous question.

The President stated the question, "Shall the debate now cease?"

Mr. Ogden's motion prevailed with 25 ayes, 3 nays and 15 not voting.

Part 1 of the Brodahl amendment was adopted, with 23 ayes, 4 nays and 16 not voting.

Mr. Mekota made a motion that two items, Item 4, the Governor's Mansion, and Item (d) under section 2, the hay barns at North Platte Experiment Station be stricken from the Brodahl amendment.

Mr. Mekota's motion lost with 7 ayes, 20 nays and 16 not voting.

A record vote was requested on the adoption of the Brodahl amendment.

Voting in the affirmative, 23:

Adams	Dooley	Hubka	Peterson
Anderson, J.	Foster	Kain	Pizer
Brodahl	Hanna	Klaver	Raasch
Carlberg	Heiliger	Lusienski	Tvrdik
Conklin	Hern	Norman	Wood
Crossland	Hoyt	Ogden	

Voting in the negative, 4:

Anderson, L.	Burney	Doyle	Sorrell

Not voting, 16:

Babcock	Cullingham	Mekota	Ryan
Burnham	Garber	Mueller	Schultz
Carmody	Jeffords	Raecke	Seaton
Cronin	Lee	Reavis	Weborg

Speaker Peterson Presiding

Mr. Brodahl asked unanimous consent for the adoption of his entire specific amendment, found in this day's Journal.

No objection was offered and it was so ordered.

Mr. Doyle wished to state that he was not in favor of the amendment.

Mr. Brodahl offered the following amendments which were adopted by unanimous consent:

1. Amend section 19 of Standing Committee amended bill by striking lines 20 to 22, inclusive, and inserting in lieu thereof the following:

"Bang's Disease Eradication Fund, reappropriate unexpended balance on hand as of June 30, 1945, in Auditor account No. 126, and the unexpended balance on hand as of June 30, 1945, in Auditor account No. 126E as provided by Legislative Bill 293, Fifty-eighth Session of the Nebraska State Legislature, 1945, then appropriate . . . $5,000.00"

2. Amend section 19 of Standing Committee amended bill, line 59, by inserting after the word "reappropriate" the words "not to exceed".

3. Amend section 19 of Standing Committee amended bill as amended by Standing Committee amendment adopted April 23, 1945, number 2, second paragraph, by inserting after the semicolon following the word "enforcement" the following:

"reappropriate unexpended balance of funds collected under provisions of Legislative Bill 212, Fifty-eighth Session of the Nebraska State Legislature, 1945, on hand as of June 30, 1945, and"

4. Amend section 24 of Standing Committee amended bill, line 83, by striking the words "or as hereafter amended" and inserting in lieu thereof the following:

"of section 66-424.01, Revised Statutes of Nebraska, 1943"

5. Amend section 36 of Standing Committee amended bill, line 8, by inserting after the word "wages" the words "including salary of"

6. Amend renumbered section 41 of Standing Committee amended bill by inserting after the comma following the word "Normal" in lines 4, 29, 55 and 84, the following:

"for salaries, wage,"

7. Amend section 13 of Standing Committee amended bill as amended by the Brodahl amendment number 9, adopted May 3, 1945, by striking the figure "5" in line 2 of the amendment and inserting in lieu thereof the figure "57".

8. Amend Standing Committee amendment number 2, to section 15 adopted April 23, 1945, by striking the word "Appropriate" and inserting in lieu thereof the following:

"Reappropriate unexpended balance of funds collected under provisions of Legislative Bill 120, Fifty-eighth Session of the Nebraska State Legislature, 1945, on hand as of June 30, 1945, and appropriate".

Advanced to E and R for engrossment.

Unanimous Consent—To Place on Select File

Mr. President: I ask unanimous consent that L. B. 395 be placed on Select File for the following specific amendment. (Signed) William A. Crossland

Amend original bill 395, Section 4, line 19, by inserting after the word "city" and before the comma in line 19, the words *"or village"*

No objection was offered and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 395.

Mr. Crossland's specific amendment, found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

Member Excused

Mr. Hanna was excused for the remainder of the Fifty-eighth Legislative Session.

Adjournment

At 4:25 p. m., Mr. Klaver made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, May 7, 1945

Pursuant to adjournment, the Legislature met at 9:10 a. m., President Johnson presiding.

Prayer was offered by Rt. Rev. Monsignor Thomas M. Kealy, Chancellor of the Lincoln Diocese.

The roll was called and all members were present except Messrs. Hanna, Hern, Lee, and Ryan, who were excused.

The Journal for the eighty-sixth day was approved as corrected.

MESSAGES FROM THE GOVERNOR

May 5, 1945.

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 224 L. B. 352

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor.

Veto on L. B. 316

May 5, 1945

Mr. President, Mr. Speaker and
Members of the Legislature.

Gentlemen:

I am returning without my approval Legislative Bill 316.

This bill is intended to serve a worthy purpose but I feel that it is impossible to enforce and will only cause additional charges and counter-charges during the course of a campaign. It will be impossible to keep candidates or their friends from having printed or mimeographed anonymous circulars. It might be possible to police printing establishments but it will certainly be impossible to police mimeograph machines. Printing could also be gotten outside of Nebraska and brought in and that would also be impossible to check.

I might point out also that during a campaign someone might get out an anonymous circular which appeared to be attacking one candidate unfairly, giving that candidate a chance to accuse his opponent of violating this statute, when the facts were that the candidate supposed to be attacked was the one who got out the circular in the first place.

My judgment is that the only way to stop anonymous circulars or rumors during the course of a campaign is to have an intelligent citizenship and I feel that L. B. 316 would only pile confusion on confusion. I do not feel that it is possible to enforce.

Respectfully submitted,

(Signed) Dwight Griswold
Governor of Nebraska

Communications

Telegram to Mr. Hern regarding Kearney Tuberculosis Hospital, Kearney, Nebraska.

Letter to the Legislature from Mr. William Hern, asking to be excused for the remainder of the session.

Letters from Senator Hugh Butler and Representative Howard Buffett of Washington, D. C. acknowledging receipt of Legislative Resolution No. 18.

Letter from Mr. J. T. Hartson, President of Glenn L. Martin-Nebraska Company, Omaha, Nebraska, acknowledging receipt of the letter of thanks from the Legislature regarding their visit.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 217. Correctly engrossed.
LEGISLATIVE BILL 393. Correctly engrossed.
LEGISLATIVE BILL 41. Correctly re-engrossed.
LEGISLATIVE BILL 306. Correctly engrossed.
LEGISLATIVE BILL 375. Correctly engrossed.
LEGISLATIVE BILL 299. Correctly re-engrossed.
LEGISLATIVE BILL 3. Correctly enrolled.
LEGISLATIVE BILL 191. Correctly enrolled.
LEGISLATIVE BILL 237. Correctly enrolled.
LEGISLATIVE BILL 250. Correctly enrolled.
LEGISLATIVE BILL 266. Correctly enrolled.
LEGISLATIVE BILL 251. Correctly enrolled.
LEGISLATIVE BILL 278. Correctly enrolled.
LEGISLATIVE BILL 344. Correctly enrolled.
LEGISLATIVE BILL 382. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 377	L. B. 250	L. B. 278
L. B. 3	L. B. 266	L. B. 344
L. B. 191	L. B. 251	L. B. 382
L. B. 237		

Legislative Resolution 7	Legislative Resolution 21
Legislative Resolution 20	Legislative Resolution 19

Unanimous Consent

Mr. Crossland asked unanimous consent to take up Legislative Resolution 17.

No objection was offered, and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 17.

Mr. Raecke offered the following amendment which was adopted:

1. In Section 2, line 2, strike the words "and directed to erect" and insert in lieu thereof the words "to permit the erection of".

2. At the end of Section 2, add the following "no state funds may be expended for this purpose".

Mr. Crossland asked unanimous consent to add the names of the following: Messrs. Hoyt, Seaton, Carmody, Dooley, Lester H. Anderson, Adams, Brodahl, Norman and Heiliger.

The motion prevailed.

The Resolution was adopted with 32 ayes, 0 nays and 11 not voting.

MOTION—Disposition of Bills

Mr. President: I move that at the close of the session, the bills remaining in the Bill Room after all those are taken out necessary for use of the Clerk and in other State requirements, be donated to the "Paper Drive". (Signed) Harry A. Foster

The motion did not prevail.

STANDING COMMITTEE REPORT

Committee on Adjournment

Mr. President: Your committee on adjournment has set Wednesday May 9, 1945 for final adjournment of the Fifty-eighth session of the Legislature.

(Signed) Fred A. Mueller, Chairman

Unanimous Consent

Mr. Peterson asked unanimous consent to have L. B. 297 read before L. B. 139.

No objection was offered, and it was so ordered.

Mr. Mueller made a brief explanation of the situation at the Kearney Tuberculosis Hospital. From all information available, he felt that an investigation was not necessary.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 297. With emergency.

A bill for an act to amend sections 70-604, 70-609, 70-615, 70-626 and 70-670, Revised Statutes of Nebraska, 1943, relating to public power districts; to provide for the appointment of the members of the first board of directors by the Governor in district having within its proposed boundaries twenty-five or more cities and villages; to provide for the filling of vacancies in such districts upon the board of directors by the Governor; to require the filing of a copy of the proposed contract for the purchase, lease or acquisition of an existing electric light and power plant, lines or system from any person, firm, association or private corporation, by any such district, with the Department of Roads and Irrigation for a period of thirty days before the same is signed, executed or delivered and can become valid and effective; to enlarge the power of eminent domain of a public power district; to provide that the Attorney General shall represent such district in condemnation proceedings upon request; to provide for the reimbursement of the state for all costs and expenses in the condemnation proceedings by the Attorney General; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Crossland	Jeffords	Pizer
Anderson, J.	Cullingham	Kain	Raasch
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lusienski	Reavis
Burney	Foster	Mekota	Seaton
Burnham	Garber	Mueller	Sorrell
Carlberg	Heiliger	Norman	Tvrdik
Carmody	Hoyt	Ogden	Weborg
Cronin	Hubka	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Brodahl	Hanna	Lee	Schultz
Conklin	Hern	Ryan	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I voted for L. B. 297 only as a compromise to repeal L. B. 204. L. B. 297 is the result of criticism of the deal whereby the Holding Company was ousted from Omaha. I compliment Senator Cullingham and associates for their fine work. (Signed) John F. Doyle

Mr. President: I vote for L. B. 297 as a means of replacing old L. B. 204. The purpose of L. B. 297 is to expand and improve old S. F. 310 so as to provide proper legal machinery for acquisition of Nebraska Power Company by the public. (Signed) Daniel Garber

LEGISLATIVE BILL 139. With emergency.

A bill for an act to repeal Article 15, Chapter 14, Revised Statutes of Nebraska, 1943, relating to Peoples Power Commission Law; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lusienski	Raecke
Babcock	Foster	Mekota	Reavis
Burney	Garber	Mueller	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Carmody	Hubka	Peterson	Wood
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 9:

Brodahl	Hanna	Lee	Schultz
Conklin	Hern	Ryan	Seaton
Doyle			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Mr. President: Had I been in the Legislative chamber, I would have voted for the passage of L. B. 139. (Signed) Fred A. Seaton

Mr. President: Due to interruption of Third Reading I was absent when L. B. 139 was read. Had I been present, I would have voted "yes". (Signed) John F. Doyle

LEGISLATIVE BILL 270. With emergency.

A bill for an act to amend sections 14-1037, 14-1038, 14-1039, 14-1040 and 14-1041, Revised Statutes of Nebraska, 1943, relating to metropolitan utilities districts; to restore to metropolitan utilities districts powers and authorities taken away from such districts by the enactment of Chapter 36, Session Laws of Nebraska, 1943, now appearing in part as Chapter 14, Article 15, Revised Statutes of Nebraska, 1943; to include in said sections electric plants, in addition to gas plants, and electricity, in addition to gas; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lusienski	Raecke
Babcock	Doyle	Mekota	Reavis
Burney	Foster	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Cronin	Jeffords		

Voting in the negative, 0.

Not voting, 9:

Brodahl	Hanna	Lee	Schultz
Conklin	Hern	Ryan	Wood
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 229.

'A bill for an act to amend section 43-604, Revised Statutes of Nebraska, 1943, relating to the care and education of physically handicapped children; to include children who, in order to profit from regular school instruction, need facilities not available in the regular public school classes attended by physically normal children, in the term "physically handicapped children"; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lusienski	Reavis
Babcock	Doyle	Mekota	Schultz
Burney	Foster	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Cronin	Jeffords	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Brodahl	Garber	Hern	Ryan
Conklin	Hanna	Lee	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 70. With emergency.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1947; to prescribe the conditions for the payment thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lusienski	Reavis
Babcock	Foster	Mekota	Schultz
Burney	Garber	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Cronin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Brodahl	Hanna	Lee	Ryan
Conklin	Hern		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 288.

A bill for an act to amend section 18-1201, Revised Statutes of Nebraska, 1943, relating to all cities and villages; to provide for the increase in the maximum amount which may be levied by a city or village for the purpose of purchasing equipment for a fire department, installing and equipping a fire alarm system or the payment of bonds authorized by section 18-1202 from three-tenths to five-tenths of a mill; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cullingham	Kain	Raasch
Anderson, J.	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lusienski	Reavis
Babcock	Foster	Mekota	Schultz
Burney	Garber	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Cronin	Jeffords	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Brodahl	Hanna	Lee	Ryan
Conklin	Hern		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 339.

A bill for an act evidencing consent to the purchase, operation and maintenance by counties, cities and towns of an adjoining state of the prescribed bridges, extending across a stream which, at the point of crossing, is on a boundary line of the State of Nebraska, and a right-of-way to give access to such a bridge from the highway system of this state; and to provide, however, that the consent granted by this act shall not be construed to exempt any property so acquired from taxation.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Foster	Lusienski	Raecke
Anderson, J.	Garber	Mekota	Reavis
Anderson, L.	Heiliger	Mueller	Schultz
Babcock	Hoyt	Norman	Seaton
Carmody	Hubka	Ogden	Sorrell
Crossland	Jeffords	Peterson	Tvrdik
Cullingham	Kain	Pizer	Weborg
Doyle	Klaver	Raasch	Wood

Voting in the negative, 0.

Not voting, 11:

Brodahl	Carlberg	Dooley	Lee
Burney	Conklin	Hanna	Ryan
Burnham	Cronin	Hern	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 326.

A bill for an act to amend section 48-309, Revised Statutes of Nebraska, 1943, relating to child labor; to provide that the Commissioner of Labor may prescribe the form of age and schooling certificate; to eliminate the form of certificate now required by said section; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lusienski	Reavis
Babcock	Doyle	Mekota	Schultz
Burnham	Foster	Norman	Seaton
Carlberg	Heiliger	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Cronin	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 11:

Brodahl	Garber	Jeffords	Ryan
Burney	Hanna	Lee	Sorrell
Conklin	Hern	Mueller	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 332.

A bill for an act to amend section 14-1024, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide

that water districts in cities of the metropolitan class may, in their discretion, afford, free of charge, water required for public use by schools within the limits of such municipalities; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 24:

Adams	Cronin	Hoyt	Pizer
Anderson, J.	Cullingham	Klaver	Schultz
Babcock	Dooley	Lusienski	Seaton
Burnham	Doyle	Mekota	Sorrell
Carlberg	Foster	Norman	Tvrdik
Carmody	Heiliger	Ogden	Wood

Voting in the negative, 6:

Anderson, L.	Jeffords	Raasch	Raecke
Crossland	Kain		

Not voting, 13:

Brodahl	Hanna	Lee	Reavis
Burney	Hern	Mueller	Ryan
Conklin	Hubka	Peterson	Weborg
Garber			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 342. With emergency.

A bill for an act to amend sections 64-101, 64-102, 64-103, 64-104, 64-105, 64-106, 64-107, 64-111, 64-112, 64-113 and 33-102, Revised Statutes of Nebraska, 1943, relating to notaries public; to classify notaries public; to provide that each class of notaries public shall have the rights, powers and duties granted to or imposed by law upon notaries public; to provide for certain contents of commissions as such; to define terms; to require a corporate surety bond for general notaries public; to provide for certain fees; to provide the wording for a seal of a notary public; to provide savings clauses; to provide certain procedure for the issuance of commissions; to eliminate certain requirements as to official records; to provide the duties

of certain officers; to provide the effect of a notary public leaving the State of Nebraska; to provide a statute of limitations for certain actions as prescribed; to provide that a notary public may continue to act as such, after a legal change in name, under the prescribed conditions; to repeal the original sections and also section 64-110, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams	Cullingham	Kain	Pizer
Anderson, L.	Dooley	Klaver	Raasch
Babcock	Doyle	Lee	Raecke
Burney	Foster	Lusienski	Seaton
Burnham	Garber	Mekota	Sorrell
Carmody	Heiliger	Norman	Tvrdik
Conklin	Hoyt	Ogden	Weborg
Cronin	Hubka	Peterson	Wood
Crossland	Jeffords		

Voting in the negative, 0.

Not voting, 9:

Anderson, J.	Hanna	Mueller	Ryan
Brodahl	Hern	Reavis	Schultz
Carlberg			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 366.

A bill for an act to amend section 39-514, Revised Statutes of Nebraska, 1943, relating to highways; to provide for the salary of the county highway commissioner; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Adams	Doyle	Klaver	Raecke
Anderson, J.	Foster	Lusienski	Reavis
Anderson, L.	Garber	Norman	Seaton
Babcock	Heiliger	Ogden	Sorrell
Carmody	Hoyt	Peterson	Tvrdik
Conklin	Hubka	Pizer	Wood
Cullingham	Kain		

Voting in the negative, 6:

Burnham	Crossland	Schultz	Weborg
Cronin	Raasch		

Not voting, 11:

Brodahl	Dooley	Jeffords	Mueller
Burney	Hanna	Lee	Ryan
Carlberg	Hern	Mekota	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 319. With emergency.

A bill for an act to amend section 79-2112, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the board of trustees of a high school district or a district board of a school district may contract with another district for transportation and instruction of its pupils for a period not to exceed three years when authorized by a majority vote of the votes cast at the election on such proposition; to provide that the board of any school district may contract with another district for the instruction and transportation of pupils for a period of not more than one school year when petitioned to do so by at least two-thirds of the parents residing in the said district having children of school age who will attend school; to provide for the form of such a contract; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Cronin	Kain	Raasch
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Reavis

Babcock	Dooley	Lusienski	Seaton
Burney	Doyle	Mekota	Sorrell
Burnham	Foster	Norman	Tvrdik
Carlberg	Heiliger	Ogden	Weborg
Carmody	Hoyt	Peterson	Wood
Conklin	Hubka	Pizer	

Voting in the negative, 1:

Schultz

Not voting, 7:

Brodahl	Hanna	Jeffords	Ryan
Garber	Hern	Mueller	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

To Record Vote

Had I been present, I would have voted "aye" on L. B. 139, 270, 326, 297 and 319. (Signed) A. J. Brodahl

Speaker Peterson Presiding

LEGISLATIVE BILL 327.

A bill for an act to amend sections 80-101, 80-102 and 80-103, Revised Statutes of Nebraska, 1943, relating to Soldiers' Relief Commission; to authorize the appointment of a county service director and assistants as prescribed; to provide for the removal of such a county service director; to provide the duties of such a county service director; to provide for the salaries of such a county service director and his assistants; to provide for reports to be filed by a county service director; to provide for the expenses of administration thereof and a levy for the same; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Kain	Raasch
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Reavis
Babcock	Dooley	Lusienski	Schultz
Brodahl	Doyle	Mekota	Seaton
Burney	Foster	Norman	Sorrell
Burnham	Garber	Ogden	Tvrdik
Carlberg	Heiliger	Peterson	Weborg
Carmody	Hoyt	Pizer	Wood
Conklin	Hubka		

Voting in the negative, 0.

Not voting, 5:

Hanna	Jeffords	Mueller	Ryan
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 365.

A bill for an act relating to decedents' estates; to provide that the county judge shall notify the Attorney General by mail when upon the filing of a petition for probate or administration or thereafter in the administration of any estate, it shall appear that all or any part of the estate is bequeathed or devised or will escheat to the State of Nebraska; and to provide for the contents of such a notice.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams	Cronin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raasch
Anderson, L.	Cullingham	Lee	Raecke
Babcock	Dooley	Lusienski	Reavis
Brodahl	Doyle	Mekota	Schultz
Burney	Foster	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin			

Voting in the negative, 0.

Not voting, 6:

Garber	Hern	Ryan	Wood
Hanna	Jeffords		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 219. With emergency.

A bill for an act to amend sections 2-912, 2-913, 2-914, 2-915, 2-916, 2-918, 2-919, 2-920, 2-921, 2-922, 2-923, 2-924, 2-925, 2-926, 2-927, 2-928, 2-936, 2-939, 2-942 and 2-943, Revised Statutes of Nebraska, 1943, relating to weed eradication and control; to provide the manner of organization and operation of districts to eradicate and control noxious weeds; to provide the powers and duties of such districts; to provide for the levy of assessments; to provide for the management and operation of the affairs of such districts; to fix the number of landowners necessary to organize such a district outside the corporate limits of a city or village; to provide for the organization of such districts within the corporate limits of a city or village and certain special requirements therefor; to provide for county boards organizing such districts under the prescribed conditions and procedure; to prescribe the duties of certain officials, officers and persons; to provide for certain liens and the foreclosure thereof; to authorize counties, cities and villages to appropriate funds to assist certain districts; to provide for the merger of districts; to authorize cities and villages to provide for weed control and eradication and to appropriate and expend funds for such purpose; to repeal the original sections and sections 2-907, 2-908 and 2-909, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams	Cronin	Kain	Raasch
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Reavis
Babcock	Dooley	Lusienski	Schultz
Brodahl	Doyle	Mekota	Seaton
Burney	Foster	Norman	Sorrell
Carlberg	Heiliger	Ogden	Tvrdik
Carmody	Hoyt	Peterson	Weborg
Conklin	Hubka	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Burnham	Hanna	Jeffords	Ryan
Garber	Hern	Mueller	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 285. With emergency.

A bill for an act to amend sections 71-801, 71-802, 71-803, 71-804, 71-805, 71-806, 71-807, 81-617 and 81-618, Revised Statutes of Nebraska, 1943, relating to public health; to provide for placing jurisdiction over delinquent, neglected and dependent children in the Board of Control instead of in the Department of Health; to give to the Board of Control the powers and duties with respect to delinquent, neglected and dependent children heretofore imposed upon the Department of Health; to provide penalties; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Crossland	Klaver	Raasch
Anderson, J.	Cullingham	Lee	Raecke
Anderson, L.	Doyle	Lusienski	Reavis
Babcock	Foster	Mekota	Schultz
Brodahl	Garber	Mueller	Seaton
Burney	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin	Kain		

Voting in the negative, 0.

Not voting, 5:

Burnham	Hanna	Hern	Ryan
Dooley			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 276. Correctly enrolled.
LEGISLATIVE BILL 215. Correctly enrolled.
LEGISLATIVE BILL 209. Correctly enrolled.
LEGISLATIVE BILL 76. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 276	L. B. 209
L. B. 215	L. B. 76

RECESS

At 12:00, noon, Mr. Dooley made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:05 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Brodahl, Hanna, Hern and Ryan, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor

Presented to the Governor for approval May 7, 1945, at 10:35 a. m.

L. B. 218	L. B. 284	L. B. 333
L. B. 239	L. B. 378	

LEGISLATIVE BILL 180. Correctly engrossed.
LEGISLATIVE BILL 307. Correctly engrossed.
LEGISLATIVE BILL 389. Correctly engrossed.
LEGISLATIVE BILL 392. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

Mr. Lee expressed approval of the comparison compiled by the Clerk and suggested that a new one be printed to include the comparison of this session, which was agreed to.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 208.

A bill for an act to amend section 19-802, Revised Statutes of Nebraska, 1943, relating to aeronautics; to define terms; to provide for the acquisition, establishment, construction, enlargement, improvement, maintenance, equipment, operation and regulation of airports, other air navigation facilities and airport protection privileges by municipalities and to provide the right of condemnation for such purposes; to declare the ownership and operation of airports, other air navigation facilities and airport protection privileges to be for public, governmental and municipal purposes; to provide for the issuance of bonds and for the levying of taxes for airport purposes; to validate prior bond issues, indebtedness and contracts; to grant specific powers; to permit the acceptance of federal aid; to authorize joint action by municipalities and by municipalities and the state; to provide for the appointment of joint boards or commissions, and to grant to municipalities or municipalities and the state, acting jointly, the powers granted a single municipality; to provide for assistance to other municipalities; to provide a savings clause; to make uniform the law with reference to public airports; to provide that for the purpose of acquiring and improving an aviation field any city may sell bonds of such city in an amount not to exceed two per cent of the assessed valuation of the property in such city; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cullingham	Klaver	Raasch
Anderson, J.	Dooley	Lee	Raecke
Anderson, L.	Doyle	Lusienski	Reavis

Babcock	Foster	Mekota	Schultz
Burney	Garber	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carmody	Hoyt	Ogden	Tvrdik
Conklin	Hubka	Peterson	Weborg
Cronin	Jeffords	Pizer	Wood
Crossland	Kain		

Voting in the negative, 0.

Not voting, 5:

Brodahl	Hanna	Hern	Ryan
Carlberg			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 321. With emergency.

A bill for an act to amend sections 83-329 and 83-347, Revised Statutes of Nebraska, 1943, relating to care of insane patients; to provide for the payment or reimbursement to counties of the cost of the restraint, protection and care of public insane patients, where the state hospitals are unable to receive and care for such patients and the same is furnished by the county board or the overseers of the poor, out of the specified special state tax levy for the care and support of public insane patients; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams	Doyle	Lusienski	Reavis
Anderson, J.	Foster	Mueller	Schultz
Anderson, L.	Heiliger	Norman	Seaton
Babcock	Hoyt	Ogden	Sorrell
Burnham	Hubka	Peterson	Tvrdik
Cronin	Kain	Pizer	Weborg
Crossland	Klaver	Raasch	Wood
Cullingham	Lee	Raecke	

Voting in the negative, 0.

Not voting, 12:

Brodahl	Carmody	Garber	Jeffords
Burney	Conklin	Hanna	Mekota
Carlberg	Dooley	Hern	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and the Legislature take up final reading on bills set for final reading on 5-8-45. (Signed) Carl P. Jeffords

The motion prevailed with 37 ayes, 0 nays and 6 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 371. With emergency.

A bill for an act relating to public health and welfare; to provide procedure for the issuance of a birth certificate for a child born in Nebraska out of wedlock who is legitimated by the subsequent marriage of its parents; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Dooley	Klaver	Raasch
Anderson, J.	Doyle	Lee	Raecke
Anderson, L.	Foster	Lusienski	Schultz
Babcock	Garber	Mekota	Seaton
Burney	Heiliger	Mueller	Sorrell
Burnham	Hoyt	Norman	Tvrdik
Cronin	Hubka	Ogden	Weborg
Crossland	Jeffords	Peterson	Wood
Cullingham	Kain	Pizer	

Voting in the negative, 0.

Not voting, 8:

Brodahl	Carmody	Hanna	Reavis
Carlberg	Conklin	Hern	Ryan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 367.

A bill for an act to amend sections 68-202 and 68-402, Revised Statutes of Nebraska, 1943, relating to old age and blind assistance; to change the requirements for being eligible to receive such assistance; to eliminate all relatives, except parents and children, from the requirement that such a person shall not have relatives who can support an applicant for such assistance; to provide that assistance may be paid, in the discretion of the board, to an applicant who is otherwise eligible for a period of time not to exceed sixty days while the ability of the parents and children of such applicant to furnish support is being investigated; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Cullingham	Kain	Pizer
Anderson, J.	Dooley	Klaver	Raasch
Anderson, L.	Doyle	Lee	Raecke
Babcock	Foster	Lusienski	Schultz
Burney	Garber	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carlberg	Hoyt	Norman	Tvrdik
Conklin	Hubka	Ogden	Weborg
Cronin	Jeffords	Peterson	Wood

Voting in the negative, 0.

Not voting, 7:

Brodahl	Crossland	Hern	Ryan
Carmody	Hanna	Reavis	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 387. With emergency.

A bill for an act to amend section 79-519, Revised Statutes of Nebraska, 1943, relating to schools; to increase the tuition to be charged for pupils who are children of officers or enlisted men of the United States Army, Navy or Marine Corps, on duty in the State of Nebraska, to two dollars per week for each such child enrolled in the grade school and four dollars and fifty cents per week for each such child enrolled in high school; to specifically appropriate from the general fund of this state, for the biennium beginning July 1, 1945, and ending June 30, 1947, the sum of one hundred five thousand dollars, or as much thereof as may be necessary, for the purpose of paying such tuition; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lee	Raecke
Babcock	Doyle	Lusienski	Seaton
Burney	Foster	Mekota	Sorrell
Burnham	Heiliger	Mueller	Tvrdik
Carlberg	Hoyt	Norman	Weborg
Conklin	Hubka	Ogden	Wood
Cronin	Jeffords	Peterson	

Voting in the negative, 0.

Not voting, 8:

Brodahl	Garber	Hern	Ryan
Carmody	Hanna	Reavis	Schultz

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 193.

A bill for an act to amend section 23-903, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to county budget;

to except from the requirements of the county budget act, in counties having a population of more than one hundred and twenty-five thousand inhabitants, any matters connected with the foreclosure of taxes; to provide how the expenses for carrying out such a tax foreclosure action or actions shall be paid for such counties; and to repeal the original section 23-903, Revised Statutes of Nebraska, 1943, as amended by Legislative Bill 258, Fifty-eighth Session of the Nebraska State Legislature, 1945.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Cronin	Hubka	Peterson
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Raecke
Burney	Doyle	Lusienski	Sorrell
Burnham	Foster	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Conklin	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 11:

Brodahl	Hanna	Mekota	Schultz
Carmody	Hern	Reavis	Seaton
Garber	Jeffords	Ryan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 391.

A bill for an act to amend section 68-303, Revised Statutes of Nebraska, 1943, relating to State Assistance Fund; to increase the maximum salary to be paid to the Director of Assistance; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 22:

Adams	Doyle	Klaver	Peterson
Anderson, J.	Foster	Lee	Pizer
Anderson, L.	Hoyt	Lusienski	Raasch
Babcock	Hubka	Norman	Tvrdik
Conklin	Jeffords	Ogden	Wood
Cullingham	Kain		

Voting in the negative, 10:

Burney	Cronin	Garber	Sorrell
Burnham	Crossland	Raecke	Weborg
Carlberg	Dooley		

Not voting, 11:

Brodahl	Heiliger	Mueller	Schultz
Carmody	Hern	Reavis	Seaton
Hanna	Mekota	Ryan	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present I would have voted "no" on L. B. 391. (Signed) Edwin Schultz

LEGISLATIVE BILL 390. With emergency.

A bill for an act to amend section 16-203, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the maximum mill limit of taxes that may be levied for general revenue purposes; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Crossland	Kain	Peterson
Anderson, J.	Cullingham	Klaver	Pizer
Anderson, L.	Dooley	Lee	Raasch
Babcock	Foster	Lusienski	Raecke

Burney	Heiliger	Mekota	Sorrell
Burnham	Hoyt	Mueller	Tvrdik
Carlberg	Hubka	Norman	Weborg
Conklin	Jeffords	Ogden	Wood
Cronin			

Voting in the negative, 1:

Doyle

Not voting, 9:

Brodahl	Hanna	Reavis	Schultz
Carmody	Hern	Ryan	Seaton
Garber			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 210. With emergency.

A bill for an act to amend sections 48-604, 48-612, 48-627, 48-638, 48-653, 48-654, 48-660 and 48-668, Revised Statutes of Nebraska, 1943, relating to unemployment compensation; to define and redefine "employment" and other terms; to make the prescribed communications, letters and other matters used in connection with unemployment insurance administration privileged and that they shall not be used for certain specified purposes; to redefine eligibility requirements; to establish the answer date in district court for appeals of benefit decisions; to provide a method for dealing with benefit checks outstanding for more than one year; to provide a single computation date for determining contribution rate of successor employers; to specify manner of making adjustments or refunds; to revise reciprocal agreement provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Adams	Cullingham	Klaver	Raasch
Anderson, J.	Doyle	Lusienski	Reavis
Anderson, L.	Foster	Mueller	Schultz

Burney	Heiliger	Norman	Seaton
Carlberg	Hoyt	Ogden	Sorrell
Carmody	Hubka	Peterson	Tvrdik
Cronin	Kain	Pizer	Weborg
Crossland			

Voting in the negative, 0.

Not voting, 14:

Babcock	Dooley	Jeffords	Raecke
Brodahl	Garber	Lee	Ryan
Burnham	Hanna	Mekota	Wood
Conklin	Hern		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 364.

A bill for an act to amend sections 79-503, 79-903 and 79-905, Revised Statutes of Nebraska, 1943, relating to schools; to authorize the Superintendent of Public Instruction to prescribe the elementary course of study in common schools and to provide examinations which shall be given at the completion of such course of study; to provide what the minimum course of study for the first eight grades in common schools shall include; to provide the conditions for issuance of certificate of completion of elementary course of study so as to be entitled to free high school education; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Conklin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Reavis
Babcock	Doyle	Lusienski	Seaton
Burney	Foster	Mekota	Sorrell
Burnham	Heiliger	Norman	Tvrdik
Carlberg	Hoyt	Ogden	Weborg
Carmody	Hubka	Peterson	Wood

Voting in the negative, 2:

Cronin	Schultz

Not voting, 9:

Brodahl	Hanna	Jeffords	Raasch
Dooley	Hern	Mueller	Ryan
Garber			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 370. Correctly engrossed.
LEGISLATIVE BILL 249. Correctly engrossed.
LEGISLATIVE BILL 139. Correctly enrolled.
LEGISLATIVE BILL 270. Correctly enrolled.
LEGISLATIVE BILL 297. Correctly enrolled.
LEGISLATIVE BILL 70. Correctly enrolled.
LEGISLATIVE BILL 229. Correctly enrolled.
LEGISLATIVE BILL 285. Correctly enrolled.
LEGISLATIVE BILL 288. Correctly enrolled.
LEGISLATIVE BILL 319. Correctly enrolled.
LEGISLATIVE BILL 326. Correctly enrolled.
LEGISLATIVE BILL 332. Correctly enrolled.
LEGISLATIVE BILL 339. Correctly enrolled.
LEGISLATIVE BILL 365. Correctly enrolled.
LEGISLATIVE BILL 366. Correctly enrolled.
LEGISLATIVE BILL 327. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 139	L. B. 229	L. B. 326	L. B. 365
L. B. 270	L. B. 285	L. B. 332	L. B. 366
L. B. 297	L. B. 288	L. B. 339	L. B. 327
L. B. 70	L. B. 319		

RECESS

At 4:10 p. m. the President declared a recess.

AFTER RECESS

The Legislature reconvened at 4:45 p. m., Speaker Peterson presiding.

Roll was called and all members were present except Messrs. Adams, Anderson, J., Anderson, L., Garber, Hubka, Jeffords and Messrs. Hanna, Hern and Ryan, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 342. Correctly enrolled.
LEGISLATIVE BILL 71. Correctly engrossed.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 342.

RESOLUTION

LEGISLATIVE RESOLUTION 22. Re: Public Power Districts

Introduced by Sidney J. Cullingham of Douglas, Fred A. Seaton of Adams and Cliff N. Ogden of Douglas.

WHEREAS, uncertainties exist as to the policy of the state with reference to collective bargaining between public power districts and their employees, and

WHEREAS, the Attorney General of Nebraska under date of March 22, 1943, ruled that a "limited form of collective bargaining" is lawful as between public power districts and their employees provided the same excludes employees whose wages are fixed by law and excludes ideas of "closed shop, strikes, picketing and other sanctions," and

WHEREAS, it is desirable that a state policy be established

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA:

1. Any public power district through its legally authorized officials has and shall continue to have the right to employ any individual whether or not such individual belongs to any organized group and whether he does or does not authorize anyone to bargain with the district in his behalf.

2. Collective bargaining is permissible but only on behalf of those who have voluntarily and expressly authorized an agent to represent them.

3. If collective bargaining agreements are entered into, each such agreement shall provide for effective arbitration of each and every controversy arising out of or relating to the construction or proper application of the terms or conditions of the agreement.

4. Where a public power district acquires an existing electric utility, the directors of the district, in their discretion, may continue, in whole or in part, collective bargaining agreements between employees and the private owners of the utility in force at the time of acquisition.

Adjournment

At 4:50 p. m., Mr. Mueller made a motion to adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 8, 1945

Pursuant to adjournment, the Legislature met at 9:10 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hanna and Hern, who were excused.

Speaker Peterson Presiding

The Journal for the eighty-seventh day was approved as corrected.

Communications

Letter from Nebraska State Education Association expressing its appreciation to the Legislature for the passage of the School Retirement Bill.

Resolution of appreciation from employees acting as Secretaries for the Legislature.

MOTION—To Suspend Rules

Mr. President: I move to suspend the rules and take up the bills on final reading for May 9, 1945. (Signed) Fred A. Mueller

The motion prevailed with 33 ayes, 0 nays and 10 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 31. With emergency.

A bill for an act to amend sections 48-153, 48-155, 48-156, 48-159, 48-164, 48-166, 48-167, 48-177, 48-178, 48-181 and 48-184, Revised Statutes of Nebraska, 1943, and original section 48-157, Revised Statutes of Nebraska, 1943, as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to workmen's compensation; to provide the manner of selecting the presiding judge of the Workmen's Compensation Court; to provide the powers and duties of the presiding judge of such court; to provide what shall constitute a quorum of such court and the matters which may be decided by such quorum; to make certain changes in the qualifications or requirements for judges of such court; to provide certain duties of the clerk of said court; to provide for the appointment of a clerk and all other assistants and employees of the Workmen's Compensation Court by the presiding judge as prescribed; to increase the salaries of the judges thereof to thirty-six hundred dollars per annum instead of not to exceed three thousand dollars; to provide for the fixing of the salaries of the clerk and all other assistants and employees of the court by the court with the approval of the Governor; to provide for the recording of pleadings and issuing of necessary notices and writs of such court; to provide for holding the hearings within sixty days from the date of filing a petition in such court and that an order or award shall be made and entered thereon within thirty days after such hearing; to provide for an annual report; to require such court to keep and maintain in its office in the state house a full and true record of all proceedings, documents or papers ordered filed, rules and regulations and decisions or orders; to provide that the presiding judge shall assign a judge to hear a cause; to provide for a rehearing to modify orders, awards or judgments; to provide for serving notice thereof; to provide for a copy of the award in any compensation case by the district court to be filed with the compensation court; to repeal original sections 48-153, 48-155, 48-156, 48-159, 48-164, 48-166, 48-167, 48-177, 48-178, 48-181 and 48-184, Revised Statutes of Nebraska, 1943, and original section 48-157, Revised Statutes of Nebraska, 1943, as amended by legislative bill 143, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams	Doyle	Lee	Raecke
Anderson, J.	Foster	Lusienski	Reavis
Anderson, L.	Heiliger	Mueller	Ryan
Babcock	Hoyt	Norman	Seaton
Burney	Hubka	Ogden	Tvrdik

Carlberg	Jeffords	Peterson	Weborg
Conklin	Kain	Pizer	Wood
Cullingham	Klaver	Raasch	

Voting in the negative, 2:

Cronin	Schultz

Not voting, 10:

Brodahl	Crossland	Hanna	Mekota
Burnham	Dooley	Hern	Sorrell
Carmody	Garber		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Appoint a Committee

Mr. President: I move that a committee be appointed to wait on the Governor and the Supreme Court officials in the observance of V-E Day.

The motion prevailed and the President appointed the following committee: Kain, Chairman, Raecke and L. Anderson .

At Ease

The Legislature was at ease from 9:50 to 10:30 a. m.

PROGRAM FOR V-E DAY OBSERVANCE

Master of Ceremonies	C. H. Rhoades
Invocation	Dr. Bancroft
Star Spangled Banner	Led by Mr. Rosene
Remarks	General Henninger
Remarks	Governor Griswold
Main address	Chief Justice Robert G. Simmons
America	
Taps	Joseph Cathcart
Benediction	Dr. Bancroft

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 261.

A bill for an act relating to motor vehicles; to define words and phrases; to provide for administration of the act; to provide for furnishing of security; to provide for suspension of motor vehicle registrations and operator's licenses until owner of such vehicle gives proof of his ability to respond in damages after final judgment is rendered against him for damage or injury caused by the operation thereof; to provide for the cancellation or termination of a liability policy; to provide the procedure for enforcing the act; to provide penalties for the violation of the provisions of this act; to provide savings clauses; to provide how this act may be cited; and to repeal Article 5, Chapter 60, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Adams	Dooley	Lee	Reavis
Anderson, J.	Foster	Lusienski	Ryan
Anderson, L.	Garber	Mueller	Schultz
Babcock	Heiliger	Norman	Seaton
Brodahl	Hoyt	Ogden	Sorrell
Burney	Hubka	Peterson	Tvrdik
Conklin	Jeffords	Pizer	Weborg
Cronin	Kain	Raasch	Wood
Crossland			

Voting in the negative, 3:

Klaver	Mekota	Raecke

Not voting, 7:

Burnham	Carmody	Doyle	Hern
Carlberg	Cullingham	Hanna	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 7, 1945, at 4:40 p. m.

L. B. 3	L. B. 215	L. B. 278
L. B. 191	L. B. 250	L. B. 344
L. B. 237	L. B. 251	L. B. 377
L. B. 76	L. B. 266	L. B. 382
L. B. 209	L. B. 276	

Presented to the Governor for approval May 8, 1945 at 9:45 a. m.

L. B. 70	L. B. 288	L. B. 327
L. B. 139	L. B. 297	L. B. 339
L. B. 229	L. B. 319	L. B. 342
L. B. 270	L. B. 326	L. B. 365
L. B. 285	L. B. 332	L. B. 366

LEGISLATIVE BILL 321. Correctly enrolled.
LEGISLATIVE BILL 367. Correctly enrolled.
LEGISLATIVE BILL 371. Correctly enrolled.
LEGISLATIVE BILL 387. Correctly enrolled.
LEGISLATIVE BILL 391. Correctly enrolled.
LEGISLATIVE BILL 390. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 324:

A bill for an act relating to trade names; to define the term "trade name"; to define "person" as used in this act; to provide for the registration thereof in the office of the Secretary of State and certain procedure and requirements therefor; to provide for the publication of the certificate of such registration and the filing of proof of such publication as prescribed; to provide that this act shall not apply to certain persons as prescribed; to provide for the length of time which certificates of registration thereof shall remain in force; to provide for renewals thereof; to fix fees; to provide duties for certain officers; to make exceptions as to those to whom this act shall apply; to provide the requirements for such a trade name; to provide for the proceedings in the event of the prescribed changes; to make certain acts unlawful; and to provide penalties for the violation of this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Adams	Cullingham	Lusienski	Ryan
Anderson, J.	Foster	Norman	Seaton
Anderson, L.	Heiliger	Ogden	Sorrell
Babcock	Hubka	Raasch	Tvrdik
Burnham	Kain	Raecke	Weborg
Carlberg	Klaver	Reavis	Wood
Conklin	Lee		

Voting in the negative, 8:

Burney	Dooley	Hoyt	Pizer
Cronin	Doyle	Mekota	Schultz

Not voting, 9:

Brodahl	Garber	Hern	Mueller
Carmody	Hanna	Jeffords	Peterson
Crossland			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 386. With emergency.

A bill for an act to make appropriations for the payment of claims filed against the State of Nebraska in the office of the Auditor of Public Accounts or the Secretary of Sundry Claims Board, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain money so appropriated shall be paid and expended; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Klaver	Raecke
Anderson, L.	Dooley	Lee	Reavis
Babcock	Doyle	Lusienski	Ryan
Brodahl	Foster	Mekota	Schultz
Burney	Garber	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin			

Voting in the negative, 0.

Not voting, 2:

Hanna	Hern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

May 8, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 3	L. B. 239	L. B. 276
L. B. 76	L. B. 251	L. B. 284
L. B. 209	L. B. 256	L. B. 377
L. B. 218	L. B. 266	L. B. 378
L. B. 237		

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 388.

A bill for an act to amend sections 1 and 2, legislative bill 138, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to state government; to eliminate the State Railway Commission from the provisions of this act; to define terms; to provide the manner in which a copy of administrative rules shall be filed with the Secretary of State; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Adams	Cronin	Kain	Raasch
Anderson, J.	Crossland	Klaver	Raecke
Anderson, L.	Cullingham	Lee	Ryan
Babcock	Dooley	Lusienski	Schultz
Brodahl	Doyle	Mueller	Seaton
Burney	Foster	Norman	Sorrell
Burnham	Heiliger	Ogden	Tvrdik
Carlberg	Hoyt	Peterson	Weborg
Carmody	Hubka	Pizer	Wood
Conklin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Garber	Hern	Mekota	Reavis
Hanna			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 185. With emergency.

A bill for an act to amend sections 60-403, 60-405, 60-407, 60-408, 60-409 and 60-415, Revised Statutes of Nebraska, 1943, and sections

60-404 and 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to motor vehicles; to provide the manner of making an application for, the examination for and the issuance of a motor vehicle operator's license or permit; to prescribe the fees to be charged therefor; to require renewal of motor vehicle operator's licenses on September 1, 1945, and each two years thereafter; to provide the effect to be given to existing licenses; to provide for the examination of a person having an operator's license and also for the revocation of such a license under the prescribed circumstances; to provide that certain persons may operate a motor vehicle without a license or permit under the prescribed conditions; to provide under what circumstances it shall be unnecessary to take an examination for the renewal of a license; to repeal original sections 60-403, 60-405, 60-407, 60-408, 60-409 and 60-415, Revised Statutes of Nebraska, 1943, and original sections 60-404 and 60-411, Revised Statutes of Nebraska, 1943, as amended by legislative bill 314, Fifty-eighth Session of the Nebraska State Legislature, 1945; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Cronin	Jeffords	Raecke
Anderson, J.	Crossland	Kain	Reavis
Anderson, L.	Cullingham	Klaver	Ryan
Babcock	Dooley	Lee	Seaton
Brodahl	Doyle	Lusienski	Sorrell
Burney	Foster	Mueller	Tvrdik
Carlberg	Heiliger	Norman	Weborg
Carmody	Hoyt	Ogden	Wood
Conklin	Hubka	Peterson	

Voting in the negative, 1:

Pizer

Not voting, 7:

Burnham	Hanna	Mekota	Schultz
Garber	Hern	Raasch	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

RECESS

At 11:50 a. m., Mr. Burney made a motion to recess until 2:00 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Hanna and Hern, who were excused, and Mr. Sorrell.

Communications

Note of appreciation to the Legislature from Mr. James A. Ryan for the bouquet sent to Mrs. Ryan.

Letter of appreciation to the members, officers and employees of the Legislature from Mr. Clarence M. Davis.

Letter from J. Estelle Allen, Chairman, Legislative Committee, Daughters of Union Veterans, in appreciation of the passage of Resolution No. 17.

MOTION—To Indefinitely Postpone

Mr. Dooley made a motion to indefinitely postpone L. B. 108.
The motion prevailed with 28 ayes, 1 nay and 14 not voting.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 321	L. B. 367	L. B. 391
L. B. 371	L. B. 390	L. B. 387

Birthday Observance

Mr. Seaton brought to the attention of the Legislature that it was the birthday of one of its members, Mr. William J. Norman. He paid tribute to Mr. Norman's fine service to the State.

The Legislature, as a body, stood and applauded this occasion.

Mr. Norman responded by expressing his appreciation.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 282. With emergency.

A bill for an act relating to aeronautics; to provide for the development thereof within the state; to create a Department of Aeronautics, a Nebraska Aeronautics Commission and the office of Director of Aeronautics; to prescribe the powers and duties of the department, commission and director; to regulate aeronautics within this state; to provide for the acquisition and operation of state airports; to provide for the levy of an excise tax of five cents per gallon for aircraft fuel purchased for and used in aircraft within this state; to provide for the distribution of the tax so collected; to provide penalties; to repeal Chapter 3, Revised Statutes of Nebraska, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Crossland	Kain	Raasch
Anderson, J.	Cullingham	Lee	Raecke
Anderson, L.	Dooley	Lusienski	Reavis
Babcock	Foster	Mueller	Ryan
Brodahl	Heiliger	Norman	Seaton
Burney	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Weborg
Conklin	Jeffords	Pizer	Wood
Cronin			

Voting in the negative, 2:

Doyle	Klaver

Not voting, 8:

Burnham	Garber	Hern	Schultz
Carlberg	Hanna	Mekota	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 395. With emergency.

A bill for an act to amend sections 17-508, 17-702, 17-703 and 17-704, Revised Statutes of Nebraska, 1943, as amended by legislative bill 32, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to cities and villages; to attach the emergency clause so that the provisions of said legislative bill 32 shall become operative at once; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams	Cullingham	Klaver	Raasch
Anderson, J.	Dooley	Lee	Raecke
Anderson, L.	Doyle	Lusienski	Reavis
Babcock	Foster	Mekota	Ryan
Brodahl	Heiliger	Mueller	Schultz
Burnham	Hoyt	Norman	Seaton
Carmody	Hubka	Ogden	Tvrdik
Conklin	Jeffords	Peterson	Weborg
Cronin	Kain	Pizer	Wood
Crossland			

Voting in the negative, 0.

Not voting, 6:

Burney	Garber	Hern	Sorrell
Carlberg	Hanna		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Voting Gongs

Mr. President: I move that the Clerk of the Legislature be instructed to authorize the installation of a gong to signify roll call, one

in the rotunda, west lounge and west hall, not to exceed expense of $75.00. (Signed) John F. Doyle

The motion lost with 13 ayes, 15 nays and 15 not voting.

Unanimous Consent

Mr. Wood asked unanimous consent that the Legislative Council be directed to make immediate study of ways and means to match post-war federal funds for construction of highways, and to publish a report directed to the Governor, the Department of Roads and Irrigation and all members of the Legislature not later than October 1, 1946.

No objection was offered and it was so ordered.

Approved by the Governor

May 8, 1945

To the President, the Speaker and
Members of the Legislature:

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills:

L. B. 139 L. B. 270 L. B. 297

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

REPORTS OF STANDING COMMITTEES—LEGISLATIVE ADMINISTRATION

Payroll of the Department of State Legislature

Officers' and Employees' Salaries for the Period from April 16, 1945, to April 30, 1945, Inclusive

Name	Position	Days Hrs-Mo	Rate	Amt.	Federal Tax	Amt. Paid
L. T. Fleetwood	Asst. Clk.	13 da	$ 8.00	$104.00	$16.90	$87.10
J. W. Lundy	Sgt. at Arms	15 da	5.50	82.50	8.20	74.30
Martin L. Pederson	Postmaster	13 da	4.50	58.50	3.30	55.20
Wm. P. Bancroft	Chaplain	11 da	4.50	49.50	...	49.50
Grace Furst	Engrg. Clk.	13 da	6.50	84.50	8.60	75.90
Zelma Steenbock	Asst. Eng. Clk.	12½ da	6.50	81.25	7.80	73.45
Eva Ruff	Typist Clk.	13 da	6.00	78.00	7.40	70.60
Goldie Green	Sec. Lt. Gov.	13 da	6.50	84.50	12.80	71.70
Nadine Campbell	Asst. Jrnl. Clk.	13 da	6.00	78.00	7.40	70.60
Erma Goering	Docket Clk.	13 da	6.00			
		13 hrs	.75	87.75	13.60	74.15
Louise F. Sholes	Asst. Jnl. Clk.	1 da	6.50	6.50	...	6.50
Nellie von Dorn	Sec. E. & R.	13 da	6.50			
		33 hrs	.80	110.90	18.20	92.70
Carol J. Streight	Secretary	13 da	6.00	78.00	11.60	66.40
Mary Morrison	Secretary	13 da	6.00	78.00	11.60	66.40
Margaret Wulf	Secretary	13 da	6.00	78.00	11.60	66.40
Viola Schmidt	Secretary	13 da	6.00	78.00	11.60	66.40
Rita Thornton	Secretary	13 da	6.00	78.00	15.70	62.30
Myrtle McKay	Secretary	13 da	6.00	78.00	11.60	66.40
Hazel Schwarz	Secretary	13 da	6.00			
	Omitted time (	½ da	6.00	81.00	7.80	73.20
Vashti Greenlee	Secretary	13 da	6.00	78.00	11.60	66.40

Name	Position	Days Hrs-Mo		Rate	Amt.	Federal Tax	Amt. Paid
Eunice Spencer	Secretary	13	da	6.00	78.00	15.70	62.30
Alice M. Davis	Secretary	10	da	6.00	60.00	3.70	56.30
Azora Sharp	Secretary	13	da	6.00			
	Omitted time (	1	da	6.00	84.00	12.80	71.20
Jeanne Brown	Secretary	13	da	6.00	78.00	7.40	70.60
Delores Dunham	Secretary	12	da	6.00	72.00	10.30	61.70
Arlene Jelinek	Secretary	13	da	6.00	78.00	11.60	66.40
Alice Javorsky	Secretary	13	da	6.00	78.00	11.60	66.40
Kathryn Keller	Secretary	4	da	5.50	22.00	...	22.00
Mary M. Shramek	Secretary	1	da	5.50	5.50	...	5.50
G. F. Martin	Chf. Bill Clerk	13	da	6.50		...	
		4	hrs	.80	87.70	13.20	74.50
F. R. Miller	Asst. Bill Clerk	13	da	5.00			
		3	hrs	.65	66.95	4.90	62.05
Gus Neuman	Asst. Bill Clerk	13	da	5.00	65.00	8.70	56.30
Betty Adams	Asst. Bill Clerk	13	da	5.00	65.00	8.70	56.30
Marion Marlow	Asst. Bill Clerk	13	da	5.00	65.00	8.70	56.30
Berdena Irwin	Asst. Bill Clerk	13	da	5.00	65.00	8.70	56.30
Evelyn Schuknecht	Mimeo. Op.	13	da	5.00			
	Approved overtime (	4	hrs	.65	67.60	9.10	58.50
Lela Schall	Stencils	13	da	6.00			
	Approved overtime (	16	hrs	.75	90.00	9.90	80.10
Nancy Halligan	E & R Asst. Clk.	13	da	5.50	71.50	9.90	61.60
Henry N. Remington	Chf. Page	10	da	5.00	50.00	1.60	48.40
Betty Fullagar	Page-Msgr.	13	da	4.00			
		1½	da	4.00	58.00	7.40	50.60
Martha Simon	Page-Msgr.	12	da	4.00	48.00	5.40	42.60

Name	Position	Days Hrs-Mo		Rate	Amt.	Federal Tax	Amt. Paid
Richard Cronin	Page-Msgr.	6	da	4.00			
		7	da	4.50	55.50	6.60	48.90
Margaret Heim	Page-Msgr.	12	da	4.00	48.00	5.40	42.60
O. J. Burckhardt	Asst. Cust.	13	da	4.50	58.50	3.30	55.20
A. J. McCallum	Asst. Cust.	13	da	4.50	58.50	3.30	55.20
Louis Nelson	Asst. Cust.	12	da	4.50	54.00	2.40	51.60
Gertrude Tyler	Tel. Op.	13	da	4.50	58.50	3.30	55.20
Orma Hull Kline	Proof Rdr.	90	hrs	.75	67.50	4.90	62.60
Claire Hunt	Proof Rdr.	57	hrs	.75	42.75	4.10	38.65
Chas. D. Blauvelt	Proof Rdr.	104	hrs	.75	78.00	3.20	74.80
				SUB-TOTAL			$3006.30
				Continental National Bank—Federal Withholding Tax Acct.			403.10
				TOTALS	$3409.40	$403.10	$3409.40

SUMMARY STATEMENT LEGISLATIVE EXPENDITURES

for the Month of April and May 1, 1945, and
other expense bills pending payment

Account E-2 Members' Salaries		
Amount paid members—April	7,837.70	
Federal taxes—April	762.30	8,600.00
Account E-2 Members' Salaries		
Amount paid members—May	3,044.77	
Federal taxes—May	55.10	3,099.87
Account E-2 Members' Salaries		
Old account, 1943-44 appropriation		
Bessie Bowman	272.09	
Hedrig Edna Gutoski	400.00	672.09
Account E-3 Members' Mileage		
Increased allowance	55.77	55.77
Account E-4 Employees' Salaries		
Amount paid employees	7,041.40	
Federal taxes	925.10	7,966.50
Pay Roll April 16-30 in process	3,006.30	
Federal taxes in process	403.10	3,409.40
Account E-5 Incidental Expense		
State Journal Printing Co.		
Bills and journals	2,885.14	
Lincoln Telephone Co.		
Telephone Account	75.43	
Sanitary Towel and Laundry Co.		
Towel Supply	3.00	
Janosek Bros.		
Flowers	5.00	
The Hoover Co.		
Repairs	8.04	
Kearney Floral Co.		
Flowers	5.00	
A. J. Brodahl		
Travel expense	18.15	
Orin E. Jerner, Postmaster		
Postage paid May 1	2,150.00	
State Journal Printing Co.		
Bills and journals paid May 1	1,766.54	

Cornhusker Printing Co.		
Legislative bills paid May 1	344.82	
Marshall Press		
Engrossing Room ruled sheets, paid May 1	17.25	7,278.37
Expense Bills in Process		
Lincoln Telephone Co.		
Telephone account	73.63	
Frey & Frey		
Flowers	20.50	
Acme Printing Co.	20.00	
Cornhusker Printing Co.		
Legislative bills	176.88	
Orin E. Jerner, Postmaster		
Postage, Lt. Governor	50.00	
State Journal Printing Co.		
Bills and Journals	2,098.36	2,439.37
Account No. 8 Clerk of the Legislature		
Hugo F. Srb, salary—April	289.10	
Federal taxes	10.90	300.00
GRAND TOTAL		$33,821.37

(Signed) John F. Doyle, Chairman

Enrollment and Review

LEGISLATIVE BILL 219. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed: L. B. 219.

Legislative Resolution 22

Mr. President: I move the adoption of Resolution 22. (Signed) Sidney J. Cullingham

The motion prevailed with 23 ayes, 0 nays and 20 not voting.

MOTION—Study of Genoa State Farm

Mr. President: I move that the matter of the Genoa State Farm, as it was designated under L. B. 325, 1937 session of the Legislature, be

referred to the Legislative Council for investigation and study during the interim following adjournment of the present session and convening of the one in 1947, for the purpose of recommending to the next regular session, as to what its ultimate use should be, namely:

1. Operate it under the guise of an institution but in reality just as a farm;

2. Operate it as an institution, within full meaning of the word, giving attention to the upkeep and improvement of buildings; or

3. By legislative enactment convey it back to the Federal Government in the event some agency thereof would desire to make use of the property.

As a basis for arriving at a conclusion the Legislative Council is instructed to hold a hearing on this subject in the city of Genoa in order to allow its citizens, as well as any other citizens of Nebraska, the opportunity to furnish information and testimony under oath. (Signed) Ed F. Lusienski

Mr. Tvrdik made a motion to amend the Lusienski motion as follows:

1. In line 2 of the last paragraph, strike the words "in the city of Genoa".

2. In line 2 of the last paragraph, strike the words "its citizens" and insert in lieu thereof the words "the citizens of Genoa".

Mr. Tvrdik's amendment to the motion was adopted.

Mr. Lusienski's motion, as amended, was adopted.

MOTION—Study of Public Power

Mr. President: I move that the Legislative Council be authorized to continue the study and investigation of public power and the uses of water in the state with the same powers as were vested in the Legislative Council by action of the preceding legislative session. (Signed) C. Petrus Peterson

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 8, 1945, at 3:30 p. m.

L. B. 321	L. B. 371	L. B. 390
L. B. 367	L. B. 387	L. B. 391

LEGISLATIVE BILL 258. Correctly enrolled.
LEGISLATIVE BILL 208. Correctly enrolled.
LEGISLATIVE BILL 324. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 324	L. B. 208	L. B. 258

Member Excused

Mr. Weborg was excused for the rest of the Session.

Adjournment

At 4:20 p. m. Mr. J. Anderson made a motion to suspend the rules and adjourn until 8:00 a. m., Wednesday morning.

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, May 9, 1945

Pursuant to adjournment, the Legislature met at 8:10 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hanna, Hern, Schultz and Weborg, who were excused.

The Journal for the eighty-eighth day was approved.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 210. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 210

RESOLUTION

LEGISLATIVE RESOLUTION 23. In Memory of Former Legislators

Introduced by Daniel Garber, Fred A. Mueller and Carl P. Jeffords.

Harry E. Bowman, John E. Bowman, Arthur Bowring, Thomas E. Bradstreet, Emil E. Brodecky, J. A. Brown, George S. Christy, Jacob Crounse, Dr. Charles W. Doty, James M. Easterling, John Fults, Edwin H. Gerhart, Joseph Curtis Gilmore, J. M. Grace, Carl H. Gustafson, A. C. Harte, Leslie G. Hurd, Iretus W. Jacoby, D. W. Livingston, Nelson J. Ludi, John Mattes, Albert Miller, John H. Mockett, Arthur L. Neumann, Dan C. Norris, Archie C. O'Brien, William F. Porter, Emerson P. Purcell, William L. Randall, Ben W. Reynolds, F. A. Reuter, John A. Rine, Norman E. Shaffer, Addison E. Sheldon, J. F. Shubert, A. R. Talbot, George M. Wallace, Eugene A. Walrath, H. L. Webster, Wesley T. Wilcox, Victor E. Wilson, Asa B. Wood and Harden Yensen.

HARRY E. BOWMAN

Harry E. Bowman was born in Lathrop, Missouri, in 1870 and came to Nebraska in 1892. He attended country school and college at Cameron, Missouri. He was graduated from a business college. He was interested in real estate and farm management. He was a member of the House of Representatives of the Nebraska State Legislature in 1905 and returned to serve in the Nebraska Unicameral Legislature in 1941 and 1943. He was one of the three senators who introduced a bill which would have permitted diversion of water from the Platte River for use in the Tri-county Area. He also was active in the enactment of the law which set up the Real Estate Commission. He was active in fraternal and church affairs. He was a resident of Hastings, where he maintained a residence for twenty-eight years. He died at Hastings, Nebraska, June 18, 1943.

JOHN E. BOWMAN

John E. Bowman was born at Streater, Illinois, September 15, 1878. His parents moved to Nebraska in 1879. He attended York County schools and was graduated from the medical department of Cotner University in 1912. From 1912 to 1938 he practiced medicine at Loup City before going to Broken Bow, where he was living at the time of his death on November 15, 1944. He served as a member of the Senate of the Nebraska State Legislature from 1929 to 1931. During the first World War he was a member of the draft board. He had been an officer of the Custer County Medical Society, was a member of the Nebraska State Medical Association, a member of the Good Roads Committee of the Public Service Club, and a member of many fraternal groups. He served as city physician and as mayor of Loup City.

ARTHUR BOWRING

Arthur Bowring died in Chadron, Nebraska, on March 19, 1944, at the age of seventy years. He was a prominent stockman and good roads advocate, having served for many years as a director and for a

time as President of the Nebraska Good Roads Association. He served as a member of the House of Representatives of the Nebraska State Legislature in 1927 and 1929, and in the Senate in 1930 and 1931, having been appointed to the Senate by Governor Weaver to fill a vacancy. While serving in the House of Representatives he introduced the first driver's license bill and the original four-cent gas tax bill.

THOMAS E. BRADSTREET

Thomas E. Bradstreet was born at Independence, Iowa. In the fall of 1888 he moved to Sioux City, Iowa, and came to Nebraska in 1903. He established a horse and mule market at Grand Island, which for years ranked as the largest in the world. He served as Senator of the Nebraska State Legislature in 1919. He was a prominent livestockman and founder and President of the National Recovery Association. He was active in fraternal and civic affairs. He served as first president of the Great Nebraska Blizzard Club, organized in Grand Island in 1940. He died in Lincoln, Nebraska, on April 5, 1944.

EMIL J. BRODECKY

Emil J. Brodecky was born in Schuyler, Nebraska, June 26, 1885. He was graduated from Howells High School and the University School of Agriculture. He served as a member of the Senate of the Nebraska State Legislature for the years 1933 and 1935 and served in the Nebraska Unicameral Legislature in 1937 and 1939. He was actively engaged in farming and dairying. He served as a member of the State Militia, on the Board of Education, and as secretary-treasurer of the Farmers Lumber and Grain Company at Howells. He died October 25, 1943.

J. A. BROWN

J. A. Brown was born at West Branch, Iowa, and died in Lincoln, Nebraska, February 19, 1944, at the age of seventy-four. He received the B. A. and M. A. degrees from South Dakota State College at Brookings, and the LL. B. degree from the University of Nebraska, where he was secretary-historian of the Class of 1898. He practiced law in Lincoln for thirty years, served as city attorney for the city of Lincoln, and was active in business, professional, fraternal, church and civic circles for many years. He served in the House of Representatives of the Nebraska State Legislature in 1927 and in 1935.

GEORGE S. CHRISTY

George S. Christy, pioneer resident of Nemaha County, died at his home in Brock, Nebraska, on July 15, 1943. He was born at White Pigeon, Iowa, and moved to Nemaha County, Nebraska, in 1873. He

was a leading horticulturist of the state, having served as President of the Nebraska Horticultural Society and as Superintendent of the Horticultural Hall at the Nebraska State Fair. He was a member of the Nebraska State Legislature in 1903 and 1919.

JACOB CROUNSE

Jacob Crounse died suddenly at his home in Omaha, Nebraska, on August 28, 1943. He was, at the time of his death, employed in the Bureau of Internal Revenue in Omaha and had served in the House of Representatives of the Nebraska State Legislature in 1931 and 1933.

DR. CHARLES W. DOTY

Dr. Charles W. Doty, prominent Seward County physician, died at his home in Beaver Crossing, Nebraska, on July 13, 1943, at the age of eighty-two years. He was a native of Darlington, Wisconsin, but had practiced medicine in Seward County, Nebraska, for fifty-five years. He had served as Seward County Coroner and on the United States Pension Examining Board, and was a member of the Senate of the Nebraska State Legislature in 1917.

JAMES M. EASTERLING

James M. Easterling; prominent attorney, died in Kearney, Nebraska, July 5, 1944, at the age of eighty-four years. He had been an attorney fifty-nine years, and lived in Kearney fifty-six years. During that time he served as county attorney, county judge and a member of the House of Representatives of the Nebraska State Legislature in the year 1899.

JOHN F. FULTS

John F. Fults was born in Green County, Indiana, October 25, 1858, and came to Nebraska in 1880, where he settled on a homestead in Furnas County, Nebraska. He moved to Beaver City in 1888 and entered the practice of law. He was actively engaged in the practice of law and in the business of stock raising. He was twice elected county attorney of Furnas County. He served three terms as a member of the House of Representatives of the Nebraska State Legislature from 1915 to 1919. He died in a hospital at Oxford, Nebraska, January 11, 1945.

EDWIN H. GERHART

Edwin H. Gerhart, prominent banker and former legislator, died in Newman Grove, Nebraska, March 9, 1944, at the age of seventy-three. Mr. Gerhart was a school teacher in his earlier years but had, for the past thirty-five years, been President of the First National Bank

of Newman Grove. He was a member of the House of Representatives of the Nebraska State Legislature in 1919, where he sponsored bills designated to promote the cause of education in Nebraska.

JOSEPH CURTIS GILMORE

Joseph Curtis Gilmore was born February 19, 1875, at Vandalia, Illinois. He came to Adams County, Nebraska, with his parents in 1878. He first entered public service as a county supervisor. He was elected to the House of Representatives in the Nebraska State Legislature, where he served three terms, 1921, 1923 and 1925. He was active in the Adams County Old Settlers Association, and was President of the organization at the time of his death on April 8, 1945. His vocation was farming until his retirement in 1929, when he and his wife moved to Hastings, Nebraska.

J. M. GRACE

J. M. Grace died in Omaha, Nebraska, on September 21, 1944, at the age of eighty-six years. Prior to his retirement he was a Harlan County stockman and business man for more than half a century. He was elected a member of the Senate of the Nebraska State Legislature in 1911 and again in 1913, and was one of the group of legislators who had the University of Nebraska Medical College located at Omaha.

CARL H. GUSTAFSON

Carl H. Gustafson was born at Rockford, Illinois, in 1869 and moved to Mead, Nebraska, as a child and remained there until 1917, when he moved to Lincoln, Nebraska. He returned to Mead, Nebraska, in 1934 and was living there at the time of his death on August 11, 1944. He served as a member of the House of Representatives of the Nebraska State Legislature from 1911 to 1914. During that time he was chairman of the minority group. He was one of the pioneers in the organization of farm cooperatives. He began pleading and fighting for their expansion and in the more conservative circles was considered radical. Now his beliefs are common and widely accepted. He was an ardent and earnest agricultural leader and a religious and civic-spirited man. He has served in responsible offices of many of the cooperative farm associations in the state. In 1938 he was elected President of the Eastern Nebraska Public Power District.

A. C. HARTE

A. C. Harte was born in Kentucky in 1861. He served as a county commissioner of Douglas County, Nebraska, and was a member of the House of Representatives of the Nebraska State Legislature in 1895

and 1919. He came to Nebraska in 1866. He was actively engaged in a contracting business. He was former state trapshoot champion. He also acted as state administrator of charities. In 1932 he retired to live on his farm near Missouri Valley, Iowa. He died May 26, 1944.

LESLIE G. HURD

Leslie G. Hurd was born in Lafayette, Illinois, and died at Alliance, Nebraska, September 11, 1944, at the age of ninety-three years. He began as a farmer in Clay County. His ambitions led him to read law and later to practice for a number of years, first in Harvard and later at Bridgeport. He was a member of the Senate of the Nebraska State Legislature in 1889, at which session a number of important bills were passed, and which submitted prohibition to a popular vote. In 1904 he was elected district judge, serving from 1904 to 1917. At the conclusion of his term he went to Bridgeport to look after the practice of two attorneys called to war service, and when they returned he retired from active practice. He never lost interest in politics or in civic affairs.

IRETUS W. JACOBY

Iretus W. Jacoby was born at Mt. Ayr, Iowa, September 9, 1868. With his parents he came to Lancaster County, Nebraska, and throughout his life he lived on a farm on Stevens Creek. Agriculture was his chief interest, and that brought him his greatest pleasure. He served as a member of the Senate of the Nebraska State Legislature in the session of 1923. In his early days he had been a gold and silver miner, prospector, cowboy, Indian fighter and marshal in Colorado.

DANIEL W. LIVINGSTON

Daniel W. Livingston was born on a farm in Otoe County, Nebraska, February 13, 1873. He attended the public schools of Otoe County and the University of Nebraska, where he received a Bachelor of Law Degree in 1896. Since the date of his admission to the bar on June 11, 1896, he was actively engaged in the practice of law. He served as city attorney of Nebraska City, county attorney of Otoe County and a member of the school board of Nebraska City. He was appointed district judge in 1934 to fill a vacancy. He was a member of the House of Representatives of the Nebraska State Legislature in 1927. During his lifetime he was prominent in church, fraternal and civic affairs. He died at Nebraska City, September 30, 1944.

NELSON J. LUDI

Nelson J. Ludi, prominent newspaper man and former legislator, died in Wahoo, Nebraska, on February 2, 1944, at the age of eighty-eight years. Mr. Ludi had been in the newspaper business for sixty-

eight years, had been editor of the Wahoo Democrat since 1902, and was past President of the Nebraska Press Association. He had served as Chairman of the Saunders County Democratic Committee and was a member of the Senate of the Nebraska State Legislature in 1935.

JOHN MATTES

John Mattes was born in Nendingen, Germany, in 1859. He was educated in his native country and came to Nebraska from Des Moines, Iowa, in 1886. For three years he was a representative of the United States Department of Agriculture at Berlin, Germany, by appointment of J. Sterling Morton, Secretary of Agriculture during the administration of President Cleveland. He served as mayor of Nebraska City and as a member of the House of Representatives of the Nebraska State Legislature in 1889 and as a member of the Senate of the Nebraska State Legislature for the years 1891, 1893, 1915 and 1917, serving as President pro tempore of the Senate for one term. For twenty years he was President of the Federated German-American Societies of Nebraska. He served as State President and National Grand President of the Sons of Herman. He was always a leader in German-American activities. He died at Lincoln, Nebraska, October 6, 1944.

ALBERT MILLER

Albert Miller, prominent farmer and former legislator, died December 9, 1943, at the age of sixty-three years. His death occurred at his farm home near Blair, Nebraska, where he was born and had spent his entire life. In addition to having served in the House of Representatives of the Nebraska State Legislature in 1917 and 1919 and in the Senate of the Nebraska State Legislature in 1921 and 1927, Mr. Miller had served as President of the Washington County Farm Bureau since 1928 and as President of the County Fair Board since 1936. He was prominent in Masonic and civic affairs.

JOHN H. MOCKETT

John H. Mockett was born at Genesee, Wisconsin, December 18, 1860. The family came to Nebraska when he was twelve years of age. He attended the University of Nebraska. For more than thirty years he was prominent in life insurance business in Lincoln. He was always active in civic affairs, serving on the City Council for several terms and being its President in 1910. He served as a member of the Senate of the Nebraska State Legislature in 1905 and of the House of Representatives for the terms 1901, 1903, 1911, 1913 and 1915. He was Speaker of the House in 1903. He was a leader in the fight for county option, and was once President of the Nebraska Direct Legislation League. He died at Denver, Colorado, August 13, 1944, at the age of eighty-four years.

ARTHUR L. NEUMANN

Arthur L. Neumann was born at Andover, Illinois, February 3, 1870. He came to Nebraska in 1881 and attended school at Oakland, Nebraska. He was actively engaged in banking business and was President of the Farmers and Merchants National Bank at Oakland at the time of his death, April 14, 1944. During his five terms in the Senate of the Nebraska State Legislature, from 1927 to 1935, he sponsored many measures relative to banks and banking, one of which was to abolish the double liability on bank stockholders. He was a man of few words, was quiet and unassuming, hardworking and intelligent.

DAN C. NORRIS

Dan C. Norris was born in Densburg, New Hampshire, and was graduated from High School in Baraboo, Wisconsin, in 1884, later coming to Nebraska. He died at his home in Brewster, Nebraska, on December 7, 1943, at the age of seventy-nine years. He had taught school in Nebraska for twelve years, had served as County Clerk of Blaine County from 1908 to 1927, and was a member of the House of Representatives of the Nebraska State Legislature in 1927, 1929 and 1931. He had long been prominent in business, fraternal and church affairs in his community.

ARCHIE C. O'BRIEN

Archie C. O'Brien, prominent attorney and former legislator, died in Grand Island, Nebraska, on January 27, 1944, at the age of forty-one years. He was a graduate of the Law College of Creighton University and was, at the time of his untimely death, practicing law in Grand Island. He served in the Senate of the Nebraska State Legislature in 1935.

WILLIAM F. PORTER

William F. Porter died at his home in Lincoln, Nebraska, on February 16, 1945, at the age of eighty-three years. He served two terms as a member of the House of Representatives of the Nebraska State Legislature for the years 1891 and 1893. He was then elected Secretary of State and served in that capacity from 1896 to 1900. He had been a leader of the Populist Party, and was active in the historic session of 1891 when a Supreme Court officer had to break down the doors of the house to compel the Populist speaker to open the returns of the 1890 election.

EMERSON P. PURCELL

Emerson P. Purcell was born in Springfield, Illinois, September 9, 1866, and came with his parents to Crete, Nebraska, in 1884. He died

in Broken Bow, Nebraska, on September 6, 1943. He was the founder of the Custer County Chief, was a former President of the Nebraska Press Association and a member of the National Editorial Association. He served as a member of the State Board of Agriculture for more than thirty years and served in the House of Representatives of the Nebraska State Legislature in 1919 and in the Senate in 1923, 1925 and 1927. He devoted most of his adult life to the public service, being especially active in the development of the state's highway system, state parks and recreational grounds, and the construction of the new State Capitol.

WILLIAM L. RANDALL

William L. Randall was born in Omaha, Nebraska, in 1888 and died in Omaha on September 20, 1943. He was graduated from the University of Nebraska, was a veteran of the first World War, and was prominent in law practice in Omaha. He served in the House of Representatives of the Nebraska State Legislature in 1921 and in the Senate in 1929 and 1931.

BEN W. REYNOLDS

Ben W. Reynolds was born in Fremont, Nebraska, on November 11, 1860, and died in Fremont on October 18, 1943. He was, at the time of his death, Fremont's oldest native born citizen. He had extensive agricultural and stock raising interests. He was a former postmaster in Fremont and was food administrator for Dodge County during the first World War. He served in the Senate of the Nebraska State Legislature in 1903.

F. A. REUTER

F. A. Reuter was born in Wetteburn, Germany, October 29, 1859. His parents located at Platteville, Wisconsin, in 1873 and moved to Syracuse, Nebraska, in April, 1884. He attended school in Germany and later in Platteville, Wisconsin. For many years he was a shoe merchant in Syracuse, and in later years was engaged in the real estate business. He was elected a member of the House of Representatives of the Nebraska State Legislature in the years 1913, 1915, 1933 and 1935. He was active in civic affairs in his community and for many years served as general superintendent of the Otoe County Fair and on the City Council. He died at Syracuse, Nebraska, October 14, 1944.

JOHN A. RINE

John A. Rine was born at Fremont, Nebraska, and died August 23, 1944, at the age of sixty-five years. He was graduated from the

University of Michigan Law School in 1900 and began practicing law in Omaha immediately after receiving his degree. He served as city attorney of Omaha and was a professor of law at Creighton University. In 1937 he was appointed district judge and served in that capacity until the time of his death. He was elected a member of the House of Representatives of the Nebraska State Legislature in the year 1918.

NORMAN E. SHAFFER

Norman E. Shaffer was born at Hooper, Nebraska, January 14, 1889. He attended Dodge County public schools and Fremont College. He was interested in farming and was cashier of the First National Bank of Hooper, which position he held at the time of his death on September 29, 1944. He served in the House of Representatives of the Nebraska State Legislature in 1917. He was prominent in state banking circles and took much interest in the affairs of farmers in his community.

ADDISON E. SHELDON

Addison E. Sheldon was born April 15, 1861, at Sheldon, Minnesota. He attended Doane College, where he received his A. B. degree in 1902. He received the M. A. degree from the University of Nebraska in 1904 and the Ph. D. degree from Columbia University in 1919. Dr. Sheldon was widely known as a writer and lecturer on historical subjects and as Secretary of the Nebraska State Historical Society since 1917. He formerly published the Burnett Blade, Chadron Advocate and the Chadron Signal. He was a lecturer in the University of Nebraska from 1907 to 1921 and was a member of many learned and professional societies. He served in the House of Representatives of the Nebraska State Legislature in 1897, at which time he was active in the passage of legislation forbidding the sale of state school lands. He died November 24, 1943.

J. F. SHUBERT

J. F. Shubert died at Shubert, Nebraska, on September 21, 1944, at the age of seventy-three years. He was past president of the State Fair Board and served as a member of the House of Representatives of the Nebraska State Legislature in 1907. He was a banker, having banking interests at Shubert, Brownsville, Stella and Falls City. He was responsible for the development of apple-growing in the southeast part of the state, owning one of the largest orchards in the state.

A. R. TALBOT

A. R. Talbot, prominent attorney and for many years President of the Modern Woodmen of America, died in Lincoln on January 28, 1944, at the age of eighty-four years. He was born in Warren County,

Illinois, and was educated in the public schools of Alexis, Illinois, and Hedding College at Abingdon, Illinois, where he graduated as valedictorian of his class, Northwestern University and the University of Chicago, where he received his LL. D. degree. He was a former law partner of William Jennings Bryan. He served in the Senate of the Nebraska State Legislature in 1897 and 1899. Throughout a long and useful life he was active in business, professional, fraternal, church, philanthropic and public affairs.

GEORGE M. WALLACE

George M. Wallace was born in Muscatine, Iowa, and came to Nebraska in 1884. He died at Orleans, Nebraska, June 14, 1943, at the age of eighty-two years. He was a prominent stock raiser and was active in Masonic affairs. He was a member of the House of Representatives of the Nebraska State Legislature in 1921.

EUGENE A. WALRATH

Eugene A. Walrath died in Lincoln, Nebraska, September 13, 1944, at the age of seventy-six years. For fifty-six years he published a newspaper continuously in the town of Osceola, Nebraska, never missing a single issue. He was a loyal supporter of every proposal for the advancement of the community of Osceola, in which he had made his home since his youth. He was an active worker in the Democratic Party, at one time serving as Secretary of the State Central Committee. From 1910 to 1920 he was Secretary of the Senate of the Nebraska State Legislature.

H. L. WEBSTER

H. L. Webster, well known farmer and livestock raiser, died at his home in Tekamah, Nebraska, August 28, 1943, at the age of seventy-six years. He was a pioneer resident of Burt County. He was a former President of the Nebraska County Managers Association, had been named as a master farmer, had been elected to the Agricultural Hall of Achievement of the University of Nebraska, and had been a Director of the Missouri River Improvement Association. He served in the House of Representatives of the Nebraska State Legislature in 1921.

WESLEY T. WILCOX

Wesley T. Wilcox, prominent retired North Platte attorney, died in Omaha, September 5, 1943, at the age of eighty-seven years. He was a graduate of Ohio University and settled in North Platte in 1886, practicing law in that vicinity for more than fifty years. He served as a member of the House of Representatives of the Nebraska

State Legislature in 1899 and of the Senate in 1927 and 1929. He was an able counselor and earnest advocate of legislation necessary for the development of western Nebraska, particularly with respect to irrigation.

VICTOR E. WILSON

Victor E. Wilson was born in Illinois and came with his parents to Nebraska when he was nine years old, where he grew up on a farm in Polk County. He attended Bryant Normal College in Stromsburg, Doane College and the University of Nebraska, where he received the LL. B. degree. He died in Los Angeles, California, January 10, 1944, at the age of seventy-one years. He was active both in banking and in the practice of law. He served in the House of Representatives of the Nebraska State Legislature in 1909. He was a state bank examiner from 1911 to 1915 and was a member of the State Railway Commission from 1917 to 1919. He was actively associated with the enactment of laws relating to building and loan associations, to the guaranty of bank deposits and other matters. He had resided in Los Angeles since 1925.

ASA B. WOOD

Asa B. Wood was born in Wapello County, Iowa, August 26, 1865. He located at Gering, Nebraska, where he published the Gering Courier. He was postmaster at Gering fifteen years, holding no other office until elected to the Senate of the Nebraska State Legislature in 1925, and was re-elected in 1927 and 1929. He was interested in the Nebraska Press Association and many civic affairs. In the Legislature his chief interests were obtaining legislation for automobile drivers' licenses, establishing a state-wide game reserve and establishing junior colleges. He died at his home in Gering, May 7, 1945.

HARDEN YENSEN

Harden Yensen was born in Steubenville, Ohio, but came to Nebraska at an early age. He died at his home in Homedale, Idaho, on July 7, 1943, at the age of eighty-three years, having moved from Nebraska to Idaho two years before his death. He served in the House of Representatives of the Nebraska State Legislature in 1925 and 1927.

WHEREAS, it is the desire of the Legislature to pay tribute to the memories of former legislature members who have passed away,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA STATE LEGISLATURE IN FIFTY-EIGHTH SESSION ASSEMBLED:

1. That we pause in our deliberations and stand in silent tribute to the memories of those members of our body who have preceded us here and who, by their labors, helped to mold the institutions and traditions which we now seek to preserve and perpetuate.

2. That the Clerk of the Legislature be directed to spread at large on the Legislative Journal this resolution, and that a copy of said resolution, properly authenticated and suitably engrossed, be sent by the Clerk to each of the families of the deceased members above named as an expression of our respect for the deceased and our sympathy for the bereaved.

MOTION—To Adopt Resolution

Mr. Raecke offered the motion to suspend the rules and to adopt Legislative Resolution 23.

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

MOTION—To Suspend Rules

Mr. Peterson offered the motion to suspend the rules and take up bills on final reading that were ordered for May 10, 1945.

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 217.

A bill for an act to provide for the creation and operation of a retirement system for municipalities and municipal utilities in the state not excepted therefrom; to provide a saving clause; to make certain acts unlawful; and to provide for penalties for the violation thereof.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Adams	Crossland	Klaver	Pizer
Anderson, J.	Cullingham	Lee	Raecke
Anderson, L.	Dooley	Lusienski	Reavis
Babcock	Doyle	Mekota	Ryan
Brodahl	Foster	Mueller	Seaton
Burney	Heiliger	Norman	Sorrell
Burnham	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Wood
Conklin	Kain		

Voting in the negative, 1:

Cronin

Not voting, 8:

Carlberg	Hanna	Jeffords	Schultz
Garber	Hern	Raasch	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 393. With emergency.

A bill for an act to amend sections 43-205, 43-208, 43-210, 43-217 and 43-222, Revised Statutes of Nebraska, 1943, relating to juvenile courts; to provide that the county attorney or any reputable person residing in the county, with the consent of the county attorney, may file a complaint when a child appears to be neglected, dependent or delinquent; to raise the age limit at which delinquent, dependent or neglected children, who have not pleaded guilty to or been convicted of crime, may be committed to the care of the state industrial schools; to authorize juvenile courts to commit all delinquent, dependent or neglected children under the age of eighteen years to the care and custody of the Board of Control; to provide for temporary assignment of custody until the Board of Control, upon investigation, shall determine what assignment of custody should be made; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams	Cronin	Kain	Pizer
Anderson, J.	Crossland	Klaver	Raasch
Anderson, L.	Cullingham	Lee	Raecke
Babcock	Dooley	Lusienski	Reavis
Brodahl	Foster	Mekota	Ryan
Burney	Garber	Mueller	Seaton
Burnham	Heiliger	Norman	Sorrell
Carlberg	Hoyt	Ogden	Tvrdik
Carmody	Hubka	Peterson	Wood
Conklin	Jeffords		

Voting in the negative, 0.

Not voting, 5:

Doyle	Hern	Schultz	Weborg
Hanna			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

May 9, 1945

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that on May 8, 1945, he approved the following bills:

L. B. 70	L. B. 285	L. B. 332
L. B. 229	L. B. 288	L. B. 342
L. B. 250	L. B. 326	L. B. 365

I have also been requested by the Governor to inform your honorable body that on this 9th day of May, 1945, he approved the following bills:

L. B. 208	L. B. 321	L. B. 371
L. B. 219	L. B. 339	L. B. 390

L. B. 258 L. B. 366 L. B. 391
L. B. 319 L. B. 367

Respectfully submitted,

(Signed) H. G. Greenamyre
Sec'y to the Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 41.

A bill for an act to amend sections 38-110 and 38-408, Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide if the personal property of the estate of a person under guardianship is valued at one thousand dollars or more, the guardian, if a natural person, shall furnish a corporate surety bond; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Cronin	Hoyt	Pizer
Anderson, L.	Crossland	Hubka	Raasch
Babcock	Cullingham	Kain	Reavis
Brodahl	Dooley	Klaver	Ryan
Burney	Doyle	Lusienski	Seaton
Burnham	Foster	Mueller	Sorrell
Carlberg	Garber	Ogden	Tvrdik
Conklin	Heiliger	Peterson	Wood

Voting in the negative, 0.

Not voting, 11:

Anderson, J.	Hern	Mekota	Schultz
Carmody	Jeffords	Norman	Weborg
Hanna	Lee	Raecke	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 299.

A bill for an act to amend section 33-128, Revised Statutes of Nebraska, 1943, relating to fees, mileage and salaries; to fix the salaries of members of county boards; to provide that in counties having a population of over one hundred and twenty-five thousand inhabitants, members of the county board shall be allowed a salary of twenty-five hundred dollars per annum as prescribed; to provide that in counties having a population of over sixty thousand inhabitants and not over one hundred and twenty-five thousand inhabitants, members of a county board, which is composed of three commissioners, shall be allowed a salary of twenty-four hundred dollars per annum and members of a county board, which is composed of five commissioners, shall be allowed a salary of twelve hundred dollars per annum as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Adams	Cullingham	Kain	Pizer
Anderson, L.	Dooley	Klaver	Raecke
Babcock	Doyle	Lusienski	Reavis
Brodahl	Foster	Mekota	Ryan
Burney	Garber	Mueller	Seaton
Conklin	Heiliger	Norman	Sorrell
Cronin	Hoyt	Ogden	Tvrdik
Crossland	Hubka	Peterson	Wood

Voting in the negative, 1:

Carmody

Not voting, 10:

Anderson, J.	Hanna	Lee	Schultz
Burnham	Hern	Raasch	Weborg
Carlberg	Jeffords		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 306.

A bill for an act to amend sections 71-301, 71-303, 71-306, 71-307, 71-308 and 71-310, Revised Statutes of Nebraska, 1943, relating to the

practice of cosmetology; to require a license to conduct a school of cosmetology; to provide rules and regulations for obtaining a certificate to practice cosmetology or conduct a school of cosmetology; to provide for the display of the certificate by a registered cosmetologist and school of cosmetology; to provide a schedule of fees for admission and renewal of certificates to practice cosmetology or to operate a school of cosmetology; to authorize the Department of Health to either refuse to issue or to suspend or revoke any such certificate for the violation of any valid regulations or orders of the Board of Cosmetology examiners; to provide the basic course of instruction required of such a school; to provide for the appointment of members of the Board of Cosmetologist Examiners and certain powers and duties of such board and of the Department of Health; to provide rules and regulations for operating a school of cosmetology; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 31:

Adams	Dooley	Klaver	Raecke
Anderson, L.	Doyle	Lee	Reavis
Brodahl	Foster	Lusienski	Ryan
Burney	Heiliger	Mueller	Seaton
Burnham	Hoyt	Norman	Sorrell
Conklin	Hubka	Ogden	Tvrdik
Crossland	Jeffords	Peterson	Wood
Cullingham	Kain	Pizer	

Voting in the negative, 2:

Cronin	Mekota

Not voting, 10:

Anderson, J.	Carmody	Hern	Schultz
Babcock	Garber	Raasch	Weborg
Carlberg	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 375.

A bill for an act to amend sections 81-103 and 81-148, Revised Statutes of Nebraska, 1943, relating to the salaries of the heads of said

administrative departments; to increase the maximum annual salaries of the Director of the Department of Agriculture and Inspection, Commissioner of Labor, Director of Health, State Engineer, Director of Insurance and Purchasing Agent, as prescribed; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Adams	Doyle	Klaver	Pizer
Anderson, L.	Foster	Lee	Reavis
Babcock	Heiliger	Lusienski	Ryan
Brodahl	Hoyt	Mueller	Seaton
Conklin	Hubka	Norman	Tvrdik
Crossland	Jeffords	Ogden	Wood
Cullingham	Kain	Peterson	

Voting in the negative, 9:

Burney	Cronin	Garber	Raecke
Carlberg	Dooley	Mekota	Sorrell
Carmody			

Not voting, 7:

Anderson, J.	Hanna	Raasch	Weborg
Burnham	Hern	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: Had I been present I would have voted for L. B. 41, L. B. 299, L. B. 306 and L. B. 375. (Signed) James H. Anderson.

Speaker Peterson Presiding

LEGISLATIVE BILL 180. With emergency.

A bill for an act to amend section 41-122, Revised Statutes of Nebraska, 1943, relating to hotels and inns; to provide for the limitation of the liability of hotels, restaurants, apartment houses and

rooming houses to guests and to make the specified changes in such liability; to provide for certain forms and declarations affecting such liability; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams	Cullingham	Klaver	Raasch
Anderson, J.	Doyle	Lee	Raecke
Anderson, L.	Foster	Lusienski	Reavis
Babcock	Heiliger	Mueller	Ryan
Brodahl	Hoyt	Norman	Seaton
Burney	Hubka	Ogden	Sorrell
Carmody	Jeffords	Peterson	Tvrdik
Conklin	Kain	Pizer	Wood
Crossland			

Voting in the negative, 2:

Cronin	Dooley

Not voting, 8:

Burnham	Garber	Hern	Schultz
Carlberg	Hanna	Mekota	Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 389.

A bill for an act to amend sections 23-148, 23-296, 23-297, 23-298, 23-299 and 32-210, Revised Statutes of Nebraska, 1943, relating to county officers and government; to provide that when a county under township organization votes to change to commissioner system, and a county votes to have the same number of commissioners as there were supervisors, the commissioner districts shall be with the same boundaries and comprise the same territory as the township districts; to provide when the supervisors shall be the commissioners until their successors are elected; to provide terms of office and method of election of county commissioners in a county which has seven commis-

sioners; to provide for unexpended balances; to provide salaries for commissioners; to provide for road districts and for a road fund levy in counties having a seven commissioner form of government; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Adams	Cronin	Jeffords	Peterson
Anderson, J.	Crossland	Kain	Pizer
Anderson, L.	Cullingham	Klaver	Raasch
Babcock	Dooley	Lee	Raecke
Brodahl	Doyle	Lusienski	Ryan
Burney	Foster	Mekota	Seaton
Burnham	Heiliger	Mueller	Sorrell
Carmody	Hoyt	Norman	Tvrdik
Conklin	Hubka	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Carlberg	Hanna	Reavis	Weborg
Garber	Hern	Schultz	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 9, 1945, at 8:30 a. m.:

L. B. 208	L. B. 258	L. B. 324
L. B. 219		

LEGISLATIVE BILL 31. Correctly enrolled.
LEGISLATIVE BILL 185. Correctly enrolled.
LEGISLATIVE BILL 193. Correctly enrolled.

LEGISLATIVE BILL 386. Correctly enrolled.
LEGISLATIVE BILL 388. Correctly enrolled.
LEGISLATIVE BILL 395. Correctly enrolled.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 31	L. B. 193	L. B. 388
L. B. 185	L. B. 386	L. B. 395

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 307.

A bill for an act to amend sections 14-610, 14-614, 14-615 and 14-619, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide and establish a pension system for policemen, their widows and natural or adopted children in cities of the metropolitan class; to provide for the disposition of funds in existing pension and relief funds; to provide for contributions from members of police departments; to provide for the distribution and reimbursement thereof; to provide conditions and methods for payment of benefits; to provide for the payment of benefits from the public funds of metropolitan cities; to provide the effect of the adoption of charter amendments in cities of the metropolitan class which have heretofore adopted or may hereafter adopt a Home Rule Charter; to provide a savings clause and the effect of an adjudication that any clause, sentence, paragraph or part of this act is invalid for any reason upon the remainder of said act; and to repeal the original sections and sections 14-611, 14-612, 14-613, 14-616, 14-617 and 14-618, Revised Statutes of Nebraska, 1943.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Adams	Crossland	Hubka	Peterson
Anderson, J.	Cullingham	Kain	Pizer
Babcock	Dooley	Klaver	Reavis

Brodahl	Doyle	Lusienski	Ryan
Burnham	Foster	Mekota	Seaton
Carmody	Heiliger	Norman	Sorrell
Conklin	Hoyt	Ogden	Tvrdik

Voting in the negative, 3:

Garber	Jeffords	Raecke

Not voting, 12:

Anderson, L.	Cronin	Lee	Schultz
Burney	Hanna	Mueller	Weborg
Carlberg	Hern	Raasch	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I do not believe the Legislature should set aside and annul a vote of the people of Omaha taken under the provisions of its Home Rule Charter. The people of Omaha should be afforded an opportunity to correct such injustices as may have been inflicted. (Signed) Walter R. Raecke

LEGISLATIVE BILL 392.

A bill for an act to amend section 68-310, Revised Statutes of Nebraska, 1943, relating to the state assistance fund; to provide for the division and use of the money in the state assistance fund; to provide for the use of such amount thereof for child welfare services, including boarding home care, and for crippled children services as may be appropriated by the Legislature for that purpose; to provide for payment out of the state assistance fund of a salary to each member of the Board of Control for services in the administration of the state assistance fund; to provide for the use of money from the state assistance fund, in the discretion of the Director of Assistance, for the payment of medical, surgical and hospital care of recipients of assistance under rules and regulations prescribed by the Director of Assistance; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 25:

Adams	Cullingham	Kain	Peterson
Anderson, J.	Doyle	Klaver	Pizer
Anderson, L.	Foster	Lee	Reavis
Babcock	Heiliger	Lusienski	Seaton
Brodahl	Hoyt	Norman	Tvrdik
Carmody	Hubka	Ogden	Wood
Conklin			

Voting in the negative, 6:

Burney	Crossland	Raecke	Sorrell
Cronin	Garber		

Not voting, 12:

Burnham	Hanna	Mekota	Ryan
Carlberg	Hern	Mueller	Schultz
Dooley	Jeffords	Raasch	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 370.

A bill for an act to amend sections 23-1103, 23-1104, 23-1105, 23-1107, 23-1108, 23-1109, 23-1110, 23-1211, 29-2212 and 43-207, Revised Statutes of Nebraska, 1943, and section 23-1106, Revised Statutes of Nebraska, 1943, as amended by legislative bill 10, Fifty-eighth Session of the Nebraska State Legislature, 1945, relating to salaries of county officers and deputies; to provide for salaries of certain officers and deputies as set forth therein; to provide that the provisions of this act shall not apply to an incumbent holding an elective office; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Adams	Cullingham	Klaver	Pizer
Anderson, J.	Dooley	Lee	Reavis
Anderson, L.	Doyle	Lusienski	Ryan
Babcock	Foster	Mueller	Seaton
Brodahl	Heiliger	Norman	Sorrell
Conklin	Hoyt	Ogden	Tvrdik
Crossland	Kain	Peterson	Wood

Voting in the negative, 7:

Burney	Carmody	Garber	Raecke
Burnham	Cronin	Mekota	

Not voting, 8:

Carlberg	Hern	Jeffords	Schultz
Hanna	Hubka	Raasch	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 320.

Mr. Adams offered a motion to indefinitely postpone L. B. 320.

The motion prevailed.

LEGISLATIVE BILL 249.

A bill for an act relating to public health; to give to the Board of Barber Examiners jurisdiction and authority to investigate trade practices among barbers; to give such board authority to promulgate and enforce such regulations pertaining to service charges of barber shops as will tend to eliminate unfair and insanitary practices as prescribed; to fix territorial units for such regulation; to regulate barber shops and practices therein; to give such board authority to suspend or revoke certificates of registration when any barber has violated any order of the board and the person accused has been notified in writing; to provide that at the time of the application for a renewal of a certificate of registration each barber shall pay a fee of two dollars to the board to help defray the cost of the administration of this act; to provide for the payment of the expenses of the

administration of this act; to provide a savings clause; and to repeal all acts in conflict with this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 22:

Adams	Foster	Lee	Ryan
Anderson, J.	Heiliger	Lusienski	Seaton
Anderson, L.	Hoyt	Norman	Sorrell
Carmody	Hubka	Ogden	Tvrdik
Cullingham	Kain	Pizer	Wood
Doyle	Klaver		

Voting in the negative, 8:

Brodahl	Cronin	Garber	Mekota
Burney	Dooley	Jeffords	Raecke

Not voting, 13:

Babcock	Crossland	Mueller	Reavis
Burnham	Hanna	Peterson	Schultz
Carlberg	Hern	Raasch	Weborg
Conklin			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Birthday Observance

Mr. Hubka brought to the attention of the Legislature that it was the birthday of one of its members, Mr. Charles F. Tvrdik, and pointed out some of his outstanding accomplishments. Mr. Tvrdik graciously expressed his appreciation.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Order and Arrangement, pursuant to adopted motion of Senator Lee, Journal page 1072, submits the following recommendations on realignment and changes in num-

ber of members of the committees of the Legislature as now provided by Rule 6:

1. That the Committee on Legislative Administration be eliminated and that the Clerk of the Legislature be charged with the employment and assignment of employees of the Legislature, the compensation to be fixed by the Legislature.

2. That the Committee on Enrollment and Review be eliminated and that the duties thereof be assigned to one member, to be known as Chairman of Enrollment and Review, and that in his absence the vice-chairman of the Judiciary Committee assume the duties of the chairman of Enrollment and Review.

3. That the bill drafting service have supervision of legal work performed for the Enrollment and Review Committee.

4. That the complete realignment and change in number of members of committees be referred to the Legislative Council for study and recommendations to the next regular session of the Legislature.

(Signed) John E. Mekota, Chairman

MOTION—Adopt Report

Mr. President: I move that each of the foregoing recommendations of the Committee on Order and Arrangement be adopted by separate vote on each recommendation, and that the Clerk of the Legislature have the rules printed for the next regular session, to conform to the changes adopted. (Signed) John E. Mekota

The motion prevailed.

Rule 1 was adopted with 36 ayes, 0 nays and 7 not voting.

Rule 2 was adopted with 37 ayes, 0 nays and 6 not voting.

Rule 3 was adopted with 37 ayes, 0 nays and 6 not voting.

Rule 4 was adopted with 34 ayes, 0 nays and 9 not voting.

RECESS

At 12:00, Mr. Burnham made a motion to recess until 1:30 p. m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 1:40 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. J. Anderson, Carlberg, Doyle and Schultz, and Messrs. Hanna, Hern and Weborg, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review
Presented to Governor

Presented to the Governor for approval May 9, 1945, at 11:00 a. m.

L. B. 210	L. B. 193	L. B. 388
L. B. 31	L. B. 386	L. B. 395
L. B. 185		

(Signed) Roy B. Carlberg, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 24. Re: Biannual reports

Introduced by Lloyd Kain of Dawson.

WHEREAS, the laws of Nebraska provide for certain annual or biannual reports by the different officials of the state government, and

WHEREAS, some of the reports call for publication of data which is not essential,

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

1. That the Legislative Council is hereby respectfully requested to conduct a study during the interim following adjournment of the present session, to compile a report, and to recommend to the next regular session of the Legislature respecting the publications of these reports as to which are essential and what statutes should be amended.

MOTION—To Adopt Resolution

Mr. President: I move that the rules be suspended and that Resolution 24 be adopted. (Signed) Lloyd Kain

The motion prevailed with 32 ayes, 0 nays and 11 not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 71. With emergency.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1945, and ending June 30, 1947; prescribing conditions for the determination of the levy of the state taxes for the state general fund; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

Speaker Peterson Presiding

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams	Crossland	Kain	Pizer
Anderson, J.	Cullingham	Klaver	Raasch
Anderson, L.	Dooley	Lee	Raecke
Babcock	Foster	Lusienski	Reavis
Brodahl	Garber	Mekota	Ryan
Burney	Heiliger	Mueller	Seaton
Carmody	Hoyt	Norman	Tvrdik
Conklin	Hubka	Ogden	Wood
Cronin	Jeffords	Peterson	

Voting in the negative, 2:

Doyle	Sorrell

Not voting, 6:

Burnham	Hanna	Schultz	Weborg
Carlberg	Hern		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

President Johnson Presiding

Communication

Telegram from Supt. Robert Creamer, in favor of L. B. 217.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 180. Correctly enrolled.
LEGISLATIVE BILL 282. Correctly enrolled.
LEGISLATIVE BILL 306. Correctly enrolled.
LEGISLATIVE BILL 389. Correctly enrolled.
LEGISLATIVE BILL 261. Correctly enrolled.
LEGISLATIVE BILL 41. Correctly enrolled.
LEGISLATIVE BILL 393. Correctly enrolled.
LEGISLATIVE BILL 364. Correctly enrolled.
LEGISLATIVE BILL 299. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 180	L. B. 389	L. B. 393
L. B. 282	L. B. 261	L. B. 364
L. B. 306	L. B. 41	L. B. 299

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 9, 1945, at 3:40 p. m.:

L. B. 41	L. B. 282	L. B. 364
L. B. 180	L. B. 299	L. B. 389
L. B. 261	L. B. 306	L. B. 393

LEGISLATIVE BILL 370. Correctly enrolled.
LEGISLATIVE BILL 392. Correctly enrolled.
LEGISLATIVE BILL 375. Correctly enrolled.
LEGISLATIVE BILL 217. Correctly enrolled.
LEGISLATIVE BILL 249. Correctly enrolled.
LEGISLATIVE BILL 307. Correctly enrolled.
LEGISLATIVE BILL 71. Correctly enrolled.

(Signed) Roy B. Carlberg, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 370	L. B. 217	L. B. 307
L. B. 392	L. B. 249	L. B. 71
L. B. 375		
Legislative Resolution 23	Legislative Resolution 22	
Legislative Resolution 24	Legislative Resolution 17	

STANDING COMMITTEE REPORTS

Enrollment and Review
Presented to the Governor

Presented to the Governor for approval May 9, 1945, at 4:50 p. m.

L. B. 375	L. B. 249	L. B. 370
L. B. 71	L. B. 307	L. B. 392
L. B. 217		

(Signed) Roy B. Carlberg, Chairman

THANKS—To Lieutenant Governor

Mr. President: I move that a rising vote of thanks be extended to our Lieutenant Governor, Roy W. Johnson, for the fair and impartial manner in which he has presided over the Legislature and the expeditious manner with which he has dispatched the business of the Legislature. (Signed) Daniel Garber

The motion prevailed.

THANKS—To Broadcasting Stations

Mr. President: I move that this body express its thanks and appreciation to the broadcasting stations for broadcasting our actions to the citizens of the state. (Signed) Fred A. Seaton

The motion prevailed.

THANKS—Officers and Employees

Mr. President: I move that we, the members of the Fifty-eighth Session of the Nebraska Legislature, express our appreciation for the faithful conduct and courteous manner in which all of the elective

officers of the Legislature and the employees of the Legislature have performed their duties during this session, and that this motion be spread upon the records of the Legislature. (Signed) John F. Doyle

The motion prevailed.

THANKS—To Press

Mr. President: I move that a vote of thanks be given to the newspapers of the state and the press association for the accurateness and fairness in giving to the people word pictures of the activities of this session of the Legislature. (Signed) D. H. Cronin

The motion prevailed.

MOTION—Mailing Separates to Members

Mr. President: I move that the Clerk be directed to send to each member of the Legislature a file of the bills passed, as soon as printed, and that the expense in so doing be paid out of the Incidental Expense Appropriation. (Signed) James A. Ryan

The motion prevailed.

THANKS—To Speaker

Mr. President: I move that a vote of thanks be extended to the Speaker, C. Petrus Peterson, for the fair, impartial and courteous manner in which he has discharged his duties as Speaker during the Fifty-eighth Session of the Legislature. (Signed) Ladd J. Hubka

The motion prevailed.

MOTION—Permanent Journal, Mailing

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, and to each authorized member of the Press assigned to the Legislature for the Fifty-eighth Session, a copy of the permanent Legislative Journal of the Fifty-eighth Session, when completed; and that the proper officers of the Legislature be authorized to issue vouchers against the fund provided for incidental expenses of the Fifty-eighth Session of the Nebraska Legislature in payment of necessary postage or express and necessary wrapping material for sending said Legislative Journals to members of the Legislature and that the Press and the members of the Legislature be allowed to keep their Statutes and Supplements. (Signed) W. J. Norman

The motion prevailed.

MOTION—To Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to check the bills, supplies, legislative chamber furniture, and otherwise complete the business of the office for the Fifty-eighth Session of the Legislature, and to employ such help as is necessary during the interim. (Signed) Lloyd Kain

The motion prevailed.

MOTION—To File Bills and Records

Mr. President: I move that the chairman of each standing committee be requested to file with the Clerk of the Legislature any bills and standing committee records remaining in his possession, so that a proper record may be made of the final disposition of such bills. (Signed) John E. Mekota

The motion prevailed.

MOTION—To Present Flags

Mr. President: I move that as evidence of our sincere appreciation of our presiding officers, for the fair and impartial performance of their duties, we obtain a flag like the one hanging at the right of the President's chair and present one of said flags to Lieutenant Governor Roy W. Johnson, and one to Speaker C. Petrus Peterson. (Signed) Ed. Hoyt

The motion prevailed.

MOTION—To Present Gavel

Mr. President: I move that the Lieutenant Governor, Roy W. Johnson, be presented with the gavel used during the Fifty-eighth Session of the Legislature of Nebraska. (Signed) Dwight W. Burney

The motion prevailed.

MOTION—To Present Flag

Mr. President: I move that the flag displayed on the staff above the legislative chamber be delivered to the State Historical Society to be kept permanently. (Signed) C. N. Ogden

The motion prevailed.

MOTION—Group Picture

Mr. President: I move that Dr. Condra be requested and authorized to place a group picture of the members of the Fifty-eighth Session in the west lounge, and that the Legislature express its appreciation for this service. (Signed) Earl J. Lee

The motion prevailed.

MOTION—Permanent Journals, Contract

Mr. President: I move that the Clerk of the Legislature be instructed to ask the Purchasing Department to make a contract for printing five hundred Legislative Journals. (Signed) Ray Babcock

The motion prevailed.

MOTION—Session Laws

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor and the Clerk of the Legislature, a copy of the Session Laws of Nebraska (45 copies in all) for 1945, when printed. (Signed) Walter R. Raecke

The motion prevailed.

MOTION—Printing Permanent Journal and Session Laws

Mr. President: I move that the Legislature approve the action of the Committee on Legislative Administration regarding the printing of the permanent Legislative Journal by the Lincoln State Journal Company, and the Session Laws by the Cornhusker Printing Company. (Signed) Fay Wood

The motion prevailed.

Appreciation

Mr. President: The elective officers and employees of the Fifty-eighth session hereby express their appreciation for the privilege of serving this Legislature and for the courtesies extended to them by each and every member. (Signed) Hugo F. Srb, Clerk of the Legislature

Appreciation

I take this opportunity to thank the officers, Senators, employees, and members of the press for the splendid cooperation with me in performance of my duties as your Sergeant-at-Arms of this, the Fifty-eighth Session of the Nebraska Legislature.

I hope I have succeeded in giving you an active business service. I have given my very best efforts and experience in the performance of my duties.

I shall always remember the social contact and associations you have permitted me to enjoy. (Signed) Bill Lundy

RESOLUTION

LEGISLATIVE RESOLUTION 25. Re: Governor's Mansion.

Introduced by Charles F. Tvrdik of Douglas.

PREAMBLE

WHEREAS, the Legislature has appropriated one hundred thousand dollars for the purpose of purchasing a site for and constructing, equipping and furnishing a mansion to be used as a residence for the Governor of the State, and

WHEREAS, it is desirable that the selection of a site and the drawing of plans for such mansion receive careful study and consideration before such purchase and construction shall be undertaken,

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-EIGHTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Nebraska Legislative Council be directed to study the problem of purchasing a suitable site for the Governor's mansion, the selection of architects, the letting of contracts, the purchase of materials, the employment of labor, and all other matters necessary to the construction, equipping, and furnishing of such mansion; and

2. That the Legislative Council be further directed to complete its findings at the earliest date possible, and submit its report, with recommendations, to the Governor, and to the members of the Legislature.

MOTION—To Adopt the Resolution

Mr. President: I move that the rules be suspended and that Resolution 25 be adopted. (Signed) Charles F. Tvrdik

The motion prevailed with 31 ayes, 0 nays and 12 not voting.

MOTION—To Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature. (Signed) Charles F. Tvrdik

The motion prevailed and the President appointed Messrs. Charles Tvrdik, chairman; Garber, Mueller, Burnham and Lee.

REPORT—Committee to Notify Governor

The Committee returned with Governor Dwight Griswold, who was escorted to the rostrum and who delivered a brief address to the members of the Legislature.

Adjournment

Mr. President: I move that the Journal for the Eighty-ninth Day, as prepared by the Clerk, be approved and that the Fifty-eighth Session of the Legislature, having finished all business before it, now adjourn sine die. (Signed) Fred A. Mueller

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature

Certificate

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Fifty-eighth Session of the Legislature of the State of Nebraska convened and held in the city of Lincoln, State of Nebraska, January 2, 1945 to May 9, 1945.

(Signed) Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment:

May 10, 1945

Legislative Bill 31
Legislative Bill 41
Legislative Bill 71
Legislative Bill 180
Legislative Bill 185
Legislative Bill 210
Legislative Bill 215
Legislative Bill 217
Legislative Bill 249
Legislative Bill 261
Legislative Bill 282
Legislative Bill 299
Legislative Bill 306
Legislative Bill 344
Legislative Bill 364
Legislative Bill 370
Legislative Bill 375
Legislative Bill 382
Legislative Bill 386
Legislative Bill 389
Legislative Bill 392
Legislative Bill 393
Legislative Bill 395

May 11, 1945

Legislative Bill 191
Legislative Bill 193

May 12, 1945

Legislative Bill 387

Vetoed After Adjournment

The following Legislative Bills were vetoed by the Governor after adjournment:

May 10, 1945

Legislative Bill 184
Legislative Bill 278
Legislative Bill 333

May 11, 1945

Legislative Bill 307
Legislative Bill 324
Legislative Bill 327

May 12, 1945

Legislative Bill 388