LEGISLATIVE JOURNAL

SIXTY - FIRST SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 4, 1949

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the Sixty-first Session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 12 o'clock, noon, Tuesday, January 4, 1949, and was called to order by Mr. Earl J. Lee, in the absence of Lieutenant Governor Robert B. Crosby and Speaker Raecke.

Prayer was offered by the Reverend Russell M. Bythewood, of the Tabernacle Christian Church, Lincoln, Nebraska.

The roll was called and the following members were present:

Adams, John, Sr.
Adams, Thomas H.
Anderson, Lester H.
Anderson, Victor E.
Babcock, Ray A.
Larkin, John J., Jr.
Lee, Earl J.
Lillibridge, C. C.
Lindgren, C. R.
Lusienski, Ed F.

Benesch, J. V.
Bohlke, W. Halsey
Bridenbaugh, Hal
Burney, Dwight W.
Burnham, Harry F.
Callan, John S.
Carmody, Arthur
Carson, Hugh
Cramer, Glenn
Cretsinger, Clyde F.
Davies, Thomas M.
Hanna, Don
Hern, William
Hill, R. W.
Holmes, Louis A.
Hoyt, Ed.
Kosman, Henry D.
McKnight, John P.
Metzger, William A.
Nelson, Frank
Norman, William J.
Person, O. H.
Pizer, Harry L.
Prohs, Otto J.
Schroeder, N. F.
Tvrdik, Charles F.
Vogel, Karl E.
Vogt, Charles, Jr.
Weborg, George C.
Williams, W. J.
Wilson, Charles
Wilson, Willard M.
Wood, Fay

In view of the fact the outgoing Lieutenant Governor Robert B. Crosby is snow bound at North Platte, and that the outgoing Speaker Walter R. Raecke, is out of the State, the session was called to order by Mr. Earl J. Lee, Chairman of the Judiciary Committee.

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) Arthur Carmody

The motion prevailed.

MOTION—Temporary Clerk

Mr. President: I move that L. R. Eby be appointed as temporary assistant to the clerk. (Signed) Hugh Carson

The motion prevailed.

MOTION—Temporary Sergeant-at-arms

Mr. President: I move that John Beaver be appointed to serve as temporary sergeant-at-arms and that he be authorized to select the temporary doorkeepers. (Signed) George C. Weborg

The motion prevailed.

MOTION—Committee on Credentials

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

on credentials. (Signed) Karl E. Vogel

The motion prevailed, and the President appointed the following members to serve on said committee: Vogel, Chairman; Hill, L. Anderson, Cretsinger, Hanna.

The Legislature was at ease for a short time.

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 Sixty-first Session. (Signed) Karl E. Vogel

Dist.			
1.	Charles Vogt, Jr.	23.	C. C. Lillibridge
2.	John P. McKnight	24.	Fay Wood
3.	William A. Metzger	25.	Lester H. Anderson
4.	William J. Norman	26.	Ed. F. Lusienski
5.	John Adams, Sr.	27.	Glenn Cramer
6.	J. V. Benesch	28.	Frank Nelson
7.	Charles F. Tvrdik	29.	Hugh Carson
8.	John J. Larkin, Jr.	30.	Louis A. Holmes
9.	Karl E. Vogel	31.	W. Halsey Bohlke
10.	Henry D. Kosman	32.	C. R. Lindgren
11.	Earl J. Lee	33.	Ed. Hoyt
12.	George C. Weborg	34.	W. J. Williams
13.	Hal Bridenbaugh	35.	Harry F. Burnham
14.	Dwight W. Burney	36.	Willard M. Wilson
15.	Charles Wilson	37.	Arthur Carmody
16.	N. F. Schroeder	38.	Harry L. Pizer
17.	O. H. Person	39.	Clyde F. Cretsinger
18.	Victor E. Anderson	40.	Don Hanna
19.	Thomas H. Adams	41.	William Hern
20.	Thomas M. Davies	42.	Otto J. Prohs
21.	John S. Callan	43.	Ray A. Babcock
22.	R. W. Hill		

MOTION—Adopt Report

Mr. President: I move that we adopt the report of the Committee on Credentials. (Signed) Karl E. Vogel

The motion prevailed.

MOTION—Committee to Wait Upon the 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) John P. McKnight

The motion prevailed, and the President appointed the following members to serve on said committee: McKnight, Chairman; Benesch, Davies, Holmes and W. Wilson.

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.

George C. Weborg
John Adams, Sr.
John P. McKnight
Thomas H. Adams
Ray A. Babcock
Charles F. Tvrdik
Wm. Hern
Harry F. Burnham
Earl J. Lee
W. J. Williams
Clyde F. Cretsinger
R. W. Hill
O. H. Person
Otto J. Prohs
Thomas M. Davies
William A. Metzger
Lester H. Anderson
J. V. Benesch
N. F. Schroeder
Charles Wilson
Frank Nelson
Don E. Hanna
Glenn Cramer
W. Halsey Bohlke
Hal Bridenbaugh
C. C. Lillibridge
Charles Vogt, Jr.
Karl E. Vogel
John S. Callan
Ed Hoyt
Arthur Carmody
Henry D. Kosman
Louis A. Holmes
Willard M. Wilson
Fay Wood
Victor E. Anderson

Ed F. Lusienski
C. R. Lindgren
Dwight W. Burney
Hugh Carson
William J. Norman
John J. Larkin, Jr.
Harry L. Pizer

Subscribed in my presence and sworn to before me this fourth day of January, 1949. (Signed) Robert G. Simmons, Chief Justice, Supreme Court.
(Seal)

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) Dwight W. Burney

The motion prevailed.

MOTION—Informal Ballot

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

The motion prevailed.

Mr. Metzger Presiding

MOTION—Election of Speaker

Mr. President: I move that we proceed to vote on a candidate for Speaker. (Signed) Fay Wood

The motion prevailed.

Mr. President: I move that the two high nominees on the ballot be candidates for Speaker. (Signed) N. F. Schroeder

The motion prevailed.

Nominating Ballot for Speaker:

Tvrdik	9
Carmody	17
Lee	15
Schroeder	1
Pizer	1

Ballot for Speaker:

Carmody 19
Lee 24

MOTION—To Make Unanimous

Mr. President: I move that the vote be made unanimous and that the informal ballot be made formal. (Signed) Arthur Carmody

The motion prevailed.

Mr. Lee addressed the Legislature briefly in appreciation of the honor accorded him.

Speaker Lee Presiding

MOTION—Election of Clerk

Mr. President: I move that we proceed to vote on the Clerk of the Legislature. (Signed) O. H. Person

The motion prevailed.

MOTION—Rule Suspension

Mr. President: I move that we suspend the rules requiring a vote and elect Hugo F. Srb unanimously. (Signed) Charles F. Tvrdik

The motion prevailed with 43 ayes, 0 nays and 0 not voting.

Mr. Srb spoke briefly in appreciation.

MOTION—Elect Sergeant-at-arms

Mr. President: I move that we proceed to vote on Sergeant-at-arms. (Signed) Harry F. Burnham

The motion prevailed.

Ballot for Sergeant-at-arms

Harold E. Carlson 1
James C. Peters 4
George L. Santo 11
Daniel Garber 25
Harry Pizer 1
Dwight Griswold 1

MOTION—Formal Ballot

Mr. President: I move that the informal ballot be made formal and that Mr. Garber be declared elected. (Signed) Wm. Hern

The motion prevailed.

The Chair declared Mr. Garber elected.

MOTION—Elect Postmaster

Mr. President: I move that we proceed to elect a Postmaster. (Signed) Harry L. Pizer

The motion prevailed.

Ballot for Postmaster:

Mrs. H. H. Hansen 11
Rudolph Brazda 19
Mrs. Lucile Belisle 2
Valette Higgins 10

Mr. President: I move that we vote on the two highest candidates. (Signed) Don Hanna

The motion prevailed.

Final ballot for Postmaster:

Mrs. H. H. Hansen 25
Rudolph Brazda 18

Mr. President: I move that the rules be suspended and that the informal ballot be made formal. (Signed) W. J. Williams

The motion prevailed, and Mrs. Hansen was declared elected.

MOTION—Elect a Chaplain

Mr. President: I move that we proceed to elect the Chaplain. (Signed) John Adams, Sr.

The motion prevailed.

Ballot for Chaplain:

E. C. Hansen 14
Leonard L. Chambers 16
Frank M. Drulinger 0
John J. Sheaff 13

Mr. President: I move that the two high men be candidates for Chaplain. (Signed) Frank Nelson

The motion prevailed.

Final ballot for Chaplain:

E. C. Hansen 26
Leonard L. Chambers 16

Reverend E. C. Hansen was declared elected.

OFFICERS' OATH OF OFFICE

State of Nebraska, ss.

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

Earl J. Lee, Speaker
Hugo F. Srb, Clerk of the Legislature
Daniel Garber, Sergeant-at-arms
Waunetta M. Hansen, Postmistress
Rev. E. C. Hansen, Chaplain

Subscribed in my presence and sworn to before me this fourth day of January, 1949.

(Signed) E. B. Chappell
Justice of the Supreme
Court of Nebraska

(Seal)

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) Glenn Cramer

The motion prevailed.

MOTION—Committee on Committees

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

The motion prevailed.

Nominating ballot for Chairman of Committee on Committees:

Carmody 8
Pizer 16
Hern 11

Lusienski 4
Burnham 1
Tvrdik 2
Burney 1

Mr. President: I move that the two high be voted on as candidates for Chairman of the Committee on Committees. (Signed) W. Halsey Bohlke

The motion prevailed.

Final ballot for Chairman of Committee on Committees:

Pizer 26
Hern 17

Mr. President: I move that the informal ballot be made formal and that Senator Pizer be declared elected. (Signed) William J. Hern

The motion prevailed and Mr. Pizer was declared elected.

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) Charles F. Tvrdik

The motion prevailed, and the President appointed the following members to serve on said committee: Tvrdik, Chairman; Hoyt, Babcock, Prohs, Callan

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) Charles F. Tvrdik

The President dismissed the committee.

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 1948. (Signed) C. C. Lillibridge

The motion prevailed, and the President appointed the following members to serve on said committee: Lillibridge, Chairman; V. Anderson, Nelson, Lindgren, Vogt

REPORT OF COMMITTEE ON ELECTION RETURNS

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 in the ninety-three counties of the State at the general election held on November 2nd, 1948, for President and Vice President of the United States, for United States Senator, Representatives in Congress from each of the four Congressional Districts of Nebraska, Officers of the Executive Departments of State, Railway Commissioners, Regents of the State University (Districts One and Two), Members of the Unicameral Legislature, Justices of the Supreme Court (Districts One, Three and Five), Judges of the District Court (Eighteen Districts), Directors of Public Power Districts; and votes cast on the measure proposed by the 1947 Session of the Legislature to amend Section 1, Article VIII, of the Constitution of Nebraska and on the measure as proposed by initiative petition to provide compensation for veterans of World War II.

Also in compliance with sections 32-922, 32-923, 32-924, 32-928 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 ninety-three county canvassing boards in Nebraska, and which abstracts and the tabulation thereof 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 of the election, has found were elected and entitled to receive the same.

Respectfully submitted,

(Signed) Frank Marsh
Secretary of State

CERTIFICATE OF SECRETARY OF STATE

I, Frank Marsh, Secretary of the State of Nebraska do hereby certify that the attached ten sheets constitute a true and correct list of candidates for public office, required to file for office with the Secretary of State, who received the highest number of votes for each particular office as shown thereon, together with a list of measures voted on at the general election in the State of Nebraska, held

on November 2, 1948.

I further certify that at said election the proposed amendment to the Constitution amending section 1, Article VIII, of the Constitution of Nebraska, was not adopted; and I further certify that a law proposed by initiative petition relating to veterans of World War II providing for compensation and terms of eligibility of Nebraska residents who served in the armed forces of the United States within certain periods of World War II was not adopted. The result of the said election upon the constitutional amendment and the law proposed by initiative measure was certified to the Governor in accordance with the law within ten days after the result was ascertained from the abstracts from the ninety-three counties of Nebraska as certified by the county canvassing boards of said counties and compiled by this office and certified to by the State Canvassing Board on November 22, 1948.

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 2, 1948, in the State of Nebraska and that the tabulated returns be printed in the Journal. (Signed) C. C. Lillibridge

The motion prevailed.

OFFICERS ELECTED AT 1948 GENERAL ELECTION

Votes cast for President and Vice President of the United States:

Thomas E. Dewey and Earl Warren, 264,774
Harry S. Truman and Alben W. Barkley, 224,165

United States Senator—Kenneth S. Wherry, Pawnee City
Governor—Val Peterson, Elgin
Lieutenant Governor—Charles J. Warner, Waverly
Secretary of State—Frank Marsh, Lincoln
Auditor of Public Accounts—Ray C. Johnson, Lincoln
State Treasurer—Edward Gillette, Holdrege
Attorney General—James H. Anderson, Scottsbluff
Railway Commissioner—Richard H. Larson, Lincoln
Railway Commissioner (To fill vacancy)—Harold A. Palmer, Omaha

CONGRESSMAN

First District—Carl T. Curtis, Minden

Second District—Eugene D. O'Sullivan, Omaha
Third District—Karl Stefan, Norfolk
Fourth District—A. L. Miller, Kimball

JUSTICE OF THE SUPREME COURT

First District—E. B. Chappell, Lincoln
Third District—Adolph E. Wenke, Stanton
Fifth District—Paul E. Boslaugh, Hastings

STATE UNIVERSITY BOARD OF REGENTS

First District—Robert W. Devoe, Lincoln
Second District—J. Leroy Welsh, Omaha

MEMBERS OF THE STATE LEGISLATURE

First District—Charles Vogt, Jr.
Second District—John P. McKnight
Third District—William A. Metzger
Fourth District—William J. Norman
Fifth District—John Adams
Sixth District—J. V. Benesch
Seventh District—Charles F. Tvrdik
Eighth District—John J. Jack Larkin, Jr.
Ninth District—Karl E. Vogel
Tenth District—Henry D. Kosman
Eleventh District—Earl J. Lee
Twelfth District—George C. Weborg
Thirteenth District—Hal Bridenbaugh
Fourteenth District—Dwight W. Burney
Fifteenth District—Charles Wilson
Sixteenth District—N. F. Schroeder
Seventeenth District—O. H. Person
Eighteenth District—Victor E. Anderson
Nineteenth District—Thomas H. Adams
Twentieth District—Thomas M. Davies
Twenty-first District—John S. Callan
Twenty-second District—R. W. Hill
Twenty-third District—C. C. Lillibridge
Twenty-fourth District—Fay Wood
Twenty-fifth Distrtict—Lester H. Anderson
Twenty-sixth District—Ed F. Lusienski
Twenty-seventh District—Glenn Cramer
Twenty-eighth District—Frank Nelson
Twenty-ninth District—Hugh Carson
Thirtieth District—Louis A. Holmes

Thirty-first District—W. Halsey Bohlke
Thirty-second District—C. R. Lindgren
Thirty-third District—Ed Hoyt
Thirty-fourth District—W. J. Williams
Thirty-fifth District—Harry F. Burnham
Thirty-sixth District—Willard M. Wilson
Thirty-seventh District—Arthur Carmody
Thirty-eight District—Harry L. Pizer
Thirty-ninth District—Clyde F. Cretsinger
Fortieth District—Don E. Hanna
Forty-first District—William Hern
Forty-second District—Otto J. Prohs
Forty-third District—Ray A. Babcock

DISTRICT JUDGES

First District—Virgil Falloon
Second District—Thomas E. Dunbar
Third District—John L. Polk
Harry R. Ankeny
Jefferson H. Broady
Ralph P. Wilson
Fourth District—James T. English
Jas. M. Fitzgerald
Herbert Rhoades
Henry J. Beal
Frank M. Dineen
W. A. Day
Arthur C. Thomsen
Jackson B. Chase
James M. Patton
Fifth District—Harry D. Landis
H. Emerson Kokjer
Sixth District—Robert D. Flory
R. A. Robinson
Seventh District—Stanley Bartos
Eighth District—Sidney T. Frum
Ninth District—Lyle E. Jackson
Fay H. Pollock
Tenth District—Edmund Nuss
Frank J. Munday
Eleventh District—E. G. Kroger
William F. Spikes
Twelfth District—E. G. Reed
Thirteenth District—Isaac Johnson Nisley
James L. Tewell
Fourteenth District—Victor Westermark
Fifteenth District—D. R. Mounts

Sixteenth District—Earl L. Meyer
Seventeenth District—C. G. Perry
Eighteenth District—Cloyde B. Ellis

DIRECTORS OF POWER DISTRICTS

ALMERIA PUBLIC POWER AND IRRIGATION DISTRICT

H. D. Cole)
William Strong) Six Year Term

BEAVER-SAPPA PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

BENKELMAN-HAIGLER-ARICKAREE PUBLIC IRRIGATION DISTRICT

No Directors elected

BLUE CREEK PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

BUFFALO COUNTY PUBLIC POWER DISTRICT

No Directors elected

BURT COUNTY RURAL PUBLIC POWER DISTRICT

Jasper A. Johnson)
John G. Moseman) Six Year Term
Lloyd Palmer)

BUTLER COUNTY RURAL PUBLIC POWER DISTRICT
Subdivision One

John R. Stouffer) Six Year Term

BUTLER COUNTY RURAL PUBLIC POWER DISTRICT
Subdivision Five

Joseph Zikmund) Six Year Term

BUTLER COUNTY RURAL PUBLIC POWER DISTRICT
Subdivision Six

James Bartunek) Six Year Term

CEDAR-KNOX COUNTY RURAL PUBLIC POWER DISTRICT

Ben F. Banks)
Roy T. Johnson) Six Year Term
Julius Tigges)

CEDAR VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
Adams County

Moritz Aabel) Six Year Term

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
Gosper County

Max W. Junkin) Six Year Term

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
Gosper County

A. T. Almquist—Four Year Term—To Fill Vacancy

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
Kearney County

B. H. Bracken) Six Year Term

THE CENTRAL NEBRASKA PUBLIC POWER AND IRRIGATION DISTRICT
Phelps County

Frank Cole) Six Year Term

CHIMNEY ROCK PUBLIC POWER DISTRICT

No Directors elected—Four Year Term—To Fill Vacancy

CHIMNEY ROCK PUBLIC POWER DISTRICT

Jacobus Diedrichsen)
B. F. Moore) Six Year Term
Sam A. Thompson)

CLAY COUNTY RURAL PUBLIC POWER DISTRICT

No Directors elected

CORNHUSKER RURAL PUBLIC POWER DISTRICT
Subdivision One—Boone County

B. H. Hutchinson) Six Year Term

CORNHUSKER RURAL PUBLIC POWER DISTRICT
Subdivision Two—Colfax County

Robt. W. Shonka) Six Year Term

CORNHUSKER RURAL PUBLIC POWER DISTRICT
Subdivision Three—Nance County

Dale McAfee—Four Year Term—To fill vacancy

CORNHUSKER RURAL PUBLIC POWER DISTRICT
Subdivision Four—Platte County

John Zavadil) Six Year Term

CONSUMERS PUBLIC POWER DISTRICT
District Three

C. C. Sheldon) Six Year Term

CONSUMERS PUBLIC POWER DISTRICT
District Five

Richard A. Freeman) Six Year Term

CONSUMERS PUBLIC POWER DISTRICT
District Six

Guy L. Cooper—Two Year Term—To fill vacancy

CONSUMERS PUBLIC POWER DISTRICT
District Seven

H. G. Greenamyre) Six Year Term

CUMING COUNTY RURAL PUBLIC POWER DISTRICT
Subdivision Four

Arlie Schultz) Six Year Term

CUMING COUNTY RURAL PUBLIC POWER DISTRICT
Subdivision Six

Julius Behling) Six Year Term

CUSTER PUBLIC POWER DISTRICT

Ira T. Cool)
Vance Smith) Six Year Term

DAWSON COUNTY PUBLIC POWER DISTRICT

No Directors elected—Two Year Term—To fill vacancy

DAWSON COUNTY PUBLIC POWER DISTRICT

DeLeon Brown)
Wesley A. Biehl) Six Year Term
John A. Rowland)

DISMAL RIVER PUBLIC IRRIGATION DISTRICT

D. Rolli) Six Year Term

EASTERN NEBRASKA PUBLIC POWER DISTRICT
Subdivision Seven

R. C. Johnson) Six Year Term

GERING VALLEY RURAL PUBLIC POWER DISTRICT

Melvin Bennett) Six Year Term
Telford Ewing)

HARVARD PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

HOWARD-GREELEY RURAL PUBLIC POWER DISTRICT
Subdivision One

Emil Pedersen) Six Year Term

HOWARD-GREELEY RURAL PUBLIC POWER DISTRICT
Subdivision Two

Earl J. Patterson) Six Year Term

HOWARD-GREELEY RURAL PUBLIC POWER DISTRICT
Subdivision Three

Earl S. Schilling) Six Year Term

LOUP RIVER PUBLIC POWER DISTRICT

Walter A. Boettcher)
John C. Byrnes) Six Year Term
Con H. Keating)

MADISON COUNTY RURAL PUBLIC POWER DISTRICT

A. H. Dederman)
Geo. Klein) Six Year Term
John Reeves)

McCOOK PUBLIC POWER DISTRICT

S. E. Callen) Six Year Term
R. R. Robinson)

MERRICK COUNTY PUBLIC PUMP IRRIGATION DISTRICT

No directors elected

MIDDLE LOUP PUBLIC POWER AND IRRIGATION DISTRICT
Subdivision One

Glen Heller) Six Year Term

MIDDLE LOUP PUBLIC POWER AND IRRIGATION DISTRICT
Subdivision Five

Wm. Couton) Six Year Term

NEBRASKA MID-STATE PUBLIC POWER AND IRRIGATION DISTRICT

No directors elected—Two Year Term—To fill vacancy

NEBRASKA MID-STATE PUBLIC POWER AND IRRIGATION DISTRICT

Robert N. Kindred) Six Year Term
Dean H. Petersen)

NEBRASKA MID-STATE RECLAMATION DISTRICT

Buffalo County Subdivision

Oscar Andrew Drake) Six Year Term

NEBRASKA MID-STATE RECLAMATION DISTRICT
Hall County Subdivision

C. A. Lowry) Six Year Term

NEBRASKA MID-STATE RECLAMATION DISTRICT
Hall County Subdivision

Earle G. Johnson—Two Year Term—To fill vacancy

NEBRASKA MID-STATE RECLAMATION DISTRICT
Merrick County Subdivision

Lee J. Ferris) Six Year Term

NORRIS RURAL PUBLIC POWER DISTRICT
Subdivision Two

Bernhard Hellbusch) Six Year Term

NORRIS RURAL PUBLIC POWER DISTRICT
Subdivision Six

Henry Freese) Six Year Term

NORRIS RURAL PUBLIC POWER DISTRICT
Subdivision Seven

No directors elected

NORRIS RURAL PUBLIC POWER DISTRICT
Subdivision Ten

Herman Hestermann) Six Year Term

NORRIS RURAL PUBLIC POWER DISTRICT
Subdivision Fourteen

Robert Pickel) Six Year Term

NORTH CENTRAL NEBRASKA RURAL PUBLIC POWER DISTRICT

Harold G. Larson) Six Year Term
R. E. Paesl)

NORTH LOUP RIVER PUBLIC POWER AND IRRIGATION DISTRICT
District One

C. W. McClellan) Six Year Term

NORTH LOUP RIVER PUBLIC POWER AND IRRIGATION DISTRICT
District Two

J. W. McGinnis) Six Year Term

NORTHEAST NEBRASKA RURAL PUBLIC POWER DISTRICT

No directors elected—Two Year Term—To fill vacancy

NORTHEAST NEBRASKA RURAL PUBLIC POWER DISTRICT

Frank L. Kennedy)
Wymore W. Wallin) Six Year Term

OMAHA PUBLIC POWER DISTRICT
Omaha Subdivision

Samuel L. Cooper)
Frank A. McDevitt) Six Year Term

OMAHA PUBLIC POWER DISTRICT
North Subdivision

Emil E. Wolf) Six Year Term

PANHANDLE PUBLIC IRRIGATION DISTRICT

No directors elected

PLATTE VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

Harold Oldfather)
Charles H. Sheets) Six Year Term
Paul F. Stuckey)

POLK COUNTY RURAL PUBLIC POWER DISTRICT

George F. Buchta)
James L. Regan) Six Year Term

REPUBLICAN RIVER PUBLIC POWER AND IRRIGATION DISTRICT

No directors elected

ROOSEVELT RURAL PUBLIC POWER DISTRICT

George Heinz) Six Year Term
Ora Randall)

SARGENT PUBLIC IRRIGATION DISTRICT

Geo. Semler) Six Year Term
J. B. Coonrad)

SEWARD COUNTY RURAL PUBLIC POWER DISTRICT

Harold F. Sieck) Six Year Term
J. B. Walford)

SEWARD COUNTY RURAL PUBLIC POWER DISTRICT

Ray Smiley—Four Year Term—To fill vacancy

SOUTHERN NEBRASKA RURAL PUBLIC POWER DISTRICT
Subdivision Two

Leonard C. Andersen) Six Year Term

SOUTHERN NEBRASKA RURAL PUBLIC POWER DISTRICT
Subdivision Five

Raymond D. Mesner) Six Year Term

SOUTHERN NEBRASKA RURAL PUBLIC POWER DISTRICT
Subdivision Six

Thomas A. Williamsen) Six Year Term

STANTON COUNTY RURAL PUBLIC POWER DISTRICT

Peter H. Claussen)
W. F. Heermann) Six Year Term
Iver S. Johnson)

UNITED PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

WAYNE COUNTY RURAL PUBLIC POWER DISTRICT

Edward C. Grubb) Six Year Term
A. G. Sydow)

WHITE TAIL PUBLIC POWER AND IRRIGATION DISTRICT

No Directors elected

YORK COUNTY RURAL PUBLIC POWER DISTRICT

Curtis S. Reed	)	Six Year Term
Raymond L. Samson	)	

AMENDMENT TO THE CONSTITUTION—PROPOSED BY 1947 SESSION OF THE LEGISLATURE

To amend Section 1, Article VIII, of the Constitution of Nebraska

FOR: 150,071

AGAINST: 190,526

A LAW PROPOSED BY INITIATIVE MEASURE

An act relating to veterans of World War II; providing for compensation and terms of eligibility of Nebraska residents who served in the armed forces of the United States within certain periods of World War II.

Yes: 196,318

No: 212,340

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) William J. Norman

The motion prevailed.

EASE

The Legislature was at ease from 2:35 p.m. to 3:20 p.m.

REPORT OF NOMINATION OF MEMBERS

Nominations from the congressional districts were reported as follows:

First District:

John S. Callan, John P. McKnight, Ed Hoyt

Second District:

Charles F. Tvrdik, William J. Norman, Karl Vogel

Third District:

Dwight Burney, Norris Schroeder, Fay Wood

Fourth District:

Ray A. Babcock, William Hern, Otto J. Prohs

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) Charles Wilson

The motion prevailed.

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that we arrange to hold inaugural ceremonies for the Governor and other officers at 2:00 p.m., Thursday, January 6, 1949. (Signed) Thomas H. Adams

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 6, 1949 at 2:00 p.m. in the legislative chamber, and that the committee assist in making final arrangements for these ceremonies. (Signed) Fay Wood

The motion prevailed, and the President appointed the following members to serve on said committee: Wood, Chairman; Kosman, Larkin, Lusienski, Person.

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) Fay Wood

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By Ed Hoyt of Red Willow, William A.

Metzger of Cass and Arthur Carmody of Hitchcock.

A bill for an act to revise, adopt, and establish a code of laws for the State of Nebraska relating to schools; to provide for their administration and enforcement; to provide penalties; and to repeal all of Chapter 79, Revised Statutes of Nebraska, 1943, and all amendments thereof contained in the Revised Statutes Supplement, 1947, thereto.

LEGISLATIVE BILL 2. By Ed Hoyt of Red Willow, Wm. A. Metzger of Cass and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 10-701, 10-702, 10-703, and 10-704, Revised Statutes of Nebraska, 1943, relating to schools; to enlarge the purposes for which all school districts in Nebraska may issue bonds; to provide for submission of proposition to issue bonds by all districts upon resolution of a majority of the members of a school board or board of education; to lower the percentage of votes of electors required to authorize issuance of bonds by all school districts; to change limitations upon amount of bonds that may be issued by school districts; and to repeal the original sections.

LEGISLATIVE BILL 3. By Lester H. Anderson of Hamilton.

A bill for an act to repeal Chapter 42, article 6, Revised Statutes Supplement, 1947, relating to community property.

LEGISLATIVE BILL 4. By Arthur Carmody of Hitchcock and J. V. Benesch of Douglas.

A bill for an act to amend section 68-206, Revised Statutes Supplement, 1947, relating to public assistance; to increase the maximum amount that may be paid per month to any person as old age assistance; and to repeal the original section.

LEGISLATIVE BILL 5. By Arthur Carmody of Hitchcock and J. V. Benesch of Douglas.

A bill for an act to amend section 68-404, Revised Statutes Supplement, 1947, relating to public assistance; to increase the maximum amount that may be paid per month to any person as blind assistance; and to repeal the original section.

LEGISLATIVE BILL 6. By Karl E. Vogel of Douglas, Charles F.

Tvrdik of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act relating to cities of the metropolitan class; to authorize board of regents of a municipal university of such cities to erect upon land which it already owns or which it may acquire for that purpose, dormitories, dining rooms, faculty or student housing, or student activity buildings; to provide for the payment of the cost of construction or purchase of such buildings by issuing and selling revenue bonds, and securing the payment thereof by pledge of the rentals and earnings therefrom; to authorize the issuance of warrants, notes, debentures, or refunding obligations payable solely out of rentals; to exempt all such obligations from taxation; to permit the temporary investment of the proceeds of such refunding obligations; to provide reserves for amortization; and to prescribe the method of sale of such obligations.

LEGISLATIVE BILL 7. By William J. Norman of Douglas, Charles F. Tvrdik of Douglas and Karl E. Vogel of Douglas.

A bill for an act to amend sections 14-1321 and 14-1323, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to authorize the board of regents of a municipal university in such cities to provide benefits for and insurance of present and future employees and appointees of such university payable upon disability, retirement, or death at the discretion of such board; to limit the mutual contributions of such university and its employees to such plan; and to repeal the original sections.

LEGISLATIVE BILL 8. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 32-1715, Revised Statutes of Nebraska, 1943, relating to elections; to provide that supervisors appointed by the election commissioner shall be supervisors of such adjoining election districts as the election commissioner may direct; and to repeal the original section.

LEGISLATIVE BILL 9. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 14-205, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to pro-

vide that polls at primary elections in such cities shall close at 8:00 o'clock p.m.; and to repeal the original section.

LEGISLATIVE BILL 10. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend sections 14-202 and 14-204, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to extend the time for calling of special elections; to require candidates for office of councilman to file their statement of such candidacy thirty days prior to holding of primary election; and to repeal the original sections.

LEGISLATIVE BILL 11. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 32-516, Revised Statutes of Nebraska, 1943, relating to elections; to extend the time before an election that sample ballots may be distributed; and to repeal the original section.

LEGISLATIVE BILL 12. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 32-903, Revised Statutes of Nebraska, 1943, relating to elections; to provide in counties having a population of more than sixty thousand inhabitants, the election board shall deliver the ballot box to the counting board three or seven hours after the opening of the polls, as the election commissioner shall direct; and to repeal the original section.

LEGISLATIVE BILL 13. By O. H. Person of Saunders.

A bill for an act to amend section 42-603, Revised Statutes Supplement, 1947, relating to community property; to provide for management, control, and disposal of property; to provide limitations of claims to community property; to repeal the original section and also sections 42-601, 42-602, 42-604, 42-605, 42-606, 42-607, 42-608, 42-609, 42-610, 42-611, 42-612, 42-613, 42-614, 42-615, and 42-616, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 14. By O. H. Person of Saunders.

A bill for an act to amend section 71-1,152, Revised Statutes

of Nebraska, 1943, relating to public health and welfare; to provide that no person shall vaccinate swine for hog cholera, nor cattle for blackleg, nor dehorn cattle, nor spay cattle, nor castrate cattle, horses, goats, mules, jacks, sheep, and swine unless he is licensed to practice veterinary medicine and surgery or unless he performs such work gratuitously; and to repeal the original section.

LEGISLATIVE BILL 15. By Thomas H. Adams of Lancaster and John P. McKnight of Nemaha.

A bill for an act relating to schools; to provide for new kinds of teachers' certificates and the requirements therefore, and to provide that after September 1, 1950, such new certificates shall be issued instead of other certificates specified.

LEGISLATIVE BILL 16. By Thomas H. Adams of Lancaster and John P. McKnight of Nemaha.

A bill for an act relating to schools; to provide for procedure for accrediting elementary and secondary schools; to provide for appointment of an accreditation committee; and to provide the duties of such committee.

LEGISLATIVE BILL 17. By Glenn Cramer of Boone.

A bill for an act to amend section 2-943, Revised Statutes Supplement, 1947, relating to agriculture; to provide that the supervisors of weed eradication districts may lease or purchase sites and buildings for offices and housing of equipment when authorized at any annual or special meeting of the district; and to repeal the original section.

Adjournment

At 4:10 p.m. Mr. Metzger moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday, January 5, 1949.

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

Hugo F. Srb

Clerk of the Legislature

SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 5, 1949

Pursuant to adjournment, the Legislature met at 10:20 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain, Rev. E. C. Hansen.

The roll was called and all members were present.

The Journal for the First Day was approved as corrected.

Communications

Letter from Mr. Frank Zitnik in regard to helping the mentally ill.

Letter from the Custodian stating that members of the Legislature may use the parking lot west of the Governors Mansion.

Letter from the Southeastern Nebraska Bar Association asking the Legislature to repeal the Community Property Law.

Letter and resolution from the House of Representatives of Mississippi regarding Japanese prisoners.

Resolution adopted by the Nebraska State School Boards Association of Norfolk regarding the need for the construction, replacement or alteration of school buildings of various types in many Nebraska communities.

Letter and resolution from the National Association of Assessing Officers.

Letter from Mr. Percy Mecham requesting an appropriation of $5,000.

Claim from the State Journal Printing Company for $120.72.

Telegram of good wishes from former Speaker Raecke.

Day letter from Tom Coffey regarding the Highway Advisory Committee 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) Harry L. Pizer

AGRICULTURE—Hoyt, Chairman

T. Adams	Cretsinger	W. Wilson
Burney	Lusienski	Weborg
Burnham	Prohs	

BANKING, COMMERCE AND INSURANCE—Babcock, Chairman

Benesch	Hill	Larkin
Bridenbaugh	Holmes	Schroeder
Cramer	Kosman	

BUDGET—Callan, Chairman

L. Anderson	Norman	Wood
V. Anderson	Person	Williams
Lillibridge	Pizer	

EDUCATION—Burney, Chairman

T. Adams	Hoyt	W. Wilson
Burnham	Lusienski	Weborg
Cretsinger	Prohs	

GOVERNMENT—Carmody, Chairman

Davies	Larkin	Nelson
Hanna	Vogel	Lindgren
Hern	Carson	

JUDICIARY—McKnight, Chairman

J. Adams	Bridenbaugh	Metzger
Benesch	Holmes	Tvrdik
Bohlke	Lee	

LABOR—Vogel, Chairman

Carmody	Hern	Carson
Davies	Larkin	Nelson
Hanna	Lindgren	

MISCELLANEOUS APPROPRIATIONS AND CLAIMS—Schroeder, Chairman

Babcock	Hill	C. Wilson
Cramer	Kosman	Vogt

PUBLIC HEALTH—Hern, Chairman

J. Adams	Carson	Nelson
Carmody	Lindgren	
Vogt		

PUBLIC WORKS—Prohs, Chairman

T. Adams	Cretsinger	W. Wilson
Burney	Hoyt	Weborg
Burnham	Lusienski	

REVENUE—Tvrdik, Chairman

Bohlke	Lee	Vogel
Hanna	McKnight	C. Wilson
Davies	Metzger	

INTERGOVERNMENTAL COOPERATION—Wood, Chairman

Callan	Lusienski	
Vogel	Babcock	

Alternates:

Hoyt	Schroeder	Metzger
V. Anderson	Hern	

RULES—Metzger, Chairman

Vogt	L. Anderson
Williams	Benesch

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted. (Signed) Harry L. Pizer

The motion prevailed.

Visitor

Mr. Vogt introduced former Senator Harold Prichard of Falls City, Nebraska, who greeted the members of the Legislature briefly.

Letter of Resignation

January 5, 1949.

The Presiding Officer,
Unicameral Legislature,
State of Nebraska,
Lincoln, Nebraska.

Dear Sir:

It is with sincere regret that I submit to you my resignation as a member of the Legislature from the Tenth District, effective January 10, 1949.

I find this action is necessary because of personal business which will require my removal to Scottsbluff, Nebraska, prior to final adjournment of the Legislature, and I feel it is only fair to the Legislature and to people in my district that the district be represented during the entire session by a person who has had the benefit of the hearings and floor discussions on the matters which will be presented.

I personally have only two measures which I plan to introduce prior to the effective date of my resignation. One measure merely amends the Sanitary and Improvement District statute enacted during the 1947 session. I do not believe that the matter is controversial, but it is of extreme importance to Sanitary and Improvement District No. 1 of Douglas County, which is in the Tenth District, and in my absence I would appreciate favorable consideration of the bill.

I shall miss the fine association and friendships which are ever present in the Legislature, and I wish that I could remain as a member to assist, in my small way, in accomplishing the work which the members will have before them.

I also wish to use this means of thanking publicly the residents in the Tenth District for the confidence they have displayed in my re-election and to express my regret that I shall be unable to fulfill the obligation. I am certain that a more capable man than I am will be appointed as a replacement, and that the district will be ably represented.

Very truly yours,
(Signed) Henry D. Kosman

Action upon the above letter was delayed until the effective date of the resignation.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 18. By John P. McKnight of Nemaha.

A bill for an act to amend sections 16-685 and 16-686, Revised Statutes Supplement, 1947, relating to cities of the first class; to authorize cities of the first class to furnish public utility service, including natural or manufactured gas, beyond the corporate limits of the city, at either wholesale or retail; to authorize the furnishing of such service within the corporate limits of other cities and villages upon acquiring a franchise for that purpose; to provide for construction of gas mains and lines outside the corporate limits of such cities; to prescribe the distance such cities shall be authorized to construct, maintain, and operate electric transmission and distribution lines and gas mains and lines; and to repeal the original sections.

LEGISLATIVE BILL 19. By Harry F. Burnham of Custer and O. H. Person of Saunders.

A bill for an act to amend section 10-409, Revised Statutes Supplement, 1947, relating to internal improvement bonds; to provide the method and procedure of publishing notice and call of an election for the purpose of submitting the question of issuing bonds by any precinct, township, city of the second class or village; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 20. By John P. McKnight of Nemaha.

A bill for an act to amend section 31-451, Revised Statutes of Nebraska, 1943, relating to drainage districts; to require filing of notice in writing with the secretary of any such district of a claim for damages arising out of the construction, operation, or maintenance of any works of improvement of the district as a condition precedent to imposition of any liability; and to repeal the original section.

LEGISLATIVE BILL 21. By O. H. Person of Saunders and Harry F. Burnham of Custer.

A bill for an act to amend section 17-613, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to change the provisions as to publishing of ordinances; and to repeal the original section.

LEGISLATIVE BILL 22. By O. H. Person of Saunders and Harry F. Burnham of Custer.

A bill for an act relating to municipal corporations; to amend sections 17-903, 17-908, 17-950, 17-958, 18-412, 19-102, and 19-1403, Revised Statutes of Nebraska, 1943, and sections 17-534, 17-954, 17-963, 18-1502, 19-1307, and 19-2103, Revised Statutes Supplement, 1947; to provide a method of publication and posting of notices of election in municipal corporations for proposed bond issues; and to repeal the original sections.

LEGISLATIVE BILL 23. By William A. Metzger of Cass, Don E. Hanna of Cherry and Earl J. Lee of Dodge.

A bill for an act to amend section 68-204, Revised Statutes of Nebraska, 1943, relating to public assistance; to provide that as a part of the investigation of an application for old age assistance, the parents or children of any applicant shall be required, if within the county, to appear in person before the old age assistance board and state under oath the facts with reference to inability to support the applicant; and to repeal the original section.

LEGISLATIVE BILL 24. By William A. Metzger of Cass, Don E. Hanna of Cherry and Earl J. Lee of Dodge.

A bill for an act to amend sections 28-446 and 28-449, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide that failure to contribute to the support of a wife, or child under the age of sixteen years, for three consecutive months or more shall be prima facie evidence of abandonment and of intent to refuse to maintain or provide for such wife or child; to increase the penalty for failure to support wife or child where the violation shall have continued for a period of thirty days or more; and to repeal the original sections.

LEGISLATIVE BILL 25. By William A. Metzger of Cass.

A bill for an act to amend section 80-302, Revised Statutes of Nebraska, 1943, relating to soldiers' and sailors' home; to provide that applications for admission thereto shall be made to the county service committee; and to repeal the original section.

LEGISLATIVE BILL 26. By William A. Metzger of Cass, Ed. Hoyt of Red Willow and Charles F. Tvrdik of Douglas.

A bill for an act to provide for completing the panels and murals in the rotunda of the State Capitol; to create a commission for such purpose; to provide for appointment of certain members; to prescribe powers and duties of the commission; and to require filing of a report with the Clerk of the Legislature.

LEGISLATIVE BILL 27. By William A. Metzger of Cass, Ed. Hoyt of Red Willow and Harry F. Burnham of Custer.

A bill for an act relating to education; to define terms; to provide methods for the reorganization of school districts; to provide for county committees and a state committee for the reorganization of school districts; to prescribe the powers and duties of county committees and the state committee; to provide for payment of expenses of county and state committees out of state funds; to provide manner of submission to electors of proposed plans to reorganize school districts; to provide for school boards in reorganized school districts; to provide for the classification of reorganized districts; and to provide manner of citation of this act.

LEGISLATIVE BILL 28. By J. V. Benesch of Douglas.

A bill for an act to amend section 77-903, Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide for a tax on the gross premiums of foreign casualty insurance companies; to provide for the rate of such tax and place of payment; to provide that such foreign casualty insurance companies shall file annual statements; and to repeal the original section.

LEGISLATIVE BILL 29. By J. V. Benesch of Douglas.

A bill for an act to amend section 44-409, Revised Statutes of Nebraska, 1943, relating to insurance; to provide, that in ascertaining the condition of a domestic sickness and accident company, what reserves shall be required to be set aside to meet liabilities; and to repeal the original section.

LEGISLATIVE BILL 30. By J. V. Benesch of Douglas.

A bill for an act to amend section 44-401, Revised Statutes of Nebraska, 1943, relating to insurance; to provide for the amount domestic fire and automobile insurance companies, doing business on the mutual plan with a stipulated premium, shall reserve of the total unearned premium on all their policies in force in ascertaining their liabilities; and to repeal the original section.

LEGISLATIVE BILL 31. By J. V. Benesch of Douglas.

A bill for an act to amend section 44-220, Revised Statutes of Nebraska, 1943, relating to insurance; to specify and enlarge the purposes for which a domestic insurance company may borrow money; to eliminate the provision that the proceeds obtained from borrowing money shall be applied solely to surplus of such company; and to repeal the original section.

LEGISLATIVE BILL 32. By J. V. Benesch of Douglas.

A bill for an act to amend section 44-219, Revised Statutes of Nebraska, 1943, relating to insurance; to provide additional requirements for a domestic mutual insurance company as to its surplus before it shall transact business; and to repeal the original section.

LEGISLATIVE BILL 33. By J. V. Benesch of Douglas, by request.

A bill for an act relating to blind persons; to provide for use of a white cane as an indication that the bearer is blind; to require the operator of any vehicle or conveyance to give special consideration to a blind person bearing a white cane or using a guide dog, and to yield the right-of-way to such blind person; and to provide penalties.

LEGISLATIVE BILL 34. By J. V. Benesch of Douglas, by request.

A bill for an act to amend section 68-402, Revised Statutes Supplement, 1947, relating to blind assistance; to eliminate the requirement for such assistance that applicant does not have parent, child, husband, or wife who can support the applicant; to provide that such assistance shall be granted to blind persons who have attained the age of eighteen years regardless of the financial condition of any relative; and to repeal the original section.

LEGISLATIVE BILL 35. By J. V. Benesch of Douglas, by request.

A bill for an act to amend section 68-404, Revised Statutes Supplement, 1947, relating to public assistance; to remove the maximum amount and to increase the minimum amount of assistance which may be paid blind persons; and to repeal the original section.

LEGISLATIVE BILL 36. By J. V. Benesch of Douglas and John Adams, Sr. of Douglas.

A bill for an act relating to procedure in civil cases; to provide that in actions to recover either for wrongful death, personal injury, or property damage, the plaintiff may on cross-examination

ascertain and elicit whether or not the defendant is indemnified from loss by an insurance company.

LEGISLATIVE BILL 37. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 44-214, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that domestic insurance companies having paid-up capital stock of two hundred fifty thousand dollars or more, and a surplus of not less than twenty-five percent of such capital stock outstanding may be licensed to transact as many kinds of insurance business as the law authorizes a single stock insurance company to write; and to repeal the original section.

LEGISLATIVE BILL 38. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 44-204, Revised Statutes of Nebraska, 1943, relating to insurance; to provide for additional kinds of insurance that may be embraced in one policy; and to repeal the original section.

LEGISLATIVE BILL 39. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 44-201, Revised Statutes of Nebraska, 1943, relating to insurance; to reclassify the purposes for which an insurance company may be formed in this state; and to repeal the original section.

LEGISLATIVE BILL 40. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 44-123, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that when the assets and resources of any domestic mutual insurance company are insufficient to meet the minimum conditions for the formation of such companies, the Department of Insurance shall determine the amount of the deficiency and upon the prescribed notice, require such company to make good the deficiency within ninety days from service of the prescribed notice and requisition; and to repeal the original section.

LEGISLATIVE BILL 41. By Don E. Hanna of Cherry and William A. Metzger of Cass.

A bill for an act to amend sections 29-2606 and 29-2632, Revised Statutes of Nebraska, 1943, relating to pardons and paroles; to provide that a convict under sentence to life imprisonment in the penitentiary cannot apply for clemency to the Board of Pardons

until at least forty years have elapsed between the date of commitment and date of application for clemency except on the ground of newly discovered evidence; to provide that such convict shall not be released on account of good behavior until a term of forty years nas been served; and to repeal the original sections.

LEGISLATIVE BILL 42. By John P. McKnight of Nemaha, Henry D. Kosman of Douglas and William A. Metzger of Cass.

A bill for an act relating to the Nebraska Safety Patrol; to prescribe the method of crediting members of the Nebraska Safety Patrol for the time actually served in the armed forces of the United States during a declared emergency when determining benefits due such member from the Safety Patrolmen's Retirement Fund.

LEGISLATIVE BILL 43. By John P. McKnight of Nemaha.

A bill for an act to amend section 17-534, Revised Statutes Supplement, 1947, relating to cities of the second class and villages; to restrict 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.

RESOLUTION

LEGISLATIVE RESOLUTION 1. Re: Memorial to James W. Lundy.

Introduced by William Hern of Dawes.

James W. Lundy was born at Atalissa, Iowa, October 30, 1872 and came to Nebraska with his parents who homesteaded near West Union, Nebraska in 1882. He was educated in the Custer county schools. He pioneered the Nebraska water power development with the construction of the Lundy Hydro-Electric Power Plant. He was mayor of Sargent, Nebraska in 1920 and 1921. He served in the Nebraska State Legislature as a member of the House of Representatives from the 79th district in 1921 and 1923. During such tenure he served on the highway committee. He served as sergeant-at-arms for twelve legislative sessions between 1925 and 1947. He was always active in civic affairs and held the post of official "greeter" at the State Capitol from 1937 to 1939. He was highly respected by his colleagues in the Legislature and by everyone with whom he came

in contact. He died in Lincoln, Nebraska on December 31, 1948, and his death is 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 SIXTY-FIRST SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, James W. Lundy, who served so loyally and ably as a member of the Nebraska State 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.

Unanimous Consent

Mr. Burnham asked unanimous consent to have his name attached as an introducer of the above Resolution.

Consent was granted and it was so ordered.

EASE

The Legislature was at ease from 11:25 a.m. to 12:10 p.m. to arrange for organization of committees.

Statement

On the assignment of committees each Senator was requested to designate his preference of three committees. I selected Education, Labor, and Judiciary.

Read to the record for the purpose of outlining Senator John Adams' position on the committees as assigned. (Signed) John Adams, Sr.

Mr. Adams asked unanimous consent to have the above statement made a part of the record.

Consent was granted and it was so ordered.

Bills Referred to Standing Committees

L. B.	Committee
1	Education
2	Education
3	Judiciary
4	Public Health
5	Public Health
6	Government
7	Banking
8	Government
9	Government
10	Government
11	Government
12	Government
13	Judiciary
14	Public Health
15	Education
16	Education
17	Agriculture

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 44. By William A. Metzger of Cass.

A bill for an act to amend section 77-1615, Revised Statutes Supplement, 1947, relating to taxation; to provide for completion of tax lists in counties that have not adopted the use of unit tax ledgers by the county assessor; and to repeal the original section.

LEGISLATIVE BILL 45. By Charles F. Tvrdik of Douglas, Karl E. Vogel of Douglas and John Adams, Sr. of Douglas.

A bill for an act relating to boiler inspections; to provide that the boiler inspector shall inspect or cause to be inspected boilers under fifteen pounds pressure per square inch of school districts, counties, and municipalities upon written request to the Commissioner of Labor; to provide for fees and expenses of such inspection; to provide for certificate of inspection; and to provide for disposition of fees.

LEGISLATIVE BILL 46. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 46-140, Revised Statutes of Nebraska, 1943, relating to irrigation districts; to harmonize the provisions thereof with other legislation relating to assessments on real

property and assessments on leasehold estates on land belonging to the state as to when the same shall be due and payable and a lien on such real property and on such leasehold estates; and to repeal the original section.

LEGISLATIVE BILL 47. By John P. McKnight, Chairman of Judiciary, of Nemaha and Thomas M. Davies of Lancaster.

A bill for an act to amend sections 31-505 and 31-508, Revised Statutes of Nebraska, 1943, relating to drainage; to harmonize the population classification made therein with legislation enacted in 1947 relating to primary and metropolitan cities; to provide dates when trustees shall be elected; and to repeal the original sections.

LEGISLATIVE BILL 48. By John P. McKnight, Chairman of Judiciary, of Nemaha and Thomas M. Davies of Lancaster.

A bill for an act to amend sections 23-1820, 29-1805, 29-2211, and 77-1302, Revised Statutes of Nebraska, 1943, relating to classification of counties as to population; to harmonize the provisions thereof with the provisions of amendments made in 1947 to legislation relating to counties; and to repeal the original sections.

LEGISLATIVE BILL 49. By John P. McKnight, Chairman of Judiciary, of Nemaha and Thomas M. Davies of Lancaster.

A bill for an act to amend sections 32-708, 32-709, 32-710, 32-712, 32-713, 32-815, and 32-903, Revised Statutes of Nebraska, 1943, and section 33-137, Revised Statutes Supplement, 1947, relating to elections; to harmonize the provisions thereof with the provisions of amendments made in 1947 to legislation relating to elections in counties containing a metropolitan or primary city; and to repeal the original sections and also section 32-108, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 50. By John P. McKnight, Chairman of Judiciary, of Nemaha and Earl J. Lee of Dodge.

A bill for an act to amend section 81-893, Revised Statutes Supplement, 1947, relating to state administrative departments; to eliminate reference therein to the Nebraska Advisory Defense Committee heretofore abolished; and to repeal the original section.

LEGISLATIVE BILL 51. By John P. McKnight, Chairman of Judi-

ciary, of Nemaha and Earl J. Lee of Dodge.

A bill for an act to amend section 29-314, Revised Statutes of Nebraska, 1943, relating to criminal procedure; to harmonize the provisions thereof with legislation relating to duties of county attorney; and to repeal the original section.

LEGISLATIVE BILL 52. By John P. McKnight, Chairman of Judiciary, of Nemaha and Earl J. Lee of Dodge.

A bill for an act to amend sections 75-405 and 75-406, Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to harmonize the procedure for review in the Supreme Court of orders and rulings of the commission with the procedure on an appeal from the district court to the Supreme Court; and to repeal the original sections.

LEGISLATIVE BILL 53. By John P. McKnight, Chairman of Judiciary, of Nemaha and Earl J. Lee of Dodge.

A bill for an act to amend section 24-342, Revised Statutes of Nebraska, 1943, relating to courts; to harmonize the provisions thereof with amendments made in 1947 with reference to preparation and settling of bill of exceptions; and to repeal the original section.

LEGISLATIVE BILL 54. By William A. Metzger of Cass and Don Hanna of Cherry.

A bill for an act relating to withholding money from wages and salaries of public employees; to authorize such employees to participate in group insurance; to provide for the payment of premiums by deduction from wages or salaries of such employees; to prescribe the manner of making an order for such withholding and revocation thereof; to authorize payment of amounts withheld to insurance companies issuing group insurance policies; and to provide that the employer shall not contribute any money thereto.

LEGISLATIVE BILL 55. By Dwight W. Burney of Cedar, Thomas H. Adams of Lancaster and Glenn Cramer of Boone.

A bill for an act to amend section 79-1310, Revised Statutes of Nebraska, 1943, relating to schools; to reduce the time for which Nebraska Third Grade Elementary School Certificates shall be valid; to discontinue teachers' examinations as a requirement for such certificate; to provide for requirements for renewal of such certificate; and to repeal the original section.

LEGISLATIVE BILL 56. By Wm. A. Metzger of Cass and John P. McKnight of Nemaha.

A bill for an act to provide for the construction and maintenance of viaducts over or subways under railroad tracks within the corporate limits of any city or village in the State of Nebraska which are necessary for the public safety, convenience, and welfare; to authorize any city or village to enter into contracts for such construction, maintenance, and division of costs thereof, with any railroad company or companies under or over whose lines of railroad such structure is to be constructed; to provide for proceedings before the State Railway Commission in the event any such city or village and such railroad company or companies fail to agree on such construction, maintenance, or a division of costs thereof; to authorize the State Railway Commission to enter orders providing for such construction, maintenance, and apportionment of the costs therefor; to provide for a vote of the electors authorizing such construction; and to authorize any city or village to levy taxes and issue bonds to pay its proportionate share of the costs of construction, reconstruction and maintenance of such viaducts or subways; to provide for the payment of cost of acquisition of or damage to property by virtue of such construction; and to repeal sections 14-355, 14-356, 14-357, 14-358, 14-359, 15-702, 15-703, 15-704, 16-656, 16-657, and 16-658, Revised Statutes of Nebraska, 1943.

Speaker Signs

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

Legislative Resolution 1.

Member Excused

Mr. Bohlke was excused for the remainder of the week.

Adjournment

At 12:25 p.m., Mr. Weborg made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, January 6, 1949.

The motion prevailed with 36 ayes, 1 nay and 6 not voting.

Hugo F. Srb
Clerk of the Legislature

THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 6, 1949

Pursuant to adjournment, the Legislature met at 10:05 a.m., President Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr Bohlke, who was excused, and Mr. L. Anderson.

The Journal for the second day was approved as corrected.

Communications

A Resolution passed by the House of Representatives of the State of Michigan, forwarded by former Speaker Raecke, regarding state law enforcement agencies.

A letter from E. May Palmer, Fairmont, Nebraska regarding the Teachers Retirement law.

An invitation from the Nebraska Cooperative Council to a dinner at the Cornhusker Hotel, Tuesday, January 11.

An invitation from the Nebraska Theatre Association to a dinner at the Cornhusker Hotel on Tuesday, January 11.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

Officers elected:

Hugh Carson .....Vice Chairman
Charles Vogt, Jr. .....Secretary

(Signed) Wm. Hern, Chairman

Government

Officers elected:

Don Hanna .....Vice Chairman
Thomas Davies .....Secretary

(Signed) Arthur Carmody, Chairman

Judiciary

Officers elected:

J. V. Benesch .....Vice Chairman
Hal Bridenbaugh .....Secretary

(Signed) Hal Bridenbaugh, Secretary

Revenue

Officers elected:

W. Halsey Bohlke.....Vice Chairman
Charles Wilson .....Secretary

(Signed) Charles F. Tvrdik, Chairman

Education

Officers elected:

Thomas Adams .....Vice Chairman
Clyde Cretsinger .....Secretary

(Signed) Dwight W. Burney

Miscellaneous Appropriations and Claims

Officers elected:

Glenn Cramer .....Vice Chairman

(Signed) N. F. Schroeder

Public Works

Officers elected:

Ed F. Lusienski .....Vice Chairman
Harry F. Burnham .....Secretary

(Signed) Otto J. Prohs

Rules

Officers elected:

W. J. Williams .....Vice Chairman

(Signed) William Metzger

Unanimous Consent—Committee on Committees

Mr. Pizer asked unanimous consent to amend the report of the Committee on Committees to include the name of Glenn Cramer as

Chairman of the Committee on Enrollment and Review.

Consent was granted and it was so ordered.

LEGISLATIVE COUNCIL REPORT

TO THE LEGISLATURE
OF THE STATE OF NEBRASKA

Gentlemen:

At a meeting of the Nebraska Legislative Council on January 4, 1949, Senator William A. Metzger was elected chairman, and Senator William Hern was elected vice-chairman.

Roger V. Shumate
Secretary

Lincoln, Nebraska
January 6, 1949

Unanimous Consent—Re-refer bill

Mr. Tvrdik asked unanimous consent to have L.B. 6 re-referred to the Committee on Banking.

Consent was granted and it was so ordered.

Bills Referred to Standing Committees

L. B.	Committee
6	.....Banking, Commerce and Insurance

NOTICE OF COMMITTEE HEARINGS

Government

L. B.	8	Wednesday, January 12, 1949	2:00 p.m.
L. B.	9	Wednesday, January 12, 1949	2:00 p.m.
L. B.	10	Wednesday, January 12, 1949	2:00 p.m.
L. B.	11	Wednesday, January 12, 1949	2:00 p.m.
L. B.	12	Wednesday, January 12, 1949	2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 57. By Glenn Cramer of Boone.

A bill for an act for submission to the electors of amendments

to sections 6 and 7, Article III, of the Constitution of Nebraska, relating to the Legislature; to provide for annual sessions of the Legislature; to place limitations on business that may be transacted in regular sessions held in even-numbered years; to provide for the election of members of the Legislature for four-year terms; to increase the salary of members of the Legislature; to provide for submission of the proposed amendments to the electors at the general election in November, 1950; to provide for the manner of submission and form of ballot; and to provide the effective date of the amendments, if adopted.

LEGISLATIVE BILL 58. By William A. Metzger of Cass.

A bill for an act to amend sections 23-1901 and 39-502, Revised Statutes of Nebraska, 1943, relating to the county surveyor; to provide that in all counties having a population of sixteen thousand or more inhabitants the county surveyor shall be ex officio county engineer and county highway commissioner; to provide that a county engineer shall be required to be registered as a professional engineer to be eligible to hold that office; to provide a salary for the additional duties imposed; and to repeal the original sections.

LEGISLATIVE BILL 59. By William A. Metzger of Cass.

A bill for an act relating to county government and officers; to require advertisement for bids and public letting by any county of all contracts for the purchase or lease of materials, equipment, or supplies, the cost or rental of which shall exceed the sum of five hundred dollars.

LEGISLATIVE BILL 60. By Arthur Carmody of Hitchcock, C. R. Lindgren of Franklin and Victor E. Anderson of Lancaster.

A bill for an act to appropriate to the University of Nebraska for the benefit and use of the Department of Real Estate thereof the sum of six thousand dollars out of any funds to the credit of the State Real Estate Commission for the purpose of assisting in defraying the maintenance of such department for the biennium ending June 30, 1951.

LEGISLATIVE BILL 61. By Arthur Carmody of Hitchcock, C. R. Lindgren of Franklin and Victor E. Anderson of Lancaster.

A bill for an act to establish a Department of Real Estate in and for the University of Nebraska; to provide for management and operation of such department; to provide for charging of fees; to

authorize the receipt of donations for the benefit of such department; to provide the manner of disbursement of funds; and to state a construction clause.

LEGISLATIVE BILL 62. By J. V. Benesch of Douglas.

A bill for an act relating to taxation; to provide for the imposition and collection of a license tax on chain stores and branch stores; to provide for the administration thereof; and to provide penalties.

LEGISLATIVE BILL 63. By John S. Callan of Gage.

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 Sixty-first Session, Nebraska State Legislature, during the biennium ending June 30, 1949 and for the ad interim activities of said Legislature during the biennium ending June 30, 1951; to appropriate the sum of ninety-five thousand dollars, and the unexpended balance of two thousand five hundred sixty-three dollars and ninety-four cents in Auditor Account Nos. E3, E4, and E5, therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the Sixty-first Session, Nebraska State Legislature, commencing January 4, 1949; to appropriate the sum of six thousand dollars and unexpended balance of one thousand five hundred forty-eight dollars and forty-one cents in Auditor Account No E6 therefor; and to declare an emergency.

LEGISLATIVE BILL 64. By John S. Callan of Gage.

A bill for an act to provide for the payment of the salaries of members of the Sixty-first Session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1949; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 65. By O. H. Person of Saunders.

A bill for an act to amend section 79-2003, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the distribution of unexpended balances of proceeds of taxes heretofore levied by a district when such district has been taken over by the United States for any defense or war project; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 66. By Thomas M. Davies of Lancaster.

A bill for an act to amend sections 14-102, 15-237, 16-240, 17-123, and 17-207, Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that cities and villages may by ordinance license, regulate, or restrict the use and application of fumigants as defined by ordinance; and to repeal the original sections.

LEGISLATIVE BILL 67. By Henry D. Kosman of Douglas and William A. Metzger of Cass.

A bill for an act to amend sections 31-705, 31-709, 31-711, and 31-724, Revised Statutes Supplement, 1947, relating to sanitary and improvement districts; to provide for filing fee of candidates for election to board of trustees, printing of ballot, and writing in additional names of qualified candidates; to provide for filling of vacancies on board of trustees; to provide for issuance of warrants; to provide that county treasurer shall be ex officio treasurer and to set out his duties; to provide for collection of connection and service charges and other items other than taxes or funds from sale of bonds and the disbursement thereof; to provide procedure for assessment of special benefits and the levy thereof; to provide for collection of special assessments and interest on delinquent payments; to provide procedure for annexation of additional territory; to provide additional information that shall be contained in notice of plans, specifications, and cost of improvements; to provide for filing proceedings in another county when the district is located in two or more counties; to repeal the original sections; and to declare an emergency.

MOTION—Refer Bills

Mr. President: I move that the rules be suspended and that L. B. 63 and L. B. 64 be referred to the Committee on the Budget today. (Signed) John S. Callan.

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

Bills Referred to Standing Committee

L. B.	Committee
18	Public Works
19	Government
20	Public Works
21	Government
22	Government
23	Public Health and Miscellaneous Subjects

24 .....Judiciary
25 .....Government
26 .....Public Works
27 .....Education
28 .....Banking, Commerce and Insurance
29 .....Banking, Commerce and Insurance
30 .....Banking, Commerce and Insurance
31 .....Banking, Commerce and Insurance
32 .....Banking, Commerce and Insurance
33 .....Public Health and Miscellaneous Subjects
34 .....Public Health and Miscellaneous Subjects
35 .....Public Health and Miscellaneous Subjects
36 .....Judiciary
37 .....Banking, Commerce and Insurance
38 .....Banking, Commerce and Insurance
39 .....Banking, Commerce and Insurance
40 .....Banking, Commerce and Insurance
41 .....Judiciary
42 .....Government
43 .....Government
44 .....Revenue and Taxation
45 .....Labor
46 .....Public Works
47 .....Public Works
48 .....Government
49 .....Government
50 .....Judiciary
51 .....Judiciary
52 .....Judiciary
53 .....Judiciary
54 .....Government
55 .....Education
56 .....Judiciary

Members Excused

Messrs. Wilson, Norman, McKnight, Williams and Benesch were excused for Friday, January 7, 1949, and Mr. Bridenbaugh was excused for Friday, January 7, and Monday, January 10.

Recess

At 11:45 a.m., Mr. Pizer made a motion to recess until 1:30 p.m. this afternoon.

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

AFTER RECESS

The Legislature reconvened at 1:45 p.m., President Crosby presiding.

The roll was called and all members were present except Mr. Bohlke, who was excused, and Messrs. Kosman and Wood.

MOTION—Bonds of State Officers

Mr. President: I move that a committee of three be appointed to wait upon the Secretary of State for him to certify that Governor Val Peterson, Lieutenant Governor Charles J. Warner, Auditor of Public Accounts, Ray C. Johnson, State Treasurer, Edward Gillette, Attorney General James H. Anderson, Railway Commissioner Harold Palmer and Railway Commissioner Richard Larson have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Frank Marsh, has furnished bond and oath and that both bond and oath are on file with the Auditor of Public Accounts. (Signed) Charles Vogt, Jr.

The motion prevailed and the President appointed the following members to serve on the committee: Vogt, Chairman; Burnham, Larkin.

REPORT—Bonds of State Officers

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

Certificate of Auditor of Public Accounts

TO: Hugo Srb, Clerk of Legislature

This is to notify you that the Surety Bond of Frank Marsh, Secretary of State, of the State of Nebraska, in the amount of $50,000.00, was filed in this office on the 31st day of December, 1948.

The Surety Bond of George F. Kolzow, Deputy Secretary of State, of the State of Nebraska, in the amount of $5,000.00, was filed in this office on January 5, 1949.

Witness my hand and official seal, this 6th day of January, 1949.

(Signed) Ray C. Johnson
Auditor of Public Accounts

(Seal)

Certificate of Secretary of State

I, Frank Marsh, Secretary of State of the State of Nebraska do hereby certify that the official bonds and oaths of office of the following constitutional officers are now on file in my office, to-wit: Governor-elect, Val Peterson; Lieutenant Governor-elect, Charles J. Warner; Attorney General-elect, James H. Anderson; State Treasurer-elect, Edward Gillette; Auditor of Public Accounts, Ray C. Johnson; Railway Commissioner-elect, Harold A. Palmer; Railway Commissioner-elect, Richard H. Larson; the foregoing bonds having been approved and filed and recorded pursuant to Law.

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

(Signed) Frank Marsh
Secretary of State

(Seal)

REPORT—Board of Educational Lands and Funds

January 6, 1949

Mr. Hugo F. Srb
Clerk of the Legislature
Building

Dear Mr. Srb:

In compliance with the provisions of LB 233, Fifty-eighth Session, Nebraska State Legislature, we wish to inform you that surety bonds covering elective officials have been duly filed with the Secretary of State as follows:

Val Peterson, Governor—$50,000.00
Charles J. Warner, Lieutenant Governor—$50,000.00
James H. Anderson, Attorney General—$50,000.00
Edward Gillette, State Treasurer—$1,000,000.00
Wayne O. Reed, Superintendent of Public Instruction—$50,000.00
Ray C. Johnson, Auditor of Public Accounts—$50,000.00
Harold A. Palmer, Railway Commissioner—$10,000.00
Richard H. Larson, Railway Commissioner—$10,000.00

The bond of Frank Marsh, Secretary of State, in the amount of $50,000.00 has been filed with the Auditor of Public Accounts as provided for by law.

Sincerely yours,

(Signed) Henry H. Bartling, Secretary
Board of Educational Lands and Funds

MOTION—To Escort State Officers

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

The motion prevailed and the President appointed the following members to serve on the committee: Weborg, Chairman; Bridenbaugh, Cretsinger, Nelson, Person, Hanna and Hill.

The following named officers were escorted to the rostrum by the committee:

Richard Larson, Railway Commissioner
Harold Palmer, Railway Commissioner
Ray C. Johnson, State Auditor
Edward Gillette, State Treasurer
James H. Anderson, Attorney General
Frank Marsh, Secretary of State
Lieutenant Governor, Charles J. Warner
Governor-elect, Val Peterson

MOTION—Escort the Chief Justice

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

The motion prevailed and the Speaker appointed the following members to serve on the committee: T. Adams, Chairman; Benesch, McKnight, Williams, Lusienski, Davies and C. Wilson.

MOTION—Governor-elect

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

augural ceremonies. (Signed) Glenn Cramer

The motion prevailed and the Speaker appointed the following members to serve on the committee: Cramer, Chairman; Norman, J. Adams, Lillibridge and Carson.

Invocation

Invocation was pronounced by the Chaplain, Rev. E. C. Hansen.

The committee escorted the Governor-elect to the rostrum.

The oath was administered to the State Officers-elect by Judge Edward F. Carter, who also administered the oath to the incoming Supreme Court Justices, E. B. Chappell, Adolph E. Wenke and Paul Boslaugh.

The Lieutenant Governor Charles J. Warner was presented the gavel of his office and presented Governor Val Peterson, who delivered the following:

INAUGURAL MESSAGE OF GOVERNOR

To the Members of the Sixty-first Session of the

Legislature of Nebraska

January 6, 1949

Mr. President, Mr. Speaker and Members of the Senate:

Personally, and on behalf of the constitutional officers with whom I am proud to serve, and our appointive officials, I welcome you back to the State House after an absence of some eighteen months. It feels good to have you here; to know that the Board of Directors of our outstanding commonwealth is again assembled to study and to meet the problems of our day. I have great confidence in you, as do all the people of Nebraska, and know that from your deliberations will come much good for our citizenry.

I am pleased to be in a friendly audience. Most of you I have the honor to know quite well personally. Many of you are long-time and intimate friends. A considerable number are seasoned legislative veterans. The kind of teamwork we achieve here will have its certain reflection in the public judgment during the months ahead.

Economically, the people of Nebraska are in excellent health. The institutions of our business society, in great number, are enjoy-

ing better volume than ever before in history. Nebraska farmers have advanced in the last two years to unequalled peaks in yields and income. It is a prosperity well earned. And it has been cushioned against ruinous inflation by the tempered memories of bitter years which went before it. Nebraska's people and Nebraska's government are sound.

We are not ourselves met in any crisis of government. Nor is our economy in abuse. We are not faced on any side by the hopelessness that grips many nations of the earth. Indeed, when I observe the mass despair and depraved economy which overspread two-thirds of the world, I am humbly thankful for the simplicity of our undertaking. But this must not slow our pace. It does not reduce the seriousness of our task. It may even create a peril. The urge might naturally be to effect so little change as to prevent sufficient change. The necessary demands of a growing society will prove us faithless if we fall into that error.

In the last two years, your state government has advanced its services to meet the test of changing conditions. Circumstances of health, of financial security, of competitive fortuity, and particularly of preparedness for the future—these shift as the many forces touching upon them grow and diminish with the urgency of time. We cannot in this day live apart from the other peoples of the nation. Nor can we separate our peaceful aspirations from the security of other peoples of the world. Our duty here is to establish in our efforts the same clear, disciplined vision which has characterized Nebraska leadership over many years.

Two years ago we made a searching study of state needs. A business-like program of improvements was introduced. Among other things, we began to restore a sound physical plant, recognizing new requirements in hospital and penal facilities, in educational institutions, and in the necessities for the aged and infirm. The program has been effective. To suggest that we have solved our problems fully and finally would be naive. But we have made and are making substantial progress.

I am pleased that we have instilled vigor into the executive departments. From the war on weeds to the life-sparing services of the Fire Marshal, we have fulfilled the law earnestly and without favor. The government of Nebraska is in high repute. The approach to new chores is thus not burdened by existing confusions.

On some matters, then, I think you will be able to agree quickly that the pattern is proper and the course safely charted. On others, entirely new solutions may be required. I pledge the best energies of my office to meet these problems. Toward this end, we should

consult freely. And to improve our mutual understanding, I bring to your consideration at this time a summary of items in which you will have a direct concern.

PUBLIC BUILDINGS

Two years ago, I deplored the inefficient and uneconomical catch-as-catch-can treatment of improvements at state institutions. I recommended a long-range building program. Your Honorable Body responded affirmatively. The resulting enactment provided a levy of one and one-tenths mills on the dollar valuation of the state's assessment roll for a special building fund to run for a ten-year period. The program thus effected has been acclaimed by many responsible observers as the most logical and far-sighted institutional program ever undertaken by Nebraska Government.

As a result of your forward-looking action, a badly needed three hundred and thirty-bed ward building is in progress of construction at the Lincoln State Hospital. A central laundry building for all Lincoln Board of Control institutions is being erected at the State Penitentiary. At each of the four normal schools, badly needed improvements are either underway or were completed just prior to the winter season. While at the University of Nebraska with its tremendous enrollment of over ten thousand students, half of whom are veterans of World War II, there are being or have been constructed classroom buildings, utility features, and agricultural research structures which will be of untold benefit in the work being done by this great institution.

In view of today's exceedingly high building costs, not one dollar should be expended if the activities of the institution in question can possibly be carried on with existing facilities. I am certain that all right-thinking Nebraskans, in or out of government, join in this attitude. However, in spite of the modest post-war building program which came into being as a result of the accumulation of delinquent taxes during the war period and the construction done under the special building levy, there will still be a waiting list for entry into our State Hospitals of over three hundred fifty persons on July 1, 1949. There is today a waiting list of one hundred twelve for entry into the Beatrice State Home. Record University enrollment is bulging the walls of the classrooms. The Normal Schools have many unfilled needs. Further, our State Penitentiary, which had a population of six hundred sixteen at the beginning of the previous biennium, now has seven hundred sixty-four. It is badly overcrowded and should its population increase at the same rate in the next two years, further building will have to be done. The Tuberculosis Hospital at Kearney has a present waiting list of twenty

and the Soldiers' and Sailors' Home at Grand Island is filled to capacity. These population increases cannot be postponed or pushed to one side, but must be provided for even though they require new buildings and expanded budgets. To care for the wards of the state is the solemn obligation of all of us entrusted with responsibility in our government. We must not permit neglect of the ill, the infirm and the aged.

VETERANS' SERVICES

Two years ago, you acted positively in attending to needs of returning service men and women. The Department of Veterans' Affairs became effective eighteen months ago. In this short time, it has given actual and valuable services in more than 150,000 instances to Nebraska veterans, their widows, children and dependent parents.

Upwards of 37,000,000 dollars has been paid to some 15,000 Nebraska veterans from the Federal Veterans' Bureau, much of it through the personal representation of our new state department. These payments averaged 411 dollars for every dollar of cost for administration of the Nebraska Veterans' Service. In the eighteen-month period, moreover, 20,000 Nebraska veterans have been given job-training in more than 10,000 establishments approved and supervised by the state agency. And 91,000 dollars has been paid out to 1,500 Nebraska veterans from the state veterans' aid fund.

An agricultural training program was conducted, meantime, by the State Board of Vocational Education. The program began with a single veteran eighteen months ago and now serves more than 2,000 Nebraska veterans interested in a future in Nebraska agriculture.

We have provided within the framework of state government an advisor and sympathetic friend for our former fighting sons and daughters.

PROGRESS MADE IN THE ASSESSMENT OF PROPERTY

When the Legislature last met, the total assessed valuation of tangible property in the state amounted to 2,162,048,610 dollars; today that valuation stands at 2,495,563,799 dollars, thus showing an increase over the two-year period of 333,515,189 dollars. The valuation of intangible property has also increased substantially. The increase in tangible valuation in 1947 over 1946 amounted to 154,397,652 dollars; in 1948 over 1947, 178,905,561 dollars. The largest increase ever effected previously in one single year was

92,666,711 dollars in 1942. These increases should be regarded as the beginning in our program toward obtaining a full and fair assessment on the basis of actual value. However, they merely represent a step in the right direction. It is true that this is an important step, but of equal importance is the fact that the assessment burden is now being more equitably distributed between real property and other tangible property, primarily personal property.

In 1946, lands and improvements were carrying forty-seven per cent of the total assessment burden on tangible property, town lots and improvements, twenty-one per cent, and personal property, thirty-two per cent. In 1948, lands and improvements carried forty-two per cent of the burden, town lots and improvements, twenty per cent, and personal property thirty-eight per cent. These figures are even more striking when compared with similar data for the year 1940, at which time lands represented forty-five per cent, lots twenty-two percent, and all personal property, twenty-four per cent of the total assessment. This means that personal property in 1948 carried sixty-three per cent more of the tax load than it did in 1940 and consequently is assuming a more just share of governmental responsibility.

The reasons for the improved conditions are as follows:

1. Legislative provisions for a full-time county assessor and the abolishment of the office of precinct assessor.

2. Re-emphasizing the law that requires each individual to be held responsible for the accurate completion of his personal property tax schedule and the application of penalties when property is omitted or valued incorrectly.

3. Legislative provision for the creation of the Douglas County Tax Appraisal Board, as well as re-appraisal and classification committees, which may be appointed at the discretion of the county boards in other counties for the purposes of re-classifying farm lands and re-appraising city property. Many of the counties have appointed such committees and they are working at the present time or have completed their duties.

4. Action by the last legislative session directing the Tax Commissioner to employ field representatives for the purpose of assisting the assessors and the taxpayers in a more complete and accurate listing and valuation of property. As a result of having these men in the field, it has been possible to explain and assist in the administration of the several legislative acts mentioned above. They have been helpful to our county officials in the accomplishment of the fine job done in the past biennium.

Summarizing, it is possible to say at this time that we have made a start toward a better and more fair assessment. Nebraska has perhaps accomplished more toward making the property tax system actually work in present times than any other state in the Union. There is still a long and tortuous road to travel.

HUMAN WELFARE

Many of the activities of state government are concerned directly with grants or services to individual human beings, treating with their environment and conditions of shelter, food and moral betterment. First of these is state assistance. Old-age assistance alone serves an average of 25,000 persons a month.

We have been able to improve our services to deserving persons, while trimming the overall costs. We should give careful consideration to the needs of the aged in view of the inflation we are experiencing. At the same time, we should consider means of having more of our workers placed under federal social security and survivors' benefits, a systematic retirement program which sharply reduces state burdens for old-age assistance and is more in keeping with the dignity of human beings.

Substantial gains have been made in our provisions for the mentally and physically infirm. Of some 8,000 persons housed in state institutions, whose personal security and comfort is a responsibility of the state, about 6,000 are in mental hospitals, including the institution at Beatrice. The Board of Control has upgraded the quality of staff members and is emphasizing curative procedures rather than mere custodial functions. Psychiatric nurse-training, psychiatric clinics, child-behavior and out-patient clinics, and occupational and recreational therapy programs have strengthened the entire shift from a concept of custody and confinement to one of treatment, cure, and rehabilitation.

The purchasing and accounting system for Board of Control institutions has been reorganized and improved. The economies thus effected are demonstrated by the improved care to a greater number of persons within a budget adjusted to the lower-cost economy of two years ago.

As a result of action by your Honorable Body, a Division of Hospitals has been created in the Department of Health and a Hospital Advisory Council appointed. Six distinguished citizens of Nebraska serving on the Council and working with the staff of the Health Department have approved and recommended to the United States Public Health Service, 13 hospital projects for grants of

Federal funds. 18 communities have signified intent to proceed with their construction plans. These new hospital projects provide approximately 507 beds in general hospitals at a total cost of 5,250,000 dollars, including 1,200,000 dollars of Federal funds. Many of these hospitals will be located in rural areas now far removed from adequate hospital facilities. Their construction will yield tremendous benefits to thousands of Nebraskans.

ECONOMIC DEVELOPMENT

We have within our boundaries untapped resources in soil and water. The problem is simply that of fusing these riches of nature into maximum benefits for the most people. It is a selfless charge in which we must substitute logic for emotionalism to achieve lasting progress.

One of the finest privileges I have had as Governor has been serving as a member of the Missouri River States and Missouri River Basin Inter-Agency Committees. Through their meetings I have become familiar with the problems facing a region comprising one-sixth of the total area of the United States and containing one-seventh of its population. Recently the Governors and representatives of the ten states which make up the Basin gave me the opportunity of further service by electing me as chairman of the Missouri River States Committee.

We, in the Basin, are engaged upon the greatest undertaking of its kind in the history of the world. Compared to it, and I say this without disparagement, the Tennessee Valley Authority development is a test tube experiment. Only one other project in the world begins to match it, and that is the tremendous development under way on the Volga River in Russia.

This great program is no longer merely a blue print for the future, but is now well along toward accomplishment, as the Bureau of Reclamation and the Corps of Engineers are in the process of construction of tremendous projects which will bring the blessings of flood control, irrigation, navigation, better municipal water supplies, recreation, and tremendous quantities of low cost electricity to our people.

No man is wise enough to see today the far reaching implications of this program. Clearly its irrigation features will mean an increase of our farm population, and, inasmuch as it is estimated that two persons are needed in a city or town for each person on the farm, it will add to our urban population as well. The tremendous quantities of power which will be developed and the firming of naviga-

tion should prove attractive to industry and bring into this militarily strategically sound area, a welcome influx of industries which will help bring about a desperately needed better balance between agriculture and industry.

No state has more to gain from the development of this plan than does ours. Many exceedingly important and beneficial projects are now under way in Nebraska and fortunately many more can be initiated without respect to some areas in which differences of opinion are so marked as to make immediate progress seemingly inadvisable, if not impossible. The program in Nebraska will be determined by Nebraskans.

Complementing the Pick-Sloan plan, and absolutely vital to its successful accomplishment, as well as imperative to our general well-being, is the conservation of our soil. While we have made tremendous progress in Nebraska in this respect, we cannot rest upon our laurels until it is constantly practiced on every farmstead in the state. We have steadfastly promoted this aim. We applaud the work of the fine men in charge of this undertaking in our state.

Two years ago I recommended, and your Honorable Body approved, a new Division of Nebraska Resources. It has conducted research into our natural and human resources, our community planning and the technical aspects of industrial development. Limited funds have prevented as extensive a program as is desirable.

Security for Nebraska labor and stable income for Nebraska businessmen is a Nebraska need. Due to the contacts made by this Division, a new industrial plant employing several hundred persons is being established at Columbus. I am told by businessmen there that this plant will promote the economy of that city to its maximum capacity for several years.

Both agriculture and industry have advanced in the last two years. Farm income reached a record billion-dollar-plus figure in 1947 and again in 1948. Manufactured products soared past three-quarters of a billion dollars in value. Employment of wholesome, intelligent Nebraska labor in industries reached new peaks, following the post-war slump of 1945-46. This experience of agriculture, business and industry has produced an eagerness to keep the prosperity we now enjoy. It cannot be done without planning and promotion on the farm-and-factory level.

Our problem in the building of Nebraska is clearly pointed in the MONTHLY REVIEW of the Tenth Federal Reserve District in its issue of October 31, 1948. The district includes the seven states of Colorado, Kansas, Missouri, Nebraska, New Mexico, Oklahoma,

and Wyoming. Significantly, five of these states are in the Missouri River Basin.

"Primarily dependent on agriculture and mineral extraction, the economy of the District has failed to support its growing population. During the 1935-40 period, 15 per cent of the population between 25 and 30 years of age left the District. Contrary to common belief. more than three times as many left the cities and towns of the seven states as left the farms. From July 1, 1946, to July 1, 1947, only two states in the nation suffered a net loss of population and these, Nebraska and Oklahoma, were both District states. Although the years 1940 through 1947 were exceedingly prosperous ones for both farmer and miner, per capita income in the District was well below the national average, and none of the seven states gained population at the rate of the nation as a whole, despite a high rate of natural increase."

"In Oklahoma, Nebraska, Kansas, and Missouri.....the actual population curve is considerably below that reflecting natural increase. If these states could simply have retained those born within their boundaries, they would have experienced continuous population growth since 1935."

"Urban rather than farm out-migration has been the chief factor in population loss. It is commonly understood that farm population is decreasing with farm mechanization, and that the population is moving on to nearby cities and towns. This may be true in the Tenth District, but if so it must be carried a step further, for people are leaving the urban areas and in greater numbers than they are leaving the farm. One fact is clear: The cities and towns of the Tenth District are unable to support their increasing population, regardless of its source. Per capita income figures emphasize this, as the Tenth District stood considerably below the nation in per capita income during the 1940-47 period despite farm prosperity."

"Urban centers must offer better economic opportunity if the Tenth District is to prosper and grow. Unless more and better opportunities are available in District cities and towns, the present trend cannot be reversed, and other urban areas of the United States will continue to grow and prosper at the expense of the District States. Not only more but new economic activity is needed to hold young people in the District."

"Agricultural areas undergoing rapid mechanization, such as the Tenth District, must rely on industrialization to offset population loss. This problem is basic to all similar areas. To date the economy of the District has been primarily dependent on agriculture and the extractive industries. As per capita productivity is increased

with farm and mine mechanization, industrial processing and manufacturing must be similarly increased if the District is to support its population. The failure of manufacturing payrolls to grow as rapidly as urban population has caused migration from urban centers of the District to other urban areas where greater industrial activity offers wider opportunities. Thus, it is the lack of utilization of the mineral resources and raw materials of the District, for manufacture and processing in the District, that has deterred population growth. Furthermore, greater industrialization would bring the Tenth District into better balance with the national economy in respect to the size of agricultural as compared with manufacturing components of total income payments to individuals. And, more nearly balanced agricultural and manufacturing income payments would mean greater economic stability for the District."

It is hard for me to conceive of a clearer, more powerful statement of the need for a strong Nebraska Resources Division and for development of the Missouri River Basin.

SCHOOLS

In my Inaugural Address two years ago, I recommended a study of and legislative action for re-districting of school districts. The need is just as insistent today. Better educational facilities and instruction, and reduced overall costs, will result from the enactment of such a provision.

In the higher-learning institutions supported by state funds, we are accommodating some 13,000 students, a record achievement in Nebraska education. These services are not without a cost burden. And in providing facilities and instruction, an equitable distribution of funds must apply.

Today, we are tremendously conscious of resource conservation. We must always remember that our most precious and valuable resource is the youth of Nebraska; and all of us must pledge ourselves to unceasing efforts in strengthening our public schools and higher educational institutions in order that our boys and girls may have the best possible opportunities for training and development. Anything less than this is unworthy of us. Anything less in the long run results in defrauding ourselves and our nation.

PUBLIC ROADS

For two years, no responsibility of state government has received more painstaking consideration in my office. Our effort has been directed toward helpful assistance to the Legislature in reaching solu-

tions which recognize the road problem as a progressive phase of government. There is no stopping place, no final disposition of highways in our modern economy.

I will submit soon to Your Honorable Body a comprehensive report dealing with Nebraska's highways, roads and streets. It represents the findings and recommendations of some of the best minds upon which we might draw for engineering determinations and considerations of the public good. Your Honorable Body, through the Legislative Council, has been active in the study. The report is detailed, intelligent and affirmative. To my view, it symbolizes the kind of cooperative endeavor expected by the people of Nebraska of the Executive and Legislative branches of government.

Despite our interest in the long-range program, we have not been without progress in the past biennium. The truth is that we have conducted in Nebraska in the last two years the biggest road-building program of all history. We have moved as fast and as far as funds would permit.

Since January 9, 1947, we have rebuilt or added more than two thousand eight hundred miles of state highways in contracts completed or underway.

Contracts for the two years ended December 31, 1948, totaled 22,500,000 dollars, the biggest biennial program of road improvements in Nebraska records. And the year 1948 alone brought the most extensive twelve-month road improvement achievement of any year in history. Such progress speaks for itself. It goes without saying that in this undertaking we exhausted every dollar available to the highway department.

So that this does not mislead us, however, we must be warned that the 13,500,000 dollars obligated to construction in 1948 is almost double the amount that will be available for construction beginning this year under the present system of revenue.

No opportunity for funds was overlooked. I made a trip to Washington in this connection. It resulted in an emergency federal grant in excess of one-million dollars for flood area bridge rehabilitation and replacement. By joining this grant with regular federal funds available for matching, Nebraska acquired over two million dollars for bridge improvements.

Yet with all our effort, there hasn't been progress enough. Funds available annually to the state highway department from state revenues for state highway improvements have remained substantially the same since 1929. In fact, when you consider we are dealing in

fifty-seven cent dollars, state revenues in terms of purchasing power, have declined materially. Under such a restricted program, obsolescence and deterioration will accumulate to such an extent that they will eventually destroy our highway system.

These matters we must meet positively. Improvement of public roads is not a service that can be economically accomplished on a year-to-year basis. We can not sit tight in our governmental chairs and expect the wheels to spin outside. I seriously solicit your prompt consideration of a sound long-range highway program. It is my pledge to treat the problems affirmatively in the future as I have in the two years ended.

JOB CLASSIFICATION

Democracy can not function efficiently and effectively with inferior tools any more than any other organization. To do so is to handicap it severely and to jeopardize the public interest.

New positions and salaries have been created in Nebraska without sufficient thought to fitting them into a correct pattern, in order that they might fall into the proper relationship with other positions demanding equivalent training, experience and similar responsibilities. When jobs have been created in bad times, low salaries have been established. Jobs created in high times have been better paid.

Today it is practically impossible to get men with the proper background and competency to accept state employment. Some months ago one of our most important state administrative positions became vacant by resignation and since that time the position has been offered to ten exceedingly well-qualified individuals, all of whom have refused to accept because of the low compensation, relatively short tenure and the difficulty and expense of finding adequate housing. If this were just true in one instance in the state administration, it would not be serious, but for two years I have found that it has been consistently the case. I do not care to embarrass any of the good people presently serving or I could name positions, dates and persons.

In my judgment, all positions in the state service should be classified according to training, experience, responsibility and other pertinent considerations, and remuneration established accordingly.

The fact is that there is today little, if any, reason for folks to accept state jobs and many simply will not. The federal government and Lincoln business firms offer employment at salaries much higher than those the state is able to pay. Further, contrary to the federal government and general business practice, the state affords no re-

tirement benefits.

Last spring our Highway Department, desperately in need of graduate civil engineers, was unable to interest one single Nebraska University engineering graduate in accepting state employment.

It is no answer to the problem to advance the argument, "If they don't like working for the state, let them quit." Services rendered by the state government have been established upon the demand of the people, and they cannot be performed efficiently, effectively and economically unless trained, competent, and reasonably satisfied individuals can be employed. I would suggest that your Honorable Body create a committee to study this problem and to consider the advisability of making such a classification as I have proposed.

CAPITOL BUILDING

The years have slipped by since ground was broken for our magnificent Capitol Building and it is no longer new. In fact, it has reached its majority. It is beginning to show evidences of wear and tear. Some of the furnishings are in need of rehabilitation and replacement. Portions of the structure, as for example the terrace which runs around the entire perimenter of the building, are showing signs of deterioration. The fact is that thousands of dollars have been expended in vain attempts to repair the terrace and it is badly in need of repair now. We have refused to expend monies on hand to undertake repair until we could have reasonable assurance that the methods to be employed would guarantee success. We hope to be able to forward to your Honorable Body information which will permit you to take action leading to the correction of the terrace and other repair problems.

Nebraska is the proud possessor of one of the World's outstanding architectural triumphs. Certainly it is the duty of our generation to leave no stone unturned in the preservation of this beautiful building in order that we may pass it on in the same splendid condition that it was left to us by those men and women of vision who conceived and built it.

There is no need for me to relate all the accomplishments of state agencies during the past two years, but it should be remembered that they are rendering many services of tremendous value to the people of our state. We don't hear much about these activities which are functioning well, but we can take pride in the fact that the great majority of state activities are conducted efficiently, effectively and economically. These quiet, but well performed functions, make orderly government possible.

We are privileged to be in the service of a free people. We do not decree the public good. We are honored with an opportunity to help maintain it. This is the real climate in which we meet. I share with your Honorable Body a sincere determination to acquit the common task swiftly and honorably. I solicit your cooperation as I pledge mine to you. Teamed we can pull effectively for Nebraska.

May God grant us the wisdom and strength to be equal to our responsibility.

Val Peterson, Governor

The committees escorted the state officers from the Legislative Chamber.

Adjournment

At 3:15 p.m., Mr. Schroeder moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Friday, January 7, 1949.

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

Hugo F. Srb

Clerk of the Legislature

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 7, 1949

Pursuant to adjournment, the Legislature met at 10:05 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, W. Wilson, Norman, McKnight, Williams, Benesch, Bridenbaugh and Holmes who were excused.

The Journal for the third day was approved as corrected.

Communication

Card to Mr. Metzger regarding L. B. 24, relating to support of dependent children.

NOTICE OF COMMITTEE HEARINGS

Public Health

L. B.	4	Thursday, January 13, 1949	2:00 p.m.
L. B.	5	Thursday, January 13, 1949	2:00 p.m.

Government

L. B.	19	Friday, January 14, 1949	2:00 p.m.
L. B.	21	Friday, January 14, 1949	2:00 p.m.
L. B.	22	Friday, January 14, 1949	2:00 p.m.
L. B.	25	Friday, January 14, 1949	2:00 p.m.
L. B.	54	Friday, January 14, 1949	2:00 p.m.

Public Works

L. B.	20	Thursday, January 13, 1949	2:00 p.m.

L. B.	46	Thursday, January 13, 1949	2:00 p.m.
L. B.	47	Thursday, January 13, 1949	2:00 p.m.
L. B.	18	Friday, January 14, 1949	2:00 p.m.
L. B.	26	Friday, January 14, 1949	2:00 p.m.

Education

L. B.	15	Tuesday, January 18, 1949	2:00 p.m.
L. B.	16	Tuesday, January 18, 1949	2:00 p.m.
L. B.	55	Tuesday, January 18, 1949	2:00 p.m.

Labor and Public Welfare

L. B.	45	Monday, January 17, 1949	2:00 p.m.

RESOLUTION

LEGISLATIVE RESOLUTION 2. **Re:** Memoralizing the Congress of the United States with respect to a National Compulsory Sickness Insurance Program

Introduced by Arthur Carmody of Hitchcock, Earl J. Lee of Dodge and Lester H. Anderson of Hamilton.

WHEREAS, the American people now enjoy the highest level of health, the best standards of scientific medical care and the finest medical institutions ever attained by any major country in the world; and

WHEREAS, these accomplishments of American medicine are the results of a free people working under a system of free enterprise; and

WHEREAS, the experience of all countries where government has assumed control of medical care has been a progressive deterioration of medical standards and medical care, to the detriment of the health of the people.

NOW,THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature of the State of Nebraska respectfully request the Congress of the United States to refrain from imposing upon the citizens of this nation any form of compulsory insurance, or any system of medical care designed for national bureaucratic control.

2. That Nebraska Senators and Representatives now in the Congress of the United States be and are hereby respectfully requested to use every effort at their command to prevent the enactment of such legislation.

3. That copies of this resolution be transmitted by the Clerk of the Legislature to the President of the United States, the presiding officer of the United States Senate, the United States House of Representatives and to each Senator and Congressman from Nebraska.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 68. By Victor E. Anderson of Lancaster.

A bill for an act relating to banks and banking; to authorize the destruction of bank records and files after a prescribed period of time; to prescribe the effect of the destruction of such records; to limit the liability of banks after destruction of its records as authorized; to provide for the admissibility as evidence of entries in bank records or files, or of a photostatic or photographic reproduction thereof; and to limit the time for bringing of action against any bank based on a claim involving entries in any bank record or ledger.

LEGISLATIVE BILL 69. By Victor E. Anderson of Lancaster.

A bill for an act relating to the collection, payment, and dishonor of demand items by banks and the revocation of credit for, and payment of, such items.

LEGISLATIVE BILL 70. By J. V. Benesch of Douglas and John P. McKnight of Nemaha.

A bill for an act to amend section 39-745, Revised Statutes of Nebraska, 1943, relating to operation of motor vehicles on highways and streets; to extend the exemption therein set forth to all police officers; and to repeal the original section.

LEGISLATIVE BILL 71. By J. V. Benesch of Douglas and John P. McKnight of Nemaha.

A bill for an act to amend section 32-1159, Revised Statutes of Nebraska, 1943, relating to elections; to provide for absence of employees from any service or employment upon election day at all

elections in order to exercise the privilege of voting; and to repeal the original section.

LEGISLATIVE BILL 72. By John P. McKnight, Chairman of Judiciary, of Nemaha and William A. Metzger of Cass.

A bill for an act to amend section 77-1617, Revised Statutes Supplement, 1947, relating to revenue and taxation; to change the word "insane" to "mentally ill" in the form to be used for the unit tax ledger; and to repeal the original section.

LEGISLATIVE BILL 73. By J. V. Benesch of Douglas and John P. McKnight of Nemaha.

A bill for an act to authorize the Revisor of Statutes to reissue Volume IV of the Revised Statutes of Nebraska, 1943; to provide for the sale and distribution of the reissued volumes; and to provide an appropriation.

LEGISLATIVE BILL 74. By John P. McKnight, Chairman of Judiciary, of Nemaha and C. C. Lillibridge of Saline.

A bill for an act to amend section 81-801, Revised Statutes Supplement, 1947, relating to the Game, Forestation and Parks Commission; to provide for appointment of a successor for a term of five years whenever the term of any member thereof shall expire; and to repeal the original section.

LEGISLATIVE BILL 75. By Charles Vogt, Jr. of Pawnee.

A bill for an act to amend section 39-259, Revised Statutes of Nebraska, 1943, relating to highways; to remove the limitation on the amount the road overseer may charge and be paid for trimming hedge fences, trees, or undergrowth; and to repeal the original section.

LEGISLATIVE BILL 76. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 41-104, Revised Statutes of Nebraska, 1943, relating to hotels and inns; to provide for inspection of restaurants by the Department of Agriculture and Inspection prior to issuing of certificate of registration; and to repeal the original section.

LEGISLATIVE BILL 77. By Lester H. Anderson of Hamilton.

A bill for an act for submission to the electors of an amendment of Article VIII, section 1, of the Constitution of Nebraska, relating to revenue; to provide that motor vehicles may be taxed as provided by the Legislature; to provide for submission of the proposed amendment to the electors at the general election in November, 1950; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 78. By George C. Weborg of Cuming and Harry F. Burnham of Custer, by request.

A bill for an act to amend section 17-707, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to reduce the time for publishing the budget estimate; to provide for publishing statement when no newspaper is published or of general circulation in such cities or villages; and to repeal the original section.

LEGISLATIVE BILL 79. By Otto J. Prohs of Scotts Bluff, Earl J. Lee of Dodge and Ed. Hoyt of Red Willow.

A bill for an act to amend sections 43-605, 43-606, 43-607, 43-608, 43-609, and 43-610, Revised Statutes of Nebraska, 1943, and section 43-604, Revised Statutes Supplement, 1947, relating to handicapped children; to define terms; to provide educational opportunity for handicapped children; to provide excess cost reimbursements to local school districts for special education as specified; to provide for channelling of funds approved by the Legislature to carry out the provisions of this act through the office of the Superintendent of Public Instruction and the expending thereof; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 80. By Ralph W. Hill of Thayer and Dwight W. Burney of Cedar.

A bill for an act to amend section 60-401, Revised Statutes of Nebraska, 1943, and sections 60-408 and 60-409, Revised Statutes Supplement, 1947, relating to motor vehicles; to harmonize the provisions thereof with the provisions of the Uniform Motor Vehicle Operators' and Chauffeurs' License Act; to provide for issuance and expiration of a chauffeur's license; to fix the fees therefor; to provide for the disbursement of such fees; and to repeal the original sections.

LEGISLATIVE BILL 81. By Ralph W. Hill of Thayer and Dwight W. Burney of Cedar.

A bill for an act relating to motor vehicles; to provide for the licensing of persons operating motor vehicles upon highways and to make uniform the law relating thereto; and to repeal sections 60-402, 60-406, 60-410, 60-412, 60-413, 60-416, 60-417, 60-418, 60-419, 60-420, 60-421, 60-422, 60-423, 60-424, 60-425, 60-426, 60-429, and 60-430, Revised Statutes of Nebraska, 1943, and sections 60-403, 60-404, 60-405, 60-407, 60-411, 60-415, and 60-427, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 82. By John Adams, Sr. of Douglas.

A bill for an act to amend section 25-317, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to provide for joining an insurer as a party defendant in an action for damages based on negligence in the operation of a motor vehicle; to provide procedure when such an insurer is joined as a party defendant; and to repeal the original section.

LEGISLATIVE BILL 83. By O. H. Person of Saunders and Fay Wood of Seward.

A bill for an act to amend sections 28-1003 and 28-1003.01, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to prohibit the sale, use, explosion, importing, or delivering of fireworks at retail or wholesale in this state except as prescribed; to permit display and exhibitions as prescribed; to redefine penalties; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 84. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 42-606, Revised Statutes Supplement, 1947, relating to husband and wife; to provide the presumption arising from the deposit of funds or ownership of stocks in any bank, banking institution, or building and loan association unless notice in writing to the contrary is given; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 85. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 8-305, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to prohibit the use of certain designated words in name or advertising by individuals, firms, companies, corporations, or associations, with exceptions, operating in the State of Nebraska which are not organized or incorporated under and in accordance with the provisions of sections 8-301 to 8-349, Revised Statutes of Nebraska, 1943; and to

repeal the original section and also section 8-341, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 86. By Arthur Carmody of Hitchcock and Glenn Cramer of Boone.

A bill for an act to amend section 17-705, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide that the county treasurer shall specify the source of the money when remitting the tax money to such cities and villages; and to repeal the original section.

LEGISLATIVE BILL 87. By Harry F. Burnham of Custer.

A bill for an act to amend section 60-303, Revised Statutes of Nebraska, 1943, 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 motor vehicle; to repeal the original section and also Chapter 60, article 5, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 88. By Ralph W. Hill of Thayer and Dwight W. Burney of Cedar.

A bill for an act to amend section 39-727, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide that it shall be unlawful to be in actual physical control of any motor vehicle while under the influence of alcoholic liquor or of any drug; to provide for the presumptions of the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, or other bodily substance in a criminal prosecution; and to repeal the original section.

Bills Referred to Standing Committee

L. B.	Committee
57	Judiciary
58	Public Works
59	Public Works
60	Miscellaneous Appropriations and Claims
61	Miscellaneous Appropriations and Claims
62	Revenue and Taxation
63	Budget
64	Budget

65 .....Education
66 .....Public Health and Miscellaneous Subjects
67 .....Public Works

MOTION—Refer Rule Amendment

Mr. President: I move that the following suggested change in the Rules of this body be referred to your Committee on Rules for action.

That Rule 5 Section 9 be amended to read as follows:

"Sec. 9. Committee on Order and Arrangement, Members, Duties. The committee on Order and Arrangement shall consist of the chairmen of the committees before whom regularly referred bills and resolutions have public hearings and the chairman of the committee on Enrollment and Review. The Speaker of the Legislature shall be the chairman of said committee. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on general file. The order so reported shall become effective only upon approval by the Legislature. The committee shall meet subject to call by the chairman." (Signed) William A. Metzger

The motion prevailed.

MOTION—Select Seats

Mr. President: I move that the members of the Legislature be allowed to select an extra seat from the vacant seats at the back of the room. (Signed) Arthur Carmody

The motion prevailed.

Members Excused

Mr. Lee was excused for Monday and Tuesday, January 10 and 11. Mr. Vogt was excused for Monday, January 10.

Adjournment

At 10:55 a.m., Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, January 10, 1949.

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Hugo F. Srb
Clerk of the Legislature

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 10, 1949

Pursuant to adjournment, the Legislature met at 10:05 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lee, Vogt and Bridenbaugh, who were excused, and Mr. Babcock.

The Journal for the fourth day was approved as corrected.

Communications

BOARD OF EDUCATIONAL LANDS & FUNDS

January 10, 1949

Mr. Hugo Srb, Clerk
Nebraska State Legislature
Building

Dear Mr. Srb:

In compliance with Section 3, Legislative Bill 233, Fifty-eighth Session of the Nebraska State Legislature, we submit the attached Schedule No. 1, showing officers and employees of the State of Nebraska bonded under the provisions of the Act as of August 19, 1948. Bonds covering employees other than elective officials and those covering a portion of appointive officials expired August 10, 1948, but arrangements were made to extend these bonds to January 6, 1949, in order that bids for new bonds could be taken at the same time and new bonds executed to run concurrently with those covering elective officials.

Also attached is schedule No. 2, showing officials and employees

bonded as of January 6, 1949, as a result of the bids received at a letting held November 22, 1948.

Under the new blanket bond form (a copy of which is attached) all employees of the State of Nebraska, other than elective or appointive officials, are bonded in the amount of $10,000 each. This gives a much greater coverage than before at approximately the same cost to the state.

Sincerely yours

BOARD OF EDUCATIONAL LANDS & FUNDS

(Signed) H. H. Bartling
Secretary

Mr. Lusienski made a motion that the report be printed in the Journal in its entirety.

The motion did not prevail, with 10 ayes, 13 nays and 20 not voting.

The copy of the report is placed on file in the permanent Journal in the Clerk's Office.

RESOLUTIONS

LEGISLATIVE RESOLUTION 2.

The following members asked unanimous consent to add their names as introducers of the resolution: Davies, Burney, J. Adams, Sr., Hern, Benesch, Norman, Vogel, W. Wilson, Prohs, Lindgren, Person, Holmes, Hill, Nelson, Hanna, Burnham, Weborg, Larkin.

Consent was granted and it was so ordered.

Mr. Metzger requested a record vote upon the Resolution.

Voting in the affirmative, 36:

Adams, J.,	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Weborg
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Norman	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	
Carson			

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Bridenbaugh	Lee	Williams
Babcock	Kosman	Vogt	

Resolution 2 was adopted.

Mr. Metzger made a motion that a copy of the record vote on the resolution be attached to and made a part of such resolution.

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 89. By Henry D. Kosman of Douglas.

A bill for an act relating to insurance; to provide qualifications for persons to whom licenses to sell or solicit insurance are issued; and to provide for examination of applicants and fee therefor.

LEGISLATIVE BILL 90. By Henry D. Kosman of Douglas.

A bill for an act relating to insurance; to provide the limitation of risk that an insurance company may assume on any one risk or hazard.

LEGISLATIVE BILL 91. By Willard M. Wilson of Phelps.

A bill for an act to amend section 21-1,130, Revised Statutes Supplement, 1947, relating to corporations; to limit the time a corporation may be revived when dissolved for nonpayment of taxes; to provide a condition for revival; and to repeal the original section.

LEGISLATIVE BILL 92. By Willard M. Wilson of Phelps.

A bill for an act to amend section 54-134, Revised Statutes Supplement, 1947, relating to brand inspection areas; to include Phelps County in the brand inspection area; and to repeal the original section.

LEGISLATIVE BILL 93. By William A. Metzger of Cass and Charles F. Tvrdik of Douglas.

A bill for an act to amend section 33-126, Revised Statutes Sup-

plement, 1947, relating to fees and salaries; to eliminate the provision of said section for a fee for marriage ceremony; to increase the fees for comparing copies for certification as prescribed; and to repeal the original section.

LEGISLATIVE BILL 94. By Wm. Hern of Dawes.

A bill for an act to amend section 39-722, Revised Statutes Supplement, 1947, relating to highways; to provide that the State Engineer shall post restrictions on gross weight of motor vehicles when any road that is part of the state highway system becomes soft on account of excessive moisture or thawing; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 95. By C. C. Lillibridge of Saline and Wm. Hern of Dawes.

A bill for an act relating to public health and welfare; to provide for licensing dental hygienists; to prescribe the qualifications thereof; to provide for examinations to be conducted by Board of Dental Examiners; to provide for issuing, renewal and revocation of licenses; to provide for examinaton and license fees; to provide for reciprocity of license with other states; and to provide penalties.

LEGISLATIVE BILL 96. By C. C. Lillibridge of Saline and Wm. Hern of Dawes.

A bill for an act relating to public health and welfare; to provide for the creation in the Department of Health of a Division of Dental Health; to prescribe the powers and duties of such department in connection therewith; and to provide for a Chief of the Division of Dental Health and to prescribe his qualifications, duties and salary.

LEGISLATIVE BILL 97. By Ed. Hoyt of Red Willow and Arthur Carmody of Hitchcock.

A bill for an act to repeal section 77-1602, Revised Statutes Supplement, 1947, relating to taxation.

LEGISLATIVE BILL 98. By Don E. Hanna of Cherry, Harry F. Burnham of Custer and Dwight W. Burney of Cedar.

A bill for an act to amend section 2-1210, Revised Statutes of Nebraska, 1943, relating to State Racing Commission; to change the manner of distribution of the surplus funds of such commission to

the counties; and to repeal the original section.

LEGISLATIVE BILL 99. By Don E. Hanna of Cherry.

A bill for an act relating to colleges and universities; to provide for the establishment of the Valentine School of Agriculture on ground owned by the state near Valentine, Nebraska; and to appropriate, five hundred thousand dollars out of the General Fund for such purpose.

LEGISLATIVE BILL 100. By John Adams, Sr., of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend section 83-337, Revised Statutes Supplement, 1947, relating to hospitals for mentally ill; to increase the compensation of the members of the county board of mental health and to provide when the same shall become operative; to change the method of determining their compensation; and to repeal the original section.

Bills Referred To Standing Committees

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

MOTION—Accept Resignation

Mr. President: I move that the resignation of Henry D. Kosman as a member of the Legislature be accepted and that the Governor be notified of the vacancy. (Signed) Harry L. Pizer

The motion prevailed and the President appointed a committee consisting of Messrs. Pizer, Tvrdik and Hoyt to notify the Governor of the Legislature's acceptance of Mr. Kosman's resignation and of the vacancy left by this action.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

The committee returned with the following report from the Governor:

KNOW ALL MEN BY THESE PRESENTS:

That I, Val Peterson, Governor of the State of Nebraska, do hereby appoint Clifford N. Ogden of Omaha, Nebraska to the office of Nebraska Senator, Tenth Legislative District, to do and perform all the duties of said office for the term beginning January 10, 1949, for such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and for the unexpired term of Senator Henry D. Kosman.

Done at Lincoln, Nebraska, this 10th day of January A. D. 1949

(Signed) Val Peterson

OATH OF OFFICE

I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, and that I will faithfully and impartially discharge the duties of the office of Nebraska Senator, Tenth Legislative District, according to law and to the best of my ability, so help me God.

(Signed) Clifford N. Ogden

State of Nebraska)
) ss.
Lancaster County)

Subscribed in my presence and sworn to before me, this 10th day of January A.D. 1949.

(Signed) Frank Marsh

Secretary of State

(Seal)

Committees—New Member's Oath

The President appointed Messrs. Burnham, Hanna and Nelson to wait upon the Chief Justice and escort him to the legislative chamber for the purpose of administering the oath of office to Mr. Ogden.

The President then appointed the members from Douglas County as a committee to escort Mr. Clifford Ogden to the legislative chamber for the purpose of receiving the oath of office.

The committees withdrew and escorted the Chief Justice of the Supreme Court, Robert G. Simmons, and Mr. Clifford Ogden, to the rostrum where the Chief Justice administered the following oath:

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.

(Signed) Clifford N. Ogden

Subscribed in my presence and sworn to before me this tenth day of January, 1949.

(Signed) Robert G. Simmons

Chief Justice, Supreme Court

Mr. Tvrdik escorted Mr. Ogden to his seat, where Mr. Ogden spoke a few words of appreciation to the Legislature.

Unanimous Consent—Legislative Resolution 3

Mr. Tvrdik asked unanimous consent that all members from Douglas County be allowed to sign Resolution 3.

Consent was granted and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 3. Re: In appreciation of Henry D. Kosman

Introduced by Charles F. Tvrdik, John J. Larkin, Jr., W. J. Norman, John Adams, Sr., Karl E. Vogel and J. V. Benesch all of Douglas.

WHEREAS, Henry D. Kosman has served the State of Nebraska as a member of the State Legislature from the 10th District during the Sixtieth Session and who was re-elected to serve in the Sixty-first Session; and

WHEREAS, he has resigned to enter into the banking business in Scottsbluff, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That this Legislature desires to express its sincere appreciation for the competent and impartial manner in which he deliberated in this body, and for his courteous and gentlemanly demeanor in his relations with the members thereof.

2. That this Legislature further desires to express its hope that in all his future undertakings he will be successful.

3. That this Resolution be spread at large upon the pages of the journal of this Legislature, and that a copy of the Resolution, suitably engrossed, be forwarded to Henry D. Kosman at his home in Omaha, Nebraska.

Unanimous Consent

Mr. Carmody asked unanimous consent that all members of the Legislature who wish to do so be allowed to sign their names to the above Resolution.

Consent was granted.

Adjournment

At 11:10 a.m., Mr. L. Anderson made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Tuesday, January 11, 1949.

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

Hugo F. Srb
Clerk of the Legislature

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 11, 1949

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

Prayer was offered by the Chaplain.

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

The Journal for the fifth day was approved as corrected.

Communication

Invitation to members of the Legislature and their wives to attend the banquet and program of the Third Annual State Noxious Weed Control Conference, Chemical and Equipment Show at the Cornhusker Hotel, on Wednesday evening, January 12, at 6:30 p.m.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B.	17	Monday, January 17, 1949	2:00 p.m.

Public Health and Miscellaneous Subjects

L. B.	14	Tuesday, January 18, 1949	2:00 p.m.
L. B.	23	Tuesday, January 18, 1949	2:00 p.m.

Government

L. B.	42	Wednesday, January 19, 1949	2:00 p.m.
L. B.	43	Wednesday, January 19, 1949	2:00 p.m.
L. B.	48	Wednesday, January 19, 1949	2:00 p.m.
L. B.	49	Wednesday, January 19, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Budget

LEGISLATIVE BILL 63. Placed on General File.
LEGISLATIVE BILL 64. Placed on General File.

(Signed) John S. Callan, Chairman

MOTION—Committee Assignments

Mr. President: I move that Mr. Ogden be given the same committee assignments given to Mr. Kosman, the committees on Banking, Commerce and Insurance and Miscellaneous Appropriations and Claims. (Signed) Harry L. Pizer

The motion prevailed.

President Signs

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

L. R. 2

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 Press, not to exceed 48 copies, of the Revised Statutes of 1943, the supplements and Volume II Revised. (Signed) Harry L. Pizer

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, 1947, and the Legislative Journal for the Sixtieth Session of the Nebraska Legislature for distribution to the above named recipients. (Signed) Ed. Hoyt

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 101. By Thomas H. Adams of Lancaster, Cliff N. Ogden of Douglas and Willard M. Wilson of Phelps.

A bill for an act to amend sections 39-605, 60-106, 60-107, 60-111, 60-320, 60-332, and 60-401, Revised Statutes of Nebraska, 1943, and sections 60-102, 60-301, 60-308, 60-310, 60-315, 60-404, and 60-407, Revised Statutes Supplement, 1947, relating to motor vehicles; to increase the amount of and change the allocation of motor vehicle registration fees; to prescribe regulations respecting the registration of motor vehicles and the issuance of certificates of title thereto; to change the definition of a motor vehicle with respect to granting of motor vehicle operators' licenses; to prescribe rules for examination for and issuance of motor vehicle operators' licenses; to repeal the original sections and also section 60-328.01, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 102 By Harry F. Burnham of Custer and Lester H. Anderson of Hamilton.

A bill for an act to amend section 28-419, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the crime of harboring or concealing children; and to repeal the original section.

LEGISLATIVE BILL 103. By Harry F. Burnham of Custer and Lester H. Anderson of Hamilton.

A bill for an act to amend section 28-1027, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the crime of a licensee selling, giving, furnishing, or willingly allowing to be taken from his place of business, any cigars, tobacco, cigarettes, or cigarette material; and to repeal the original section.

LEGISLATIVE BILL 104. By Lester H. Anderson of Hamilton and Harry F. Burnham of Custer.

A bill for an act to amend section 48-313, Revised Statutes of Nebraska, 1943, relating to child labor; to provide that no child under the age of eighteen years shall be employed in any place of business where alcoholic liquors are sold; and to repeal the original section.

LEGISLATIVE BILL 105. By Lester H. Anderson of Hamilton and Harry F. Burnham of Custer.

A bill for an act relating to nursing homes for persons over eigh-

teen years of age; to provide for the licensing and regulating of such homes by the Board of Control or the county board of the county in which such home is located; to provide for establishing of such rules as may be necessary to carry out the purpose of this act; to provide for a prescribed record to be kept; to provide for inspection of such homes; and to provide for a penalty.

LEGISLATIVE BILL 106. By W. J. Williams of Buffalo and Ed. Hoyt of Red Willow.

A bill for an act to amend sections 81-270, 81-271, 81-272, 81-273, and 81-275, Revised Statutes of Nebraska, 1943, relating to agriculture; to provide for selling of eggs in containers bearing the proper grade; to provide that the Department of Agriculture and Inspection may make rules and regulations for establishing grades and standards for market eggs, and for maintenance of quality of eggs; to increase license fee for any person to engage in commercial buying of eggs; to provide for issuing of permit to grade or candle eggs and fee therefor; to eliminate the provision for a candler's license except where the applicant desires to engage in the business of candling eggs; to eliminate the provisions for storing and candling of eggs; and to repeal the original sections and also section 81-274, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 107. By Committee on the Budget.

A bill for an act to appropriate the sum of eleven thousand three hundred dollars and three cents out of the General Fund for the purpose of paying the salaries of the judges of the Supreme Court for the remainder of the biennium ending June 30, 1949; and to declare an emergency.

LEGISLATIVE BILL 108. By Committee on the Budget.

A bill for an act to appropriate the sum of four thousand five hundred forty-one dollars and forty-one cents out of the General Fund for the purpose of paying the salary of the Governor for the remainder of the biennium ending June 30. 1949; and to declare an emergency.

LEGISLATIVE BILL 109. By Otto J. Prohs of Scotts Bluff.

A bill for an act to amend section 60-331, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide that no registration fee shall be required on truck-tractors and trailers owned and used exclusively by an irrigation district for hauling irrigation equipment; and to repeal the original section.

LEGISLATIVE BILL 110. By Ed F. Lusienski of Platte.

A bill for an act to amend sections 23-1101, 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109, and 23-1110, Revised Statutes Supplement, 1947, relating to county officers; to change the population limits of counties of this state for classification of salaries of such officers; to provide salaries of such officers for counties having a population of classes (2) to (10); to provide when such salaries shall become operative; and to repeal the original sections.

LEGISLATIVE BILL 111. By W. J. Williams of Buffalo, John P. McKnight of Nemaha and Glenn Cramer of Boone.

A bill for an act to amend sections 39-604 and 39-631, Revised Statutes of Nebraska, 1943, relating to highways, to provide that the Department of Roads and Irrigation shall construct highways lying within corporate limits of any city and village and maintain such highways in cities having a population of more than twenty-five hundred inhabitants when such highways are a part of the state highway system built in whole or in part with federal funds; to provide that the department may contract with a city or village for maintenance and repair of such highways; to provide that the department is vested with exclusive jurisdiction in cities and villages as to all warning, safety, and traffic devices; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 112. By Charles F. Tvrdik of Douglas.

A bill for an act to amend section 39-605, Revised Statutes of Nebraska, 1943, relating to motor vehicle registration; to reconcile conflict in the provisions thereof with legislation enacted in 1945 with relation thereto; and to repeal the original section.

LEGISLATIVE BILL 113. By Charles F. Tvrdik of Douglas.

A bill for an act to repeal section 10-125, Revised Statutes of Nebraska, 1943, relating to registration of bonds of indebtedness.

LEGISLATIVE BILL 114. By William A. Metzger of Cass.

A bill for an act to repeal sections 23-115 and 23-334, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 115. By William A. Metzger of Cass.

A bill for an act to repeal section 33-137.01, Revised Statutes Supplement, 1947, relating to fees and salaries.

LEGISLATIVE BILL 116. By William A. Metzger of Cass.

A bill for an act to amend section 84-314, Revised Statutes Supplement, 1947, relating to official bonds; to provide for the penal sum of the bond of the deputy auditor of public accounts; and to repeal the original section.

LEGISLATIVE BILL 117. By John Adams, Sr. of Douglas.

A bill for an act to regulate fair employment practices; to define terms; to declare the public policy of the state with respect to discrimination in employment; to prescribe what shall be deemed unfair employment practices; to provide for recognition in contracts of public policy against discrimination; to provide for enforcement of this act; to provide for an educational program; to confer powers with respect to enforcement on the Department of Labor; to provide for judicial review of orders of the Department of Labor; to provide penalties; to state validity and construction clauses; and to provide manner of citation of act.

LEGISLATIVE BILL 118. By John Adams, Sr. of Douglas.

A bill for an act to amend section 32-1206, Revised Statutes Supplement, 1947, relating to elections; to provide time within which petitions must be filed to fill vacancy on the general election ballot for office of member of the Legislature; and to repeal the original section.

LEGISLATIVE BILL 119. By John Adams, Sr. of Douglas.

A bill for an act to amend section 8-144, Revised Statutes of Nebraska, 1943, relating to banks and banking; to increase the amount required to be restored to surplus fund; and to repeal the original section.

LEGISLATIVE BILL 120. By C. C. Lillibridge of Saline and Fay Wood of Seward.

A bill for an act to amend sections 17-108 and 17-209, Revised Statutes Supplement, 1947, relating to cities of the second class and villages; to increase the maximum salaries of specified officers that may be fixed by ordinance; to eliminate the monthly allowance that may be paid the marshal and the daily and hourly sum to be paid the overseer of streets; to eliminate the provision that certain salaries may be approved by a vote of the electors; to provide when such increase in salaries shall become operative; to provide for compensation of other officers and employees; and to repeal the original sec-

tions and also sections 17-108.01 and 17-209.01, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 121. By Hal Bridenbaugh of Dakota.

A bill for an act to amend section 44-330, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that the Department of Insurance shall adopt rules and regulations for annually renewing or extending licenses to be issued soliciting agents or brokers for any insurance company; and to repeal the original section.

LEGISLATIVE BILL 122. By Hal Bridenbaugh of Dakota.

A bill for an act to amend section 44-333, Revised Statutes of Nebraska, 1943, relating to insurance; to eliminate from the application for license to sell insurance the statement of the applicant that money advanced by an insurance company has not been paid back; and to repeal the original section.

LEGISLATIVE BILL 123. By Ed. Hoyt of Red Willow and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 37-208 and 37-213, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that children under sixteen years of age shall not be required to obtain a permit to hunt or fish; and to repeal the original sections.

LEGISLATIVE BILL 124. By Ed. Hoyt of Red Willow and Arthur Carmody of Hitchcock.

A bill for an act relating to agriculture; to require all carnival companies, booking agencies, or shows contracting with the State Board of Agriculture, any county agricultural society, or county fair board, to execute and file with the Secretary of the State Board of Agriculture a good and sufficient corporate surety bond in the sum of fifteen hundred dollars running to the State of Nebraska, conditioned that any such carnival company, booking agency or show will faithfully perform any contract entered into by it in the State of Nebraska during a period of one year from the date of execution of such contract; to provide that the State Board of Agriculture, any county agricultural society, or county fair board may bring suit upon such bond to recover any damages sustained by reason of breach of contract or failure to carry out the terms thereof; to provide a penalty; and to declare an emergency.

LEGISLATIVE BILL 125. By Charles F. Tvrdik of Douglas, Karl E.

Vogel of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend sections 48-601, 48-610, 48-622, 48-625, 48-662, and 48-663, Revised Statutes of Nebraska, 1943, and sections 48-602, 48-605, 48-621, 48-624, 48-626, 48-627, 48-646, 48-649, 48-652, 48-655 and 48-668, Revised Statutes Supplement, 1947, relating to unemployment compensation; to change the name of the act applying to unemployment compensation to Employment Security Law; to redefine terms; to provide for wage reports from claimants; to provide for unit payment of benefits and unit charging of employers' accounts; to reduce the waiting period and increase earnings required to qualify for benefits; to eliminate obsolete and duplicated provisions; to fix date for termination of employers' experience accounts; to provide for process on nonresident employers; to provide for forfeiture of benefit rights; to revise reciprocal agreement provisions; to increase maximum weekly benefit amounts and the duration of benefits; to eliminate the charging of employers' accounts under prescribed conditions; to harmonize the names of funds to correspond with changed name of the law; to increase the compensation of advisory council members; to provide for alternate advisory council member; to provide for an increase in the maximum salary of the Commissioner of Labor and when any change in such salary shall become operative; to provide for transition of compensation of benefits; to repeal the original sections and also sections 48-628.01 and 48-653, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 126. By Harry F. Burnham of Custer and Ed F. Lusienski of Platte.

A bill for an act to amend section 23-113, Revised Statutes of Nebraska, 1943, relating to counties; to provide that the county board may reimburse petitioners for the care and maintenance of abandoned and neglected cemeteries in the amounts set forth in the act; to provide that the county board shall include such items in the budget for the next fiscal year; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 127. By W. Halsey Bohlke of Adams.

A bill for an act to amend section 30-401, Revised Statutes Supplement, 1947, relating to decedents' estates; to reconcile conflict between the provisions thereof and statutory provision that residuary legatee who has given bond to pay debts and legacies shall not be required to file inventory; and to repeal the original section.

LEGISLATIVE BILL 128. By W. Halsey Bohlke of Adams.

A bill for an act to amend section 46-554, Revised Statutes Supplement, 1947, relating to reclamation districts; to harmonize the procedure for taking an appeal from district court to Supreme Court in proceedings to establish a reclamation district with the procedure for appeal in other civil cases; and to repeal the original section.

LEGISLATIVE BILL 129. By W. Halsey Bohlke of Adams.

A bill for an act to amend section 25-2183, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to clarify the provisions thereof with reference to where sale held in partition proceedings shall be had; and to repeal the original section.

LEGISLATIVE BILL 130. By Charles F. Tvrdik of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 8-160, Revised Statutes of Nebraska, 1943, relating to banks and banking; to authorize savings banks to receive deposits of public funds; to prescribe the terms and conditions upon which such deposits shall be made; and to repeal the original section.

LEGISLATIVE BILL 131. By John J. Larkin, Jr. of Douglas, John Adams, Sr., of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act to amend sections 71-1,115.02 and 71-1,120, Revised Statutes Supplement, 1947, relating to public health and welfare; to remove the limitation on the maximum amount that may be paid as salary to the Director and assistant director of Nursing Education; to provide when any change in such salaries shall become operative; and to repeal the original sections.

MOTION—Rule Suspension, Judiciary Hearing

Mr. President: I move that the rules be suspended relating to the five days' notice of the date and time for hearing and that L. B. 50, L. B. 51, L. B. 52 and L. B. 53, referred to the Committee on Judiciary, be approved for hearing before said committee at 2:00 p.m., Wednesday, January 12, 1949. (Signed) John P. McKnight

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

Bills Referred to Standing Committee

L. B.	Committee
89	.....Banking, Commerce and Insurance
90	.....Banking, Commerce and Insurance
91	.....Banking, Commerce and Insurance
92	.....Agriculture
93	.....Judiciary
94	.....Public Works
95	.....Public Health and Miscellaneous Subjects
96	.....Public Health and Miscellaneous Subjects
97	.....Revenue and Taxation
98	.....Agriculture
99	.....Education
100	.....Public Health and Miscellaneous Subjects

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B.	50	Wednesday, January 12, 1949	2:00 p.m.
L. B.	51	Wednesday, January 12, 1949	2:00 p.m.
L. B.	52	Wednesday, January 12, 1949	2:00 p.m.
L. B.	53	Wednesday, January 12, 1949	2:00 p.m.

Banking, Commerce and Insurance

L. B.	6	Tuesday, January 18, 1949	2:00 p.m.
L. B.	7	Tuesday, January 18, 1949	2:00 p.m.

RESOLUTIONS

LEGISLATIVE RESOLUTION 3.

L. R. 3 was adopted with 40 ayes, 0 nays and 3 not voting.

Adjournment

At 11:05 a.m., Mr. Tvrdik made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday January 12, 1949.

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

Hugo F. Srb

Clerk of the Legislature

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 12, 1949

Pursuant to adjournment, the Legislature met at 10:05 a. m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the sixth day was approved as corrected.

Communications

An invitation from the Nebraska Resources Foundation to the members of the Legislature to a dinner at the Cornhusker Hotel, Thursday, January 27, at 6:30 p.m.

A resolution from the Nebraska Stock Growers Association, addressed to the Lieutenant Governor, regarding an adequate highway system. The communication was referred to the Committee on Public Works.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

L. B.	60	Wednesday, January 19, 1949	2:00 p.m.
L. B.	61	Wednesday, January 19, 1949	2:00 p.m.

Government

L. B.	70	Friday, January 21, 1949	2:00 p.m.
L. B.	78	Friday, January 21, 1949	2:00 p.m.
L. B.	86	Friday, January 21, 1949	2:00 p.m.

Agriculture

L. B.	74	Wednesday, January 19, 1949	2:00 p.m.
L. B.	92	Wednesday, January 19, 1949	2:00 p.m.

President Signs

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

L.R. 3

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 132. By Cliff N. Ogden of Douglas, J. V. Benesch of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act to amend section 79-2912, Revised Statutes Supplement, 1947, relating to the school retirement system; to provide for all school employees who retire under any regularly established retirement or pension system to receive service annuities contributed by the state; and to repeal the original section.

LEGISLATIVE BILL 133. By Hal Bridenbaugh of Dakota, Arthur Carmody of Hitchcock and N. F. Schroeder of Wayne.

A bill for an act to amend section 77-1605.01, Revised Statutes Supplement, 1947, relating to taxation; to remove restrictions on use of funds raised by special levy for cooperation with the government of the United States in the construction and improvement of roads within a county; to authorize the use of such funds for general road purposes when suitable projects involving federal funds are not available or deemed feasible; and to repeal the original section.

LEGISLATIVE BILL 134. By W. J. Williams of Buffalo.

A bill for an act to amend sections 48-124, 48-152, 48-165, and 48-179, Revised Statutes of Nebraska, 1943, and sections 48-128, 48-159, 48-177, and 48-181, Revised Statutes Supplement, 1947, relating to workmen's compensation; to clarify who is wholly dependent for support; to provide for limitation of action for claim for Second Injury Fund; to provide for refund of payment made to Second Injury Fund; to provide for a method of impleading parties where a claim is made against Second Injury Fund; to provide for reimbursement of judges and employees for certain expenses while away from

their place of residence on business of the court; to provide who is entitled to blank forms and what reports are to be furnished; to provide a procedure for dismissal of causes and applications for rehearing; to provide who may serve notice and waive rehearings before the Nebraska Workmen's Compensation Court; to provide for functions of the Nebraska Workmen's Compensation Court except such as are committed to courts of appellate jurisdiction; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 135. By Ed. Hoyt of Red Willow.

A bill for an act to authorize and empower the board of county commissioners or supervisors of any county to vacate, relocate, lay out, or alter any public road within the boundaries of or adjacent to any flood control project of the United States; to provide the powers of such county board with reference thereto; to provide procedure for the exercise of such power; to amend section 39-102, Revised Statutes Supplement, 1947; and to repeal the original section.

LEGISLATIVE BILL 136. By Ed. Hoyt of Red Willow.

A bill for an act to provide for the apportionment and distribution of funds received by the state from the United States under an act of Congress known as the Flood Control Act.

LEGISLATIVE BILL 137. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 81-513, Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to provide that before the State Fire Marshal condemns or by order directs the destruction, repair, or alteration of any public building or structure for any other cause than fire prevention, he shall be required to obtain a written report from a building contractor or licensed engineer stating the condition of the building, and the reason why such building or structure should be condemned, destroyed, altered, or repaired, and a copy of the report shall be attached to the order; and to repeal the original section.

LEGISLATIVE BILL 138. By Arthur Carmody of Hitchcock, N. F. Schroeder of Wayne and Ed. Hoyt of Red Willow.

A bill for an act to amend section 39-604, Revised Statutes of Nebraska, 1943, relating to highways; to relieve the Department of Roads and Irrigation of the necessity of maintenance of highways built in whole or in part with federal funds which are not a part of the state highway system; and to repeal the original section.

LEGISLATIVE BILL 139. By Willard M. Wilson of Phelps.

A bill for an act to repeal sections 60-507, 60-508, 60-509, 60-510, 60-511, 60-512, 60-513, and 60-514, Revised Statutes Supplement, 1947, relating to the Motor Vehicle Safety-Responsibility Act.

LEGISLATIVE BILL 140. By R. W. Hill of Thayer and W. J. Williams of Buffalo.

A bill for an act to amend sections 76-217.02 and 76-217.03, Revised Statutes Supplement, 1947, relating to notaries public; to make it lawful for a shareholder, appointive officer, or employee of a cooperative credit association who is a notary public to take the acknowledgment of any person to any written instrument executed to or by said association and to administer an oath to any shareholder, director, elected or appointive officer, employee or agent of such association; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 141. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 83-352, Revised Statutes Supplement, 1947, relating to state institutions; to provide procedure for the recovery of cost of maintenance of patients in a hospital for the mentally ill; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 142. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 66-305, Revised Statutes Supplement, 1947, relating to motor vehicle fuels; to reduce inspection fees; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 143. By Thomas M. Davies of Lancaster and Fay Wood of Seward.

A bill for an act to amend sections 35-401, 35-402, 35-403, 35-404, and 35-408, Revised Statutes of Nebraska, 1943, and sections 35-405, 35-406, and 77-1603, Revised Statutes Supplement, 1947, relating to rural fire protection districts; to prescribe the conditions under which such districts may be formed, organized, and established; to provide for their organization, establishment, equipment, and maintenance; to provide a procedure for the organization and formation of such districts and the determination of the boundaries thereof by county boards after a hearing by said boards; to provide for a public meeting of the electors residing within such districts to determine whether such districts should be formed and to elect the officers and directors thereof; to provide for regular annual and special public

meetings of the electors residing in such districts; to define the powers of the boards of directors of such districts; to provide a procedure for the levying of taxes to support and maintain such districts; to change and fix the maximum permissible limits of indebtedness of such districts; to authorize incorporated cities, towns, and villages to contract with such districts for mutual fire protection or cooperation; to provide a procedure for the annexation to, or withdrawal from, such districts of certain territory adjacent to the boundaries of such districts; to raise the maximum tax levy for the support of such districts to one mill; to provide that all such districts organized prior to the effective date of this act shall be deemed to be organized and operating under the terms of this act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 144. By John S. Callan of Gage, Charles F. Tvrdik of Douglas and W. J. Norman of Douglas.

A bill for an act to amend sections 77-903, 77-904, 77-906, and 77-2106, Revised Statutes of Nebraska, 1943, and section 68-230, Revised Statutes Supplement, 1947, relating to taxation; to provide for crediting to the State General Fund of the taxes therein specified; to reconcile date of exemption from head tax to agree with other legislation; to eliminate obsolete matter; and to repeal the original sections.

LEGISLATIVE BILL 145. By John S. Callan of Gage, Charles F. Tvrdik of Douglas and W. J. Norman of Douglas.

A bill for an act to amend section 33-150, Revised Statutes of Nebraska, 1943, relating to fees; to provide for an increase in the amount credited to the State General Fund from fees collected by state boards, bureaus, divisions, committees, commissions; and to repeal the original section.

LEGISLATIVE BILL 146. By John Adams, Sr. of Douglas, J. V. Benesch of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend sections 23-1109 and 23-1110, Revised Statutes Supplement, 1947, relating to county officers; to increase the salaries of certain officers in classes (7) and (8); to provide when such increases may become operative; and to repeal the original sections.

LEGISLATIVE BILL 147. By J. V. Benesch of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend section 24-507, Revised Statutes Supplement, 1947, relating to county courts; to provide for the appointment of acting county judge while the county judge is temporarily occupied with other court matters; and to repeal the original section.

LEGISLATIVE BILL 148. By Thomas M. Davies of Lancaster, Victor E. Anderson of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 38-201.01, Revised Statutes Supplement, 1947, relating to guardian and ward; to provide for special guardian to act pending appeal from the appointment of a guardian for a mentally incompetent; to provide the powers for a special guardian of a mentally incompetent; to provide for a special guardian pending the hearing on the application for guardian or pending an appeal from the appointment of guardian for spendthrift person, and to provide his powers and duties; and to repeal the original section.

LEGISLATIVE BILL 149. By Thomas M. Davies of Lancaster, Victor E. Anderson of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 24-518, Revised Statutes of Nebraska, 1943, relating to county courts; to reconcile conflict between the provisions therein and statutory provisions with respect to procedure in the county court; and to repeal the original section.

LEGISLATIVE BILL 150. By Thomas M. Davies of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 33-126, Revised Statutes Supplement, 1947, relating to fees and salaries; to provide for specified fees in guardianship proceedings; to increase the amount of fees allowed to the county judge for comparing copies presented for certification when such copies are not prepared by the county judge or his employees; and to repeal the original section.

LEGISLATIVE BILL 151. By Ed F. Lusienski of Platte, Charles Wilson of Madison and Thomas M. Davies of Lancaster.

A bill for an act to provide for the establishment and administration of a retirement system for state officers and employees; to provide funds for the payment of retirement benefits and the adminis-

tration of the system; to prescribe the conditions for eligibility to receive such benefits; to provide for contribution by the State of Nebraska to such system; to define terms; to make certain acts unlawful; to provide for penalties; and to declare an emergency.

Bills Referred to Standing Committee

L. B.	Committee
101	Revenue and Taxation
102	Judiciary
103	Judiciary
104	Labor and Public Welfare
105	Public Health and Miscellaneous Subjects
106	Agriculture
107	Budget
108	Budget
109	Public Works
110	Government
111	Public Works
112	Public Works
113	Government
114	Government
115	Government
116	Government
117	Labor and Public Welfare
118	Government
119	Banking, Commerce and Insurance
120	Government
121	Banking, Commerce and Insurance
122	Banking, Commerce and Insurance
123	Agriculture
124	Agriculture
125	Labor and Public Welfare
126	Government
127	Judiciary
128	Judiciary
129	Judiciary
130	Banking, Commerce and Insurance
131	Public Health and Miscellaneous Subjects

GENERAL FILE

LEGISLATIVE BILL 63. Read and considered.

Mr. Callan offered the following amendment which was adopted:

Amend L. B. 63, Sec. 1, Line 10, by striking the following words

and punctuation, "fuel, light,".

Advanced to E and R for review.

LEGISLATIVE BILL 64. Read and considered.

Advanced to E and R for review.

MOTION—Floor Space

Mr. President: I move that the Sergeant-at-arms be instructed to limit the use of all space in the legislative chamber in front of Row 8 to members of the Legislature, employees of the Legislature and members of the press and radio from 1:00 p.m. to 6:00 p.m. of each legislative day. (Signed) Earl J. Lee

The motion prevailed.

Adjournment

At 10:55 a.m., Mr. Lester Anderson moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, January 13, 1949.

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

Hugo F. Srb
Clerk of the Legislature

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 13, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the seventh day was approved as corrected.

Visitors

Mr. Lillibridge introduced Mr. John Brenneman and his Political Science class from Doane College at Crete, Nebraska. The President asked Mr. Lillibridge, who is a trustee of Doane College, to take the chair. Mr. Lillibridge suggested that the students occupy the chairs of the members of the Legislature. One of the students made a motion and the rest of the student body voted on this motion as an illustration of the use of the voting machine. Mr. Brenneman then thanked the members for the consideration shown to the group.

Mr. Lee introduced Prof. Robert M. Corl, Jr. and his class on Parliamentary Law of Dana College at Blair, Nebraska.

Communications

Acknowledgment from Mrs. James W. Lundy and family of the Legislature's expression of sympathy.

Letter from C. L. Crampton of Gering, Nebraska, to the introducers of L. B. 23, regarding poverty oath of kin of Nebraska's impoverished aged.

NOTICE OF COMMITTEE HEARINGS

Government

L. B.	113	Wednesday, January 26, 1949	2:00 p.m.
L. B.	114	Wednesday, January 26, 1949	2:00 p.m.
L. B.	115	Wednesday, January 26, 1949	2:00 p.m.
L. B.	116	Wednesday, January 26, 1949	2:00 p.m.
L. B.	118	Wednesday, January 26, 1949	2:00 p.m.

Revenue and Taxation

L B.	44	Tuesday, January 18, 1949	2:00 p.m.

Agriculture

L. B.	106	Monday, January 24, 1949	2:00 p.m.
L. B.	123	Monday, January 24, 1949	2:00 p.m.
L. B.	124	Monday, January 24, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 8. Placed on General File.
LEGISLATIVE BILL 9. Placed on General File.
LEGISLATIVE BILL 10. Placed on General File.
LEGISLATIVE BILL 11. Placed on General File.
LEGISLATIVE BILL 12. Placed on General File.

(Signed) Arthur Carmody, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 152. By Victor E. Anderson of Lancaster and Arthur Carmody of Hitchcock.

A bill for an act to amend section 23-1613, Revised Statutes Supplement, 1947, relating to auditing of county records; to provide that the salaries of accountants shall be fixed by the Auditor of Public Accounts; to remove the restriction of the amount of the salary that may be paid to assistant accountants; to provide when any change in such salaries shall become operative; and to repeal the original section.

LEGISLATIVE BILL 153. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act to amend sections 42-305.01 and 42-305.03, Revised Statutes Supplement, 1947, relating to divorce and alimony; to provide for service by publication and by personal notice where the defendant is a resident of this state but is absent therefrom at the time action for divorce is instituted; and to repeal the original sections.

LEGISLATIVE BILL 154. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act to amend section 42-340, Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to reduce the time within which appeal may be taken from a decree of divorce to correspond with time for taking appeal in other civil cases; and to repeal the original section.

LEGISLATIVE BILL 155. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act to amend section 25-518, Revised Statutes of Nebraska, 1943; to clarify the provisions thereof with respect to contents of affidavit for service by publication; and to repeal the original section.

LEGISLATIVE BILL 156. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act to amend section 25-1931, Revised Statutes of Nebraska, 1943, relating to error proceedings in the Supreme Court; to reduce the time for institution of such proceedings to correspond with the time for taking of an appeal to the Supreme Court; and to repeal the original section.

LEGISLATIVE BILL 157. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act relating to taxation; to clarify the procedure for determination of inheritance tax; to amend sections 77-2019, 77-2025, and 77-2028, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 158. By John P. McKnight of Nemaha and Earl J. Lee of Dodge.

A bill for an act relating to estate taxes; to provide for the apportionment of and contribution to the payment of estate taxes levied and assessed by this state or by the United States; to provide the

basis for such apportionment and contribution; to provide procedure for the determination and enforcement of such apportionment and contribution; to provide a construction clause; and to declare an emergency.

LEGISLATIVE BILL 159. By John P. McKnight of Nemaha and Earl J. Lee of Dodge.

A bill for an act to amend section 30-1606, Revised Statutes of Nebraska, 1943, relating to appeals of probate matters and the jurisdiction and procedure in the district court upon appeal; to provide for trial to a jury of appeals from the probate or denial of probate of wills and the allowance or disallowance of claims as provided in section 25-1104, Revised Statutes of Nebraska, 1943, as to actions for the recovery of money or of specific real or personal property; to provide for trial on appeal of all other matters as a suit in equity in the manner provided in section 25-1105, Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 160. By Charles Vogt, Jr. of Pawnee.

A bill for an act to amend section 39-157, Revised Statutes of Nebraska, 1943, relating to highways; to increase the width of a public highway that a county board may lay out for ingress and egress to isolated land; and to repeal the original section.

LEGISLATIVE BILL 161. By Dwight W. Burney of Cedar.

A bill for an act to appropriate to the Game, Forestation and Parks Commission the sum of seventeen thousand dollars for the biennium expiring June 30, 1951, for the purpose of making needed repairs, restoration, and improvement of the Niobrara State Park.

LEGISLATIVE BILL 162. By Charles Wilson of Madison, Hugh Carson of Valley and Ed F. Lusienski of Platte.

A bill for an act to amend sections 79-2909, 79-2915, 79-2922, and 79-2923, Revised Statutes Supplement, 1947, relating to schools; to change the conditions for membership of senior school employees in the School Retirement System; to change the conditions for prior service credit in such system; to provide that a member of the system shall make no further deposits in the School Employees' Savings Fund after he attains the age of sixty-five years nor receive further credit toward any service annuity; to increase retirement allowances from such system; to impose conditions upon the allowance of credit for service outside the state; to provide that retirement allowance shall

not be paid to an annuitant who is serving as a substitute teacher; and to repeal the original sections.

LEGISLATIVE BILL 163. By N. F. Schroeder of Wayne.

A bill for an act to amend section 44-202, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that when any assessment association has accumulated and maintains a certain reserve and surplus or a contingency fund, it may be authorized to transact a specified type of casualty insurance; and to repeal the original section.

LEGISLATIVE BILL 164. By Victor E. Anderson of Lancaster, Wm. Hern of Dawes and O. H. Person of Saunders.

A bill for an act to amend sections 19-2006, 19-2035, and 19-2036, Revised Statutes Supplement, 1947, relating to cities and villages, particular classes; to provide that any city, except cities of the metropolitan class having a home rule charter, or any rural electric power district or any village electing by ordinance to participate in the Nebraska Municipal Retirement System shall be included in the system; to redefine terms; to provide for villages to elect to have one or more of its departments participate in the system by passing an ordinance; to provide what employees shall be included in the system; and to repeal the original sections.

LEGISLATIVE BILL 165. By Glenn Cramer of Boone, N. F. Schroeder of Wayne and C. R. Lindgren of Franklin.

A bill for an act to amend section 23-129, Revised Statutes of Nebraska, 1943, relating to counties; to provide that if two-thirds of the total number of votes cast for or against a proposition at the election in which the proposition is submitted are in favor of the proposition, and other requirements are fully complied with, the county board shall enter at large upon their records that the proposition carried; and to repeal the original section.

LEGISLATIVE BILL 166. By Hal Bridenbaugh of Dakota and George C. Weborg of Cuming.

A bill for an act relating to commercial fertilizers; to provide for a fee to be paid to the Department of Agriculture and Inspection for each net ton of commercial fertilizer sold or offered for sale in this state; and to provide manner of payment of fee and disposition thereof.

LEGISLATIVE BILL 167. By Charles F. Tvrdik of Douglas, W. J. Williams of Buffalo and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 32-1102, 32-1121, 32-1172, and 32-1174, Revised Statutes of Nebraska, 1943, and sections 32-1139, 32-1165, 32-1171, and 32-1173, Revised Statutes Supplement, 1947, relating to elections; to regulate the manner in which political parties shall nominate candidates for office and hold political conventions; to eliminate the endorsement by political parties of candidates seeking nomination on the primary ballot; to provide for holding of county and state conventions of political parties and the election of delegates thereto; to eliminate provisions of law providing for pre-primary conventions; to repeal the original sections, and also sections 32-1175, 32-1176, 32-1178, and 32-1179, Revised Statutes of Nebraska, 1943, and also sections 32-1139.01 and 32-1177, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 168. By Arthur Carmody of Hitchcock, Harry F. Burnham of Custer and Clyde F. Cretsinger of Keith.

A bill for an act to amend section 79-1018, Revised Statutes Supplement, 1947, relating to schools; to reduce the number of qualified voters required to petition for the issuance of bonds for purchasing a site and land to be for experiment purposes, erecting suitable buildings, and furnishing and equipping the same for county high schools; to increase the amount of bonds that may be issued; and to repeal the original section.

LEGISLATIVE BILL 169. By Arthur Carmody of Hitchcock, Harry F. Burnham of Custer and Clyde F. Cretsinger of Keith.

A bill for an act to amend section 79-1006, Revised Statutes Supplement, 1947, relating to schools; to increase the amount that may be levied for the aggregate county high school tax; and to repeal the original section.

LEGISLATIVE BILL 170. By John Adams, Sr., of Douglas, Thomas H. Adams of Lancaster and J. V. Benesch of Douglas.

A bill for an act to amend sections 26-117, 26-118, 26-1,135, 26-1,141, and 26-1,162, Revised Statutes of Nebraska, 1943, and section 26-106, Revised Statutes Supplement, 1947, relating to municipal courts in cities of the metropolitan and primary classes; to increase

the salaries of judges and clerk; to provide when such salary increases shall become operative; to provide for manner of appointment of deputy clerks; to redefine the jurisdiction of such courts in criminal and civil matters; to provide that the sale of property taken upon execution shall be advertised and held within the jurisdiction of such court; to provide for jurisdiction of such courts for foreclosure of liens and partition of personal property; and to repeal the original sections.

LEGISLATIVE BILL 171. By Ray A. Babcock of Cheyenne and R. W. Hill of Thayer.

A bill for an act to repeal sections 44-1210 and 44-1214, Revised Statutes of Nebraska, 1943, relating to reciprocal insurance contracts.

LEGISLATIVE BILL 172. By Ray A. Babcock of Cheyenne and R. W. Hill of Thayer.

A bill for an act to amend section 44-1202, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that sales or exchanges of reciprocal insurance shall be made only through duly licensed agents or representatives; and to repeal the original section.

LEGISLATIVE BILL 173. By R. W. Hill of Thayer and Ray Babcock of Cheyenne.

A bill for an act to amend section 44-1203, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that the declaration filed with the Department of Insurance by the subscribers of reciprocal insurance through their attorney shall state the minimum and maximum liability of subscribers for the payment of losses occurring under its contracts; to provide for a specified fund, in cash or investments as provided by law, to be deposited with the attorney for the various classes of insurance to be sold by him; and to repeal the original section.

LEGISLATIVE BILL 174. By R. W. Hill of Thayer and Ray Babcock of Cheyenne.

A bill for an act relating to insurance; to provide for a contingent several liability of subscriber of reciprocal or interinsurance exchanges; and to prescribe conditions precedent to the exchange of nonassessable interinsurance contracts.

LEGISLATIVE BILL 175. By J. V. Benesch of Douglas and John P. McKnight of Nemaha.

A bill for an act to amend section 26-194, Revised Statutes of Nebraska, 1943, relating to municipal courts in primary and metropolitan cities; to give to such municipal courts the same power to vacate or modify its judgments as is possessed by district and county courts; and to repeal the original section and also section 26-195, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 176. By Thomas M. Davies of Lancaster.

A bill for an act to amend sections 39-738 and 39-739, Revised Statutes of Nebraska, 1943, relating to highways; to confer on the Board of Control, Board of Regents, or any superintendent or official in charge of any state institution authority to control and regulate parking within or along grounds of the state institutions under their respective control; to provide that failure to comply with rules and regulations adopted for such purpose shall constitute a violation; to provide in what courts trial of such violators may be held; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 177. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 85-125, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to prescribe the source and use of the University Cash Fund; to provide what funds shall be deposited with the State Treasurer; to provide for retention of prescribed funds; to repeal the original section; and to declare an emergency.

Unanimous Consent—Add Introducers

Mr. Williams asked unanimous consent to add the names of the following members as co-introducers to L. B. 167: O. H. Person, George C. Weborg, Hugh Carson, Charles Wilson, Wm. Hern, John Adams, Sr., Clyde F. Cretsinger, W. Halsey Bohlke, Lester H. Anderson, W. J. Norman, John J. Larkin, Jr., R. W. Hill, Karl E. Vogel and Willard M. Wilson.

Consent was granted and it was so ordered.

Bills Referred to Standing Committee

L. B.	Committee
132	Miscellaneous Appropriations and Claims
133	Public Works
134	Labor and Public Welfare
135	Government
136	Government

137 .....Public Works
138 .....Public Works
139 .....Banking, Commerce and Insurance
140 .....Banking, Commerce and Insurance
141 .....Public Health and Miscellaneous Subjects
142 .....Government
143 .....Government
144 .....Revenue and Taxation
145 .....Miscellaneous Appropriations and Claims
146 .....Government
147 .....Judiciary
148 .....Judiciary
149 .....Judiciary
150 .....Judiciary
151 .....Miscellaneous Appropriations and Claims

LEGISLATIVE COUNCIL REPORT

Mr. President:

In accordance with the provisions of Section 50-403, **R.S. 1943,** the following officers and employees of the Nebraska Legislative Council are submitted herewith for confirmation: Dr. Roger V. Shumate, Director of Research; Marguerite M. Price, secretary; Louise A. Nixon, librarian; Helen S. Griess, research assistant; Yvonne Quist, stenographer; John J. Wilson, Bill Drafter; Erma Charko, secretary; Stannis Bosley, stenographer; Carol Kennedy, stenographer; Ellen Simmons, stenographer; Gentry Colburn, stenographer; Marilyn Poehler, 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.

Respectfully submitted,

NEBRASKA LEGISLATIVE COUNCIL

(Signed) William A. Metzger, Chairman

Lincoln, Nebraska
January 4, 1949

MOTION—Accept Report

Mr. President: I move that the report of the Legislative Council be adopted. (Signed) William A. Metzger.

The motion prevailed.

MOTION—Suspend Rules, Advance Bills

Mr. President: I move that we suspend the rules and advance L. B. 63 and L. B. 64 to E and R for engrossment. (Signed) John S. Callan

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

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 63. Correctly engrossed.
LEGISLATIVE BILL 64. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

GENERAL FILE

LEGISLATIVE BILL 8. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 9. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 10. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 11. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 12. Considered.

Advanced to E and R for review.

Members Excused

Messrs. Vogel and Babcock were excused for Friday, January 14. 1949.

Adjournment

At 11:12 a.m., Mr. Lester Anderson moved that the rules be

suspended and that the Legislature adjourn until 10:00 a.m., Friday, January 14, 1949.

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

Hugo F. Srb

Clerk of the Legislature

NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 14, 1948

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Babcock, Bohlke, Holmes and Vogel, who were excused.

The Journal for the eighth day was approved as corrected.

Communications

A letter from members of the Stromsburg W.C.T.U., protesting the lowering of the age limit in the sale of tobacco.

A letter from the Executive Board Committee of the Benson-West P.T.A., regarding the reorganization of rural school districts.

A letter from the Omaha-Douglas County Medical Society, commending the action taken on L.R. 2.

An invitation from the Crete American Legion Post, Ed. Hammond, Commander, inviting the members to the annual Coon Feed at St. James Hall, Crete, on Tuesday, January 18, at 6 o'clock p.m.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 120	Wednesday, February 2, 1949	2:00 p.m.
L. B. 126	Wednesday, February 2, 1949	2:00 p.m.
L. B. 135	Wednesday, February 2, 1949	2:00 p.m.
L. B. 136	Wednesday, February 2, 1949	2:00 p.m.

Labor and Public Welfare

L. B.	71	Monday, January 24, 1949	2:00 p.m.
L. B.	104	Monday, January 24, 1949	2:00 p.m.

Judiciary

L. B.	73	Monday, January 17, 1949	2:00 p.m.
L. B.	93	Monday, January 17, 1949	2:00 p.m.
L. B.	87	Wednesday, January 19, 1949	2:00 p.m.
L. B.	88	Wednesday, January 19, 1949	2:00 p.m.
L. B.	24	Monday, January 24, 1949	2:00 p.m.
L. B.	41	Monday, January 24, 1949	2:00 p.m.
L. B.	56	Monday, January 24, 1949	2:00 p.m.
L. B.	36	Wednesday, February 2, 1949	2:00 p.m.
L. B.	82	Wednesday, February 2, 1949	2:00 p.m.

STANDING COMMITTEE REPORT

Public Works

LEGISLATIVE BILL 20. Placed on General File.
LEGISLATIVE BILL 47. Placed on General File.
LEGISLATIVE BILL 46. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 4. Placed on General File.
LEGISLATIVE BILL 5. Placed on General File as amended.

Standing Committee amendment to L.B. 5:

Section 1, line 18—Strike the word "sixty" and insert the word "seventy" in lieu thereof.

(Signed) William Hern, Chairman

Judiciary

LEGISLATIVE BILL 50. Placed on General File.
LEGISLATIVE BILL 51. Placed on General File.
LEGISLATIVE BILL 52. Placed on General File.
LEGISLATIVE BILL 53. Placed on General File.

(Signed) John P. McKnight, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 4. Memorializing the Congress of the United States to defeat Federal Aid to Education

Introduced by Glenn Cramer of Boone, Dwight W.Burney of Cedar and W. J. Williams of Buffalo.

WHEREAS, there is pending in the Congress of the United States a bill giving federal aid to education;

WHEREAS, if this bill were passed, it would lead inevitably to federal control of the public schools of the United States, thereby taking control out of the hands of the local districts;

WHEREAS, it is not economy to send money from the State of Nebraska to Washington to spend because of the expense of collecting the money and returning it to the people of the State of Nebraska to spend; and

WHEREAS, reports show that the people of the State of Nebraska would be required to pay into the fund nearly twice the amount of the benefits to be received if this bill is passed.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That any bills in the Congress of the United States to aid education should be defeated.

2. That copies of this resolution 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, and to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 178. By William A. Metzger of Cass and Dwight W. Burney of Cedar.

A bill for an act relating to livestock; to provide conditions for the transportation of livestock by motor carriers; and to provide a penalty.

LEGISLATIVE BILL 179. By Wm. Hern of Dawes.

A bill for an act to repeal Chapter 43, article 4, Revised Statutes of Nebraska, 1943, relating to mothers' pensions.

LEGISLATIVE BILL 180. By Wm. Hern of Dawes.

A bill for an act to repeal section 28-932, Revised Statutes of Nebraska, 1943, relating to crimes and punishment.

LEGISLATIVE BILL 181. By Wm. Hern of Dawes.

A bill for an act to repeal sections 38-115, 38-116, 38-117, and 38-118, Revised Statutes of Nebraska, 1943, relating to guardian and ward.

LEGISLATIVE BILL 182. By Charles F. Tvrdik of Douglas.

A bill for an act relating to corporations; to enact a law relating to religious associations and corporations; to provide for incorporation of regligious associations; to provide procedure for selling and encumbering real estate acquired or held by such associations and corporations; to validate certain acts; and to repeal Chapter 21, article 8, Revised Statutes of Nebraska, 1943, and section 76-270.01, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 183. By William A. Metzger, Chairman of the Legislative Council, of Cass.

A bill for an act to amend sections 85-308 and 85-313, Revised Statutes of Nebraska, 1943, relating to state normal schools; to provide the functions of such schools; to provide for degrees that may be issued by such schools; and to repeal the original sections.

LEGISLATIVE BILL 184. By C. C. Lillibridge of Saline and Arthur Carmody of Hitchcock.

A bill for an act to amend section 37-204 Revised Statutes Supplement, 1947, relating to game and fish; to increase the hunting and fishing permit fees for residents of the state and minimum fishing permit fees for nonresidents; and to repeal the original section.

LEGISLATIVE BILL 185. By William A. Metzger of Cass.

A bill for an act relating to counties; to create a county highway board; to provide for the membership of such board and the appointment and election of its members; to provide for bond and oath of trustees of such board; to provide for chairman and secretary of board; to provide for per diem and mileage expenses of trustees; to

provide duties of the board; and to provide for public meetings.

LEGISLATIVE BILL 186. By W. J. Williams of Buffalo.

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 in 1950 and every four years thereafter; to provide for filing fee of such candidates; and to provide for the filling of vacancies in such offices.

LEGISLATIVE BILL 187. By Frank Nelson of Holt, by request.

A bill for an act to amend section 37-418, Revised Statutes Supplement, 1947, relating to game and fish; to eliminate from a state refuge for the better protection of birds and the establishment of breeding places therefor all that portion on the Niobrara River and twenty rods on each side of the banks of the stream from the west line of Holt and Boyd Counties extending in an easterly direction down said river to the east line of Holt and Boyd Counties; and to repeal the original section.

LEGISLATIVE BILL 188. By William A. Metzger, Chairman of Legislative Council, of Cass.

A bill for an act to amend section 43-202, Revised Statutes of Nebraska, 1943, relating to juvenile courts; to redefine the jurisdiction of district and county courts in cases arising under the Juvenile Court Act; to provide that, in counties having a population of not more than sixty thousand inhabitants, the county court shall have exclusive original jurisdiction in all cases arising under the Juvenile Court Act; to provide for appointment of acting county judge to hear such cases when the county judge is absent from the county or there is a vacancy in such office; and to repeal the original section.

LEGISLATIVE BILL 189. By William A. Metzger, Chairman of Legislative Council, of Cass.

A bill for an act to amend section 13-109, Revised Statutes of Nebraska, 1943, relating to children born out of wedlock; to provide the conditions for a father to acknowledge a child born out of wedlock; and to repeal the original section.

LEGISLATIVE BILL 190. By William A. Metzger, Chairman of Legislative Council, of Cass.

A bill for an act to amend section 71-711, Revised Statutes of

Nebraska, 1943, relating to public health and welfare; to forbid the giving or receiving of any child under the age of eighteen years into permanent care and control of another person without the approval of the proper court for adoption, or of an approved public or private welfare agency; and to repeal the original section.

LEGISLATIVE BILL 191. By William A. Metzger, Chairman of Legislative Council, of Cass and Thomas M. Davies of Lancaster.

A bill for an act to amend section 43-504, Revised Statutes Supplement, 1947, relating to infants; to harmonize the age limit of a child therein set out with other legislation; and to repeal the original section.

LEGISLATIVE BILL 192. By William A. Metzger of Cass.

A bill for an act to amend section 66-424.01, Revised Statutes Supplement, 1947, relating to distribution of the Gasoline Tax Fund; to provide that the share of such fund now allocated to counties for improving mail routes shall be credited to a fund to be known as the "county road improvement fund," and expended upon such roads and in such manner as the board of county commissioners or supervisors may determine; and to repeal the original section and also sections 39-1001 to 39-1009, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 193. By Arthur Carmody of Hitchcock and C. C. Lillibridge of Saline.

A bill for an act to amend section 37-614, Revised Statutes of Nebraska, 1943, relating to game and fish; to increase the amount of damages a magistrate may assess for unlawful killing of certain game birds or game animals or fur-bearing animals; and to repeal the original section.

LEGISLATIVE BILL 194. By C. C. Lillibridge of Saline and Arthur Carmody of Hitchcock.

A bill for an act to amend section 37-308, Revised Statutes Supplement, 1947, relating to game and fish; to increase the penalty for unlawfully catching, taking, trapping, killing, or destroying, or attempting to catch, take, kill, or destroy any game bird, game or fur-bearing animal or game fish or unlawfully have such in his possession; and to repeal the original section.

LEGISLATIVE BILL 195. By Victor E. Anderson of Lancaster and Thomas M. Davies of Lancaster.

A bill for an act to authorize the governing body of any city or village as to operations within the corporate limits of any such city or village, and the board of county commissioners or supervisors of any county as to operations within the county and outside the corporate limits of any city or village, to impose a license tax upon the operation of pinball machines, shuffle boards, and any other games of amusement.

LEGISLATIVE BILL 196. By John P. McKnight of Nemaha, Thomas M. Davies of Lancaster and Karl E. Vogel of Douglas.

A bill for an act to provide for the salary of the Attorney General; to provide when the same shall become operative; and to declare an emergency.

LEGISLATIVE BILL 197. By John P. McKnight of Nemaha, Thomas M. Davies of Lancaster and Karl E. Vogel of Douglas.

A bill for an act to amend section 84-206, Revised Statutes Supplement, 1947, relating to state officers; to remove the limitation upon the maximum amount of salary that may be paid to the deputy attorney general; to provide when any change in such salary shall become operative; and to repeal the original section.

LEGISLATIVE BILL 198. By John J. Larkin, Jr., of Douglas, John Adams, Sr., of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend sections 79-2151 and 79-2153, Revised Statutes of Nebraska, 1943, relating to schools in cities having or attaining a population of forty thousand inhabitants or more; to require probationary teachers in schools in cities having a population of forty thousand inhabitants or more whose contracts are automatically renewed to file an annual notice of acceptance, and to require permanent teachers under indefinite contracts to file an annual notice of intention to perform such contract the following year; to provide that failure to file such annual notice on or before April 15 shall be conclusive evidence of nonacceptance or of resignation and termination of the contract; and to repeal the original sections.

LEGISLATIVE BILL 199. By John Adams, Sr., of Douglas, John J. Larkin, Jr., of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend sections 14-514 and 14-555, Revised

Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to remove provisions for the accounting and disbursement of school money by the city treasurer; to eliminate the provision for certification of the school levy by the board of education to the city council; and to repeal the original sections.

Bills Referred to Standing Committee

L. B.	Committee
152	Government
153	Judiciary
154	Judiciary
155	Judiciary
156	Judiciary
157	Judiciary
158	Judiciary
159	Judiciary
160	Public Works
161	Miscellaneous Appropriations and Claims
162	Miscellaneous Appropriations and Claims
163	Banking, Commerce and Insurance
164	Miscellaneous Appropriations and Claims
165	Government
166	Agriculture
167	Government
168	Education
169	Education
170	Judiciary
171	Banking, Commerce and Insurance
172	Banking, Commerce and Insurance
173	Banking, Commerce and Insurance
174	Banking, Commerce and Insurance
175	Judiciary
176	Public Works
177	Budget

Mr. Tvrdik Presiding

GENERAL FILE

LEGISLATIVE BILL 20. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 47. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 46. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 5. Laid over.

LEGISLATIVE BILL 4. Laid over.

LEGISLATIVE BILL 50. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 51. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 52. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 53. Considered.

Advanced to E and R for review.

President Warner Presiding

Member Excused

Mr. Wood was excused for Monday, January 17, 1949.

Adjournment

At 11:15 a.m., Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, January 17, 1949.

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

Hugo F. Srb

Clerk of the Legislature

TENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 17, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Wood and McKnight who were excused.

The Journal for the ninth day was approved as corrected.

Communications

Letter and resolution from K. J. Kollmorgen, County Clerk of Cuming County, opposing any law abolishing township government or curtailing the duties and powers of its officers. Referred to Committee on Public Works.

Letter from Rep. A. L. Miller, regarding L. R. 2. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Senator Hugh Butler, regarding L. R. 2. Referred to Committee on Public Health and Miscellaneous Subjects.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B.	33	Tuesday, January 25, 1949	2:00 p.m.
L. B.	34	Tuesday, January 25, 1949	2:00 p.m.
L. B.	35	Tuesday, January 25, 1949	2:00 p.m.

Public Works

L. B.	59	Friday, January 21, 1949	2:00 p.m.

STANDING COMMITTEE REPORT

Public Works

LEGISLATIVE BILL 26. Placed on General File as amended.

Standing Committee amendment to L. B. 26:

Amend Section 1, Lines 8 & 9, by striking the words " from the art associations, the architectural associations, and the three persons having a special interest in murals." and inserting the words "of the commission." in lieu thereof.

(Signed) Otto J. Prohs, Chairman

Visitors

Mr. Davies introduced Mrs. Paulien, Sixth Grade Teacher, and Miss Thora Henderson, Principal, of Prescott School, and one of the Sixth Grade classes.

Resolutions

LEGISLATIVE RESOLUTION 4. Laid over.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 200. By Earl J. Lee of Dodge, John P. McKnight of Nemaha and Dwight W. Burney of Cedar.

A bill for an act to provide for the submission to the electors of Nebraska the question of the calling of a constitutional convention.

LEGISLATIVE BILL 201. By Earl J. Lee of Dodge, John P. McKnight of Nemaha and Dwight W. Burney of Cedar.

A bill for an act to provide for submission to the electors of an amendment to Section 2, Article XVI, of the Constitution of Nebraska, to increase the number of members required to compose a constitutional convention; to authorize the Legislature to define the boundaries of election districts and prescribe the manner in which members of a constitutional convention are elected; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 202. By Willard M. Wilson of Phelps.

A bill for an act to amend section 77-1725, Revised Statutes Supplement, 1947, relating to taxation; to extend the provisions imposing liability and penalties for destruction or removal of buildings while there are unpaid delinquent taxes thereon to all school districts having an outstanding bonded indebtedness; and to repeal the original section.

LEGISLATIVE BILL 203. By Harry F. Burnham of Custer, by request.

A bill for an act to amend section 28-411, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to increase the penalty for assault and battery; and to repeal the original section.

LEGISLATIVE BILL 204. By Karl E. Vogel of Douglas and John S. Callan of Gage.

A bill for an act relating to the University of Nebraska; to provide for cost of care and treatment of indigent and needy patients treated at the University of Nebraska Hospital; to provide for certifying to the Auditor of Public Accounts amounts due from counties charged with such costs; to provide for certifying amounts due to county clerk of each county having such patients; to provide for a levy to be known as University Hospital Fund levy; to provide that the money raised by such levy shall be used for the operation and maintenance of the University Hospital when appropriated by the Legislature; and to declare an emergency.

LEGISLATIVE BILL 205. By Glenn Cramer of Boone.

A bill for an act to amend section 32-515, Revised Statutes of Nebraska, 1943, relating to elections; to make it mandatory upon the person charged with the duty of preparing ballots to print for each polling place, ten per cent of the number of official ballots furnished; and to repeal the original section.

LEGISLATIVE BILL 206. By Willard M. Wilson of Phelps.

A bill for an act to amend section 33-126, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the amount of fees a county judge shall receive for filing and recording reports in testamentary trusts and guardianship estates; and to repeal the original section.

LEGISLATIVE BILL 207. By Willard M. Wilson of Phelps.

A bill for an act specifically to appropriate the sum of five thousand seven hundred eighty-four dollars and fifty-two 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 6, 1949; 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 4, 1951; and to declare an emergency.

LEGISLATIVE BILL 208. By Harry L. Pizer of Lincoln, Arthur Carmody of Hitchcock and C. C. Lillibridge of Saline.

A bill for an act to amend section 37-501, Revised Statutes Supplement, 1947, relating to game and fish; to provide that hunting, killing, or attempting to hunt or kill any waterfowl from any barge or sink box shall be unlawful; and to repeal the original section.

LEGISLATIVE BILL 209. By Ed F. Lusienski of Platte, Louis A. Holmes of Hall and Victor E. Anderson of Lancaster.

A bill for an act to amend sections 83-108, 83-142, and 83-491, Revised Statutes of Nebraska, 1943, and section 83-107.01, Revised Statutes Supplement, 1947, relating to state institutions; to provide that the management and control of the Genoa State Farm shall be transferred from the Board of Control to the Board of Regents of the University of Nebraska; to repeal the original sections and also sections 83-492 and 83-493, Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 210. By John Adams, Sr., of Douglas and William J. Norman of Douglas.

A bill for an act to appropriate the sum of fifty-five thousand dollars out of the General Fund of the state for the purpose of assisting school district No. 1 of Bellevue, Sarpy County, Nebraska, school district No. 61 of Douglas County, Nebraska, and school district No. 4 of Douglas County, Nebraska, for each of the fiscal years ending June 30, 1950 and 1951, in paying the general operating expense of maintaining the school in such districts.

LEGISLATIVE BILL 211. By John J. Larkin, Jr., of Douglas, Karl E. Vogel of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 79-2708, 79-2710, and 79-2716, Revised Statutes of Nebraska, 1943, and sections 79-2722 and 79-2743, Revised Statutes Supplement, 1947, relating to schools in metropolitan cities; to provide for filling vacancies on the board of education; to provide for election of officers and employees prior to April 1 and for contracts with such officers and employees; to eliminate the election of superintendent of buildings; to permit the accounting and disbursement of school money in the hands of the county treasurer as ex officio treasurer of the school district, directly to the board of education and to permit certification of school taxes directly to the county board; to provide for refunding teachers' excess contributions to the pension fund to a designated beneficiary in case of death; and to repeal the original sections.

LEGISLATIVE BILL 212. By Cliff N. Odgen of Douglas, Hugh Carson of Valley and Louis A. Holmes of Hall.

A bill for an act to amend section 75-104, Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to increase the annual salary of the members of the commission; to provide when the same shall become operative; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 213. By Hugh Carson of Valley.

A bill for an act to amend sections 28-401, 29-2005, and 29-2301, Revised Statutes of Nebraska, 1943, relating to crimes and criminal procedure; to abolish capital punishment in the State of Nebraska; to repeal the original sections, and also section 29-2307 and sections 29-2504 to 29-2518, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 214. By Louis A. Holmes of Hall.

A bill for an act to appropriate the sum of two thousand dollars to aid in defraying traveling expenses of district judges for the biennium ending June 30, 1949; and to declare an emergency.

STANDING COMMITTEE REPORT

Government

LEGISLATIVE BILL 19. Placed on General File as amended.

Standing Committee amendment to L. B. 19:

Amend L. B. 19, line 41 to read—"ermental subdivision for two

successive weeks next prior to", instead of as printed. Line 45 to read—"and which circulates therein, or by posting in six public".

LEGISLATIVE BILL 21. Placed on General File as amended.

Standing Committee amendment to L. B. 21:

Amend the bill, section 1, lines 7 through 13 to read, "they take effect, be published once in a newspaper published in such governmental subdivision. If there be no such newspaper, the publication of notice of said election may be made in any newspaper in the county wherein said governmental subdivision is located which circulates therein, or by posting in six public places in said governmental subdivision within ten days next following the passage of the ordinance."

LEGISLATIVE BILL 22. Placed on General File as amended.

Standing Committee amendment to L. B. 22:

Amend L. B. 22 in Section 1, Line 26 as follows: "two successive weeks next prior to said election. If there be".

(Signed) Arthur Carmody, Chairman

MOTION—Rehearing of Bills

Mr. President: I move that L. B. 19, L. B. 21, L. B. 22 be returned to the Committee on Government for re-hearing. (Signed) O. H. Person

The motion prevailed and the bills were returned to Committee.

Bills Referrd to Standing Committee

L. B.	Committee
178	Agriculture
179	Public Health and Miscellaneous Subjects
180	Judiciary
181	Judiciary
182	Judiciary
183	Education
184	Agriculture
185	Public Works
186	Government
187	Agriculture

188 .....Judiciary
189 .....Judiciary
190 .....Judiciary
191 .....Judiciary
192 .....Public Works
193 .....Agriculture
194 .....Agriculture
195 .....Revenue and Taxation
196 .....Government
197 .....Government
198 .....Education
199 .....Education

GENERAL FILE

MOTION—Special Order

Mr. President: I move that L. B. 4 and L. B. 5 be made Special Order two weeks from today, January 31, 1949. (Signed) Arthur Carmody

The motion prevailed.

LEGISLATIVE BILL 5. Considered.

Member Excused

Mr. Schroeder was excused for the remainder of the morning.

MOTION—Rule Suspension, Set Hearing

Mr. President: I move that rule 6, Sec. 3, requiring five calendar days be suspended and that L. B. 72 be set for public hearing January 20, before the Revenue and Taxation Committee. (Signed) Charles F. Tvrdik

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

NOTICE OF COMMITTEE HEARING

Revenue and Taxation

L. B. 72	Thursday, January 20, 1949	2:00 p.m.
L. B. 101	Tuesday, January 25, 1949	2:00 p.m.

Adjournment

At 12:00, noon, Mr. Hoyt moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Tuesday, January 18, 1949.

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

Hugo F. Srb

Clerk of the Legislature

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 18, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the tenth day was approved.

Communications

A letter from Albin W. Barkley, acknowledging receipt of L.R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

A letter from Representative Karl Stefan acknowledging receipt of L.R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

An invitation from the Nebraska Fire Safety Program to a luncheon at the Cornhusker Hotel on Friday, January 28, 1949.

REPORT OF JUDGES OF THE SUPREME COURT

Message From the Governor

January 17, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

I am transmitting herewith the report of the Judges of the

Supreme Court on defects in the Nebraska Constitution and Laws.

This is in accordance with the provisions of Section 23, Article IV, of the Constitution of the State of Nebraska and Section 49-702, Revised Statutes Supplement, 1945.

Respectfully submitted,

(Signed) Val Peterson
Governor of Nebraska

REPORT OF JUDGES OF THE SUPREME COURT

To the members of the Sixty-first Session of the Nebraska Legislature.

Article V, section 25, of the Constitution of Nebraska, provides that the Supreme Court may certify to the Legislature desirable amendments or changes in the general laws governing practice and procedure in the courts of the state.

Article IV, section 23, of the Constitution of Nebraska, provides that the report of the Judges of the Supreme Court of defects in the Constitution and laws shall be transmitted by the Governor to the Legislature.

Under section 49-702, R. S. Supp., 1947, it is the duty of the Revisor of Statutes to prepare, prior to each regular session of the Legislature, the report of the Judges of the Supreme Court as to recommended legislative action, and to draft in the form of bills proposed legislation to carry out the recommendations contained in the report.

To aid and assist in making recommendations tending to the simplification of practice and procedure of the judicial system, the Supreme Court has established by rule of court the Judicial Council. This council is composed of one Supreme Court Justice, two district judges, one county judge, the chairman of the Judiciary Committee of the Legislature, six practicing lawyers and two laymen. All proposed recommendations of the Supreme Court for simplification of practice and procedure are referred to the Judicial Council for study and report.

Nine proposed legislative bills have been reported favorably by the Judicial Council and are recommended to the Legislature by the Supreme Court. These are:

1. A bill to amend section 26-194, R. S. 1943, to give to municipal courts the same power to vacate or modify its judgments as is possessed by district courts.

2. A bill to amend sections 42-305.01 and 42-305.03, R. S. Supp., 1947, to authorize service in a divorce action where defendant is a resident of this state but is temporarily out of the state or his whereabouts is unknown.

3. A bill to amend section 42-340, R. S. 1943, to reduce the time within which appeal is required to be taken from decree of divorce to correspond with time for taking appeal in other civil cases.

4. A bill to amend section 25-518, R. S. 1943, to make provisions of affidavit, where whereabouts and residence of defendants are unknown, coincide with requirements of subsection (6) of section 25-517, R. S. Supp., 1947.

5. A bill to amend section 25-1931, R. S. 1943, to reduce time for instituting error proceedings in the Supreme Court to coincide with time for taking of appeal in civil cases.

6. A bill to amend sections 77-2019, 77-2025, and 77-2028, R. S. 1943, to clarify procedure for assessment of inheritance tax where no probate of estate is had. The need for this amendment arose out of the action of the 1947 Legislature in imposing inheritance tax on property held in joint tenancy with right of survivorship upon death of a joint tenant.

7. A bill to provide for apportionment and contribution to payment of estate taxes.

8. A bill to amend section 30-103, R. S. Supp., 1947, and 30-229, R. S. 1943, to permit the extension beyond 12 months of allowance for maintenance of surviving spouse and minor children in both testate and intestate estates.

9. A bill to amend section 30-1606, R. S. 1943, to provide for trial by the district court without a jury of all cases on appeal in probate matters, except allowance of claims and admission of wills to probate.

The plan of continuous statutory revision established by the 1945 Legislature contemplates, as a part of the report of the Judges of the Supreme Court, recommendations as to defects in existing laws and drafting of corrective legislation. Twenty-three bills of this nature have been prepared and are submitted for consideration.

In view of the legislation already enacted since 1943 and contemplated to be enacted at this session with respect to taxation and schools, it is recommended that Volume IV of the Revised Statutes, 1943, be reissued in two volumes and brought up-to-date. A bill is

submitted to accomplish this purpose.

Respectfully submitted,

Walter D. James
Revisor of Statutes

The above report was referred to the Committee on Judiciary.

NOTICE OF COMMITTEE HEARINGS

Budget

L. B. 107	Monday, January 24, 1949	2:00 p.m.
L. B. 108	Monday, January 24, 1949	2:00 p.m.
L. B. 177	Monday, January 24, 1949	2:00 p.m.

Government

L. B. 152	Friday, February 4, 1949	2:00 p.m.
L. B. 146	Friday, February 4, 1949	2:00 p.m.
L. B. 110	Friday, February 4, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 73. Placed on General File.

(Signed) J. V. Benesch, Vice-Chairman

Labor and Public Welfare

LEGISLATIVE BILL 45. Placed on General File as amended.

Standing Committee amendments to L. B. 45:

1. Section 2, line 4, immediately preceding the word "for" insert the following: *"and actual expenses"*.

2. Section 2, lines 6 and 7, strike the sentence beginning with the word "The".

(Signed) Karl E. Vogel, Chairman

Government

LEGISLATIVE BILL 25. Placed on General File.

(Signed) Arthur Carmody, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 4.

Mr. Cramer asked unanimous consent to withdraw L. R. 4. Consent was granted and it was so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 215. By J. V. Benesch of Douglas, John J. Larkin, Jr., of Douglas and Karl E. Vogel of Douglas.

A bill for an act to authorize any insurance company organized under the laws of Nebraska, with capital and surplus in excess of one million dollars, to invest a portion of its capital and surplus in real estate for rental purposes and to hold and operate such property; and to declare an emergency.

LEGISLATIVE BILL 216. By Earl J. Lee of Dodge and C. C. Lillibridge of Saline.

A bill for an act relating to schools; to specifically appropriate from Auditor Account No. 362 for the biennium ending June 30, 1949, the sum of two thousand six hundred sixty-four dollars for the purpose of paying the claims of certain school districts in the State of Nebraska for the tuition of children whose parents reside on tax exempt state-owned air fields; and to declare an emergency.

LEGISLATIVE BILL 217. By Earl J. Lee of Dodge and C. C. Lillibridge of Saline.

A bill for an act relating to schools; to provide that the tuition of children of parents residing on tax exempt state-owned air fields shall be paid by the Department of Aeronautics as prescribed.

LEGISLATIVE BILL 218. By Dwight W. Burney of Cedar and George C. Weborg of Cuming.

A bill for an act relating to highways; to authorize the Department of Roads and Irrigation to erect scales along any state highway; and to provide for acquiring of real estate for such purpose.

LEGISLATIVE BILL 219. By Don E. Hanna of Cherry and Willard M. Wilson of Phelps.

A bill for an act to provide for the salary of the State Treasurer; to provide when the same shall become operative; and to declare an emergency.

LEGISLATIVE BILL 220. By Don E. Hanna of Cherry, Ed. Hoyt of Red Willow and Ray Babcock of Cheyenne.

A bill for an act relating to taxation; to provide for a tax on the gross earnings and the stock of production credit associations organized under the laws of the United States, with their principal offices in this state and doing business in this state; to provide that such tax shall be applicable to such production credit associations after the exemption from taxation provided them by the laws of the United States no longer applies; to provide for assessment and collection of such tax; to provide for taxation of real estate and tangible personal property of such production credit association; and to declare an emergency.

LEGISLATIVE BILL 221. By Don E. Hanna of Cherry.

A bill for an act to repeal section 83-142, Revised Statutes of Nebraska, 1943, relating to the purchase of butter substitutes by the Board of Control.

LEGISLATIVE BILL 222. By W. J. Williams of Buffalo.

A bill for an act to amend sections 48-121 and 48-122, Revised Statutes Supplement, 1947, relating to workmen's compensation; to increase disability and death benefits; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 223. By Arthur Carmody of Hitchcock.

A bill for an act relating to Nebraska State Historical Society; to authorize such society to sell, exchange, destroy, or otherwise dispose of any surplus, damaged, defective, or duplicate books, or materials in its collections; and to declare an emergency.

LEGISLATIVE BILL 224. By Louis A. Holmes of Hall, Judiciary Committee.

A bill for an act to amend sections 17-920 and 17-923, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to reconcile conflict in interest rate on special assessments levied in connection with sewer construction; and to repeal the original sections.

LEGISLATIVE BILL 225. By Louis A. Holmes of Hall, Judiciary Committee.

A bill for an act to amend sections 39-762 and 39-762.01, Revised Statutes Supplement, 1947, relating to operation of motor vehicles; to provide the duties of the driver of a motor vehicle involved in any collision; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 226. By Louis A. Holmes of Hall, Judiciary Committee.

A bill for an act to amend section 29-2306, Revised Statutes of Nebraska, 1943; to provide for payment to the Clerk of the Supreme Court of a docket fee in all criminal cases, except where an affidavit of poverty is filed; and to repeal the original section.

LEGISLATIVE BILL 227. By Lester H. Anderson of Hamilton and Harry F. Burnham of Custer.

A bill for an act to amend section 83-238, Revised Statutes of Nebraska, 1943, relating to state institutions; to redefine the penalty for issuing a marriage license to any feeble-minded person whose name appears on any of the lists submitted by the State Commission for the Control of the Feeble-minded; and to repeal the original section.

LEGISLATIVE BILL 228. By Lester H. Anderson of Hamilton and Harry F. Burnham of Custer.

A bill for an act to amend section 71-1404, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to redefine the term "crippled child" to agree with other legislation; and to repeal the original section.

LEGISLATIVE BILL 229. By Lester H. Anderson of Hamilton and Harry F. Burnham of Custer.

A bill for an act to amend section 33-126, Revised Statutes Supplement, 1947, relating to fees; to increase the fee allowed to the county judge in adoption proceedings; to repeal the original section, and also section 43-114, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 230. By Harry F. Burnham of Custer and Lester H. Anderson of Hamilton.

A bill for an act relating to agriculture; to provide the proce-

dure for the incorporation of agricultural associations formed for the purpose of developing and improving some form of agriculture in this state; to provide for annual statements and their contents; to provide that failure to file annual statements shall cause such corporation to cease to exist; to repeal sections 2-301, 2-302, 2-303, 2-304, 2-501, 2-502, 2-503, 2-505, 2-701, 2-702, 2-703, 2-705, article 6, Chapter 2, and article 8, Chapter 2, Revised Statutes of Nebraska, 1943, and sections 2-305, 2-504, and 2-705, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 231. By Harry F. Burnham of Custer and Lester H. Anderson of Hamilton.

A bill for an act to repeal sections 83-228, 83-229, 83-230, 83-231, 83-232, 83-233, 83-234, 83-235, and 83-236, Revised Statutes of Nebraska, 1943, relating to state institutions.

LEGISLATIVE BILL 232. By Cliff N. Ogden of Douglas and John P. McKnight of Nemaha.

A bill for an act concerning the guardianship of incompetent veterans, and other incompetent and minor beneficiaries of the Veterans Administration, and to make uniform the law with reference thereto; to adopt in substance the revised Uniform Veterans' Guardianship Act approved by the National Conference of Commissioners on Uniform State Laws in 1942; to amend sections 38-401, 38-402, 38-403, 38-404, 38-405, 38-406, 38-407, 38-409, 38-410, 38-411, 38-412, 38-413, 38-414, 38-416, and 38-419, Revised Statutes of Nebraska, 1943, and section 38-408, Revised Statutes Supplement, 1947; to repeal the original sections and also to repeal sections 38-415 and 38-417, Revised Statutes of Nebraska, 1943.

Bills Referred to Standing Committee

L. B.	Committee
200	Judiciary
201	Judiciary
202	Revenue and Taxation
203	Judiciary
204	Miscellaneous Appropriations and Claims
205	Government
206	Judiciary
207	Miscellaneous Appropriations and Claims
208	Agriculture
209	Education
210	Education

211 .....Education
212 .....Government
213 .....Judiciary
214 .....Miscellaneous Appropriations and Claims

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 63. 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 Sixty-first Session, Nebraska State Legislature, during the biennium ending June 30, 1949 and for the ad interim activities of said Legislature during the biennium ending June 30, 1951; to appropriate the sum of ninety-five thousand dollars, and the unexpended balance of two thousand five hundred sixty-three dollars and ninety-four cents in Auditor Account Nos. E3, E4, and E 5 therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the Sixty-first Session, Nebraska State Legislature, commencing January 4, 1949; to appropriate the sum of six thousand dollars and unexpended balance of one thousand five hundred forty-eight dollars and forty-one cents in Auditor Account No. 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, 43:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin	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 64. With emergency.

A bill for an act to provide for the payment of the salaries of members of the Sixty-first Session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1949; 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, 43:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin	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.

GENERAL FILE

LEGISLATIVE BILL 26. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Tenth Day was adopted.

Advanced to E and R for review with 28 ayes, 7 nays and 8 not voting.

LEGISLATIVE BILL 73. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 45. Read and considered.

Standing Committee amendments found in this day's Journal were adopted.

Mr. Tvrdik offered the following amendment, which was adopted.

Amend the title of L. B. 45 to conform with the bill.

Advanced to E and R for review.

LEGISLATIVE BILL 25. Read and considered.

Advanced to E and R for review.

MOTION—Return L. B. 20 to General File

Mr. John Adams made a motion to return L. B. 20 to General File for the following Specific Amendment:

Amend page 2 of the bill, section 1, line 8, by inserting after the punctuation following the word "of" at the end of the line, the following: "so far as it is known,".

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

Mr. Holmes made a motion to have L. B. 20 laid over until tomorrow.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Revenue and Taxation

L. B. 144	Tuesday, January 25, 1949	2:00 p.m.

Education

L. B. 1	Tuesday, January 25, 1949	2:00 p.m.
L. B. 2	Tuesday, January 25, 1949	2:00 p.m.

Visitors

Mr. Victor Anderson introduced Miss Laura Otly, Miss Georgia Benes and two of their students from Waverly Consolidated Schools.

Adjournment

At 11:30 a.m., Mr. Larkin moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday, January 19, 1949.

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

Hugo F. Srb

Clerk of the Legislature

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 19, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the eleventh day was approved as corrected.

Communications

Letter from Representative Eugene D. O'Sullivan, acknowledging receipt of L. R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

Letter from Representative Carl T. Curtis, acknowledging receipt of L. R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

Letter addressed to the Lieutenant Governor from Mrs. Joseph E. Federle, of Ralston, Nebraska, opposing L. B. 15, regarding new certificates for teachers. Referred to Committee on Education.

Letter and resolution addressed to Mr. William Hern, asking that the term "Nebraska Cattle Hills" be used to designate the livestock country and rangeland of Nebraska. Referred to the Committee on Agriculture.

Letter addressed to Mr. Carmody from C. Lyman Emrich, Jr., of Chicago, offering congratulations on L. R. 2.

Letter addressed to Mr. Hill from Art Denney, of Fairbury, Nebraska, regarding the pre-primary convention bill. Referred to Committee on Government.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 28	Tuesday, January 25, 1949	2:00 p.m.
L. B. 29	Tuesday, January 25, 1949	2:00 p.m.
L. B. 30	Tuesday, January 25, 1949	2:00 p.m.
L. B. 31	Tuesday, January 25, 1949	2:00 p.m.

Agriculture

L. B. 166	Wednesday, January 26, 1949	2:00 p.m.
L. B. 178	Wednesday, January 26, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 6. Placed on General File as amended.

Standing Committee amendment to L.B. 6:

Amend L. B. 6, Page 2, Section 1, Line 6, by striking the word "shall" and inserting in lieu thereof the word "may".

LEGISLATIVE BILL 7. Placed on General File.

(Signed) Ray A. Babcock, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 14. Indefinitely postponed.

(Signed) William Hern, Chairman

Education

LEGISLATIVE BILL 55. Placed on General File.
LEGISLATIVE BILL 16. Placed on General File.
LEGISLATIVE BILL 15. Placed on General File.

(Signed) Dwight W. Burney, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 233. By Dwight W. Burney of Cedar.

A bill for an act to amend sections 72-248 and 72-257, Revised Statutes of Nebraska, 1943, relating to educational lands; to eliminate the provisions for unnecessary destruction of timber and penalty therefor; to provide for selling timber on educational lands by the Board of Educational Lands and Funds; to provide for sale of educational lands in tracts of forty acres or less, tracts of eighty acres or less when only educational land in county, all tracts lying outside of the boundaries of the State of Nebraska, and all tracts within the boundaries of the State of Nebraska lying north and east of the Missouri River; and to repeal the original sections.

LEGISLATIVE BILL 234. By Dwight W. Burney of Cedar, and William A. Metzger of Cass.

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; to impose a tax upon the privilege of engaging in the business of selling services, substances and things in this act designated and defined; to impose a use tax; 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 235. By W. Halsey Bohlke of Adams.

A bill for an act to amend section 81-884, Revised Statutes Supplement, 1947, relating to the State Real Estate Commission; to change procedure for review of an order of the commission; and to repeal the original section.

LEGISLATIVE BILL 236. By William Hern of Dawes and W. J. Williams of Buffalo.

A bill for an act to amend section 85-313, Revised Statutes of Nebraska, 1943, relating to state normal schools; to provide that state normal schools may grant a degree of Bachelor of Arts upon completion of a four-year course prescribed by the Board of Education for State Normal Schools; and to repeal the original section.

LEGISLATIVE BILL 237. By John S. Callan of Gage, Charles Vogt, Jr., of Pawnee and Karl E. Vogel of Douglas.

A bill for an act to amend sections 39-1006 and 39-1008, Revised Statutes Supplement, 1947, relating to highways; to provide that the county board of each county shall determine how and in what manner improvement of rural mail routes and star mail routes shall be made; and to repeal the original sections.

LEGISLATIVE BILL 238. By John S. Callan of Gage and John P. McKnight of Nemaha.

A bill for an act for submission to the electors of amendments to sections 6 and 7, Article III, of the Constitution of Nebraska, relating to the Legislature; to provide for annual sessions of the Legislature; to place limitations on business that may be transacted in regular sessions held in even-numbered years; to provide for payment to members of the Legislature of a per diem and the allowance of actual expenses while attending regular or special sessions; to provide for submission of the proposed amendments to the electors at the general election in November, 1950; to provide for the manner of submission and form of ballot; and to provide the effective date of the amendments, if adopted.

LEGISLATIVE BILL 239. By Karl E. Vogel of Douglas, William A. Metzger of Cass and Cliff N. Ogden of Douglas.

A bill for an act to amend section 21-1107, Revised Statutes of Nebraska, 1943, relating to Fontenelle Forest Association; to provide that such association may by a two-thirds vote of its members exchange any part of its property for any property adjacent to the land owned by it when it is deemed more advantageous to such members; and to repeal the original section.

LEGISLATIVE BILL 240. By Charles F. Tvrdik of Douglas and John S. Callan of Gage.

A bill for an act to amend section 48-126, Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to provide that gratuities received by an employee from the employer or others shall be included within the term "wages," and shall become a part of the basis of determining compensation benefits; and to repeal the original section.

LEGISLATIVE BILL 241. By Charles F. Tvrdik of Douglas.

A bill for an act to amend section 70-610, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that vacancies on the ballot occurring after the primary

election for the office of director of a public power district, or a public power and irrigation district shall be filled in the same manner as is provided by law for filling of vacancies on the ballot for members of the Legislature; and to repeal the original section.

LEGISLATIVE BILL 242. By Charles Wilson of Madison.

A bill for an act to repeal section 77-405, Revised Statutes of Nebraska, 1943, relating to taxation.

LEGISLATIVE BILL 243. By Charles Wilson of Madison.

A bill for an act to amend section 77-706, Revised Statutes of Nebraska, 1943, relating to taxation; to provide the procedure for determination of the value of shares of stock of corporations domesticated under the laws of this state; and to repeal the original section.

LEGISLATIVE BILL 244. By Charles Wilson of Madison.

A bill for an act to amend sections 77-1003, 77-1004, and 77-1005, Revised Statutes of Nebraska, 1943, relating to taxation; to provide how the tax levy upon nonresident motor vehicle carriers shall be determined; to provide procedure for the payment and collection of taxes levied upon nonresident motor vehicle carriers; and to repeal the original sections.

LEGISLATIVE BILL 245. By Charles Wilson of Madison.

A bill for an act to amend sections 77-624, 77-625, and 77-628, Revised Statutes of Nebraska, 1943, relating to taxation; to change the dates for performing certain acts with respect to the taxation of car companies; and to repeal the original sections.

LEGISLATIVE BILL 246. By Hugh Carson of Valley and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 81-101, 81-102, and 81-120, Revised Statutes of Nebraska, 1943, and section 81-103, Revised Statutes Supplement, 1947, relating to state administrative departments; to eliminate duties concerning irrigation from the Department of Roads and Irrigation and to change the name of such department to Department of Roads; to create a Department of Irrigation; to provide heads of such departments; to provide salary for the Director of Irrigation; to provide for a construction of the words Department of Roads and Irrigation and of the words State Engineer; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 20.

The Specific Amendment found in the Legislative Journal for the Eleventh Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 6. Read and considered.

Standing Committee amendment found in this day's Journal was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 7. Read and considered.

Advanced to E and R for review.

Bills Referred to Standing Committee

L. B.	Committee
215	Banking, Commerce and Insurance
216	Education
217	Education
218	Public Works
219	Government
220	Revenue and Taxation
221	Agriculture
222	Labor and Public Welfare
223	Public Health and Miscellaneous Subjects
224	Revenue and Taxation
225	Public Works
226	Judiciary
227	Judiciary
228	Public Health and Miscellaneous Subjects
229	Judiciary
230	Agriculture
231	Public Health and Miscellaneous Subjects
232	Judiciary

MESSAGES FROM THE GOVERNOR

Appointments

January 18, 1949

To the President, the Speaker and
Members of the Legislature

Gentlemen:

For the information and consideration of Your Honorable Body, I am pleased to advise that I have appointed the following named persons to the respective offices on the dates and for the terms as hereinafter listed:

Date of Appoint.	Name	Office or Board	Date of Expiration
4- 2-1947	C. J. Reynolds	Merit System Council	3- 1-1950
8- 1-1947	Forrest R. Johnston	Board of Control	7- 1-1951
9- 7-1947	Frank Brady	Game Commission	9- 6-1952
9- 7-1947	William H. Smith	Game Commission	9- 6-1949
12-20-1947	J. Hyde Sweet	Board of Education, State Normal Schools	1- 1-1953
1-15-1948	Lynn D. Hutton	Game Commission	1-15-1953
3- 1-1948	Thomas J. Dredla	Merit System Council	3- 1-1951
1- 1-1949	A. D. Majors	Board of Education, State Normal Schools	1- 1-1955
1- 1-1949	E. D. Crites	Board of Education, State Normal Schools	1- 1-1955
1- 6-1949	Rufus M. Howard	Director, Dept. of Agriculture	1- 4-1951
1- 6-1949	Donald P. Miller	Commissioner of Labor	1- 4-1951
1- 6-1949	J. F. McLain	Director, Dept. of Banking	1- 4-1951
1- 6-1949	Bernard R. Stone	Director, Dept of Ins.	1- 4-1951
1- 6-1949	E. C. Iverson	State Fire Marshal	1- 4-1951
1- 6-1949	Fred H. Klietsch	State Engineer	1- 4-1951
1- 6-1949	Philip K. Johnson	State Tax Commissioner	1- 4-1951
1- 6-1949	Dr. W. S. Petty	Director, Dept. of Health	1- 4-1951
6-16-1947	Louis R. Eby	Director, Veterans' Affairs	
8- 5-1947	James D. Ramsey	Director, Dept. of Aeronautics	
1-18-1949	William H. Diers	Board of Control	7- 1-1955

Respectfully submitted,

(Signed) Val Peterson
Governor

January 18, 1949

To the President, the Speaker and
Members of the Legislature

Gentlemen:

For the information and consideration of Your Honorable Body, I am pleased to advise you that I have made the following appointments:

On February 1, 1948, I appointed Fred H. Klietsch as State Engineer to fill the unexpired term of Wardner G. Scott, such term to expire January 6, 1949.

On September 1, 1948, I appointed Philip K. Johnson as State Tax Commissioner to fill the unexpired term of Robert M. Armstrong, such term to expire January 6, 1949.

Respectfully submitted,

(Signed) Val Peterson
Governor

January 18, 1949

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, Revised Statutes, 1943, the Board has this day nominated Mr. Henry H. Bartling of Nebraska City, Nebraska, for the position of Secretary of said Board.

Respectfully submitted,

(Signed) Val Peterson
Chairman, Board of Educational
Lands and Funds

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 64. Correctly enrolled.

LEGISLATIVE BILL 63. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 64
L. B. 63

Adjournment

At 11:05 a.m., Mr. Hanna moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, January 20, 1949 .

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Hugo F. Srb

Clerk of the Legislature

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 20, 1949

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

Communications

A note of appreciation from Mrs. N. F. Schroeder.

A resolution from the voters of Grant Township to Mr. Weborg, opposing any change in the Schroeder Road Bill. Referred to the Committee on Public Works.

A resolution from the voters of Sherman Township to Mr. Weborg, opposing any change in the township form of government. Referred to the Committee on Public Works.

A letter from Frank M. Kellee of Lowell, Nebraska addressed to Mr. Metzger, opposing the Schroeder Road Bill. Referred to the Committee on Public Works.

A letter from Kenneth S. Wherry, acknowledging L. R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

A letter from Speaker Sam Rayburn of the House of Representatives acknowledging receipt of L. R. 2. Referred to Committee on Public Health and Miscellaneous Subjects.

An invitation from the Knights of Ak-Sar-Ben to the members and their wives to a dinner and the first performance of the Ice Capades

on Thursday night, March 24. The dinner is scheduled for 6:00 p.m. at the Rome Hotel.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 66	Thursday, January 27, 1949	2:00 p.m.
L. B. 76	Thursday, January 27, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 145	Wednesday, January 26, 1949	2:00 p.m.
L. B. 204	Wednesday, January 26, 1949	2:00 p.m.
L. B. 214	Wednesday, January 26, 1949	2:00 p.m.
L. B. 161	Friday, January 28, 1949	2:00 p.m.
L. B. 207	Friday, January 28, 1949	2:00 p.m.
L. B. 151	Monday, February 7, 1949	2:00 p.m.
L. B. 162	Wednesday, February 9, 1949	2:00 p.m.
L. B. 132	Wednesday, February 2, 1949	2:00 p.m.
L. B. 164	Friday, February 4, 1949	2:00 p.m.

Public Works

L. B. 75	Thursday, January 27, 1949	2:00 p.m.
L. B. 80	Thursday, January 27, 1949	2:00 p.m.
L. B. 81	Thursday, January 27, 1949	2:00 p.m.
L. B. 94	Friday, January 28, 1949	2:00 p.m.
L. B. 109	Friday, January 28, 1949	2:00 p.m.
L. B. 137	Friday, January 28, 1949	2:00 p.m.
L. B. 111	Thursday, February 3, 1949	2:00 p.m.
L. B. 112	Thursday, February 3, 1949	2:00 p.m.
L. B. 133	Thursday, February 10, 1949	2:00 p.m.
L. B. 138	Thursday, February 10, 1949	2:00 p.m.

Banking, Commerce and Insurance

L. B. 84	Thursday, January 27, 1949	2:00 p.m.
L. B. 85	Thursday, January 27, 1949	2:00 p.m.

Government

L. B. 167	Wednesday, February 9, 1949	2:00 p.m.
L. B. 186	Wednesday, February 9, 1949	2:00 p.m.

Judiciary

L. B. 102	Wednesday, February 2, 1949	2:00 p.m.

L. B. 103	Wednesday, February 2, 1949	2:00 p.m.
L. B. 127	Wednesday, February 2, 1949	2:00 p.m.
L. B. 128	Wednesday, Februray 2, 1949	2:00 p.m.
L. B. 129	Wednesday, February 2, 1949	2:00 p.m.
L. B. 153	Monday, February 7, 1949	2:00 p.m.
L. B. 154	Monday, February 7, 1949	2:00 p.m.
L. B. 156	Monday, February 7, 1949	2:00 p.m.
L. B. 147	Monday, February 7, 1949	2:00 p.m.
L. B. 148	Monday, February 7, 1949	2:00 p.m.
L. B. 149	Monday, February 7, 1949	2:00 p.m.
L. B. 150	Monday, February 7, 1949	2:00 p.m.
L. B. 157	Wednesday, February 9, 1949	2:00 p.m.
L. B. 158	Wednesday, February 9, 1949	2:00 p.m.
L. B. 159	Wednesday, February 9, 1949	2:00 p.m.
L. B. 175	Wednesday, February 9, 1949	2:00 p.m.
L. B. 180	Wednesday, February 9, 1949	2:00 p.m.
L. B. 181	Wednesday, February 9, 1949	2:00 p.m.
L. B. 182	Wednesday, February 9, 1949	2:00 p.m.
L. B. 188	Monday, February 14, 1949	2:00 p.m.
L. B. 189	Monday, February 14, 1949	2:00 p.m.
L. B. 190	Monday, February 14, 1949	2:00 p.m.
L. B. 191	Monday, February 14, 1949	2:00 p.m.
L. B. 201	Monday, February 14, 1949	2:00 p.m.
L. B. 203	Monday, February 14, 1949	2:00 p.m.
L. B. 206	Monday, February 14, 1949	2:00 p.m.

Revenue and Taxation

L. B. 195	Thursday, January 27, 1949	2:00 p.m.
L. B. 202	Thursday, January 27, 1949	2:00 p.m.
L. B. 224	Thursday, January 27, 1949	2:00 p.m.

Committee on Committees

Hearing on Governor's Appointments

The Committee on Committees will hold a hearing at 1:00 p.m., Wednesday, February 2, 1949, to consider the appointments by the Governor, as follows:

Apr. 2, 1947	C. J. Reynolds Fremont, Nebr.	Merit System Council	Mar. 1, 1950
Sept. 7, 1947	Frank Brady Atkinson, Nebr.	Game Commission	Sept. 6, 1952
Sept. 7, 1947	William H. Smith Franklin, Nebr.	Game Commission	Sept. 6, 1949

Dec. 20, 1947	J. Hyde Sweet Nebraska City, Nebraska	Board of Education, State Normal Schools	Jan. 1, 1953
Jan. 15, 1948	Lynn D. Hutton Norfolk, Nebr.	Game Commission	Jan. 15, 1953
Mar. 1, 1948	Thomas J. Dredla Crete, Nebraska	Merit System Council	Mar. 1, 1951
Jan. 1, 1949	A. D. Majors 2021 F., Omaha Nebraska	Board of Education, State Normal Schools	Jan. 1, 1955
Jan. 1, 1949	E. D. Crites Chadron, Nebr.	Board of Education, State Normal Schools	Jan. 1, 1955
Jan. 6, 1949	Fred Klietsch State Capitol	State Engineer	Jan. 4, 1951
Jan. 6, 1949	Philip K. Johnson	State Tax Commissioner	Jan. 4, 1951

(Signed) Harry L. Pizer, Chairman

Visitors

Mr. Davies introduced Mrs. W. G. Longacre and her group of Camp Fire Girls, sponsored by Westminister Church of Lincoln.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 92. Placed on General File.
LEGISLATIVE BILL 74. Placed on General File as amended.

Standing Committee amendments to L. B. 74:

1. Amend L. B. 74 on page 2, section 1, line 9, by striking the word "Not" and inserting in lieu thereof the following: *"At least one member of the commission shall be actually engaged in agricultural pursuits and residing on a farm or ranch and not"*.

2. Amend the title of the bill, line 4, by inserting after the word "Commission" the following: "; to provide that at least one of the members of such commission shall be actually engaged in agricultural pursuits and residing on a farm or ranch".

(Signed) Ed. Hoyt, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 60. Indefinitely postponed.
LEGISLATIVE BILL 61. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Revenue and Taxation

LEGISLATIVE BILL 44. Placed on General File as amended.

Standing Committee amendments to L. B. 44:

1. Amend page 2 of the bill, section 1, line 8, by striking the same, and inserting in lieu thereof the following: *"shall be completed by the county clerk in all counties having a population of more than two hundred thousand inhabitants, and by the county assessor in all other counties. The tax lists and unit"*.

2. Add the emergency clause as a new section and amend the title to correspond.

(Signed) Charles F. Tvrdik, Chairman

Government

LEGISLATIVE BILL 48. Placed on General File.
LEGISLATIVE BILL 49. Placed on General File as amended.

Standing Committee amendment to L. B. 49:

Amend Section 7, Line 23, by striking the word "five" following the word "board" and inserting in lieu thereof the word *"three"*; by striking the word "or" following the word "hours" and inserting in lieu thereof the word *"to"*.

LEGISLATIVE BILL 43. Placed on General File as amended.

Standing Committee amendment to L. B. 43:

Amend Section 1, Line 4, by striking the words "seven per cent" following the word "exceeding" and inserting in lieu thereof the words *"twelve per cent"*.

LEGISLATIVE BILL 42. Placed on General File.
LEGISLATIVE BILL 22. Indefinitely postponed.
LEGISLATIVE BILL 21. Indefinitely postponed.
LEGISLATIVE BILL 19. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Judiciary

LEGISLATIVE BILL 87. Indefinitely postponed.
LEGISLATIVE BILL 93. Placed on General File.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 73. Placed on Select File.
LEGISLATIVE BILL 51. Placed on Select File as amended.

E and R amendment to L. B. 51:

1. In the bill, section 1, line 4, insert "*certified*" after the word "be". In same line strike the word "certified" and show the same as stricken matter.

LEGISLATIVE BILL 26. Placed on Select File as amended.

E and R amendments to L. B. 26:

1. In the bill, section 1, page 2, strike lines 4 to 9 inclusive and the standing committee amendment thereto commencing with the word "two" in line 4 and in lieu thereof insert "and six other persons to be appointed by the Governor. The six members to be so appointed shall be as follows: Two persons who are members of different art associations in this state, one person who is a member of an architectural association of this state, and three persons who have special interest in murals. The".

2. In the bill, section 2, page 2, line 5, strike "such persons as".

3. In the bill title insert the word "the" in line 4 after "provide for"; line 5, after "prescribe" and line 6, after "require".

LEGISLATIVE BILL 45. Placed on Select File as amended.

E and R amendments to L. B. 45:

1. In the bill, section 1, line 7, insert a comma after the word "inch".

2. In the bill title strike all of line 7 and in lieu thereof insert "for the payment of a fee and the actual expenses for such an inspection; to provide for a".

LEGISLATIVE BILL 50. Placed on Select File as amended.

E and R amendment to L. B. 50:

1. Insert the word "the" in section 1, line nine before the word "Military".

LEGISLATIVE BILL 52. Placed on Select File as amended.

E and R amendments to L. B. 52:

1. In the bill, section 1, page 2, line 18, strike all of said line to the word *"which"* and in lieu thereof insert *"the date of the entry of the order or ruling to"*.

2. In the bill, section 2, page 2, line 6, strike the word "same" and show the same as stricken matter. Line 11, strike "any order" and in lieu thereof insert *"such* order *by the commission"*.

LEGISLATIVE BILL 12. Placed on Select File.
LEGISLATIVE BILL 11. Placed on Select File.
LEGISLATIVE BILL 10. Placed on Select File.
LEGISLATIVE BILL 9. Placed on Select File.
LEGISLATIVE BILL 8. Placed on Select File.

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 5. Memorializing the Congress of the United States to Defeat Federal Aid to Education

Introduced by Glenn Cramer of Boone, Dwight W. Burney of Cedar and W. J. Williams of Buffalo.

WHEREAS, there is pending in the Congress of the United States a bill, Senate File No. 246, providing federal aid to elementary and secondary schools of the United States;

WHEREAS, should this bill be enacted into law, there is reason to believe that it will lead inevitably to federal control and supervision of the public schools of the nation, thereby taking control out of the hands of the local districts;

WHEREAS, the several states are now able through their own taxing powers to make ample provision for their elementary and secondary schools without federal aid; and

WHEREAS, the federal government is already burdened with a staggering debt of more than two hundred fifty billion dollars, call-

ing for retrenchment if the solvency of the United States is to be preserved.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That Senate File No. 246, or any similar legislation, now before the Congress of the United States be defeated.

2. That copies of this resolution 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 of the House of Representatives of the United States, and to each member of the Congress of the United States from Nebraska.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 247. By John Adams, Sr. of Douglas.

A bill for an act to amend section 53-1,100, Revised Statutes Supplement, 1947, relating to liquors; to provide that, where a person is charged with an offense under the Liquor Control Act arising out of the failure to have a license, evidence of the failure to produce such license upon demand shall be prima facie proof that a license has not been issued by the Nebraska Liquor Control Commission to such person; and to repeal the original section.

LEGISLATIVE BILL 248. By Hugh Carson of Valley, by request, and Thomas H. Adams of Lancaster.

A bill for an act relating to watchmakers and watchmaking; to define terms; to provide for the creation of a Board of Examiners in Watchmaking; to provide the powers and duties of such board; to provide for its officers and employees; to provide certain procedure; to provide for the issuance and revocation of certain certificates to watchmakers and apprenticed watchmakers; to require such certificates under the prescribed circumstances; to prescribe the fees for the issuance thereof and the use of such fees; to establish a Watchmakers Fund in the state treasury; to make certain acts and practices unlawful; to provide penalties for the violation thereof; to provide for appeals from the prescribed orders of such board; and to provide a savings clause.

LEGISLATIVE BILL 249. By Fay Wood of Seward.

A bill for an act to amend section 79-2205, Revised Statutes Supplement, 1947, relating to vocational education; to provide for the fixing of the salary of the Director of Vocational Education by the State Board of Vocational Education and to remove the provision for a maximum salary; to provide when a change in such salary may become operative; and to repeal the original section.

LEGISLATIVE BILL 250. By Fay Wood of Seward.

A bill for an act to amend section 17-149, Revised Statutes of Nebraska, 1943, relating to sewerage systems in cities of the second class; to extend the provisions thereof to villages; to provide that any such city or village may compel proper connections with the sewerage system by owners of private property; to provide that, upon failure to make such connections, the governing body of the city or village shall have power to cause the same to be done, to assess the cost thereof against the property, and to collect the assessment in the same manner as other special taxes and assessments; and to repeal the original section.

LEGISLATIVE BILL 251. By Fay Wood of Seward.

A bill for an act relating to insurance; to provide for issuing group life insurance; to provide standard provisions for group life insurance policies; to amend section 44-363, Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 252. By Fay Wood of Seward.

A bill for an act to amend section 44-107, Revised Statutes Supplement, 1947, relating to insurance; to provide that the expense of examination of insurance companies shall be fixed and determined by the Director of Insurance; to provide the method of payment of such expense; to provide that the expense of examination of domestic companies shall include a charge of fifteen dollars per day plus actual expenses of each examiner; and to repeal the original section.

LEGISLATIVE BILL 253. By Fay Wood of Seward.

A bill for an act relating to insurance; to provide for notice to insureds of certain existing rights under issued policies of group life insurance; and to provide the manner such notice shall be given.

LEGISLATIVE BILL 254. By Don E. Hanna of Cherry and Cliff N. Ogden of Douglas.

A bill for an act to provide for the salary of the Secretary of

State; to provide when the same shall become operative; and to declare an emergency.

LEGISLATIVE BILL 255. By N. F. Schroeder of Wayne and Arthur Carmody of Hitchcock.

A bill for an act to amend section 70-671, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide for the ascertainment of damages from seepage annually as the same accrues; to provide that damages that occur each year shall constitute a separate cause of action; to provide that damages for any subsequent year shall not be barred by payment of or failure to recover damages in a previous year; and to repeal the original section.

LEGISLATIVE BILL 256. By N. F. Schroeder of Wayne.

A bill for an act to amend section 68-215.03, Revised Statutes Supplement, 1947, relating to old age assistance; to change the method of reimbursing the county, state, and United States government with the money recovered by the state or a county with respect to money furnished for old age assistance; and to repeal the original section.

LEGISLATIVE BILL 257. By N. F. Schroeder of Wayne.

A bill for an act relating to county warrants; to provide any such warrant issued for payment of any assistant grant which is not presented for payment within two years after the date of its issuance shall cease to be an obligation of the county; to provide for charging same off the books of the county treasurer; and to provide that such warrant may be presented to the county board for its consideration and recommendation.

LEGISLATIVE BILL 258. By Louis A. Holmes of Hall.

A bill for an act to amend section 21-608, Revised Statutes of Nebraska, 1943, relating to charitable and fraternal societies; to include The Marine Corps League in the societies declared to be corporations; to provide such society shall be capable of suing and being sued, of pleading and being impleaded in the several courts of this state, the same as natural persons; and to repeal the original section.

LEGISLATIVE BILL 259. By Thomas H. Adams of Lancaster, Cliff N. Ogden of Douglas and Fay Wood of Seward.

A bill for an act to amend sections 81-1007 and 84-306, Revised Statutes Supplement, 1947, relating to claims against the state; to increase the amount that may be allowed for the use of a personal motor vehicle by a state officer or employee while on state business; and to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 260. By Earl J. Lee of Dodge.

A bill for an act relating to aliens; to provide that the right of an alien, not residing within the United States or its territories, to take either real or personal property by inheritance or testamentary disposition shall be dependent upon the existence of a reciprocal right upon the part of citizens of the United States; to provide for imposition of burden of proof to establish the existence of reciprocal rights; and to provide for escheat of property in certain cases when such reciprocal rights do not exist.

LEGISLATIVE BILL 261. By Harry F. Burnham of Custer, Ed F. Lusienski of Platte and Frank Nelson of Holt.

A bill for an act to amend section 68-202, Revised Statutes Supplement, 1947, relating to old age assistance; to reduce the time a recipient must be a resident in the state immediately preceding the date of the application to be eligible for old age assistance; and to repeal the original section.

LEGISLATIVE BILL 262. By Harry F. Burnham of Custer, Ed F. Lusienski of Platte and Otto J. Prohs of Scotts Bluff.

A bill for an act to amend section 43-504, Revised Statutes Supplement, 1947, relating to assistance for dependent children; to redefine dependent child; and to repeal the original section.

LEGISLATIVE BILL 263. By Hal Bridenbaugh of Dakota and Willard M. Wilson of Phelps.

A bill for an act to amend section 51-403, Revised Statutes Supplement, 1947, relating to libraries; to provide that the salary of the executive secretary of the Nebraska Public Library Commission shall be fixed by the commission; to provide when any change in such salary shall become operative; and to repeal the original section; and to declare an emergency.

Visitor

Mr. Ogden introduced former Senator Henry D. Kosman, of Omaha, who spoke a few words of greeting to the members.

Bills Referred to Standing Committee

L. B.	Committee
233	Education
234	Revenue and Taxation
235	Public Health and Miscellaneous Subjects
236	Education
237	Public Works
238	Judiciary
239	Public Works
240	Labor and Public Welfare
241	Public Works
242	Revenue and Taxation
243	Revenue and Taxation
244	Revenue and Taxation
245	Revenue and Taxation
246	Public Works

Mr. Metzger Presiding

GENERAL FILE

LEGISLATIVE BILL 55. Read and considered.

Mr. Nelson offered the following amendment:

Amend L. B. 55, Section 1, Line 5, by inserting "two years" intead of "one year".

Mr. Lusienski asked unanimous consent to have the bill laid over.

Objection was offered and consent was not granted.

Mr. T. Adams requested a record vote on the amendment.

Voting in the affirmative, 25:

Adams, J.	Callan	Hill	Person
Anderson, L.	Carmody	Lee	Pizer
Anderson, V.	Carson	Lindgren	Prohs
Babcock	Davies	Metzger	Vogel
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hern	Ogden	Wilson, C.
Burnham			

Voting in the negative, 13:

Adams, T.	Holmes	Lusienski	Vogt
Burney	Hoyt	McKnight	Williams
Cramer	Lillibridge	Schroeder	Wilson, W.
Cretsinger			

Not voting, 5:

Benesch	Norman	Tvrdik	Wood
Larkin			

Mr. Nelson's amendment was adopted.

Laid over:

LEGISLATIVE BILL 16. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 15. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 92. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 74. Read and considered.

Standing Committee amendments found in this day's Journal were adopted.

Advanced to E and R for review.

Adjournment

At 11:55 a.m., on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 21, 1949

Pursuant to adjournment, the Legislature met at 9:05 a.m., President Warner presiding.

Prayer was offered by Mr. Glenn Cramer.

The roll was called and all members were present.

The Journal for the Thirteenth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Revenue and Taxation

L. B. 97	Thursday, January 27, 1949	2:00 p.m.

Labor and Public Welfare

L. B. 125	Monday, January 31, 1949	2:00 p.m.
L. B. 134	Monday, January 31, 1949	2:00 p.m.

Banking, Commerce and Insurance

L. B. 89	Thursday, February 3, 1949	2:00 p.m.
L. B. 90	Thursday, February 3, 1949	2:00 p.m.
L. B. 91	Thursday, February 3, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 72. Placed on General File as amended.

Standing Committee amendment to L. B. 72:

1. Amend the title, line 5, by inserting before the word "unit" the words *"tax list or"*.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 6. Placed on Select File.
LEGISLATIVE BILL 7. Placed on Select File as amended.

E and R amendments to L. B. 7:

1. In the bill, section 1, page 2, line 4, strike the comma after the word "class" and show as stricken matter.

2. In the title, line 5, after the word "cities" insert "in its discretion"; and line 8, strike "at the discretion of such board".

LEGISLATIVE BILL 20. Placed on Select File as amended.

E and R amendment to L. B. 20:

1. In the bill, section 1, page 2, line 7, after the word "fully" insert "*(1)*"; line 8, strike the word "and" and insert in lieu thereof ", *(2)*"; lines 9 and 10, strike "stating the time when and with particularity the" and insert in lieu thereof "*(3)* the time *and*"; and line 19, strike the comma after the word "record".

LEGISLATIVE BILL 25. Placed on Select File as amended.

E and R amendment to L. B. 25:

1. In the bill, section 1, page 2, line 6, strike ", and it" and insert ". *It*"; line 7, strike the word "applications" and insert in lieu thereof "*an application*"; line 8, and 9, strike ", and if upon inquiry" and insert in lieu thereof ". *If*"; line 11, strike "," after the word "herself"; line 12, strike the word "then" and show as stricken matter.

LEGISLATIVE BILL 46. Placed on Select File as amended.

E and R amendment to L. B. 46:

1. In the bill, section 1, page 2, line 6, strike "*that date*" and insert "*January 1 the same*"; line 7, strike the comma after the word "assessed" and also line 9, after the figure 1 and show the same as stricken matter; line 21, strike the word "it" and insert in lieu thereof "*such leasehold estate*"; and line 22, strike the word "the" and insert the word "*this*".

LEGISLATIVE BILL 53. Placed on Select File as amended.

E and R amendment to L. B. 53:

1. In the bill, section 1, page 2, line 29, after the words *"filed in"* insert the word *"the"*.

LEGISLATIVE BILL 47. Placed on Select File as amended.

E and R amendment to L. B. 47:

1. In the bill, section 1, pages 2 and 3, strike lines 30 to 35 inclusive commencing with the word "At" in line 30 and ending with the period in line 35 and show the matter originally in the statutes as stricken matter.

Presented to the Governor

Presented to the Governor for approval January 20, 1949 at 10:45 a.m.

L. B. 63 L. B. 64

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 5.

L. R. 5 was adopted with 32 ayes, 3 nays and 8 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 264. By Victor E. Anderson of Lancaster.

A bill for an act to amend section 79-2201, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the acceptance by the State of Nebraska of certain Acts of the Congress of the United States for the promotion of vocational education and for the rehabilitation of disabled or handicapped persons; and to repeal the original section.

LEGISLATIVE BILL 265. By Victor E. Anderson of Lancaster and Charles F. Tvrdik of Douglas.

A bill for an act to amend sections 48-301, 48-302, and 48-310, Revised Statutes of Nebraska, 1943, relating to child labor; to include places where soft drinks and ice cream are sold, cafes, and restaurants, in the types of employment that children under sixteen

years of age are forbidden, except children between fourteen and sixteen years of age shall be permitted to work upon obtaining an employment certificate; to change the working hours; and to repeal the original sections.

LEGISLATIVE BILL 266. By Victor E. Anderson of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 23-811, Revised Statutes of Nebraska, 1943, relating to counties; to provide that the county board shall determine the hour pool or billiard halls or bowling alleys shall be required to close; and to repeal the original section.

LEGISLATIVE BILL 267. By Cliff N. Ogden of Douglas, Thomas H. Adams of Lancaster and Otto J. Prohs of Scotts Bluff.

A bill for an act relating to sanitary and improvement districts; to provide the procedure for establishing such districts; to provide that such districts shall be governed by a board of trustees; to provide for the election, powers, duties, and salaries of members of the board of trustees; to permit such districts to install sewers, a system of street lighting, and to contract for water for fire protection; to provide for borrowing money and the levying and collection of taxes by valuation on all property in the district; to provide for the assessment and collection of special taxes upon real property benefited by the installation of a sewer system; to provide for fixing charges for service; to provide for the issuance of sewer bonds payable from special assessments and, if the amounts collected by special assessments be insufficient, then by taxes on all property in the district; to require connection to any sewer system established; and to declare an emergency.

LEGISLATIVE BILL 268. By Ray Babcock of Cheyenne.

A bill for an act to amend section 66-404, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to increase the penal sum of the bond to be furnished by the applicant for a dealer's license; to provide that the amount of cash deposit or bond shall be determined by the Director of the Department of Agriculture and Inspection taking into consideration the average amount of gallonage handled monthly; and to repeal the original section.

LEGISLATIVE BILL 269. By John P. McKnight of Nemaha.

A bill for an act relating to insurers not authorized to transact business in this state; to provide for actions in this state against and

for the service of process upon such insurers; to prescribe how a defense may be made by such insurers; to provide for the allowance of attorneys' fees in actions against such insurers; to provide for a validity clause; and to provide for manner of citation of act.

LEGISLATIVE BILL 270. By W. Halsey Bohlke of Adams and Louis A. Holmes of Hall.

A bill for an act to amend section 37-501, Revised Statutes Supplement, 1947, relating to game and fish; to define offenses; to prohibit having or carrying a loaded rifle in any vehicle on a public highway; to prohibit possession by a person under the age of sixteen years of firearms on a public highway unless accompanied by parent or guardian; and to repeal the original section.

LEGISLATIVE BILL 271. By W. Halsey Bohlke of Adams and Louis A. Holmes of Hall.

A bill for an act to amend section 27-1617, Revised Statutes of Nebraska, 1943, relating to civil procedure in justice of the peace courts; to authorize giving of notice of sale of property taken in execution by publication in a legal newspaper or by posting of notice; to provide where such sale may be held; and to repeal the original section.

LEGISLATIVE BILL 272. By Ed F. Lusienski of Platte.

A bill for an act to amend section 17-568, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to increase the amount of a contract for labor, except personal services, or for materials, work, building, or improvement that may be let without an estimate by the city or village engineer or advertising for bids; and to repeal the original section.

LEGISLATIVE BILL 273. By Ed F. Lusienski of Platte.

A bill for an act relating to public power districts; to provide for the creation of such district at the instance of any electric cooperative corporation or other corporation or association engaged in furnishing electric energy to customers in rural areas; 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 274. By Ed F. Lusienski of Platte.

A bill for an act relating to highways; to require the Depart-

ment of Roads and Irrigation to give preference to the improvement of and complete the hard-surfacing of any state or federal highway leading directly to a bridge across a stream located on the boundary line between this state and any other state.

LEGISLATIVE BILL 275. By Ed F. Lusienski of Platte.

A bill for an act to amend section 39-735, Revised Statutes Supplement, 1947, relating to highways; to include farm machinery, wagons, and racks with other prescribed vehicles which are required to display the prescribed clearance lights or reflectors when driven, pulled, operated, or propelled upon any paved or bituminous surfaced highway at the specified times; and to repeal the original section.

LEGISLATIVE BILL 276. By John P. McKnight of Nemaha.

A bill for an act to amend section 25-530, Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for service of process upon the administrator or executor of a nonresident deceased person in any action or proceeding arising out of the use or operation of a motor vehicle over or upon the streets or highways within this state resulting in damages or loss to person or property; to provide the manner of such service; and to repeal the original section.

LEGISLATIVE BILL 277. By Ray A. Babcock of Cheyenne.

A bill for an act relating to the assignment of accounts receivable; to promote trade and commerce by facilitating the sale and pledge of accounts receivable; to eliminate fraud in connection with secret assignments; and to prescribe the form and effect of the assignment.

LEGISLATIVE BILL 278. By Ray A. Babcock of Cheyenne.

A bill for an act to make uniform the law with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee.

LEGISLATIVE BILL 279. By Louis A. Holmes of Hall, Cliff N. Ogden of Douglas and Hugh Carson of Valley.

A bill for an act to amend section 75-105, Revised Statutes Supplement, 1947, relating to the State Railway Commission; to provide that the salary of the secretary of the State Railway Commission shall be fixed by the commission; to provide when any change in such salary shall become operative; to repeal the original section;

and to declare an emergency.

LEGISLATIVE BILL 280. By W. Halsey Bohlke of Adams.

A bill for an act relating to cities and villages; to create a board of civil service commissioners in every city and village in the State of Nebraska, having a paid police department or a police department having paid members, except in certain cities expressly excepted from the provisions of this act; to provide a civil service system, based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of all officers and men appointed in said police departments in the respective cities covered by this act; to regulate the transfer, reinstatement, suspension, and discharge of said officers and policemen; to define terms; to prescribe the powers, duties, eligibility, procedure, and organization of such commissions and of certain officers and employees of such cities and villages; and to provide a penalty.

LEGISLATIVE BILL 281. By John P. McKnight of Nemaha and Thomas M. Davies of Lancaster.

A bill for an act to amend section 30-1412, Revised Statutes of Nebraska, 1943, relating to decedents' estates; to increase the compensation to be paid executors and administrators; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 282. By Victor E. Anderson of Lancaster and Thomas M. Davies of Lancaster.

A bill for an act relating to the University of Nebraska; to establish the United States Agricultural Extension Fund; to provide for the source and use of such fund; and to declare an emergency.

LEGISLATIVE BILL 283. By Victor E. Anderson of Lancaster, Fay Wood of Seward and Thomas M. Davies of Lancaster.

A bill for an act to amend section 44-1465, Revised Statutes Supplement, 1947, relating to insurance; to provide that the requirement of examination of policies and supplemental contracts thereto by a rating organization shall not apply to any domestic company unless it files written consent and agreement to pay its proportionate cost of such examination; to provide for the examination by the Department of Insurance of policies, daily reports, binders, renewal certificates, endorsements, and other evidence of insurance by domestic fire, marine and inland insurance companies, and the making of reasonable rules governing their submission to the department; to provide for annual reports to be filed by licensed rating organi-

zations with the Department of Insurance; to provide for charges for companies using the services of a rating organization; to provide penalties; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 284. By Cliff N. Ogden of Douglas, Charles F. Tvrdik of Douglas and William J. Norman of Douglas.

A bill for an act relating to county hospitals for the mentally ill; to provide for the payment of the expense of the care of a mentally ill person in such a hospital by his estate, spouse, child, or parent as prescribed.

LEGISLATIVE BILL 285. By John S. Callan of Gage.

A bill for an act to amend section 85-122, Revised Statutes Supplement, 1947, relating to the University of Nebraska; to designate additional funds for the support of such university; to repeal the original section; and to declare an emergency.

Bills Referred to Standing Committee

L. B.	Committee
247	Judiciary
248	Labor and Public Welfare
250	Public Works
251	Banking, Commerce and Insurance
252	Banking, Commerce and Insurance
253	Banking, Commerce and Insurance
255	Judiciary
256	Public Health and Miscellaneous Subjects
257	Public Health and Miscellaneous Subjects
258	Public Health and Miscellaneous Subjects
260	Judiciary
261	Public Health and Miscellaneous Subjects
262	Public Health and Miscellaneous Subjects

STANDING COMMITTEE REPORT

Rules

Mr. President: Your committee on Rules begs to report its favorable consideration of the following change to the Rules of the Nebraska Legislature:

Rule 5, Section 9 be amended to read as follows:

"Sec. 9. Committee on Order and Arrangement, Members, Duties. The committee on Order and Arrangement shall consist of the chairmen of the committees before whom regularly referred bills and resolutions have public hearings and the chairman of the Committee on Enrollment and Review. The Speaker of the Legislature shall be the chairman of said committee. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on general file. The order so reported shall become effective only upon approval by the Legislature. The committee shall meet subject to call by the chairman."

Mr. Tvrdik offered the following amendment to the amendment of the Committee on Rules: Amend the amendment of the Rules Committee, line 5, by striking the word "and" following the word "hearings" and inserting a comma in lieu thereof; at the end of the same line insert the words "and the Chairman of the Committee on Committees". In the following line strike the words "The Speaker of the Legislature" and insert in lieu thereof the words "The Chairman of the Committee on Committees".

Mr. Tvrdik's amendment was adopted with 16 ayes, 15 nays and 12 not voting.

The committee amendment, as amended, was adopted with 39 ayes, 1 nay and 3 not voting.

Visitors

Mr. Davies introduced a group of Campfire girls, who are following the course of a bill which they have chosen for study.

SELECT FILE

LEGISLATIVE BILL 73.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 51. E and R amendment found in the Legislative Journal for the Thirteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 26. E and R amendments found in the Legislative Journal for the Thirteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 45. E and R amendments found in the Legislative Journal for the Thirteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 50. E and R amendment found in the Legislative Journal for the Thirteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 52. E and R amendments found in the Legislative Journal for the Thirteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 12. Laid over.
LEGISLATIVE BILL 11.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 10.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 9.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 8.

Advanced to E and R for engrossment.

Mr. Carmody Presiding

GENERAL FILE

LEGISLATIVE BILL 55.

Mr. Ogden made a motion to reconsider the action taken on Mr. Nelson's amendment to L. B. 55, found in the Legislative Journal for the Thirteenth Day.

Mr. Burnham requested a record vote.

Voting in the affirmative, 25:

Adams, J.	Cretsinger	Lusienski	Tvrdik
Adams, T.	Hill	McKnight	Vogt
Anderson, V.	Holmes	Norman	Williams
Babcock	Hoyt	Ogden	Wilson, C.
Bridenbaugh	Larkin	Pizer	Wilson, W.
Burney	Lillibridge	Schroeder	Wood
Cramer			

Voting in the negative, 15:

Anderson, L.	Carmody	Lindgren	Prohs
Bohlke	Davies	Metzger	Vogel
Burnham	Hanna	Nelson	Weborg
Callan	Hern	Person	

Not voting, 3:

Benesch	Carson	Lee

The motion to reconsider action prevailed.

Mr. Nelson's amendment was not adopted with 14 ayes, 25 nays and 4 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 44. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirteenth Day were adopted.

Advanced to E and R for review.

Message from the Governor

Nebraska Highways, Roads and Streets

Mr. President, Mr Speaker and Members of the Legislature:

In my Inaugural Message, I stated that I would soon submit a comprehensive report dealing with Nebraska's highways, roads and streets. Today, I present the report of the Highway Advisory Committee and its consulting engineer to you and elaborate upon some sections to which I feel we should give particular attention.

Simply by reason of its economic impact, one of the greatest problems facing Nebraska today is that of public roads. It has been a main object of administrative energies in this state for many years. It constitutes one of the difficult matters with which your Honorable Body will find itself occupied in the weeks that lie ahead. Many of you have a long familiarity with this problem. All of you recognize its urgency.

About 18 months ago, a group of approximately 100 Nebraska citizens met in Lincoln for the purpose of discussing our road problem. After canvassing the situation, they recommended that the Governor appoint a citizens' committee to study this problem. I was pleased to do so. The Highway Advisory Committee, with which you are all familiar, was composed of 35 representative Nebraska citizens—representative in the sense that they came from all sections of the state, all types of occupations and all walks of life. These men gave freely of their time and monies in an effort to present to me and to your Honorable Body a constructive highway program which would serve as a foundation for the long-range development of adequate highway, road and street systems designed to best serve the needs of our people.

These men and women, and particularly George W. Holmes, who served as chairman of the committee, are to be commended for their public spirit and for the outstanding job that they have done. For the first time in the history of Nebraska we now have an integrated plan and a determination of the relative needs as between the state, county and urban systems.

I do not believe that this report is the perfect answer to our problem. Perfection, I have observed, is seldom attained by individuals or institutions. I feel that the program outlined can be improved upon and believe that during your deliberations your Honorable Body may well find ways to strengthen it.

The study, "Nebraska Highway Needs," places before the people of Nebraska the findings and recommendations of expert technicians. These we are privileged to draw upon for engineering guidance. In the report submitted to me by the Highway Advisory Committee we find the thinking of some of the best minds in Nebraska. Your interim committee, the Legislative Council, has been active in this overall study and has already reported to your Honorable Body. These reports are comprehensive and look forward to the development of a better Nebraska. The months of study that have gone into them provide a firm foundation and an affirmative approach to our problem. It is my privilege to forward this material to your Honorable Body for your deliberations. These studies have been developed in the democratic way and are representative of the constructive ap-

proach expected by the people of Nebraska from their Legislative and Executive Departments.

This is a comprehensive and all-inclusive study. It encompasses not only our state highway system, but our county roads and city streets. The relative needs of each unit have been determined. The adequacy of present revenues has been studied and a determination of the source of additional funds required has been made.

One finding is clear-cut. There is no element in Nebraska commerce or agriculture that is removed from the economic benefits of highways. The uniform public insistence for better roads testifies to this truth. Highway access increases the marketing efficiency and the land values of every Nebraska farm. Urban development, and more particularly small town development, is directly affected by the kind of public road service offered. Educational and social advantages derived from highway extensions are even more considerable. No one who drives or travels by motor vehicle can question the beneficial effect of road improvement.

How far road improvement has contributed separately to the welfare of farmers, businessmen or manufacturers of our state is a point not fully explored, particularly with regard to road improvement costs. This is one of the problems, which must be worked out, to some degree at least, in this very assembly. While the relative benefits may differ, it seems that in consideration of taxes for road construction, it must be recognized that all of the people in Nebraska are direct beneficiaries of public road service.

In terms of lower automotive operating costs, it is the users of roadways who benefit the most from better roads. Thus, the highway user should accept a greater share of the burden of highway construction and maintenance.

Let us now divide our problem into three major divisions paralleling the three principal governmental units—city and villages, counties and state.

City and Villages

The consulting engineer to the committee has determined that many of our city and village streets are below recognized standards. He has evaluated these needs and shown that additional assistance should be given to this governmental unit. The committee itself concurred with the findings of its consultant and recommended additional assistance for cities and villages.

It has been suggested that the state highway department assume a greater responsibility for the construction and maintenance of those

city and village streets used as a part of the state highway system. The committee recommended, with reference to state highways in cities and villages, that the state retain the responsibility for the construction and maintenance of such streets in cities of a population less than 2500. It recommended that in cities with a population of over 2500, but under 5000, the state highway department be responsible for 100 percent of the construction and 50 percent of the maintenance of those city streets used as a part of the state highway system. It further recommended that in all cities over 5000 in population the state highway department be made responsible for 50 percent of the maintenance and 50 percent of the non-federal fund costs of construction on such streets utilized by our state highways.

It is recognized that further developments other than on state highways may well be undertaken in our cities and villages. But the committee was of the opinion that our present system of financing such improvements, and to some extent maintenance, by taxing the abutting property and through normal and special tax levies should be retained. We should not attempt to establish the rate and amount of improvement that will be undertaken. This must be left in the hands of local people as has been traditional in Nebraska and as is proper. Improvements can be made as the people determine. While the committee's recommendation offers broader financial assistance, it does not encroach upon local rights.

In my judgment, the recommendation is sound and I urge its adoption.

County Roads

Here again the committee through its consulting engineer has made a determination of the needs and has made recommendations for meeting them.

It is specifically recommended that your Honorable Body permit our county governments to match funds with the federal government, build federal aid secondary or feeder roads to such standards as they and the federal government may agree upon, and provide their own maintenance. Nebraska has long followed a policy wherein she requires the state highway department to take over and maintain all roads built in whole or in part with federal funds. For years, many county officials have requested that the secondary or feeder roads be placed under their jurisdiction for both construction and maintenance, contending this procedure would result in savings. This recommendation again is in accord with Nebraska's general policy of retaining governmental control at the lowest possible level.

It has been recommended that the county officials and the state

highway department jointly undertake the reclassification of all county roads into two systems. The primary county road system would include all those roads necessary to accommodate the major, normal flow of traffic. These roads would be known as "primary county roads." They would be eligible for construction and maintenance with highway-user funds collected by the state and apportioned back to the counties. The remainder of the county roads, that is, those serving as feeder roads to the primary system and now commonly thought of as township roads, would be known as "land access roads."

A determination of the improvements needed on these two systems was made. The committee found that the counties are now rceiving more highway user revenue than will be required over a long period of time to improve their primary county roads. While it was believed that the land access roads should be improved with funds raised on the local revenue level, it was agreed that those highway user funds over and above those needed for the primary roads should be made available for the improvement of the land access roads. The balance of the financing of these roads should be done through county road funds or through the organization of local road improvement districts. Again it was the belief of the committee that the establishment of county road plans should be in the hands of the people at this level. To give the counties greater opportunity to provide for local road improvement as determined by the people, the committee recommended that the statutory county levy limit be removed.

State Highways

Many millions of dollars have been spent since the advent of the automobile in the development of Nebraska's state highway system. The twin destructive forces of obsolescence and deterioration must be fought constantly. Highways, like a pair of shoes, must be replaced. Highways, like an automobile, must be maintained and constantly serviced. The past seven years have not been normal, and during the war years, construction and maintenance were of necessity greatly restricted. If we were to agree that our roads prior to the war were really behind the demands placed upon them, they are now even further behind the mounting demands of automotive traffic in Nebraska.

It is interesting to note that during the sixteen years prior to the war, the state's annual average expenditure for highway construction amounted to approximately 7½ million dollars. Today we are dealing in little dollars. Revenue in terms of purchasing power has declined materially. Construction at the annual rate of 7½ million dollars means that our highway program is moving forward at half speed compared to pre-war years. Under such a restricted program,

the obsolescene and deterioration of existing highways can easily accumulate to such an extent that they could completely destroy our highway system.

We may differ in our ideas as to how our state highway system should be laid out. We may differ as to the types of surfacing that should be placed upon the roads. We may differ as to locations. But of one thing I am certain—Nebraska citizens are demanding and need more and better state highways.

The committee has recommended that we limit our state highway system to approximately 10,000 miles. I feel that this recommendation is sound. I concur with the findings of the committee and suggest that your Honorable Body direct the Department of Roads and Irrigation to reclassify the state highway system in accordance with the provisions established in the consulting engineer's report, said reclassification to be acted upon at some subsequent meeting of the Legislature.

The committee has recommended, and I concur, that our state highway department must be supplied with at least an additional 4 million dollars a year. This will permit our highway department to protect our present investment in highways and to further develop them at a moderate rate of speed. This program can be adjusted in accordance with your wishes and the wishes of the people of Nebraska.

Here again my recommendations follow the path that the improvement of highways will result in a savings in operating costs to motor vehicle users. I recommend that your Honorable Body increase the motor fuel tax one cent and that this additional revenue be given to our state highway department for the improvement of our state highway system. It is further recommended, that motor vehicle registration fees be increased.

Never a week, and hardly a day, has gone by that one or more highway delegations have not been in my office demanding better roads. These delegations have come from nearly every county in Nebraska and sometimes from several communities within a given county. They have been insistent that their economic future and well-being are dependent upon better roads. My own travels over the state have convinced me that their representations have been well founded.

They are expecting you and me as their servants to implement a plan that will provide these roads for them. They know that road building costs money. They know that to get better roads they will have to pay higher taxes. They have consistently expressed a willingness to pay higher taxes if they can get the roads they need. We

simply cannot build the roads needed in the volume and as rapidly as the people desire them with the funds presently available.

I know they hope an expanded program can be initiated immediately. Further, that they want it constructed under our sound pay-as-you-go policy.

I am convinced that under an improvement program generally matching the recommendations of the Highway Advisory Committee for a 20 year program, we can move forward in the development of an integrated over-all road system. Nebraskans need and want roads. I am convinced that they are ready and willing to pay for this service and urge your favorable consideration of this sound, effective, yet conservative, highway improvement program for our great state.

Val Peterson,

Governor of Nebraska

GENERAL FILE

LEGISLATIVE BILL 48. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 49. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirteenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 43. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirteenth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 42. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 93. Considered.

Mr. Metzger offered the following amendment which was adopted:

Amend Section 1, line 91, by reinserting the word "ten" and strik-

ing the word "*twenty-five*"; line 92, reinsert the word "fifteen"; line 93, strike the word "*thirty-five*".

Mr. Bohlke made a motion that L. B. 93 be indefinitely postponed.

The motion prevailed with 32 ayes, 9 nays and 2 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 15. Placed on Select File as amended.

E and R amendments to L. B. 15:

1. In the bill, section 1, page 2, strike line 15 and insert in lieu thereof "2 of this act.".

2. In the bill, section 2, page 2, strike line 13 and insert in lieu thereof "3 of this act.".

3. In the bill, section 3, page 2, line 1, after the word "The" insert the word "Nebraska", lines 2 and 3, strike the words "grades kindergarten to nine" and insert in lieu thereof "kindergarten to ninth grade", and line 5, before the word "Initial" insert the word "Nebraska".

4. In the bill, section 5, page 3, lines 1 and 3, before the word "Initial" insert the word "Nebraska".

5. In the bill, section 6, page 3, lines 4 and 5, strike the words "shall instead, issue the certificate" and insert in lieu thereof "instead shall issue the certificates".

LEGISLATIVE BILL 16. Placed on Select File as amended.

E and R amendment to L. B. 16:

1. In the bill, section 1, page 2, line 6, strike the words "provision of increasingly" and insert in lieu thereof "purpose of increasing".

LEGISLATIVE BILL 92. Placed on Select File.

(Signed) Glenn Cramer, Chairman

Member Excused

Mr. Lusienski was excused for the session Monday morning, Jan-

uary 24, 1949.

Adjournment

At 12:00, noon, Mr. Hoyt moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, January 24, 1949.

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

Hugo F. Srb

Clerk of the Legislature

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 24, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Lusienski, Prohs, Anderson, L., Vogt and Wood, who were excused.

The Journal for the fourteenth day was approved as corrected.

Communications

A letter to Mr. Warner from Elton Lux, Secretary of the General Committee of Organized Agriculture, calling attention to the program of meetings to be held February 1 to 4.

A letter to the members of the Legislature from Venn V. Virgl, discussing the taxation problem. Referred to the Committee on Revenue and Taxation.

An acknowledgement from Mr. Matthew J. Connelly, Secretary to the President for L.R. 2. Referred to the Committee on Public Health and Miscellaneous Subjects.

A letter from the Republican National Finance Committee giving the program of the meeting in Omaha, January 25, 26 and 27, 1949.

Report of Employees Salaries

Schedule of Employees with their respective wages indicated as submitted to the Nebraska Legislature 61st Session, January 24, 1949.

L. T. Fleetwood.....Assistant Clerk	$12.00 per day
Daniel Garber .....Sergeant-at-arms	$165.00 per month

George Santo	Ass't Sergeant-at-arms	$165.00	"	"
Waunetta M. Hansen	Postmistress	$135.00	"	"
E. G. Hansen	Chaplain	$100.00	"	"
Virginia Harrison	Sec'y Lt. Governor	$175.00	"	"
Evelyn Stroy	Journal Clerk	$200.00	"	"
Virginia Olson	Ass't Journal Clerk	$175.00	"	"
Hollis S. Thurber	Bookkeeper	$175.00	"	"
Jo Fisher	Engrossing Clerk	$200.00	"	"
John E. Beaver	Reader and Docket Clerk	$180.00	"	"
Clarence M. Davis	Legal Advisor	$450.00	"	"
Ruth Bordsen	Sec'y E & R	$160.00	"	"

Committee Clerks, Secretaries and Stenographers

Marguerite Price		$225.00	per	month
Hazel Schwartz	Supervisor	$190.00	"	"
Eloise Galloway		$175.00	"	"
Delpha Taylor		$175.00	"	"
Donna Lynch		$175.00	"	"
Ida Glaser		$175.00	"	"
Margaret Smith		$175.00	"	"
Lorene Haldeman		$175.00	"	"
Jeanette Wilhoit		$175.00	"	"
Zita Stone		$175.00	"	"
Clara Rehn		$175.00	"	"
Dorothy Scott-Glenn		$175.00	"	"
Myrldean Govier		$160.00	"	"
Dorothea Fuchs		$175.00	"	"
Marian B. Bender		$175.00	"	"
Norma Stong		$175.00	"	"
Ula Mae Schall	Office Assistant	$160.00	"	"
Dorothy Hubertus	Stencils-Typist	$160.00	"	"
G. F. Martin	Chief Bill Room Clerk	$180.00	"	"
Gus Neumann	Ass't Bill Room Clerk	$150.00	"	"
Willard McShane	Ass't Bill Room Clerk	$150.00	"	"
J. B. Pemberton	Ass't Bill Room Clerk	$150.00	"	"
Cal R. Phillippi	Ass't Bill Room Clerk	$150.00	"	"
Frank R. Miller	Ass't Bill Room Clerk	$150.00	"	"
Charles D. Woods	Ass't Bill Room Clerk	$150.00	"	"
Margaret Sheehan	Page	$120.00	"	"
Lorraine Weiler	Page	$120.00	"	"
Merna Taylor	Page	$120.00	"	"
Jean Bogan	Page	$120.00	"	"
George Wilcox	Page—Part time	$120.00	"	"
Ernest Fouts	Custodian	$160.00	"	"
Velimer Timitch	Ass't Custodian	$135.00	"	"
Carl Hoffman	Ass't Custodian	$135.00	"	"

Gertrude Tyler	Telephone Operator	$135.00 " "
Earle B. Wilson	Proof Reader	.90c per hour
Robert R. Heinke	Proof Reader	.90c " "
Helen Walbrecht	Proof Reader	.90c " "

Additional employees to be employed as becomes necessary.

Hugo F. Srb

Clerk of the Legislature

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 142	Friday, January 28, 1949	2:00 p.m.
L. B. 143	Friday, January 28, 1949	2:00 p.m.
L. B. 165	Friday, January 28, 1949	2:00 p.m.

Agriculture

L. B. 184	Monday, January 31, 1949	2:00 p.m.
L. B. 187	Monday, January 31, 1949	2:00 p.m.
L. B. 193	Monday, January 31, 1949	2:00 p.m.
L. B. 194	Monday, January 31, 1949	2:00 p.m.
L. B. 208	Monday, January 31, 1949	2:00 p.m.
L. B. 221	Wednesday, February 2, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 8. Correctly engrossed.
LEGISLATIVE BILL 9. Correctly engrossed.
LEGISLATIVE BILL 10. Correctly engrossed.
LEGISLATIVE BILL 11. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L.R. 5

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 286. By Victor E. Anderson of Lancaster, C. N. Ogden of Douglas and William A. Metzger of Cass.

A bill for an act to amend sections 84-314, 84-509, and 84-608, Revised Statutes Supplement, 1947, relating to state officers; to increase the amount of the salary that may be paid to the deputy to the Auditor of Public Accounts, to the deputy to the Secretary of State, and to the deputy to the State Treasurer; to provide when the same shall become operative; to provide for the penal sum of the bond of the deputy auditor of public accounts; to remove from section 84-608 the penal sum of the bond to be executed by the deputy state treasurer; and to repeal the original sections.

LEGISLATIVE BILL 287. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 17-529.01, Revised Statutes Supplement, 1947, relating to cities and villages of the second class; to authorize such cities and villages to levy a tax of not to exceed five mills on the dollar actual valuation for the purpose of assisting in defraying the cost of construction or maintenance of ditches and dikes to prevent flooding; and to repeal the original section.

LEGISLATIVE BILL 288. By Don E. Hanna of Cherry.

A bill for an act to amend section 79-2014, Revised Statutes Supplement, 1947, relating to schools; to provide that the money received by the county superintendent from the apportionment of the Grazing Land Fund shall be used by the county superintendent to help support and maintain a county school library; to repeal the original section, and also section 79-2015, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 289. By Wm. Hern of Dawes.

A bill for an act relating to state normal schools; to give the Board of Education of State Normal Schools the power and authority to acquire by condemnation lands necessary for state normal schools; to provide procedure for such condemnation; and to provide for appeals.

LEGISLATIVE BILL 290. By W. J. Williams of Buffalo.

A bill for an act to repeal sections 77-1716.01 and 77-1716.02, Revised Statutes Supplement, 1947, relating to taxation.

LEGISLATIVE BILL 291. By Victor E. Anderson of Lancaster.

A bill for an act to amend section 39-514, Revised Statutes Supplement, 1947, relating to highways; to provide that in counties having a population of more than sixty thousand inhabitants and less than two hundred thousand, the county highway commissioner shall receive a salary of nine hundred dollars per year in addition to the salary allowed him as county surveyor and engineer, and in addition actual traveling expenses when engaged in the discharge of the duties of the office of county highway commissioner; to provide when same shall become operative; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 292. By Hugh Carson of Valley.

A bill for an act to amend sections 23-1102, 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, and 23-1108, Revised Statutes Supplement, 1947, relating to county officers; to increase the salaries of certain county officers in classes (1), (2), (3), (4), (4a), (5), and (6); to provide when such salaries shall become operative; to repeal the original sections and also section 23-1113, Revised Statutes of Nebraska, 1943, and section 23-1113.01, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 293. By William A. Metzger of Cass, Charles Wilson of Madison and Karl E. Vogel of Douglas.

A bill for an act to provide for the salary of the Auditor of Public Accounts; to provide when the same shall become operative; and to declare an emergency.

LEGISLATIVE BILL 294. By Wm. Hern of Dawes and R. W. Hill of Thayer.

A bill for an act to amend sections 85-301, 85-304, 85-306, 85-307, 85-308, 85-309, 85-310, 85-311, 85-312, 85-313, 85-314, 85-315, 85-316, and 85-318, Revised Statutes of Nebraska, 1943, and section 85-317, Revised Statutes Supplement, 1947, relating to state normal schools; to provide a name for each of the state normal schools; to provide for the government thereof; to provide that the state normal schools now existing shall be designated as state colleges; to provide for course of study and issuing of degrees and honors; to provide that the Board of Education of State Normal Schools may fix the matriculation fee; to provide for allocation of such matriculation fee and disbursement thereof; to provide that the endowment fund shall be used under authority of the Board of Education

of State Normal Schools; to provide for disbursement of money received from rooms in the dormitories or residence halls; and to repeal the original sections.

LEGISLATIVE BILL 295. By Hal Bridenbaugh of Dakota.

A bill for an act to appropriate to the Game, Forestation and Parks Commission the sum of seventy-five thousand dollars for the biennium expiring June 30, 1951, for the purpose of making needed repairs, restoration, and improvement of the Ponca State Park.

LEGISLATIVE BILL 296. By Thomas H. Adams of Lancaster and John Adams, Sr., of Douglas.

A bill for an act to amend section 53-1,116, Revised Statutes of Nebraska, 1943, relating to liquors; to provide for appeals from any rule, regulation, order, or decision of the Liquor Control Commission to the district court for the county in which the licensee resides; to provide the manner of hearing on appeal; and to repeal the original section.

Bills Referred to Standing Committee

L. B.	Committee
264	Education
265	Labor and Public Welfare
266	Government
267	Public Works
268	Public Works
269	Judiciary
270	Agriculture
271	Judiciary
272	Labor and Public Welfare
273	Public Works
274	Public Works
275	Public Works
276	Judiciary
277	Banking, Commerce and Insurance
278	Banking, Commerce and Insurance

Mr. Schroeder Presiding

SELECT FILE

LEGISLATIVE BILL 6.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 7. E and R amendments found in the Legislative Journal for the Fourteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 20. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 25. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 46. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 53. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 47. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 72. Considered.

Standing Committee amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for review.

Unanimous Consent—Add Introducer

Mr. Babcock asked unanimous consent to add the name of Mr. Vogel as introducer on L. B. 277 and L. B. 278.

Consent was granted and it was so ordered.

Governor Discusses Blizzard Conditions

Preceding his Budget Message, the Governor informally discussed weather and road conditions in the western part of the state. He explained the part the state and others were playing in trying to bring relief to the areas hardest hit by the storm. He made no request for a special appropriation from the Legislature but indicated such might be the case if the funds would bring the necessary relief.

BUDGET MESSAGE

OF

VAL PETERSON, GOVERNOR

Delivered to the Sixty-first Session of the Legislature

of Nebraska, January 24, 1949

MR. PRESIDENT, MR. SPEAKER AND MEMBERS OF THE SENATE:

In the accompanying budget we have faced our problems as squarely as possible, considering carefully the needs of the state's expending agencies, but always bearing in mind the ability of our taxpayers to meet the cost.

We do not pose as economic prophets, but careful scrutiny of all signs and innumerable conferences with seasoned observers lead us to the conclusion that we are in a period of gradual leveling off.

What the future will bring is difficult to determine, and is dependent, of course, upon factors over which we have no control. Actually, what happens in Nebraska and in the world rests in a great measure upon what is done in Washington. Today's economy is supported in a large degree by heavy spending for re-armament and foreign relief, by shortages resulting from the war, and large capital investments.

It takes no prophet to see what has happened to farm commodity prices in Nebraska in recent months. Drastic and painful drops have been registered, and the favorable margin enjoyed by our farmers in prices received over prices paid is rapidly narrowing.

Two years ago, to meet the minimum needs of Nebraska, you

were forced to vote, and I signed, the largest appropriation bill in history. On July 1, 1947, when that act became effective we did not know how economic events would unfold during the coming two years. It is pleasant in reflection to note that while the cost of living increased steadily from July 1947 to this fall, the prices received by Nebraska farmers for thirteen major farm items consistently registered higher percentage increases over July 1947 than did the cost of living.

It is well, in considering budgetary matters, to think not alone in terms of dollars. During this period of marked inflation, values expressed in terms of dollars have not been too meaningful. A more accurate way to think of costs is in terms of the commodities or services which we have to sell.

I am reminded of a rancher friend of mine who remarked some months ago when buying a new automobile, that this was the cheapest automobile he had ever purchased. He went on to explain that it took fewer cows than any he had ever bought.

Similarly, it has taken fewer bushels of corn or wheat; fewer pounds of beef, pork or poultry; fewer eggs; less cream, butter, or anything else that we produce in Nebraska, to pay taxes and to support our governmental activities. In view of declining commodity prices, it may be that my friend purchased his car at just the right time. The future may see automobiles selling for fewer dollars but requiring more commodity units.

For reasons that are apparent to all students of state finances, the General Fund is the only fund where definite figures can be established. Federal funds are dependent upon future action by the Congress and Washington administrative agencies which we cannot anticipate, while several factors cause Cash Funds to fluctuate.

During the past year, we have gathered in the Tax Commissioner's office more accurate information on Cash Fund receipts and disbursements than we have previously had at any time in the state's history. This has permitted us in the formation of this budget to bring about a better distribution of costs between General and Cash Funds. We have placed the fullest possible load on Cash Funds and have insisted that they must be managed with the same care as monies resulting from the property tax.

While it is true that when total state expenditures are placed on a per capita basis and compared with the other states of the Union, Nebraskans are receiving a great bargain in state government, it is also true that when property tax collections of the several states

are compared, Nebraska ranks third highest in per capita property taxes in America. With this in mind, and feeling that we have about reached the maximum load which we can place upon property, we have made every effort in this budget to hold the line on state property tax expenditures in order that higher levies may not have to be placed upon the Nebraska taxpayer.

The outstanding feature of the budget herewith submitted is that increases from the General Fund have been held to $2,124,446.96, or to an increase of 5.67 percent for the coming biennium over the current one. It is believed that this budget is adequate, provided there are no sharp fluctuations in economic conditions in the two years lying ahead. We cannot provide for all eventualities; and should there be a sharp upturn or downturn, the state budget would have to be readjusted by you in a special session. It may be possible that in the four or five months which will elapse before you adjourn, the economic picture may become clearer and that you will be able to adjust the budget upward or downward to make it fit the pattern.

Today, over one-fourth of our total national income is absorbed by taxation. The load is becoming burdensome upon our economy, and is a definite factor in slowing down productivity by discouraging investment in plant and heavy machinery expansion.

While three out of every four dollars of tax burden is exacted by the Federal Government, and state levies are low in comparison with the taxes levied by other local government divisions, yet it is incumbent upon us to hold our state costs at the lowest possible point consistent with good government. This we have attempted to do.

This budget is prepared on the basis of existing law. If Your Honorable Body determines to expand existing activities, to add new responsibilities, to classify jobs and adjust compensation, or to increase benefits, then it must, of course, provide revenues to meet the added costs. This is elemental, yet fundamental, and sometimes overlooked, when new activities are contemplated.

Two years ago I called your attention to the Nebraska School Retirement System, and urged that Your Honorable Body determine whether it was to be operated on a pay-as-you-go or an adequately established reserve basis. You appropriated on the pay-as-you-go basis thereby fixing the legislative policy. To maintain the fund on a pay-as-you-go basis will require for the coming biennium the sum of $826,182. Therefore, I have included that amount in the budget rather than the amount that would be necessary to put it upon a reserve basis.

Attention should be called to the fact that during the current

biennium approximately 50 percent of the teachers eligible for retirement have elected to remain active in school employment and will not claim their retirement annuity until a later date. This means that of the amount which you appropriated two years ago, about $250,000 will remain unexpended at the end of the biennium. To establish the system on a sounder basis, I recommend that the unexpended balance be transferred to the Annuity Reserve Fund, Auditor's Account No. 870.

I appreciate that you may elect to subtract this unexpended balance from the amount needed to continue this system on a pay-as-you-go basis for the next two years. In my judgment, however, this fund, which is of the utmost importance to thousands of our deserving citizens and which will eventually become one of the larger activities of our state government, should be on a more business-like basis in order that all claims may be paid fully and promptly when due.

Your Honorable Body must give careful consideration to the future of the Milford Trade School. Its present enrollment is made up in a large measure of veterans attending under their G. I. privileges and vocational education sponsored students, each of which groups is paying high tuition charges. These fees are exceedingly high for students not enjoying federal benefits.

When government-assisted students have cleared the institution, it appears that there will be a drastic drop in enrollment unless the fees are sharply reduced. When such a reduction is effected, large state appropriations will be required to keep the school operating.

The school now has an improved and expanded plant and greater capacity for service. America's participation in the war, with its demands for trained mechanics, and the G. I. program since the war, have resulted in this institution being supported in a large measure by the federal government ever since it was created in 1941.

That support is soon going to end and, accordingly, Your Honorable Body will have to establish policies for its future operation in keeping with your estimate of what the state can afford.

Two years ago it was my privilege to work in the closest cooperation with Senator John Callan, who I am glad to note is again chairman, and with other members of the Budget Committee. I anticipate that similar friendly working relationships will characterize our activities this session. I am pleased to see on the Committee two members from last year—Senators Norman and Wood—and the several fine new members who have been added.

All the facilities of the Tax Commissioner's office and my office

are at the committee's disposal. All agencies under my supervision are directed to leave no stone unturned in assisting the committee with its important labors. I welcome all suggestions for improvement in the conduct of state administration that may be made by this committee, all committees, and by each member of Your Honorable Body.

Ours is the common objective of rendering the greatest possible service to the people of Nebraska at the lowest possible cost to the taxpayer. I know you join with me in the determination to so perform our duties that we may prove worthy of the great trust placed in us by the people of Nebraska.

Respectfully submitted,

Val Peterson
Governor.

Unanimous Consent—Re-refer Bills

Mr. Pizer asked unanimous consent to withdraw L. B. 170 from Judiciary and re-refer it to the Committee on Miscellaneous Appropriations and Claims; also L. B. 196, L. B. 197, L. B. 212 and L. B. 219 from Government to Miscellaneous Appropriations and Claims.

Consent was granted and it was so ordered.

Comments on Budget Message

Mr. Callan commented briefly on the Governor's Budget Message and asked the members to give careful consideration to the proposed budget.

Visitor

Mr. Lee introduced Mr. Will Oursler of New York City, who is sponsored by the American Legion and will write an article for the Legion National Magazine about Cornhusker Boys' and Girls' County Government. Mr. Oursler made a few comments to the Legislature.

Bills Referred to Standing Committee

L. B.	Committee
249	Miscellaneous Appropriations and Claims
254	Miscellaneous Appropriations and Claims
259	Miscellaneous Appropriations and Claims
263	Miscellaneous Appropriations and Claims

279 .....Miscellaneous Appropriations and Claims

Member Excused

Mr. Lee was excused for Tuesday, January 25, 1949.

Adjournment

At 11:20 a.m., Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Tuesday, January 25, 1949.

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

Hugo F. Srb

Clerk of the Legislature

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 25, 1949

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifteenth Day was approved as corrected.

Communication

Letter addressed to Mr. Lillibridge from Prof. John Brenneman, of Doane College, thanking the members of the Legislature and the Lieutenant Governor for the courtesies shown to him and his Political Science Class during their visit to the Legislature.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 83	Tuesday, February 1, 1949	2:00 p.m.
L. B. 95	Tuesday, February 1, 1949	2:00 p.m.
L. B. 96	Tuesday, February 1, 1949	2:00 p.m.

Government

L. B. 205	Friday, February 11, 1949	2:00 p.m.
L. B. 266	Friday, February 11, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 70. Placed on General File.

LEGISLATIVE BILL 86. Placed on General File.
LEGISLATIVE BILL 78. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 71. Placed on General File.
LEGISLATIVE BILL 104. Placed on General File.

(Signed) Karl E. Vogel, Chairman

Agriculture

LEGISLATIVE BILL 17. Placed on General File as amended.

Standing Committee amendments to L. B. 17:

1. Amend page 2 of the bill, section 1, line 4, by inserting after the word "purchase" the following: ", *sell, and trade*".

2. Amend page 2 of the bill, section 1, line 6, by striking the words "*or purchase*" and inserting in lieu thereof the following: ", *purchase, or sell*".

3. Amend page 2 of the bill, section 1, line 8, by inserting after the word and punctuation "*district.*" the following: "*The chairman, when authorized by a majority vote of the supervisors, may execute leases, bills of sale, and deeds on behalf of the district.*"

4. Amend the title of the bill by striking lines 4 to 8 and inserting in lieu thereof the following: "supervisors of weed eradication districts may sell and trade equipment, material, and supplies as may be deemed necessary for the effective operation of the district; to provide that such supervisors may lease, purchase, or sell sites and buildings for offices and housing of equipment when authorized at any annual or special meeting of the district; to provide that the chairman may execute leases, bills of sale, and deeds when authorized by a majority vote of the supervisors; and to repeal the original section."

LEGISLATIVE BILL 123. Placed on General File.
LEGISLATIVE BILL 106. Placed on General File.

(Signed) Ed. Hoyt, Chairman

Judiciary

LEGISLATIVE BILL 41. Placed on General File as amended.

Standing Committee amendments to L. B. 41:

1. Amend section 1, line 83, by striking the words "not consider an" and inserting in lieu thereof the words "have no authority to act upon any".

2. Amend section 1, line 85, by striking the word "forty" and inserting in lieu thereof the word "twenty".

3. Amend section 2, line 16, by striking the word "forty" and inserting in lieu thereof the word "twenty".

4. Amend the title of the bill in lines 4, 5 and 6 by striking the same and inserting in lieu thereof the words "provide that the Board of Pardons shall have no authority to act upon any application for clemency until at least twenty years have".

5. Amend the title of the bill in line 11 by striking the word "forty" and inserting in lieu thereof the word "twenty".

(Signed) John P. McKnight, Chairman

Budget

LEGISLATIVE BILL 107. Placed on General File.
LEGISLATIVE BILL 108. Placed on General File.
LEGISLATIVE BILL 177. Placed on General File.

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 73. Correctly engrossed.
LEGISLATIVE BILL 45. Correctly engrossed.
LEGISLATIVE BILL 52. Correctly engrossed.
LEGISLATIVE BILL 26. Correctly engrossed.
LEGISLATIVE BILL 42. Placed on Select File.
LEGISLATIVE BILL 43. Placed on Select File as amended.

E and R amendments to L. B. 43:

1. In the bill, section 1, page 2, strike all of line 4 and insert in lieu thereof "issue bonds, *in an amount not to exceed twelve per cent of the actual valuation*"; line 11, after the word "tax" insert a comma; lines 17 and 18, strike "and all taxes raised under this clause" and insert in lieu thereof ". *All* taxes raised *by such a levy*"; line 19, strike all of said line after the word "fund" and insert in lieu thereof "." *No* such money shall be".

2. In the bill title, line 8, strike the word "such".

LEGISLATIVE BILL 48. Placed on Select File as amended.

E and R amendments to L. B. 48:

1. In the bill, section 1, page 2, line 13, strike the words "at the rate of" and insert in lieu thereof the word "*for*".

2. In the bill, section 3, page 2, line 7, after the words "juvenile court" insert a comma.

3. In the bill, section 4, page 3, line 7, strike the comma after the word "buildings".

LEGISLATIVE BILL 55. Placed on Select File.
LEGISLATIVE BILL 74. Placed on Select File as amended.

E and R amendment to L. B. 74:

1. In the bill, section 1, page 2, line 3, strike the words "members of the" and show as stricken matter; lines 18 and 19, strike the words "*for a term of five years a successor*" and insert in lieu thereof "*a successor for a term of five* years".

LEGISLATIVE BILL 72. Placed on Select File as amended.

E and R amendment to L. B. 72:

1. In section 1, of the bill, page 2, under the heading "County and District Taxes" insert a period after "Dist" and before the word "Bond" in the original bill. This is correct in the printed bill.

(Signed) Glenn Cramer, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 297. By Willard M. Wilson of Phelps and Charles F. Tvrdik of Douglas.

A bill for an act to amend section 77-2007, Revised Statutes Supplement, 1947, relating to taxation; to provide that the exemption from imposition of inheritance tax on corporations, organizations, associations, or foundations, organized and operated for religious, charitable, or educational purposes shall extend to such corporations, organizations, associations, or foundations organized under the laws of another state when a like and equal exemption is according to the same bodies organized under the laws of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 298. By Thomas H. Adams of Lancaster and Cliff N. Ogden of Douglas.

A bill for an act to amend section 53-112, Revised Statutes of Nebraska, 1943, relating to liquors; to increase the salaries of the members and secretary of the Nebraska Liquor Control Commission; to provide when the same shall become operative; and to repeal the original section.

LEGISLATIVE BILL 299. By Harry L. Pizer of Lincoln.

A bill for an act to amend section 2-203, Revised Statutes of Nebraska, 1943, relating to county agricultural societies; to increase the amount that may be raised by taxation for the support of such societies; to change the population classification of counties to correspond with other legislation; and to repeal the original section.

LEGISLATIVE BILL 300. By Lester H. Anderson of Hamilton.

A bill for an act relating to taxation; to provide for the imposition and collection of a tax on income; to provide for the administration thereof; and to provide penalties.

LEGISLATIVE BILL 301. By Cliff N. Ogden of Douglas.

A bill for an act relating to building and loan associations; to provide for conversion of federal savings and loan associations into state chartered associations as are provided for in Chapter 8, article 3, Revised Statutes of Nebraska, 1943, and as amended.

LEGISLATIVE BILL 302. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 8-331, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to prescribe the requirement of a certificate of approval by the Department of Banking of such organization and incorporation, and the conditions under which said certificate shall be issued; and to repeal the original section.

LEGISLATIVE BILL 303. By Lester H. Anderson of Hamilton and Don E. Hanna of Cherry.

A bill for an act to amend sections 41-103, 41-109, 41-112, 41-113, 41-114, 41-118, 41-119, 41-123, 41-124, 41-125, 41-126, and 41-127, Revised Statutes of Nebraska, 1943, and sections 41-110, 41-122, 41-123.01, 41-123.02, 41-123.03, and 41-123.04, Revised Statutes Supplement, 1947, relating to hotels and inns; to redefine terms; to provide that the provisions of Chapter 41, Revised Statutes of Ne-

braska, 1943, and as amended, shall apply to tourist camps; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 304. By Cliff N. Ogden of Douglas and Charles F. Tvrdik 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 at a specified rate; and to repeal the original section.

LEGISLATIVE BILL 305. By Earl J. Lee of Dodge and Karl E. Vogel of Douglas.

A bill for an act to amend section 10-126, Revised Statutes Supplement, 1947; to provide that all bonds of indebtedness shall be redeemable at the option of the governmental subdivision or municipal corporation issuing such bonds in not less than five years nor more than fifteen years from the date of issuance thereof as determined by the issuing board; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 306. By Earl J. Lee of Dodge.

A bill for an act to amend section 31-135, Revised Statutes of Nebraska, 1943, relating to drainage districts; to increase the percentage of landowners required on a petition to clean out and place in efficient condition a drainage ditch; and to repeal the original section.

LEGISLATIVE BILL 307. By Thomas M. Davies of Lancaster.

A bill for an act relating to taxation; to provide for the refunding of overpayments of estate taxes; to provide procedure for filing claims and suits to obtain such refunds; to provide for jurisdiction of such actions; to provide a period of limitations for such actions; to amend section 84-306, Revised Statutes Supplement, 1947, and section 84-309, Revised Statutes of Nebraska, 1943; to repeal the original sections; to provide a savings clause; and to declare an emergency.

LEGISLATIVE BILL 308. By Thomas M. Davies of Lancaster.

A bill for an act relating to taxation; to provide for exemptions

from inheritance tax for certain classes of organizations, and certain bequests and devises for certain purposes and uses; to amend section 77-2007, Revised Statutes Supplement, 1947; and to repeal the original section, and also sections 77-2007.01 and 77-2007.02, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 309. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 25-1212, Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for the admissibility in evidence of writings or records of any act, transaction, occurrence, or event made in the regular course of any business; to define business; and to repeal the original section.

LEGISLATIVE BILL 310. By Thomas M. Davies of Lancaster.

A bill for an act to amend Section 75-905, Revised Statutes of Nebraska, 1943, relating to testing of tractors; to authorize the Board of Regents of the University of Nebraska to fix the fees for testing of tractors; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 311. By Thomas M. Davies of Lancaster.

A bill for an act relating to the University of Nebraska; to provide for the appointment of a State Forester by the Board of Regents of the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 312. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 85-163, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to eliminate the provisions for the appointment of a State Forester by the Conservation and Survey Division, and the duties of such person; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 313. By Thomas H. Adams of Lancaster, W. J. Williams of Buffalo and Lester H. Anderson of Hamilton.

A bill for an act to amend section 76-402, Revised Statutes of Nebraska, 1943, relating to aliens and escheats; to prohibit nonresident aliens from acquiring any interest in property, either real or personal, situated or held in the State of Nebraska, by descent, devise, gift, purchase, or otherwise; to repeal the original section, and also section 76-414, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 314. By Wm. Hern of Dawes and Lester H. Anderson of Hamilton.

A bill for an act to amend section 29-801, Revised Statutes of Nebraska, 1943, relating to criminal procedure; to authorize issuance of search warrants to search any house or place for packages of cigarettes not having affixed thereto suitable stamps or cigarette tax meter stamp impressions; and to repeal the original section.

LEGISLATIVE BILL 315. By Wm. Hern of Dawes and Lester H. Anderson of Hamilton.

A bill for an act relating to taxation; to supplement the act imposing a tax on sale of cigarettes by imposing a use tax upon the use of cigarettes in this state upon which the sales tax has not been paid; to provide procedure for the collection of such tax; to provide for promulgation of rules and regulations by the Department of Agriculture and Inspection; and to provide penalties.

LEGISLATIVE BILL 316. By Ed. F. Lusienski of Platte.

A bill for an act to amend sections 81-2,189 and 81-2,192, Revised Statutes Supplement, 1947, relating to anti-freeze; to provide that a permit shall be valid from May 1 to April 30 instead of for a calendar year; and to repeal the original sections.

LEGISLATIVE BILL 317. By Ed. F. Lusienski of Platte.

A bill for an act relating to highways; to authorize and empower the Department of Roads and Irrigation to construct, operate, and maintain turnpikes or toll roads; to authorize the issuance of revenue bonds payable solely from tolls to pay the cost of such construction; to provide the terms of such revenue bonds; to create a fund to be known as the "Turnpike Toll Fund," to which shall be credited all tolls; to prescribe the powers and duties of the Department of Roads and Irrigation; to provide for setting aside of tolls after payment of specified charges; to provide that after retirement of bonds, such turnpikes and toll roads shall become a part of the state highway system; and to declare an emergency.

LEGISLATIVE BILL 318. By Hal Bridenbaugh of Dakota.

A bill for an act to amend section 44-137, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that foreign insurance companies may be served with process by filing duplicate copies of such process in the office of the Director of Insurance; and to repeal the original section.

LEGISLATIVE BILL 319. By Hal Bridenbaugh of Dakota.

A bill for an act to amend section 44-334, Revised Statutes of Nebraska, 1943, relating to insurance; to eliminate the provision that when applicant for a license owes any insurance company for money advanced, the Department of Insurance shall withhold the license applied for; and to repeal the original section.

LEGISLATIVE BILL 320. By Charles F. Tvrdik of Douglas, John J. Larkin, Jr., of Douglas and J. V. Benesch of Douglas.

A bill for an act creating a merit system in counties having a population of two hundred thousand inhabitants or more; to define terms; to provide for the creation of a county personnel board; to provide for the appointment of a county personnel director; to prescribe what employees are or will be subject to this act; to authorize the board to make rules and regulations to classify positions, study and prepare compensation schedules, conduct examinations, prepare original entrance and promotional lists and make certifications therefrom, hold hearings, and make reinstatements; and to provide for a levy to administer this act.

LEGISLATIVE BILL 321. By Charles F. Tvrdik of Douglas, John J. Larkin Jr., of Douglas and J. V. Benesch of Douglas.

A bill for an act relating to unfair labor practice; to define terms; to forbid employers from charging individuals a fee for a medical examination as a condition of employment; and to provide a penalty.

LEGISLATIVE BILL 322. By Charles F. Tvrdik of Douglas, John J. Larkin, Jr., of Douglas and J. V. Benesch of Douglas.

A bill for an act relating to labor; to define terms; to provide for the method for payment of wages; and to provide a penalty.

LEGISLATIVE BILL 323. By Dwight W. Burney of Cedar, Louis A. Holmes of Hall and C. N. Ogden of Douglas.

A bill for an act to provide for the salary of the Superintendent of Public Instruction; and to provide when the same shall become operative.

Bills Referred to Standing Committee

L. B.	Committee
280	Government
281	Judiciary
282	Agriculture
283	Banking, Commerce and Insurance
284	Public Health and Miscellaneous Subjects
285	Budget
286	Miscellaneous Appropriations and Claims
287	Government
288	Education
289	Education
290	Revenue and Taxation
291	Public Works
292	Government
293	Miscellaneous Appropriations and Claims
294	Education
295	Miscellaneous Appropriations and Claims
296	Judiciary

SELECT FILE

LEGISLATIVE BILL 15. E and R amendments found in the Legislative Journal for the Fourteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 16. E and R amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 92.

Advanced to E and R for engrossment.

Lincoln's Birthday Program

The Chaplain was instructed to make arrangements for the Lincoln's Birthday memorial program, to be held on Friday, February 11, 1949.

GENERAL FILE

LEGISLATIVE BILL 70. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 86. Read and considered.

Advanced to E and R for review.

Mr. Carmody Presiding

LEGISLATIVE BILL 71. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 104. Read and considered.

Laid over.

LEGISLATIVE BILL 17. Laid over.
LEGISLATIVE BILL 123. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 106. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 41. Laid over.
LEGISLATIVE BILL 107. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 108. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 177. Laid over.

NOTICE OF COMMITTEE HEARINGS

Revenue and Taxation

L. B. 242	Tuesday, February 1, 1949	2:00 p.m.
L. B. 243	Tuesday, February 1, 1949	2:00 p.m.
L. B. 244	Tuesday, February 1, 1949	2:00 p.m.
L. B. 245	Tuesday, February 1, 1949	2:00 p.m.

Banking, Commerce and Insurance

L. B. 68	Thursday, February 10, 1949	2:00 p.m.

MESSAGE FROM THE GOVERNOR

Mr. President and Members of the Legislature:

I am coming before you under rather unusual circumstances. I do not have a manuscript because I didn't want to take the time to write one. I think it is imperative that I present to you what I have on my mind and that you get busy doing what you think is proper. I recommend to your Honorable Body that you appropriate $500,000 immediately for relief to the people of the snowbound disaster areas in Nebraska.

I recommend, secondly, that you establish a plan to fight the result of the repeated blizzards in large portions of Nebraska, and that you keep the administration as close to the local level as possible.

Thirdly, I would recommend that the money that is appropriated be apportioned among the counties by some standing committee of your Honorable Body or by a special committee appointed by your body. This is a very simple plan, roughly expressed. I present it in this fashion in order that you may start the machinery rolling at once.

I have just had in my office a delegation of ranchers. They can't even get all their county board together. One member can't get to the county seat unless he walks twenty miles. These people are able, through an organization I asked to function the other day, to rent bulldozers and move them into the county. However, their county funds will not permit them to rent the bulldozers for more than 3 days as it costs about $240 to run the bulldozers a day—that is $10 an hour for 24 hours. I told the newspapers this morning that to make a real dent in these road problems would require a minimum of 300 bulldozers—the cost of operation would be $72,000 a day for a 24-hour period. This is a tremendous problem.

I don't want to see a grab box established from which the counties would fight to get money. The help should be given only where needed. Each county should be required to justify its needs. However, in order that they will be free to go ahead rapidly, this committee should make an allotment on the conservative side and then be prepared to make adjustments.

The following counties, and I can't speak with finality as I haven't heard from all of them, should have consideration: Sioux; Dawes; Box Butte; Sheridan; the northern parts of Morrill and Gar-

den; Arthur; Grant; Hooker; McPherson; Logan; Thomas; Blaine; Cherry; Brown; Rock; Keya Paha; Boyd; Loup; Garfield; Holt; Wheeler; Greeley; Valley; the west portions of Knox, Antelope, and Boone; and the northern parts of Custer and Lincoln counties. I have received wires from five counties saying that they do not need help: Cheyenne, Howard, Scotts Bluff, Sherman, and Deuel. Kimball asked for a rotary snow plow, but I don't believe that their needs are of an emergency nature at this time.

The minute the legislature indicates that it is willing to put some Nebraska money up to meet this emergency, I am willing to go to the President and the Congress and ask for the appropriation of funds. But until Nebraska makes an attempt to do its part, I won't go to Washington for help. I simply do not feel that we can ask Washington for funds until we really try to solve the problem ourselves.

I am happy to say that the Bureau of Reclamation is cooperating with us. They have turned over all their bulldozers, but there are only eight. Four of these do not have transportation. I have not heard from the Secretary of the Army, but I rather think he will also turn equipment over on a non-cost basis. Several Federal Agencies are working with us. I am certain that we will get further cooperation from the Federal Government, the President, Congress and all Bureaus.

I am sorry to have to come in here on a mission of this type. I trust you will give these recommendations your serious consideration.

I thank you.

(Signed) Val Peterson, Governor

Visitors

Mr. Davies presented Mrs. Jane Zellers, a teacher, and Mrs. Nina B. Schwartz. Principal, and the Sixth Grade class of Sheridan School, Lincoln, Nebraska.

MOTION—Committee to Administer Special Appropriation

Mr. President: I move that the Budget Committee be designated as the one to be charged with the preparation of the appropriation bill in conformity with the informal request of the Governor this morning on the matter of relief of certain portions of the State. (Signed) Ed F. Lusienski

The motion prevailed.

RECESS

At 11:45 a.m., on a motion by Mr. Burnham, the Legislature recessed until 4:00 p.m.

AFTER RECESS

The Legislature reconvened at 4:00 p.m., Speaker Lee presiding.

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

Unanimous Consent—Re-refer Bill

Mr. Pizer asked unanimous consent to withdraw L. B. 255 from the Committee on Judiciary and re-refer it to the Committee on Public Works.

Consent was granted and it was so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 324. By Committee on the Budget.

A bill for an act to appropriate to the office of the Adjutant General, out of the state General Fund, the sum of five hundred thousand dollars for the remainder of the biennium ending June 30, 1949, for the Storm Emergency Fund; to provide for the disbursement of such fund; and to declare an emergency.

LEGISLATIVE BILL 325. By Committee on the Budget.

A bill for an act to create a Storm Emergency Fund; to provide for the administration thereof; to provide for the powers and duties of the Governor, Adjutant General, State Treasurer, and Auditor of Public Accounts, with reference thereto; and to declare an emergency.

MOTION—Place on General File

Mr. President: I move that the rules be suspended and that L. B. 324 and L. B. 325 be placed on General File. (Signed) John S. Callan.

The motion prevailed with 42 ayes, 0 nays and 1 not voting.

GENERAL FILE

LEGISLATIVE BILL 324. Read.

Laid over.

LEGISLATIVE BILL 325. Read.

Laid over.

RESOLUTION

LEGISLATIVE RESOLUTION 6. Re: Storm Emergency Fund.

Introduced by the Committee on The Budget.

WHEREAS, the unexpected severity of the storms of the past few weeks has created a situation in the State of Nebraska that cannot be coped with under existing legislation; and

WHEREAS, there has been introduced in the Legislature two bills, one to create a Storm Emergency Fund and one to appropriate the sum of five hundred thousand dollars to carry out the provisions thereof; and

WHEREAS, such bills cannot be enacted into law under the Constitution for at least five legislative days from the time of their introduction; and

WHEREAS, the Legislature desires to make known to the people of the state at the earliest possible moment that it intends to act to alleviate suffering and distress growing out of the serious emergency now existing;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature, by the passage of this resolution, intends to and does assure the people of the state that it will act as promptly as possible to confer emergency powers on the Governor to meet the existing situation growing out of the situation above set forth and will make needed appropriations to that end.

MOTION—Rule Suspension

Mr. President: I move that the rules be suspended and that L. R. 6 be adopted.

The motion prevailed with 42 ayes, 0 nays and 1 not voting.

Adjournment

At 4:25 p.m., Mr. Norman moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday, January 26, 1949.

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

Hugo F. Srb

Clerk of the Legislature

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 26, 1949

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Lee 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

A wire to Mr. Hanna, from Mr. Ed. Belsky, Merriman, Nebraska, opposing the change in the name of the Sandhills area. Referred to the Committee on Agriculture.

A letter from the Hershey Womans Club to Mr. Pizer in support of L.B. 79. Referred to the Committee on Education.

A letter from Mr. James E. Addie of Hastings, Nebraska to Mr. Bohlke, opposing the state income tax. Referred to the Committee on Revenue and Taxation.

An invitation from Mr. C. E. Beals, Executive Secretary-Treasurer of the League of Nebraska Municipalities to the members to a luncheon, February 4, in the Georgian Room at the Cornhusker Hotel.

A letter from Mr. S. G. Karlen, Beemer Township Treasurer, Cuming County to Mr. Weborg, favoring the Schroeder road bill. Referred to the Committee on Public Works.

A letter from Mrs. S. G. Karlen, Secretary of Farmers Union Local 1024, addressed to Mr. Weborg, favoring the Schroeder road bill. Referred to the Committee on Public Works.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 160	Friday, February 11, 1949	2:00 p.m.
L. B. 176	Friday, February 11, 1949	2:00 p.m.
L. B. 185	Thursday, February 17, 1949	2:00 p.m.
L. B. 218	Thursday, February 17, 1949	2:00 p.m.
L. B. 225	Thursday, February 17, 1949	2:00 p.m.
L. B. 239	Thursday, February 17, 1949	2:00 p.m.
L. B. 241	Friday, February 18, 1949	1:30 p.m.
L. B. 192	Thursday, February 24, 1949	2:00 p.m.
L. B. 237	Thursday, February 24, 1949	2:00 p.m.
L. B. 246	Friday, February 25, 1949	2:00 p.m.

Government

L. B. 287	Friday, February 11, 1949	2:00 p.m.

Budget

L. B. 285	Monday, February 14, 1949	2:00 p.m.

Education

L. B. 99	Tuesday, February 1, 1949	2:00 p.m.
L. B. 168	Tuesday, February 1, 1949	2:00 p.m.
L. B. 169	Tuesday, February 1, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 34. Indefinitely postponed.
LEGISLATIVE BILL 33. Placed on General File.

(Signed) William Hern, Chairman

Enrollment and Review

LEGISLATIVE BILL 44. Placed on Select File as amended.

E and R amendments to L. B. 44:

1. In the bill, section 1, page 2, line 18, after the word *"preparing"* insert the word *"the"*.

2. In the bill title, strike all the title after the word "provide" in line 3, and amendment thereto, and in lieu thereof insert "which

officers shall complete the tax lists and unit tax ledgers; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 49. Placed on Select File as amended.

E and R amendments to L. B. 49:

1. In the bill, section 2, page 2, line 5, strike ", which shall be" and show same as stricken matter.

2. In the bill, section 3, page 2, line 4, after the word "state" insert "*(1)*"; lines 8 and 9, strike all of line 8 and the words "residence and" and insert in lieu thereof ", *(2)* his place of residence, and *(3)*"; line 11, after the word "freeholders" strike the comma and show the same as stricken matter; page 3, line 14, strike ", which" and insert in lieu thereof ". *The*"; line 16, strike "; and upon" and insert in lieu thereof ". *Upon*".

3. In the bill, section 5, page 3, line 6, strike the semicolon and insert in lieu thereof a period; line 10, strike the word "in" and in lieu thereof insert the word "*In*"; lines 16 and 17, strike "in cities of less than 40,000 *forty thousand* inhabitants," and show the original wording of statute as stricken matter.

4. In the bill, section 6, page 5, line 20, strike the word "a" and show the same as stricken matter.

5. In the bill, section 7, page 5, line 20, after the word "*provided*" strike the comma.

6. In the bill, section 8, page 6, line 11, before the word "affidavit" insert the word "*an*".

7. In the title of the bill, line 8, after the words "primary city;" insert "to provide when the election board shall deliver the ballot box to the counting board in counties having a population of more than sixty thousand inhabitants;".

LEGISLATIVE BILL 71. Placed on Select File.
LEGISLATIVE BILL 86. Placed on Select File.
LEGISLATIVE BILL 107. Placed on Select File.
LEGISLATIVE BILL 108. Placed on Select File.
LEGISLATIVE BILL 50. Correctly engrossed.
LEGISLATIVE BILL 51. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 29. Placed on General File as amended.

Standing Committee amendments to L. B. 29:

1. Page 2, Section 1, strike all of Line 4 and the words and punctuation "of them," in Line 5 and insert in lieu thereof the words and punctuation "*sickness and* accident insurance company,".

2. Page 2, Section 1, strike all of Lines 13 to 29 inclusive and insert in lieu thereof the following: "standing claims, a sum equal to *seventy per cent of* the total *unearned* premium on the policies in force, *after deducting reinsurance in reputable, solvent companies, calculated on the gross sum without any deductions on any account, charged to the policyholder on each respective risk from the date of the issuance of the policy; Provided, that such companies shall reserve an amount equal to fifty per cent of the total unearned premium on all their policies in force as of December 31, 1949; an amount equal to fifty-four per cent of the total unearned premium on all their policies in force as of December 31, 1950; an amount equal to fifty-eight per cent of the total unearned premium on all their policies in force as of December 31, 1951; an amount equal to sixty-two per cent of the total unearned premium on all their policies in force as of December 31, 1952; an amount equal to sixty-six per cent of the total unearned premium on all their policies in force as of December 31, 1953; and after December 31, 1954, such companies shall reserve an amount equal to seventy per cent* ".

LEGISLATIVE BILL 30. Placed on General File as amended.

Standing Committee amendments to L. B. 30:

1. Page 2, Section 1, Line 11, insert after the word "to" the words "*seventy per cent of*".

2. Page 2, Section 1, strike all of Lines 18 to 28 inclusive and insert in lieu thereof the following: "to *forty-three* per cent of the total unearned premium on all their policies in force *as of December 31, 1949; an amount equal to forty-six per cent of the total unearned premium on all policies in force as of December 31, 1950; an amount equal to forty-nine per cent of the total unearned premium on all policies in force as of December 31, 1951; an amount equal to fifty-two per cent of the total unearned premium on all policies in force as of December 31, 1952; an amount equal to fifty-five per cent of the total unearned premium on all policies in force as of December 31, 1953; an amount equal to fifty-eight per cent of the total unearned premium on all policies in force as of December 31, 1954; an amount equal to sixty-one per cent of the total unearned premium on all pol-*

icies in force as of December 31, 1955; an amount equal to sixty-four per cent of the total unearned premium on all policies in force as of December 31, 1956; an amount equal to sixty-seven per cent of the total unearned premium on all policies in force as of December 31, 1957; and after December 31, 1958, such companies shall reserve an amount equal to seventy per cent of the total".

LEGISLATIVE BILL 31. Placed on General File.

(Signed) Ray A. Babcock, Chairman

President Signs

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

L. R. 6

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 326. By Thomas H. Adams of Lancaster and Victor E. Anderson of Lancaster.

A bill for an act to amend section 23-816, Revised Statutes of Nebraska, 1943, relating to counties; to provide that the county board may fix the annual fee, not in excess of two hundred dollars, for any license issued for roadhouses, dance halls, amusement parks, and other places of amusement; and to repeal the original section.

LEGISLATIVE BILL 327. By Thomas H. Adams of Lancaster and Victor E. Anderson of Lancaster.

A bill for an act to amend sections 74-319, 75-603, and 79-1707, Revised Statutes of Nebraska, 1943, relating to eminent domain proceedings; to provide that fees of appraisers or commissioners shall be fixed by the county judge and taxed as costs in the proceedings; and to repeal the original sections.

LEGISLATIVE BILL 328. By Thomas H. Adams of Lancaster, Thomas M. Davies of Lancaster and Victor E. Anderson of Lancaster.

A bill for an act to amend section 60-407, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide for patrolmen examiners to issue a learner's permit to any person who shall have attained the age of fifteen and one half years; to provide such per-

son may operate a motor vehicle under such permit over the highways of this state if he is accompanied at all times by a licensed operator who is actually occupying the seat beside such driver; to provide such permit shall be valid for a period of six months; and to repeal the original section.

LEGISLATIVE BILL 329. By Thomas H. Adams of Lancaster, Thomas M. Davies of Lancaster and Victor E. Anderson of Lancaster.

A bill for an act to amend section 24-553, Revised Statutes of Nebraska, 1943, relating to county courts; to provide that when the county judge notifies the county board of the fees, money, legacies, devises, and costs remaining in his hands, he shall include funds of condemnation awards, and shall pay same into the general fund of the county when directed by resolution of the county board, and such payment shall release him from all liability on his bond; and to repeal the original section.

LEGISLATIVE BILL 330. By George C. Weborg of Cuming.

A bill for an act relating to railroads; to prohibit railroad companies operating in this state from burning or otherwise destroying usable or salvage material without first offering the same at either a public or private sale; and to provide a penalty.

LEGISLATIVE BILL 331. By Cliff N. Ogden of Douglas.

A bill for an act relating to insurance; to provide additional compensation for the Director of Insurance for administering articles 14 and 15, Chapter 44, Revised Statutes Supplement, 1947; and to provide when same shall become operative.

LEGISLATIVE BILL 332. By John P. McKnight of Nemaha.

A bill for an act to amend section 42-122, Revised Statutes of Nebraska, 1943, relating to premarital examination; to change the information to be contained in the statement accompanying the certificate; to provide that the certificate shall be on a form approved by the Department of Health, which approved forms shall be distributed to all county judges in the state; and to repeal the original section.

LEGISLATIVE BILL 333. By John P. McKnight of Nemaha.

A bill for an act to amend section 30-807, Revised Statutes of Nebraska, 1943, relating to decedents' estates to include guardians

duly appointed in any other state or county that may commence and prosecute any action or suit in any court in this state except as provided in this section; and to repeal the original section.

LEGISLATIVE BILL 334. By O. H. Person of Saunders.

A bill for an act to amend section 54-766, Revised Statutes Supplement, 1947, relating to livestock; to authorize the Director of Agriculture and Inspection to prescribe by rules and regulations the cattle that shall be vaccinated for Bang's disease; and to repeal the original section.

LEGISLATIVE BILL 335. By Louis A. Holmes of Hall, Earl J. Lee of Dodge and Harry L. Pizer of Lincoln.

A bill for an act to amend section 16-620, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to change the number of objectors who can prevent street improvements therein provided from a majority of the abutting property owners to the owners of more than fifty per cent of the foot frontage of abutting property; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 336. By Glenn Cramer of Boone and C. R. Lindgren of Franklin.

A bill for an act to amend section 79-1105, Revised Statutes of Nebraska, 1943, relating to schools; to eliminate the provision that every high school approved for normal training shall instruct a class of not less than ten pupils; and to repeal the original section.

LEGISLATIVE BILL 337. By W. J. Williams of Buffalo and Louis A. Holmes of Hall.

A bill for an act relating to stenographic reporters of the district courts; to provide for traveling and maintenance expenses for such reporters; to amend section 84-306, Revised Statutes Supplement, 1947; and to repeal the original section.

LEGISLATIVE BILL 338. By W. J. Williams of Buffalo.

A bill for an act to amend section 28-937, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to prohibit horse racing, ball playing, or any game of sport before noon on May 30, known as Decoration Day; and to repeal the original section.

LEGISLATIVE BILL 339. By Fay Wood of Seward, R. W. Hill of Thayer and Otto J. Prohs of Scotts Bluff.

A bill for an act to amend section 71-605, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to provide for filing a completed death certificate with the registrar in the county in which the death occurred before the body is interred, deposited in a vault, or otherwise disposed of, or removed from the locality in which the death occurred except as specified; and to repeal the original section.

LEGISLATIVE BILL 340. By Victor E. Anderson of Lancaster.

A bill for an act to amend section 85-106, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to authorize the Board of Regents of such university to elect deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally; to provide such board may prescribe duties of such persons; to provide that such board may establish and administer a retirement system for the faculty staff and such other employees of such university; to provide that any retirement benefits now in effect and operation shall not be abridged; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 341. By John P. McKnight of Nemaha, at the request of the Nebraska Tax Commissioner, and Charles F. Tvrdik of Douglas.

A bill for an act relating to taxation; to provide additional procedure for the determination, collection, and payment of tax upon flight equipment of air transportation carriers; and to declare an emergency.

LEGISLATIVE BILL 342. By Charles F. Tvrdik of Douglas, at the request of the Tax Commissioner, and John P. McKnight of Nemaha.

A bill for an act to amend section 77-1317, Revised Statutes Supplement, 1947, relating to taxation; to provide for listing for taxation of improvements that have not been assessed or have escaped taxation in former years; and to repeal the original section.

LEGISLATIVE BILL 343. By Cliff N. Ogden of Douglas, Wm. Hern of Dawes and O. H. Person of Saunders.

A bill for an act to amend section 81-103, Revised Statutes Supplement, 1947, relating to state administrative departments; to increase the salary of the Director of the Department of Agriculture and Inspection; to provide when such increase shall become operative; and to repeal the original section.

LEGISLATIVE BILL 344. By Thomas M. Davies of Lancaster.

A bill for an act relating to sexual psychopaths; to amend sections 83-306 and 83-322, Revised Statutes Supplement, 1947; to define terms; to provide procedure for commitment of sexual psychopaths to state hospitals; and to repeal the original sections.

LEGISLATIVE BILL 345. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 38-202, Revised Statutes of Nebraska, 1943, and sections 38-201 and 38-201.01, Revised Statutes Supplement, 1947, relating to guardianship; to change terminology with respect to appointment of guardians for persons who are mentally ill; and to repeal the original sections.

LEGISLATIVE BILL 346. By Thomas M. Davies of Lancaster.

A bill for an act to amend sections 23-1201 and 43-211, Revised Statutes of Nebraska, 1943, relating to criminal procedure and proceedings in the juvenile court; to require that proceedings against all persons under eighteen years of age shall, except where the crime charged is punishable by death or life imprisonment, be prosecuted initially in the juvenile court; to provide that the juvenile court may, whenever in its judgment the crime with which such child is charged is sufficiently grave to warrant prosecution in the regular criminal courts of the state, direct the county attorney to prosecute the same in the manner provided by law for prosecution of criminal offenses generally; and to repeal the original sections.

LEGISLATIVE BILL 347. By Charles F. Tvrdik of Douglas and Cliff N. Ogden of Douglas.

A bill for an act relating to motor vehicles; to make it unlawful to operate upon any public highway in this state a motor vehicle which is equipped with, or in which is located, a television set so placed that the viewing screen thereof is visible to the driver while operating such motor vehicle; and to provide a penalty.

LEGISLATIVE BILL 348. By John J. Larkin, Jr. of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act to amend section 83-450, Revised Statutes of Nebraska, 1943; to permit the Board of Control to grant to certain prisoners a diminution of time from their sentences according to general rules to be prescribed by such board; and to repeal the original section.

LEGISLATIVE BILL 349. By John J. Larkin, Jr. of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 83-401, Revised Statutes of Nebraska, 1943, relating to state institutions; to restate who are officers of the state penitentiary; and to repeal the original section.

LEGISLATIVE BILL 350. By John J. Larkin, Jr. of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 83-426, Revised Statutes of Nebraska, 1943, relating to state institutions; to increase the amount that shall be given to a convict upon his discharge from the state penitentiary; and to repeal the original section.

LEGISLATIVE BILL 351. By John J. Larkin, Jr. of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 28-735, Revised Statutes of Nebraska, 1943, relating to crimes and offenses; to include benzedrine in the list of articles which are prohibited from being sold or given to, or placed in the possession of any convict, prisoner, or inmate of any penitentiary, reformatory, jail, or asylum, directly or indirectly, or any attempt so to do; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 352. By William J. Norman of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to repeal section 83-412, Revised Statutes Supplement, 1947, relating to state institutions in order to permit the Board of Control to fix the amount of the salary to be paid to the warden of the state penitentiary; and to declare an emergency.

LEGISLATIVE BILL 353. By John Adams, Sr. of Douglas.

A bill for an act to amend section 83-210.01, Revised Statutes Supplement, 1947, relating to state institutions; to increase the amount of the revolving fund used for the purchase of equipment and initial stock for vending stands or business enterprises to be operated by blind persons; to appropriate the sum of ten thousand dollars additional for such revolving fund; and to repeal the original section.

LEGISLATIVE BILL 354. By Lester H. Anderson of Hamilton and J. V. Benesch of Douglas.

A bill for an act to amend section 71-1902, Revised Statutes Supplement, 1947, relating to board and care of children; to change the date of expiration of license for homes furnishing care to children; and to repeal the original section.

Bills Referred to Standing Committee

L. B.	Committee
297	Revenue and Taxation
298	Miscellaneous Appropriations and Claims
299	Agriculture
300	Revenue and Taxation
301	Banking, Commerce and Insurance
302	Banking, Commerce and Insurance
303	Public Health and Miscellaneous Subjects
304	Public Health and Miscellaneous Subjects
305	Banking, Commerce and Insurance
306	Public Works
307	Revenue and Taxation
308	Revenue and Taxation
309	Judiciary
310	Public Works
311	Agriculture
312	Agriculture
313	Judiciary
314	Revenue and Taxation
315	Revenue and Taxation
316	Public Health and Miscellaneous Subjects
317	Public Works
318	Banking, Commerce and Insurance
319	Banking, Commerce and Insurance
320	Government
321	Labor and Public Welfare
322	Labor and Public Welfare
323	Miscellaneous Appropriations and Claims

SELECT FILE

LEGISLATIVE BILL 42.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 43. E and R amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 48. E and R amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 55.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 74. E and R amendment found in the Legislative Journal for the Sixteenth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 104.

Made Special Order for Tuesday, February 1, 1949, at 10:00 a.m.

Mr. Hoyt Presiding

LEGISLATIVE BILL 17. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 41. Considered.

Standing Committee amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Mr. Hanna offered the following amendment, which was adopted:

Amend the Standing Committee amendments by inserting the word "calendar" after the word "twenty" wherever this word appears in the amendments and the title.

Advanced to E and R for review.

LEGISLATIVE BILL 177. Laid over.

LEGISLATIVE BILL 324. Laid over.
LEGISLATIVE BILL 325. Laid over.

Speaker Lee Presiding

LEGISLATIVE BILL 33. Read and considered.

Laid over.

Visitor

Mr. Davies introduced Mr. L. C. Oberlies, former resident of Lincoln and former Nebraska Senator in 1916 and 1917, who now lives in Tacoma, Washington. Mr. Oberlies spoke briefly to the Legislature.

Member Excused

Mr. Davies was excused for Thursday and Friday, January 27 and 28, 1949.

Adjournment

At 11:40 a.m., Mr. L. Anderson moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, January 27, 1949.

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

Hugo F. Srb

Clerk of the Legislature

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 27, 1949

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

Prayer was offered by the Chaplain.

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

The Journal for the Seventeenth Day was approved as corrected.

Report of Committee on Intergovernmental Cooperation

Mr. Wood introduced Mr. C. Petrus Peterson, of Lincoln, who presented the Report of the Committee on Intergovernmental Cooperation to the members of the Legislature. A copy of this report has been given to each member of the Legislature and the Press. Mr. Peterson explained the duties of this committee to the new members and also called to the attention of the members important parts of this report which would influence their future legislation. He stated he would appear before the Budget Committee when their request for an appropriation comes up for consideration.

Mr. McKnight Presiding

Communications

Letter and resolution addressed to Mr. Lee from Webster Township, Dodge County, opposing any change in the County Township government setup. Referred to the Committee on Government.

Resolution to Mr. Weborg from Cuming Township of Cuming County opposing abolishment of the township supervisor system for the government of counties in the state of Nebraska. Referred to the Committee on Government.

Letter from Mrs. S. P. McLaughlin announcing the opening of the Circlet Community Theatre in Lincoln.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 292	Friday, February 4, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 164	Wednesday, Februray 23, 1949 (Reset from Fri., Febr. 4)	2:00 p.m.
L. B. 132	Friday, February 25, 1949 (Reset from Wed., Febr. 2)	2:00 p.m.
L. B. 196	Monday, January 31, 1949	2:00 p.m.
L. B. 219	Monday, January 31, 1949	2:00 p.m.
L. B. 254	Monday, January 31, 1949	2:00 p.m.
L. B. 293	Monday, January 31, 1949	2:00 p.m.
L. B. 197	Wednesday, February 2, 1949	2:00 p.m.
L. B. 249	Wednesday, February 2, 1949	2:00 p.m.
L. B. 263	Wednesday, February 2, 1949	2:00 p.m.
L. B. 286	Wednesday, February 2, 1949	2:00 p.m.
L. B. 295	Friday, February 4, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 214. Placed on General File.

(Signed) N. F. Schroeder, Chairman

Agriculture

LEGISLATIVE BILL 124. Placed on General File as amended.

Standing Committee amendments to L. B. 124:

1. Amend page 2 of the bill, section 1, line 5 by striking the word "ten" and inserting in lieu thereof the word *"thirty"*.

2. Amend page 2 of the bill, section 1, line 12, by inserting after the word "contract" the following: *"and shall, at the time of the filing of the bond, file with the secretary a sworn statement giving the names and addresses of the owners of said carnival company, booking agency, or show."*.

3. Amend page 2 of the bill, section 1, line 14, by inserting after the punctuation following the word "force" the following: *"Upon entering into any contract with county fairs, the said carnival company, booking agency, or show calling for a performance in any specific county in the State of Nebraska shall, within thirty days after signing of such contract, file with the county clerk of such county a duplicate receipt or certificate showing that the bond provided for in this section has been filed with the secretary."*.

4. Amend page 2 of the bill, by striking all of present section 3 and inserting a new section 3 in lieu thereof to read as follows: *"Sec. 3. Each officer, owner, or manager of any carnival company, booking agency, or show who willfully fails to cause bond to be executed and filed as required by section 1 of this act, or who willfully fails to cause the receipt or certificate to be filed as provided by section 1 of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum of not less than fifty dollars nor more than two hundred dollars, and may be committed to jail until the fine and costs are paid."*.

4. Amend the title of the act, line 13, by inserting after the punctuation following the word "contract" the following: *"to provide for filing of receipt or certificate with county clerk of county where contract is made with county fair showing bond filed as prescribed;"*.

LEGISLATIVE BILL 166. Placed on General File.

(Signed) Ed. Hoyt, Chairman

Government

LEGISLATIVE BILL 54. Placed on General File as amended.

Standing Committee amendment to L. B. 54:

Amend Section 5, Line 5, by adding following the word "act." as follows: *"Provided, this section shall not apply to any political subdivision, municipal corporation, public body, or agency authorized by statute to make contributions to an insurance plan."*.

LEGISLATIVE BILL 113. Placed on General File.
LEGISLATIVE BILL 114. Placed on General File.
LEGISLATIVE BILL 115. Placed on General File.
LEGISLATIVE BILL 116. Placed on General File.
LEGISLATIVE BILL 118. Placed on General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 70. Placed on Select File as amended.

E and R amendment to L. B. 70:

1. In the bill, section 1, page 2, line 4, after "apply" insert *"(1)"*; line 9, strike the word "nor" and insert in lieu thereof *"(2)"* line 11, strike the word "nor" and insert in lieu thereof *"or (3)"*.

LEGISLATIVE BILL 106. Placed on Select File as amended.

E and R amendments to L. B. 106:

1. In the bill, section 1, page 2, line 27, insert *"the"* at the end of said line.

2. In the bill, section 2, page 3, line 15, strike *"; Provided, that producers"* and insert in lieu thereof *". Producers"*.

3. In the bill, section 3, page 3, line 15, strike the words *"the applicant"* and insert in lieu thereof the word *"he"*; line 21, strike the word *"and"* and insert in lieu thereof the word *"or"*; line 21, after the comma insert the words *"or both,"*; line 23, strike the stricken word "candler's" and insert in lieu thereof "candler's *or"*; line 24, strike the stricken word "candle" and insert in lieu thereof "candle *or"*; line 25, strike the words *"a permit"* and insert in lieu thereof *"the same"*; line 26, strike the word *"license"* and insert in lieu thereof the word *"permit"*; line 27, strike the period and in lieu thereof insert *"; and provided further, one license may be issued to candle and grade eggs instead of one license for each purpose."*; line 30, strike the words "or license" and show as stricken matter.

4. In the bill title, line 8, after the word "for" insert the words "labeling and"; line 9, strike the word "license" and insert in lieu thereof the words "the fee for a permit"; line 10, strike "of permit to grade or" and insert in lieu thereof "licenses to grade, candle, or grade and".

LEGISLATIVE BILL 123. Placed on Select File as amended.

E and R amendments to L. B. 123:

1. In the bill, section 1, page 2, line 7, strike the word "or" and insert in lieu thereof a comma; line 18, strike *"resident children"* and insert in lieu thereof *"children who are residents of the State of Nebraska and are"*.

2. In the bill, section 2, page 2, line 6, after the word "person"

and also line 8, after the word "*person*" insert the words "*who is a resident of the State of Nebraska and is*"; line 6, after the word "older" and also in line 8, after the word "*older*" insert the words "*or who is a nonresident of this state*".

3. In the bill title, line 4, after the word "age" insert the words "who are residents of the State of Nebraska"; line 5, after the semicolon, insert the words "to make it unlawful for persons who are residents of the State of Nebraska and are sixteen years old or older and for persons who are nonresidents of the state to hunt for, kill, shoot at, pursue, take, or possess any kind of game birds or game animals or to take, angle for, or attempt to take any kind of fish from the waters of this state or possess such fish without holding a permit as prescribed; to provide a penalty;".

(Signed) Glenn Cramer, Chairman

Bills Referred to Standing Committee

L. B.	Committee
326	Labor and Public Welfare
327	Labor and Public Welfare
328	Revenue and Taxation
329	Government
330	Public Works
331	Miscellaneous Appropriations and Claims
332	Public Health and Miscellaneous Subjects
333	Judiciary
334	Agriculture
335	Public Works
336	Education
337	Judiciary
338	Labor and Public Welfare
339	Public Health and Miscellaneous Subjects
340	Education
341	Revenue and Taxation
342	Revenue and Taxation
343	Miscellaneous Appropriations and Claims
344	Judiciary
345	Public Health and Miscellaneous Subjects
346	Judiciary
347	Labor and Public Welfare
348	Labor and Public Welfare

Unanimous Consent—Reset Hearing

Mr. Hern asked unanimous consent to reset the hearing on L. B.

83 from Tuesday, February 1, to Tuesday, February 8, 1949.

Consent was granted and it was so ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 355. By Cliff N. Odgen of Douglas.

A bill for an act to amend section 77-902, Revised Statutes of Nebraska, 1943, relating to insurance; to provide which insurance companies shall pay the tax as provided in this section; and to repeal the original section.

LEGISLATIVE BILL 356. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 48-146, Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to provide that a copy of form of policies of insurance issued against liability under the Workmen's Compensation Act shall be filed with and approved by the Department of Insurance; and to repeal the original section.

LEGISLATIVE BILL 357. By George C. Weborg of Cuming and Earl J. Lee of Dodge.

A bill for an act to amend section 37-515, Revised Statutes of Nebraska, 1943, relating to game and fish; to permit the use of explosives in ditches, water courses, or other works needed and useful in the operation of public power and irrigation districts or drainage districts to remove beaver dams and obstructions; and to repeal the original section.

LEGISLATIVE BILL 358. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 72-201, Revised Statutes Supplement, 1947, relating to Board of Educational Lands and Funds; to increase the maximum salary that may be paid to the secretary of such board; to provide when a change in the salary may become operative; and to repeal the original section.

LEGISLATIVE BILL 359. By Fay Wood of Seward and Louis A. Holmes of Hall.

A bill for an act relating to retirement of Justices of the Supreme Court and judges of the district court; to provide for the payment of pensions to such justices and judges upon retirement or upon at-

tainment of the age of sixty-five years after failure of re-election; to provide for the creation, establishment, and replenishment of the Judges' Pension Fund; to fix the qualifications of persons entitled to receive and be paid benefits from such fund; to provide for contributions from salaries of such justices and judges who accept the provisions of this act; to provide for the duties of state officers in administration of this act; to state a validity clause; and to declare an emergency.

LEGISLATIVE BILL 360. By John P. McKnight of Nemaha.

A bill for an act to amend section 25-21,149, Revised Statutes of Nebraska, 1943, relating to procedure in civil actions; to extend to all courts of record in the state the power to enter declaratory judgments; and to repeal the original section.

LEGISLATIVE BILL 361. By John P. McKnight of Nemaha.

A bill for an act concerning the enforcement of judgments obtained in another jurisdiction and to make uniform the law with reference thereto.

LEGISLATIVE BILL 362. By John P. McKnight of Nemaha.

A bill for an act concerning the recognition of a divorce obtained in another jurisdiction and to make uniform the law with reference thereto.

LEGISLATIVE BILL 363. By Otto J. Prohs of Scotts Bluff.

A bill for an act to amend sections 79-604.01 and 79-2508, Revised Statutes Supplement, 1947, relating to schools; to require publication of a list of all payments made as salaries or compensation of teachers and other employees by school districts of certain classes; to provide the manner of such publication; and to repeal the original sections.

LEGISLATIVE BILL 364. By Glenn Cramer of Boone, Clyde Cretsinger of Keith and Cliff N. Ogden of Douglas.

A bill for an act to amend sections 37-101, 37-701, and 37-703, Revised Statutes of Nebraska, 1943, and section 37-210, Revised Statutes Supplement, 1947, relating to game and fish; to remove mutation fox and mink from the protection of the game laws; and to repeal the original sections.

LEGISLATIVE BILL 365. By J. V. Benesch of Douglas and John J. Larkin, Jr., of Douglas.

A bill for an act to amend sections 83-303 and 83-304, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide that any funds made available to the Nebraska Orthopedic Hospital by devise, gift, or bequest, as to which specific direction is given by will or grant as to the use or disposition thereof, shall not form a part of the hospital fund; to provide that the Superintendent of the Nebraska Orthopedic Hospital shall be empowered to take, manage, use, and dispose of any property or funds described in any such devise, gift, or bequest; and to repeal the original sections.

LEGISLATIVE BILL 366. By John S. Callan of Gage, by request.

A bill for an act relating to the University of Nebraska; to appropriate the sum of fifty thousand dollars out of the General Fund to the University of Nebraska for the purpose of repair or replacement of the existing transmission line or for construction and equipping of a new underground electric transmission line between the power plant of the University of Nebraska and the State Capitol; and to declare an emergency.

LEGISLATIVE BILL 367. By John S. Callan of Gage, by request.

A bill for an act to amend sections 72-710 and 72-711, Revised Statutes of Nebraska, 1943, relating to public lands and buildings; to provide for full-time electrical service to the State Capitol and executive mansion; to authorize the Board of Regents of the University of Nebraska to furnish electric current to state institutions and buildings under jurisdiction of the Board of Control; to authorize the Board of Control to furnish electric current to the Board of Regents of the University of Nebraska for distribution to the buildings and grounds of the University of Nebraska; to provide that the Board of Regents of the University of Nebraska shall furnish electric current to the Nebraska State Fair Board for use at the State Fair Grounds only if service to the State Capitol and executive mansion is not impaired; and to repeal the original sections.

LEGISLATIVE BILL 368. By Fay Wood of Seward and John S. Callan of Gage.

A bill for an act to amend section 77-1502, Revised Statutes Supplement, 1947, relating to taxation; to provide that the county board of equalization shall be authorized and empowered to meet at any time upon the call of the chairman or any three members of the board only for purpose of equalizing assessments of property not here-

tofore assessed; and to repeal the original section.

LEGISLATIVE BILL 369. By W. Halsey Bohlke of Adams and W. J. Williams of Buffalo.

A bill for an act to appropriate to the Game, Forestation and Parks Commission the sum of one hundred six thousand eight hundred fifty-two dollars for the biennium ending June 30, 1951, for the purpose of making improvements in and restoration of the Fort Kearney Historical Park.

LEGISLATIVE BILL 370. By W. Halsey Bohlke of Adams.

A bill for an act to amend sections 23-343.03 and 23-343.07, Revised Statutes Supplement, 1947, relating to county hospitals; to authorize expenditure for improvements or additions to or equipment for a county community hospital in excess of limitation prescribed when authorized by a vote of the electors; to authorize the issuance of additional bonds for such purpose when authorized by a vote of the electors; to provide for joint submission of such propositions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 371. By Thomas H. Adams of Lancaster and John P. McKnight of Nemaha.

A bill for an act to amend section 42-318, Revised Statutes Supplement, 1947, relating to husband and wife; to provide that all payments of money under any decree awarding to a wife alimony or support for children shall be made to the clerk of the district court and by him disbursed to the party entitled thereto; and to repeal the original section.

LEGISLATIVE BILL 372. By Thomas H. Adams of Lancaster and J. V. Benesch of Douglas.

A bill for an act relating to criminal procedure; to provide that, in prosecutions for refusal or neglect to pay child support, the accused may enter a plea of no contest; to provide the terms of such plea; to provide for acceptance of such plea and entry of order therein by the court in which the prosecution is pending; and to provide for dismissal of the prosecution and discharge of the accused upon full compliance with the terms of such order.

SELECT FILE

LEGISLATIVE BILL 72. E and R amendment found in the Legisla-

tive Journal for the Sixteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 44. E and R amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 49. E and R amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 71.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 86.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 107.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 108.

Advanced to E and R for engrossment.

Speaker Lee Presiding

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 8.

A bill for an act to amend section 32-1715, Revised Statutes of Nebraska, 1943, relating to elections; to provide that supervisors appointed by the election commissioner shall be supervisors of such adjoining election districts as the election commissioner may direct; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Adams, T.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lindgren	Schroeder
Anderson, V.	Cramer	Lusienski	Tvrdik
Babcock	Hern	McKnight	Vogel
Benesch	Hill	Metzger	Vogt
Bohlke	Holmes	Nelson	Weborg
Bridenbaugh	Hoyt	Ogden	Williams
Burney	Larkin	Person	Wilson C.
Burnham	Lee	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Davies	Norman	Wilson, W.
Cretsinger	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Record Vote

Mr. President: Had I been present, I would have voted for L. B. 8. (Signed) W. J. Norman

Mr. President: Had I been present, I would have voted for L. B. 8. (Signed) John Adams, Sr.

LEGISLATIVE BILL 9.

A bill for an act to amend section 14-205, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide that polls at primary elections in such cities shall close at 8:00 o'clock p.m.; 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, T.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lindgren	Schroeder
Anderson, V.	Cramer	Lusienski	Tvrdik

Babcock	Hern	McKnight	Vogel
Benesch	Hill	Metzger	Vogt
Bohlke	Holmes	Nelson	Weborg
Bridenbaugh	Hoyt	Ogden	Williams
Burney	Larkin	Person	Wilson C.
Burnham	Lee	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Davies	Norman	Wilson, W.
Cretsinger	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Record Vote

Mr. President: Had I been present, I would have voted for L. B. 9. (Signed) W. J. Norman

Mr. President: Had I been present, I would have voted for L. B. 9. (Signed) John Adams, Sr.

LEGISLATIVE BILL 10.

A bill for an act to amend sections 14-202 and 14-204, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to extend the time for calling of special elections; to require candidates for office of councilman to file their statement of such candidacy thirty days prior to holding of primary election; 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, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Hern	McKnight	Vogel
Babcock	Hill	Metzger	Vogt
Benesch	Holmes	Nelson	Weborg
Bridenbaugh	Hoyt	Ogden	Williams
Burney	Larkin	Person	Wilson C.
Burnham	Lee	Pizer	Wilson, W.

Callan	Lillibridge	Prohs	Wood
Carmody			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Cretsinger	Hanna	Norman
Bohlke	Davies		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Record Vote

Mr. President: Had I been present, I would have voted for L. B. 10. (Signed) W. J. Norman

Mr. President: Had I been present, I would have voted for L. B. 10. (Signed) John Adams, Sr.

LEGISLATIVE BILL 11.

A bill for an act to amend section 32-516, Revised Statutes of Nebraska, 1943, relating to elections; to extend the time before an election that sample ballots may be distributed; 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, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Hern	Metzger	Vogt
Benesch	Hill	Nelson	Weborg
Bohlke	Holmes	Ogden	Williams
Bridenbaugh	Hoyt	Person	Wilson C.
Burney	Larkin	Pizer	Wilson, W.
Burnham	Lee	Prohs	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Davies	Lusienski	Norman
Cretsinger	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Record Vote

Mr. President: Had I been present, I would have voted for L. B. 11. (Signed) W. J. Norman

Mr. President: Had I been present, I would have voted for L. B. 11. (Signed) John Adams, Sr.

GENERAL FILE

LEGISLATIVE BILL 177. Laid over.
LEGISLATIVE BILL 324. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 325. Considered.

Mr. Callan offered the following amendment, which was adopted:

1. Amend page 3 of the bill, by adding a new section to be numbered section 7, reading as follows:

"Sec. 7. Such funds as may be made available by the Government of the United States for the purpose of alleviating distress growing out of extreme climatic phenomena may be accepted by the State Treasurer, and shall be credited to the "Storm Emergency Fund" unless otherwise specifically provided in the act of Congress making such funds available."

2. Renumber present sections 7 and 8 as sections 8 and 9, respectively.

3. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 33. Considered.

Laid over.

Visitor

Speaker Lee presented Miss Betty Love Boothe of Fremont, Nebraska, who represented the State as Miss Nebraska at Atlantic City.

Communciation

A letter from Mr. E. C. Iverson announcing the cancellation of the Nebraska Fire Safety Conference which was to be held on January 28, 1949.

Adjournment

At 11:55 a.m., on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 28, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Eighteenth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 100	Thursday, February 3, 1949	2:00 p.m.
L. B. 105	Thursday, February 3, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 66. Indefinitely postponed.
LEGISLATIVE BILL 76. Placed on General File.

(Signed) William Hern, Chairman

Public Works

LEGISLATIVE BILL 75. Placed on General File as amended.

Standing Committee amendments to L. B. 75:

Amend L. B. 75, Section 1, Lines 40 and 41, reinserting the

stricken matter in line 40 and change line 41 to read, "board, not to exceed two dollars per rod, which", and amend the title to conform.

(Signed) Otto J. Prohs, Chairman

Revenue and Taxation

LEGISLATIVE BILL 224. Placed on General File.
LEGISLATIVE BILL 202. Indefinitely postponed.
LEGISLATIVE BILL 97. Placed on General File.
LEGISLATIVE BILL 144. Placed on General File as amended.

Standing Committee amendments to L. B. 144:

1. Page 3, Section 2, Line 3 of the printed bill, strike the word "surety" and insert in lieu thereof the word "insurance".

2. Page 3, Section 2, Line 4 of the printed bill, strike the word "county" and insert in lieu thereof the word "country".

3. Page 3, Section 2, Line 5 of the printed bill, before the word "business", insert the word "the"; in same line, after the word "state", insert the words, "defined in subsections (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) or (14) of section 44-201"; and in the same line, strike the word "January" and insert in lieu thereof the word "February".

4. Page 3, Section 2, Line 19 of the printed bill, after the period following the word "fund", insert the punctuation and words, "; Provided, any insurance company transacting the business defined in subsection (3) of section 44-201 which is taxed as provided by this section shall not be subject to the tax provided in section 77-902."

5. Page 3, Section 2, Line 23 of the printed bill, strike the word "surety" and insert in lieu thereof the words "such insurance".

6. Section 3, line 17 of the printed bill, strike the word "surety" and insert in lieu thereof the word "insurance".

(Signed) Charles F. Tvrdik, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 85. Placed on General File as amended.

Standing Committee amendments to L. B. 85:

1. Page 2, Section 1, strike all of line 17 and in lieu thereof insert *"in its name"*.

2. Page 2, Section 1, line 20, strike *"or the words"*.

3. Page 2, Section 1, line 22, insert after the first quotation mark the word *"or"*.

4. In the bill, title, strike the words "name or advertising" in the fourth and fifth lines and in lieu thereof insert "the name used".

LEGISLATIVE BILL 84. Placed on General File.

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 17. Placed on Select File.
LEGISLATIVE BILL 41. Placed on Select File as amended.

E and R amendment to L. B. 41:

1. In the bill, strike the comma in section 1, page 2, line 15, after the word "application", also page 3, line 51, after the word "registered", and also in section 2, page 4, line 1, after the word "section". In section 1, page 3, line 55, strike the word "for" and show same as stricken matter; and line 64, strike ", all" and insert in lieu thereof ". *All*".

LEGISLATIVE BILL 325. Placed on Select File as amended.

E and R amendment to L. B. 325:

1. In accordance with amendment 3, to amend the title to conform to amendment 1 made by Mr. Callan:

In the bill, title, 6th line, insert after the semicolon the following: "to provide that the State Treasurer may accept any funds made available by the Government of the United States for alleviating distress due to extreme climatic phenomena and credit the same to said fund except as prescribed;".

LEGISLATIVE BILL 324. Placed on Select File.
LEGISLATIVE BILL 20. Correctly engrossed.
LEGISLATIVE BILL 16. Correctly engrossed.
LEGISLATIVE BILL 6. Correctly engrossed.
LEGISLATIVE BILL 7. Correctly engrossed.
LEGISLATIVE BILL 25. Correctly engrossed.

LEGISLATIVE BILL 46. Correctly engrossed.
LEGISLATIVE BILL 47. Correctly engrossed.
LEGISLATIVE BILL 53. Correctly engrossed.
LEGISLATIVE BILL 92. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 7. Re: Extension of Coverage of Social Insurance

Introduced by J. V. Benesch of Douglas.

WHEREAS, the social security act of the United States was first established to build up benefits against the hazards of age, unemployment, disability, and sickness through the social insurances to which both the employer and the employee contribute; and

WHEREAS, the burden is increasing in numbers and costs of old age assistance and aid to dependent children in the State of Nebraska primarily due to exemption from coverage in social insurance programs such as agricultural and domestic workers and employees of educational and charitable institutions; and

WHEREAS, in the State of Nebraska instead of the assistance program acting as a residual program, it has been the primary method of protecting workers and farmers against age, unemployment, dependency, sickness, and health hazards; and

WHEREAS, the people of the State of Nebraska desire to build up insurance benefits to protect themselves and their families against further hazards through their own contributions to the social insurance program.

NOW,THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Congress of the United States be memorialized to extend the coverage of social insurance to agricultural and domestic employees and employees of educational and charitable organizations.

2. That copies 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, and to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 373. By Thomas H. Adams of Lancaster, John P. McKnight of Nemaha and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 71-605.01, Revised Statutes Supplement, 1947, relating to public health and welfare; to provide that death certificates issued by and under authority of the United States for persons who were residents of Nebraska at the time they entered the military or armed forces of the United States, and died while in the service of the country while outside the continental limits of the United States may be recorded with the Department of Health; and to repeal the original section.

LEGISLATIVE BILL 374. By Ed. Hoyt of Red Willow and George C. Weborg of Cuming.

A bill for an act to amend sections 81-2,138.01, 81-2,142.01, and 81-2,143.01, Revised Statutes Supplement, 1947, relating to agriculture; to redefine terms; to provide that no tolerance shall be allowed for primary noxious weed seed; to provide that a "stop-sale" order shall include movement of seed; and to repeal the original sections.

LEGISLATIVE BILL 375. By Willard M. Wilson of Phelps.

A bill for an act to amend sections 21-1714 and 21-1730, Revised Statutes of Nebraska, 1943, and sections 21-1715 and 21-1745, Revised Statutes Supplement, 1947, relating to credit unions; to provide additional investments credit unions may invest in; to provide for membership in a central credit union and in the Nebraska Credit Union League; to authorize the formation of a central credit union; to provide for loans to be made in excess of five hundred dollars; to provide for determination of dividends; to provide for acknowledgment by a member, appointive officer, agent, or employee of such credit union; and to validate acknowledgments heretofore taken by such persons; and to repeal the original sections.

LEGISLATIVE BILL 376. By Charles Vogt, Jr. of Pawnee.

A bill for an act to amend section 77-2608, Revised Statutes Supplement, 1947, relating to taxation; to increase the commission for cancelling stamp by machine; and to repeal the original section.

LEGISLATIVE BILL 377. By C. C. Lillibridge of Saline.

A bill for an act to amend sections 18-412 and 70-503, Revised Statutes of Nebraska, 1943, relating to all cities and villages; to require authorization by a vote of the electors of a city or village of the issuance of revenue bonds, debentures, or warrants, for the re-establishment, extension, or enlargement of any electric light and power plant when the same is obsolete; and to repeal the original sections.

LEGISLATIVE BILL 378. By Louis A. Holmes of Hall.

A bill for an act relating to schools; to provide that the tuition of children of parents residing on tax exempt air fields owned by a city of the first class shall be paid by such city of the first class as prescribed.

LEGISLATIVE BILL 379. By Arthur Carmody of Hitchcock and Otto J. Prohs of Scotts Bluff.

A bill for an act to amend section 37-215, Revised Statutes Supplement, 1947, relating to game and fish; to authorize the Game, Forestation and Parks Commission to remove by any means at any time any deer causing damage to real or personal property, and to sell or otherwise dispose of the carcass; and to repeal the original section.

LEGISLATIVE BILL 380. By W. J. Williams of Buffalo.

A bill for an act relating to standards of pure food; to define terms; to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content; and to provide penalties.

LEGISLATIVE BILL 381. By Ed. Hoyt of Red Willow and Dwight W. Burney of Cedar.

A bill for an act to amend section 79-414, Revised Statutes of Nebraska, 1943, relating to schools; to increase the age at which a child can be admitted to the first grade unless certain conditions are complied with; and to repeal the original section.

LEGISLATIVE BILL 382. By Otto J. Prohs of Scotts Bluff.

A bill for an act relating to aeronautics; to authorize the issuance of permits to owners and operators of aircraft used for the application of insecticides, herbicides, rodenticides, and fungicides; to provide a penalty; and to declare an emergncy.

LEGISLATIVE BILL 383. By Lester H. Anderson of Hamilton.

A bill for an act to amend section 79-210, Revised Statutes of Nebraska, 1943, relating to schools; to provide that the qualified voters shall have power at any annual or special meeting to direct the purchasing or leasing of an appropriate site and the building, hiring, or purchasing of a residence for the superintendent of schools; to authorize the qualified voters of such district to vote a tax on the property of the district for the payment of the same; and to repeal the original section.

LEGISLATIVE BILL 384. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 44-1206, Revised Statutes of Nebraska, 1943, relating to insurance; to provide the manner of calculating the reserve that shall be maintained by reciprocal insurance subscribers with their attorney; and to repeal the original section.

LEGISLATIVE BILL 385. By Ed. F. Lusienski of Platte.

A bill for an act relating to the exercise of the power of eminent domain; to provide an additional, independent, and supplemental method for the exercise of such power in the acquisition of a right-of-way over which to construct any type of electric transmission line; to provide the procedure therefor; and to declare the effect of such acquisition.

LEGISLATIVE BILL 386. By Ed F. Lusienski of Platte.

A bill for an act relating to public power districts and public power and irrigation districts; to provide for liability of such districts arising from construction, reconstruction, operation, maintenance, or inspection of electric transmission lines on rights-of-way acquired by such districts; and to provide an exception thereto.

LEGISLATIVE BILL 387. By Karl E. Vogel of Douglas, Cliff N. Ogden of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 71-1628, Revised Statutes of Nebraska, 1943, relating to county health departments; to provide that the provisions of this section shall apply to all counties of the state; and to repeal the original section.

LEGISLATIVE BILL 388. By Glenn Cramer of Boone and Dwight W. Burney of Cedar.

A bill for an act relating to education in elementary school districts organized under Chapter 79, article 3, Revised Statutes of Nebraska, 1943; to define terms; to provide for a blanket tax levy within each county for the support of these schools; to provide for an advisory county board of education; to prescribe the method of distribution of the returns from the blanket tax levy; and to provide for the merging of school districts for the purpose of complying with this act.

LEGISLATIVE BILL 389. By Victor E. Anderson of Lancaster.

A bill for an act to amend sections 79-2608, 79-2611, 79-2612, 79-2613, 79-2615, and 79-2616, Revised Statutes of Nebraska, 1943, relating to schools; to provide for an assistant superintendent in charge of business affairs in school districts embraced without cities of the primary class; to provide the duties of such person and the giving of a bond; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 390. By N. F. Schroeder of Wayne and Arthur Carmody of Hitchcock.

A bill for an act to amend section 70-671, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that it shall be the duty and responsibility of said districts to drain seeped lands and take whatever corrective actions are feasible and practicable to abate and alleviate seepage; to provide that such districts shall have the power to enter upon lands for surveys, may contract for construction of ditches, and take corrective steps in order to abate and alleviate seepage; to provide for the ascertainment of damages from seepage annually as the same accrues; to provide that damages that occur each year shall constitute a separate cause of action; to provide that damages for any subsequent year shall not be barred by payment of or failure to recover damages in a previous year; to provide, after recovery and payment of awards of damages for five years, for election by the district to have adjudication of permanent damages; and to repeal the original section.

LEGISLATIVE BILL 391. By Wm. Hern of Dawes.

A bill for an act to appropriate to the Game, Forestation and Parks Commission the sum of one hundred seventy-eight thousand two hundred seventy-four dollars for the purpose of constructing a swimming pool and other improvements, providing approved water

supply, and making needed repairs in the Chadron State Park; and to declare an emergency.

LEGISLATIVE BILL 392. By Wm. Hern of Dawes.

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; and to declare an emergency.

LEGISLATIVE BILL 393. By Clyde F. Cretsinger of Keith.

A bill for an act to amend section 24-502, Revised Statutes of Nebraska, 1943, relating to county judges; to confer upon county judges the powers and jurisdiction of justices of the peace in all matters except acting as a member of a township board in a county under township organization; and to repeal the original section.

LEGISLATIVE BILL 394. By Clyde F. Cretsinger of Keith.

A bill for an act to amend section 79-1007, Revised Statutes of Nebraska, 1943, relating to schools; to increase the amount of the levy to pay the tuition of high school students residing within the county high school district and who desire to attend high school in districts other than the county high school district within their own county; and to repeal the original section.

LEGISLATIVE BILL 395. By Charles F. Tvrdik of Douglas and Cliff N. Ogden of Douglas.

A bill for an act relating to crimes and punishments; to define deceptive and misleading advertising for the purpose of section 28-1235, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 396. By Cliff N. Ogden of Douglas.

A bill for an act relating to paupers and public assistance; to define terms; to provide for supplementary relief to needy persons; to create a "Supplementary Relief Fund" in the state treasury; to provide for administration of such fund; to authorize the state

and counties to participate in a program of furnishing supplementary relief; to prescribe the duties of the Board of Control and of boards of county commissioners and supervisors; to provide for recovery of payments made in certain cases; and to provide penalties.

LEGISLATIVE BILL 397. By Thomas H. Adams of Lancaster, Victor E. Anderson of Lancaster and Louis A. Holmes of Hall.

A bill for an act to amend section 25-1635, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to permit officials having access to records of the names of persons drawn to serve as grand or petit jurors to disclose to other officials in the performance of their duties the names so drawn; and to repeal the original section.

LEGISLATIVE BILL 398. By Thomas H. Adams of Lancaster, Victor E. Anderson of Lancaster and John Adams, Sr. of Douglas.

A bill for an act relating to adoptions; to validate decrees of adoption entered in county courts unless action brought within one year from effective date of this act to modify or set same aside.

LEGISLATIVE BILL 399. By Arthur Carmody of Hitchcock, by request of Governor Val Peterson, Otto J. Prohs of Scotts Bluff and Victor E. Anderson of Lancaster.

A bill for an act to amend section 66-410, Revised Statutes of Nebraska, 1943, and sections 66-424.01 and 66-452, Revised Statutes Supplement, 1947, relating to motor vehicle fuels; to increase the gasoline tax; to provide for the allocation and distribution of the increase in the gasoline tax; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 400. By Thomas H. Adams of Lancaster, Victor E. Anderson of Lancaster and Thomas Davies of Lancaster.

A bill for an act to amend section 79-2621, Revised Statutes Supplement, 1947, relating to schools; to change the maximum amount of the annual levy for school districts embraced within cities of the primary class; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 401. By Fay Wood of Seward, Lester H. Anderson of Hamilton and Don E. Hanna of Cherry.

A bill for an act to amend sections 39-605, 39-606, 60-311, 60-329, 60-330, 60-337, and 60-338, Revised Statutes of Nebraska, 1943, and section 60-331, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide for increase in the registration fees of all motor vehicles burning fuel subject to motor vehicle fuel tax laws; to increase the amount of such fees allocated for administrative expense and supervision of the maintenance of State Safety Patrol; to change the allocation of such fees for maintenance of highways; and to repeal the original sections.

LEGISLATIVE BILL 402. By Fay Wood of Seward and C. C. Lillibridge of Saline.

A bill for an act relating to highways; to provide for issuing Highway Use Stamps; to authorize the State Engineer to adopt rules and regulations in regard thereto; to provide that the treasurers of the various counties shall be agents of the Department of Roads and Irrigation; to provide for collection and disbursement of money received from sale of such stamps; and to provide penalties.

LEGISLATIVE BILL 403. By Victor E. Anderson of Lancaster.

A bill for an act to amend section 54-701, Revised Statutes of Nebraska, 1943, relating to livestock; to provide that the Department of Agriculture and Inspection shall be vested with the power and charged with the duties of protecting the health of poultry in the State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 404. By Dwight W. Burney of Cedar, Thomas H. Adams of Lancaster and John Adams, Sr. of Douglas.

A bill for an act to appropriate the sum of twenty-four million dollars to the office of the Superintendent of Public Instruction for the biennium ending June 30, 1951, for the purpose of defraying the cost of carrying out the provisions of the act providing for basic state support of Nebraska public schools.

LEGISLATIVE BILL 405. By Dwight W. Burney of Cedar, Thomas H. Adams of Lancaster and John Adams, Sr., of Douglas.

A bill for an act relating to schools; to provide a system of basic

state support of public schools; to prescribe the amount of such support, and the terms and conditions thereof; to provide for employment by the county superintendent of schools of a supervisor for rural schools; to prescribe the compensation, qualifications, and duties of such supervisor; to provide for apportionment and distribution of the funds made available for basic state support of public schools; and to set forth conditions which will prevent a school district from participation in distribution of such funds.

Bills Referred to Standing Committee

L. B.	Committee
349	Government
350	Government
351	Government
352	Miscellaneous Appropriations and Claims
353	Public Health and Miscellaneous Subjects
354	Public Health and Miscellaneous Subjects
355	Banking, Commerce and Insurance
356	Banking, Commerce and Insurance
357	Agriculture
358	Miscellaneous Appropriations and Claims
359	Miscellaneous Appropriations and Claims
360	Judiciary
361	Judiciary
362	Judiciary
363	Education
364	Agriculture
365	Public Health and Miscellaneous Subjects
366	Budget
367	Budget
368	Revenue and Taxation
369	Miscellaneous Appropriations and Claims
370	Public Health and Miscellaneous Subjects
371	Judiciary
372	Judiciary

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 73.

A bill for an act to authorize the Revisor of Statutes to reissue Volume IV of the Revised Statutes of Nebraska, 1943; to provide

for the sale and distribution of the reissued volumes; and to provide an appropriation.

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

Voting in the affirmative, 38:

Adams, J.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lindgren	Schroeder
Anderson, V.	Cramer	Lusienski	Tvrdik
Babcock	Cretsinger	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Holmes	Norman	Vogel
Davies			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 45.

A bill for an act relating to boiler inspections; to provide that the boiler inspector shall inspect or cause to be inspected boilers under fifteen pounds pressure per square inch of school districts, counties, and municipalities upon written request to the Commissioner of Labor; to provide for the payment of a fee and the actual expenses for such an inspection; to provide for a certificate of inspection; and to provide for disposition of fees.

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, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder

Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 1:

Davies

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 75-405 and 75-406, Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to harmonize the procedure for review in the Supreme Court of orders and rulings of the commission with the procedure on an appeal from the district court to the Supreme Court; 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, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Babcock	Hern	Metzger	Vogt
Benesch	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Bohlke Davies

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 26.

A bill for an act to provide for completing the panels and murals in the rotunda of the State Capitol; to create a commission for such purpose; to provide for the appointment of certain members; to prescribe the powers and duties of the commission; and to require the filing of a report with the Clerk 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, 24:

Adams, J.	Carmody	Lusienski	Tvrdik
Anderson, L.	Hanna	McKnight	Vogel
Anderson, V.	Hern	Metzger	Williams
Benesch	Hoyt	Norman	Wilson, C.
Burney	Larkin	Ogden	Wilson, W.
Callan	Lee	Prohs	Wood

Voting in the negative, 17:

Adams, T.	Cramer	Lillibridge	Pizer
Bohlke	Cretsinger	Lindgren	Schroeder
Bridenbaugh	Hill	Nelson	Vogt
Burnham	Holmes	Person	Weborg
Carson			

Not voting, 2:

Babcock Davies

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTION

LEGISLATIVE RESOLUTION 8.

Introduced by W. J. Williams of Buffalo.

WHEREAS, there has been established at Kearney, Nebraska an airfield by the United States Air Forces; and

WHEREAS, the United States Air Forces has notified the Commanding Officer and persons in charge that such airfield is to be closed and equipment and personnel will be moved from the State of Nebraska; and

WHEREAS, this airfield means much to the people of Nebraska and especially to the ones living in and around Kearney, Nebraska, generally will suffer from the security and prosperity enjoyed if this airfield is closed down.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the United States Air Forces reconsider the order to close the airfield at Kearney, Nebraska, and move the equipment and personnel from Nebraska in order that this field may be retained at Kearney by the Air Forces.

2. That copies 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, and 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 Commanding Officer of the United States Air Forces.

Mr. Williams made a motion to suspend the rules and adopt L. R. 8.

The motion prevailed with 37 ayes, 1 nay and 5 not voting.

Mr. Lusienski asked unanimous consent that this motion be changed to read as follows: "That the rules be suspended and the Resolution be considered at this time.".

Consent was granted.

Mr. Tvrdik made a motion to reconsider action taken on L. R. 8.

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

The motion was amended in accordance with Mr. Lusienski's request.

Mr. Williams made a motion to suspend the rules and consider L. R. 8 today.

The motion prevailed with 36 ayes, 2 nays and 5 not voting.

The Resolution was adopted with 36 ayes, 0 nays and 7 not voting.

SELECT FILE

LEGISLATIVE BILL 70. E and R amendment found in the Legislative Journal for the Eighteenth Day was adopted.

Mr. Lillibridge asked unanimous consent to amend L. B. 70 as follows:

1. Amend page 2 of the bill, section 1, line 6, by inserting after the word "*any*" the following: "*conservation officer,*".

2. Amend the title of the bill, line 5, by inserting after the word "all" the following: "conservation officers and".

Consent was granted and it was so ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 106. E and R amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 123. E and R amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Highway Advisory Committee

Mr. President: I move that in view of this the 61st Session of the Legislature, having before it the pro and con reports of the Nebraska Highway Advisory Committee, and because of the vast division of opinions that exist, not only within said committee, but likewise as between some Associations and the State Highway Department, therefore, in order that we may be better able to come to a conclusion as to what course this Legislature shall pursue in financing the Highway System in the future, and to what degree, it is hereby ordered that the Legislative Council shall appoint a sub-committee of five (5) from its membership, one of which shall be Chairman, for the purpose of performing the following functions:

1. At the earliest time possible, determine and set a date for

the not too far distant future, preferably a Wednesday or Thursday, for a hearing in the Legislative Chamber before the entire membership. Setting of such date consideration should be given to Standing Committees that hold hearings on the date chosen;

2. Request the presence on such date of Members of the Nebraska Highway Advisory Committee, of the Nebraska Highway Department, of Associations of any type that have a direct interest in or affected by the highway program, and any person or persons that the Committee deems necessary;

3. In order to prevent any criticism being directed against the Legislature by the public, any testimony or information given by those who appear before this body, that it be under oath;

4. Any member of the Legislature will be privileged to propound questions by first being recognized by the one presiding at the time, which shall be under the usual decorum of this body;

5. Complete courtesy shall be extended to those who appear before us;

6. The meeting shall be open to the public but who will not be privileged to take any part therein;

7. The sub-committee to determine as to whether the proceedings are to be kept by engaging a shorthand Court Reporter, or by the machine recording method, in order that a permanent record be preserved. Likewise determine if the Legislature should be in regular session at the time, as well as formulate a procedure to follow in administering the oath and the preliminary questions of each individual;

8. To offer any suggestions of their own that may be of value to bring about the desired results;

9. That said sub-committee report back to the Legislature, in written form, within ten days for formal action by this body. (Signed) Ed. F. Lusienski

Mr. McKnight moved that the Lusienski motion be laid over for consideration until Monday, January 31, 1949.

The motion prevailed with 31 ayes, 0 nays and 12 not voting, and Mr. Lusienski's motion is pending.

Member Excused

Mr. Lindgren was excused as he was called away by the death of his brother.

MOTION—Flowers

Mr. President: I move that flowers be sent to the funeral of Mr. Lindgren's brother. (Signed) Arthur Carmody

The motion prevailed.

Unanimous Consent—Add Introducers

Mr. V. Anderson asked unanimous consent to add the names of Mr. T. Adams and Mr. Thomas Davies as co-introducers to L. B. 389.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 177. Laid over.

Mr. L. Anderson Presiding

LEGISLATIVE BILL 33.

Advanced to E and R for review.

LEGISLATIVE BILL 29. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 30. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 31. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 214. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 124. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 166. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 54. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Eighteenth Day was adopted.

Mr. Metzger offered the following amendment, which was adopted:

Amend L. B. 54 by adding an emergency clause and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 113. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 114. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 115. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 116. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 118. Read and considered.

Advanced to E and R for review.

Member Excused

Mr. Lee was excused for Monday, January 31, 1949.

Adjournment

At 11:50 a.m., Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, January 31, 1949.

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

Hugo F. Srb

Clerk of the Legislature

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 31, 1949

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

Prayer was offered by Rev. John Streng, of St. John's Lutheran Church, Beatrice, Nebraska.

The roll was called and all members were present except Messrs. Carmody, Anderson, L., Lee and Lindgren, who were excused.

The Journal for the Nineteenth Day was approved as corrected.

Communications

Letter from Mr. Carmody asking to be excused because of the illness of his son, and also asking to have L. B. 4 and L. B. 5 laid over until he returns.

Telegrams from Mr. Anderson asking to be excused and also asking to have L. B. 4 and L. B. 5 remain on General File.

Telegram from H. H. Hahn, Secretary, Nebraska Highway Users Conference, endorsing Mr. Lusienski's motion for an open hearing on matters affecting highway use and taxation.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 230	Monday, February 7, 1949	2.00 p.m.
L. B. 270	Monday, February 7, 1949	2:00 p.m.
L. B. 98	Wednesday, February 9, 1949	2:00 p.m.
L. B. 299	Wednesday, February 9, 1949	2:00 p.m.

Education

L. B. 79	Tuesday, February 15, 1949	2:00 p.m.
L. B. 65	Tuesday, February 15, 1949	2:00 p.m.
L. B. 27	Tuesday, February 8, 1949	2:00 p.m.

Budget

L. B. 366	Monday, February 7, 1949	2:00 p.m.
L. B. 367	Monday, February 7, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 109. Indefinitely postponed.
LEGISLATIVE BILL 137. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Government

LEGISLATIVE BILL 143. Placed on General File as amended.

Standing Committee amendments to L. B. 143:

Section 1, Line 5, delete word "electors" following word "the" and insert in lieu thereof the word "*freeholders*".

Section 2, Line 4, delete the word "electors" which is the first word in the line and insert in lieu thereof the word "*freeholders*".

Section 3, Line 4, delete the word "electors" following the words "of the" and insert in lieu thereof the word "*freeholders*".

Section 4, Line 9, delete the word "electors" following the word "all" and insert in lieu thereof the word "*freeholders*".

Section 5, Line 6, delete the word "electors" which is the first word in the line and insert in lieu thereof the word "*freeholders*".

Section 6, Line 1, delete the word "electors" following the words "of the" and insert in lieu thereof the word "*freeholders*".

Section 11, Line 8, delete the word "electors" following the words "of the" and insert in lieu thereof the word "*freeholders*"; Line 16, delete the word "electors" following the words "of the" and insert in lieu thereof the word "*freeholders*".

Section 12, Line 4, delete the word "electors" following the words "of the" and insert in lieu thereof the word "*freeholders*".

LEGISLATIVE BILL 142. Placed on General File as amended.

Standing Committee amendment to L. B. 142:

Amend page 2 of the bill by adding a new section to be known as Section 2 and to read as follows:

"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.".

(Signed) Arthur Carmody, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 207. Placed on General File.

(Signed) N. F. Schroeder, Chairman

Enrollment and Review

LEGISLATIVE BILL 11. Correctly enrolled.
LEGISLATIVE BILL 10. Correctly enrolled.
LEGISLATIVE BILL 8. Correctly enrolled.
LEGISLATIVE BILL 9. Correctly enrolled.
LEGISLATIVE BILL 15. Correctly engrossed.
LEGISLATIVE BILL 26. Correctly enrolled.
LEGISLATIVE BILL 45. Correctly enrolled.
LEGISLATIVE BILL 52. Correctly enrolled.
LEGISLATIVE BILL 73. Correctly enrolled.
LEGISLATIVE BILL 29. Placed on Select File as amended.

E and R amendments to L. B. 29:

1. In the bill, section 1, page 2, line 6, after the word "cash" insert a comma.

2. In the bill title, line 5, after the word "accident" insert the word "insurance".

LEGISLATIVE BILL 30. Placed on Select File.
LEGISLATIVE BILL 31. Placed on Select File as amended.

E and R amendment to L. B. 31:

1. In the bill, section 1, page 2, line 8, strike *"(2)"* and the stricken matter and reinsert "(b)".

LEGISLATIVE BILL 54. Placed on Select File as amended.

E and R amendments to L. B. 54:

1. In the bill, section 1, page 2, line 2, after the word "corporation" insert a comma and strike the commas in line 10, section 1, and at the end of line 8, section 4, not shown in printed bill.

2. In the bill, section 5, page 3, line 3, after the word "body" insert a comma; strike the balance of section 5 commencing with the word "provided", in line 5, also Standing Committee amendment thereto and insert in lieu thereof the following: "of this act; *Provided,* this section shall not apply to any political subdivision, municipal corporation, public body, or agency authorized by statute to make contribution to an insurance plan.".

3. In the bill title, line 9, strike the word "and"; and line 11, strike the period and insert in lieu thereof "except as prescribed; and to declare an emergency.".

LEGISLATIVE BILL 113. Placed on Select File.
LEGISLATIVE BILL 114. Placed on Select File.
LEGISLATIVE BILL 115. Placed on Select File.
LEGISLATIVE BILL 116. Placed on Select File as amended.

E and R amendment to L. B. 116:

1. In the bill, section 1, page 2, line 6, strike the words "same amount as is" and insert in lieu thereof the word "amount".

LEGISLATIVE BILL 118. Placed on Select File.
LEGISLATIVE BILL 124. Placed on Select File as amended.

E and R amendment to L. B. 124:

1. In the bill title, line 13, after the word "contract" and before the semicolon, insert "; to require the filing of a sworn statement of the ownership of such company, agency, or show as prescribed".

LEGISLATIVE BILL 166. Placed on Select File as amended.

E and R amendments to L. B. 166:

1. In the bill, section 1, page 2, line 12, strike the word "statements" and insert in lieu thereof the word "tonnage".

2. In the bill, section 2, page 2, line 4, strike the word "and".

LEGISLATIVE BILL 214. Placed on Select File.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 8	L. B. 9	L. B. 52
L. B. 11	L. B. 8	L. B. 45
L. B. 10	L. B. 73	L. B. 26

Approved by the Governor

January 28, 1949

The President, the Speaker and Members
of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on January 20, 1949 he approved L. B. 63 and L. B. 64.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

RESOLUTION

LEGISLATIVE RESOLUTION 9.

Introduced by George C. Weborg of Cuming and Hal Bridenbaugh of Dakota.

WHEREAS, in Thurston County, Nebraska, there are 183,822.5 acres of deeded land on the tax books; and

WHEREAS, there are 18,990 acres of Indian land that is taxed in Thurston County which is known as the Leaming allotments; and

WHEREAS, there are two Indian reservations containing 41,285 acres of land subject to taxation if rented, and not being leased by an Indian; and

WHEREAS, on account of this large acreage amounting to nearly 25% of all land in Thurston County being tax exempt, Thurston County is having a difficult time to raise sufficient funds with which to adequately improve and maintain highways; and

WHEREAS, the allotments under the Federal Aid Road Pro-

gram should be increased to the State of Nebraska to provide a program and make it possible to assist Thurston County in improving and maintaining county highways.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Commissioner of Public Roads in charge of the Federal Aid Road Fund increase the allotments to Nebraska for the purpose of improving and maintaining roads in Thurston County.

2. That copies 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, and 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 Commissioner of Public Roads in charge of the Federal Aid Road Fund.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 406. By John P. McKnight of Nemaha.

A bill for an act to amend sections 32-1112 and 32-1114, Revised Statutes of Nebraska, 1943, relating to elections; to provide for expression of first and second choice by electors with respect to preference on candidates for President and Vice President of the United States; to provide the form of ballot and the manner of counting and tabulating votes for such purpose; and to repeal the original sections.

LEGISLATIVE BILL 407. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 33-106, Revised Statutes Supplement, 1947, relating to fees and salaries; to require the clerk of the district court to make monthly reports of fees received, and to pay all fees collected over to the county treasurer at the same time as other officers; to reinstate provisions for charging the county fees for services that were eliminated by the 1947 Legislature; and to repeal the original section.

LEGISLATIVE BILL 408. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 39-725, Revised Statutes of

Nebraska, 1943, relating to highways; to provide penalties for violation of sections 79-2113.02 and 79-2113.03, Revised Statutes Supplement, 1947, and to provide that it shall be the duty of police officials in addition to the sheriffs of the several counties to enforce the provisions of the sections prescribed therein; and to repeal the original section.

LEGISLATIVE BILL 409. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 79-2528, Revised Statutes Supplement, 1947, relating to schools; to provide that the aggregate levy for general school purposes in school districts organized under Chapter 79, article 25, Revised Statutes of Nebraska, 1943, shall be without restriction for the fiscal years ending June 30, 1950, and June 30, 1951; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 410. By Ed. Hoyt of Red Willow.

A bill for an act to amend section 79-212, Revised Statutes Supplement, 1947, relating to schools; to provide that the aggregate levy for general school purposes in school districts organized under Chapter 79, articles 3 and 6, Revised Statutes of Nebraska, 1943, shall be without restriction for the fiscal years ending June 30, 1950, and June 30, 1951; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 411. By Arthur Carmody of Hitchcock.

A bill for an act to amend section 39-602, Revised Statutes of Nebraska, 1943, relating to highways; to provide that the line or actual location of a state highway, whether built in whole or in part with either state or federal funds, may deviate from the location of the public highway, as actually traveled when such highway was designated a state highway; and to repeal the original section.

LEGISLATIVE BILL 412. By Ray A. Babcock of Cheyenne and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 44-310, Revised Statutes Supplement, 1947, relating to insurance; to authorize domestic insurers, other than life insurance companies and fraternal benefit societies, to invest certain of their surplus assets in the stocks of other insurance companies; and to repeal the original section.

LEGISLATIVE BILL 413. By Dwight W. Burney of Cedar.

A bill for an act to amend section 72-224, Revised Statutes of Nebraska, 1943, relating to school lands and funds; to provide changes in procedure for the exercise of the power of eminent domain in the taking of school lands for certain public uses; to provide for a board of appraisers of state officers where the land sought to be acquired is not held under an outstanding lease or contract of sale; to provide the procedure before such board of appraisers; and to repeal the original section.

LEGISLATIVE BILL 414. By Dwight W. Burney of Cedar.

A bill for an act to amend section 72-260, Revised Statutes of Nebraska, 1943, relating to school lands and funds; to eliminate provision that the Board of Educational Lands and Funds may grant easements over school lands for highways; and to repeal the original section.

LEGISLATIVE BILL 415. By George C. Weborg of Cuming and Ray A. Babcock of Cheyenne.

A bill for an act to define and prohibit mass picketing; to provide penalties for violations thereof; and to repeal section 28-813, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 416. By Otto J. Prohs of Scotts Bluff and Arthur Carmody of Hitchcock.

A bill for an act to amend sections 21-1749, 77-305, 77-407, 77-708, 77-710, 77-713, 77-720, 77-721, 77-1201, 77-1205, 77-1211, 77-1212, 77-1220, 77-1226, 77-1231, 77-1239, 77-1242, 77-1243, 77-1301, 77-1303, 77-1405, and 77-1611, Revised Statutes Supplement, 1947, relating to taxation; to change the date for listing and assessing of personal property for taxation; and to repeal the original sections.

LEGISLATIVE BILL 417. By C. C. Lillibridge of Saline and Wm. Hern of Dawes.

A bill for an act to amend sections 81-533, 81-534, 81-535, 81-536, and 81-537, Revised Statutes of Nebraska, 1943, relating to hotel buildings, rooming houses, apartment houses, and restaurants; to eliminate hotel buildings from the provisions thereof; to elminate the provisions for a knotted rope to be placed near a window; and to repeal the original sections.

LEGISLATIVE BILL 418. By C. C. Lillibridge of Saline and Wm. Hern of Dawes.

A bill for an act relating to hotels; to provide safety to life from fire, smoke, and panic in hotels; to define terms; to authorize the State Fire Marshal to adopt rules and regulations; to provide for minimum requirement for construction of hotels; to provide penalties; to provide for appeals; to provide for notice of noncompliance of the provisions of this act; to provide when this act shall become effective; to provide for administration of the provision thereof; and to provide a short title.

LEGISLATIVE BILL 419. By Harry F. Burnham of Custer and Frank Nelson of Holt.

A bill for an act to amend sections 70-605 and 70-619, Revised Statutes of Nebraska, 1943, to provide for the formation by public power districts engaged primarily in the distribution of power to farmers of public power districts and to generate and transmit electricity; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 420. By Wm. Hern of Dawes.

A bill for an act to amend sections 77-2603, 77-2608, 77-2613, and 77-2615, Revised Statutes Supplement, 1947, relating to tax on cigarettes; to require execution of corporate surety bond by wholesale dealer as condition to approval of application for use of tax metering machine; to provide for annual audit of receipts collected from the tax on cigarettes; to provide for payment of all taxes collected to the General Fund; to provide change in penalty for violation of provisions of act imposing tax on cigarettes, or any rule or regulation made in accordance therewith; and to repeal the original sections.

LEGISLATIVE BILL 421. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 8-101, Revised Statutes Supplement, 1947, relating to banks and banking; to increase the salary of the Director of Banking; to provide when such increase shall become operative; and to repeal the original section.

LEGISLATIVE BILL 422. By Cliff N. Ogden of Douglas.

A bill for an act relating to schools; to provide for a deputy county superintendent and such other employees as may be necessary to assist the county superintendent in the supervision and administration of the schools of the county.

LEGISLATIVE BILL 423. By Karl E. Vogel of Douglas and Cliff N. Ogden of Douglas.

A bill for an act to amend sections 12-509 and 12-511, Revised Statutes of Nebraska, 1943, relating to cemetery associations; to provide for the deposit of certain funds in the "perpetual care fund" of a cemetery association; to prescribe the rights of lot owners with respect to the violation of the provisions of law as to such fund; to exempt from said provisions cemeteries owned, operated, and maintained by cities and villages, churches, and fraternal and benevolent societies; and to repeal the original sections.

LEGISLATIVE BILL 424. By Karl E. Vogel of Douglas.

A bill for an act to amend section 77-2510, Revised Statutes Supplement, 1947, relating to taxation; to increase the amount to be appropriated from the General Fund to the Tax Appraisal Board Revolving Fund to one hundred thousand dollars; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 425. By Arthur Carmody of Hitchcock and Don E. Hanna of Cherry.

A bill for an act relating to highways; to establish the Nebraska Highway Commission; to define terms; to provide for appointment, tenure of office, and salaries of commissioners; to provide that the Governor shall be an ex officio member of such commission; to provide powers and duties of the commission; to provide for meetings of the commission; to provide for a director and to fix his duties and salary; and to declare an emergency.

LEGISLATIVE BILL 426. By Don E. Hanna of Cherry and Ray A. Babcock of Cheyenne.

A bill for an act to amend section 8-1,105, Revised Statutes of Nebraska, 1943, relating to banks and banking; to authorize banking institutions to establish an office for purpose of receiving deposits and paying checks, and performing other clerical and routine duties as prescribed therein; and to repeal the original section.

LEGISLATIVE BILL 427. By Dwight W. Burney of Cedar and Cliff N. Ogden of Douglas.

A bill for an act to amend 79-1501, Revised Statutes Supplement, 1947, relating to schools; to provide qualifications for persons holding the office of county superintendent of schools as prescribed therein; and to repeal the original section.

LEGISLATIVE BILL 428. By John S. Callan, of Gage, by request.

A bill for an act to amend sections 77-2022 and 77-2023, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for determination of inheritance tax by the county court; to provide for appeal from such determination to the district court; and to repeal the original sections.

LEGISLATIVE BILL 429. By John S. Callan of Gage.

A bill for an act to amend section 77-301, Revised Statutes of Nebraska, 1943, relating to the Tax Commissioner; to provide that the salary of the Tax Commissioner shall be in an amount to be fixed by the Governor; to provide when any change in such salary shall become operative; and to repeal the original section.

LEGISLATIVE BILL 430. By W. J. Williams of Buffalo, W. J. Norman of Douglas and Charles Wilson of Madison.

A bill for an act relating to public warehouses; to redefine terms; to require filing of certified financial statement with the State Railway Commission by any person storing or intending to store goods as a public warehouseman; to change the amount of bond and license fees required of a public warehouseman; to provide for registration of warehouse receipts; to provide for regulation of rates to be charged; to provide terms and conditions of license of a public warehouseman; to provide for inspection and supervision of public warehouses by the State Railway Commission; to include field warehousemen within the terms of the act; to amend sections 88-158 and 88-159, Revised Statutes of Nebraska, 1943; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 431. By W. J. Williams of Buffalo, W. J. Norman of Douglas and Charles Wilson of Madison.

A bill for an act to amend section 88-203, Revised Statutes of Nebraska, 1943, and sections 88-201 and 88-206, Revised Statutes Supplement, 1947, relating to public grain warehouses; to provide who shall comply with Chapter 88, article 2, Revised Statutes of Nebraska, 1943, and as amended; to redefine terms; to increase the license fee; to require that any public warehouseman issuing a receipt to himself as owner shall register the receipt with the Nebraska State Railway Commission; and to repeal the original sections.

LEGISLATIVE BILL 432. By John S. Callan of Gage.

A bill for an act to amend sections 32-1407 and 32-1409, Revised Statutes of Nebraska, 1943, relating to elections; to provide compensation to city clerk for his services as supervisor of registration or as clerk of board; to increase the maximum amount that may be paid to supervisors of registration; and to repeal the original sections.

LEGISLATIVE BILL 433. By John S. Callan of Gage, Chairman of Budget Committee.

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, 1951; to prescribe conditions for payment thereof; and to declare an emergency.

LEGISLATIVE BILL 434. By John S. Callan of Gage, Chairman of Budget Committee.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1949, and ending June 30, 1951; to prescribe conditions for the determination of the levy of the state taxes for the state General Fund; to recite limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

LEGISLATIVE BILL 435. By John S. Callan of Gage and Ray A. Babcock of Cheyenne.

A bill for an act to amend section 53-124, Revised Statutes of Nebraska, 1943, relating to liquors; to increase the annual license fees of alcoholic liquor distributor's license; and to repeal the original section.

LEGISLATIVE BILL 436. By W. Halsey Bohlke of Adams.

A bill for an act to provide a reward of fifteen thousand dollars to the owner of the first oil well in each county of the state producing a specified amount of crude oil for a period of not less than sixty days; to provide how such reward shall be paid; and to repeal section 57-102, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 437. By Harry L. Pizer of Lincoln, John P. McKnight of Nemaha and Louis A. Holmes of Hall.

A bill for an act relating to radio broadcasting; to limit the liability for damages of owners, licensees, or operators of visual or sound radio broadcasting stations or networks of such stations, and the agents or employees of any such owners, licensees, or operators, with respect to defamatory statements published or uttered in or as a part of a visual or sound radio broadcast; to relieve any such owner, licensee, or operator and agents or employees of any such owner, licensee, or operator, from liability for damages for any defamatory statement published or uttered over the facilities of any such station or network by or on behalf of any candidate for public office; and to limit the amount of recoverable damages for any defamatory statement published or uttered in or as a part of any such visual or sound radio broadcast.

LEGISLATIVE BILL 438. By W. J. Williams of Buffalo.

A bill for an act relating to the State Racing Commission; to provide that protection be provided for the comfort of thoroughbred race horses as prescribed herein; to provide the minimum number of races to be run each day exclusively for Nebraska bred horses; to provide for inspection of race tracks; to provide for posting of rules and regulations of the State Racing Commission; and to provide penalties.

LEGISLATIVE BILL 439. By W. J. Williams of Buffalo, by request.

A bill for an act to amend section 74-815, Revised Statutes of Nebraska, 1943, relating to railroads; to make it unlawful for any railroad company or corporation, owning or operating any line or lines of railroad in the State of Nebraska, or any officer or agent of any such company or corporation, to directly or indirectly issue or give to any officer of the State of Nebraska, or of any of its counties or cities, either elective or appointive, any free ticket, free pass, or free transportation in any form for the transportation of any passenger or passengers on or over any line or lines of railroad, or any part thereof, so owned or operated by it in the State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 440. By Charles F. Tvrdik of Douglas, Cliff N. Ogden of Douglas and W. J. Norman of Douglas.

A bill for an act to amend section 83-329, Revised Statutes Supplement, 1947, relating to mentally ill persons; to change the maximum amount that counties may be reimbursed when the county is required to restrain, protect, and care for such persons and the state

hospitals for mentally ill are unable to receive and care for the same; and to repeal the original section.

LEGISLATIVE BILL 441. By W. J. Williams of Buffalo, by request.

A bill for an act to establish a code of laws for the State of Nebraska relating to the protection of trains by a flagman; and to provide penalties.

LEGISLATIVE BILL 442. By N. F. Schroeder of Wayne.

A bill for an act to amend section 46-156, Revised Statutes of Nebraska, 1943, relating to irrigation districts; to provide that such districts shall be liable for all breaks, overflow, and seepage damage; to provide for the ascertainment of damages annually as the same accrues; to provide that damages that occur each year shall constitute a separate cause of action; to provide that damages for any subsequent year shall not be barred by payment of or failure to recover damages in a previous year; to provide, after recovery and payment of awards of damages for five years, for election by the district to have adjudication of permanent damages; and to repeal the original section.

LEGISLATIVE BILL 443. By N. F. Schroeder of Wayne and George C. Weborg of Cuming.

A bill for an act to amend sections 66-422 and 66-423, Revised Statutes Supplement, 1947, relating to motor vehicle fuels; to provide a different allocation and distribution of the share of the gasoline tax fund allocated to counties and within the counties; and to repeal the original sections.

LEGISLATIVE BILL 444. By N. F. Schroeder of Wayne and Charles Wilson of Madison.

A bill for an act relating to taxation; to require the county treasurer, at any time prior to January 1 of each year, to send a notice to the owner of each parcel of real estate on the real estate tax roll, at his last-known address, advising such taxpayer of the amount of real estate taxes for that year.

LEGISLATIVE BILL 445. By J. V. Benesch of Douglas.

A bill for an act to amend section 48-159, Revised Statutes Supplement, 1947, relating to workmen's compensation; to increase the salary of the judges of the Nebraska Workmen's Compensation Court;

to provide when the same shall become operative; to provide for reimbursement of certain expenses of judges and employees while away from their place or residence on business of the court; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 446. By Thomas M. Davies of Lancaster and Victor E. Anderson of Lancaster.

A bill for an act to amend section 81-103, Revised Statutes Supplement, 1947, relating to state administrative departments; to increase the salary of the Director of Health; to provide when such increase shall become operative; and to repeal the original section.

LEGISLATIVE BILL 447. By Thomas H. Adams of Lancaster and Cliff N. Ogden of Douglas.

A bill for an act to provide for the establishment and administration of a retirement system for county officers and employees; to provide funds for the payment of retirement benefits and the administration of the system; to prescribe the conditions for eligibility to receive such benefits; to provide for contribution by the counties to such system; to define terms; to make certain acts unlawful; to provide for penalties; and to declare an emergency.

LEGISLATIVE BILL 448. By John Adams, Sr. of Douglas and W. J. Norman of Douglas.

A bill for an act to consent to the use of the public for street purposes of a strip of ground twenty-five feet wide off of property owned by the State of Nebraska in Douglas County, Nebraska; to authorize the Board of Control to sign petition for improvement of such strip of ground with other property as a street; to authorize the Board of Control to pay a part of the cost of such street improvement; to appropriate to the Board of Control the sum of three thousand seven hundred fifty dollars for such purpose; and to declare an emergency.

LEGISLATIVE BILL 449. By John Adams, Sr. of Douglas, by request.

A bill for an act to amend section 14-1403, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide for compensation for members of a housing authority; and to repeal the original section.

LEGISLATIVE BILL 450. By Earl J. Lee of Dodge and Fay Wood of Seward.

A bill for an act relating to certificates of deposit; to provide for the payment of a lost certificate of deposit by a bank when such certificate of deposit has been lost, destroyed, mislaid, or stolen.

LEGISLATIVE BILL 451. By Fay Wood of Seward, Charles Vogt, Jr. of Pawnee and Otto J. Prohs of Scotts Bluff.

A bill for an act relating to track buyers; to define terms; to provide that a license shall be required to operate as a track buyer; to provide for issuance, suspension, and term of license; to provide for suit on bond of licensee; to provide for license fee and deposit of the funds received from the same in the state treasury to credit of Warehouse Inspection Fund; to provide for schedule of rates; to provide for consignment agreements and effect thereof; to provide for records of consignment and examination and inspection of books; to authorize the Nebraska State Railway Commission to make rules and regulations; to provide for publishing of reports and results of investigation; to provide for penalties; and to declare an emergency.

LEGISLATIVE BILL 452. By Arthur Carmody of Hitchcock.

A bill for an act to amend section 81-805, Revised Statutes of Nebraska, 1943, relating to Game, Forestation and Parks Commission; to authorize the Game, Forestation and Parks Commission to regulate the use of water craft for the purpose of promoting public safety; to establish regulations, fix, and collect inspection fees; and to repeal the original section.

LEGISLATIVE BILL 453. By Victor E. Anderson of Lancaster, Thomas M. Davies of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 2-203, Revised Statutes of Nebraska, 1943, relating to county agricultural societies; to change the amount and conditions for payment to county agricultural societies in counties having a population of more than sixty thousand and not more than two hundred thousand inhabitants; and to repeal the original section.

LEGISLATIVE BILL 454. By Thomas H. Adams of Lancaster and J. V. Benesch of Douglas.

A bill for an act relating to counties; to define a roadhouse.

LEGISLATIVE BILL 455. By W. J. Williams, by request.

A bill for an act to amend sections 23-1111 and 24-545, Revised Statutes of Nebraska, 1943, relating to clerks and assistants of county judge; to provide for the appointment by the county judge of a clerk and assistants in all counties of the state; to provide for the fixing of the compensation of such clerks and assistants by the county judge in all cases where such compensation is not provided by law; and to repeal the original sections and also sections 24-546 and 33-127, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 456. By Don E. Hanna of Cherry.

A bill for an act to amend section 54-803, Revised Statutes Supplement, 1947, relating to commercial feeding stuffs; to provide for additional statements on labels of commercial feeding stuffs sold, offered, or exposed for sale, or distributed within this state at retail; and to repeal the original section.

LEGISLATIVE BILL 457. By Fay Wood of Seward.

A bill for an act to amend section 81-523, Revised Statutes of Nebraska, 1943, relating to insurance; to increase the rate of tax imposed on insurance companies subject to the act for maintenance of the office of the State Fire Marshal; to remove exemption from such tax of domestic mutual companies and domestic insurance companies doing a fire insurance business in less than one-third of the counties in Nebraska; and to repeal the original section.

LEGISLATIVE BILL 458. By Cliff N. Ogden of Douglas, Charles F. Tvrdik of Douglas and W. J. Norman of Douglas.

A bill for an act relating to banks and banking; to provide for permission to close banks on days other than Sundays and public holidays under specified conditions; and to provide for the protection of persons affected thereby through the operation of the Negotiable Instruments Act.

LEGISLATIVE BILL 459. By Thomas H. Adams of Lancaster and Thomas M. Davies of Lancaster.

A bill for an act to permit, authorize, empower, and grant the right to Addie L. Pearce personally or by assignee in writing to sue the State of Nebraska in the district court for Lancaster County, Nebraska, for the purpose of having a fair and impartial adjudication of claims for damages in tort of Addie L. Pearce for personal injuries sustained December 10, 1945, when she slipped and fell on the steps

at the north entrance at the Capitol Building in the city of Lincoln, Lancaster County, Nebraska; to provide for the waiver of the defense of sovereignty on the part of the State of Nebraska for the prosecution of said suit; to admit and create liability and permit recovery of damages therefor against the State of Nebraska in the premises; to provide for the payment thereof; to waive the defense of the statute of limitations; to direct the Attorney General of Nebraska to defend any action or actions brought by virtue hereof; and to declare an emergency.

LEGISLATIVE BILL 460. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 36-213, Revised Statutes of Nebraska, 1943, relating to assignment of wages; to provide for deductions of wages or earnings when the deductions are deducted and dispersed in accordance with a written order of an employee which has been accepted by the employer; and to repeal the original section.

LEGISLATIVE BILL 461. By Glenn Cramer of Boone, N. F. Schroeder of Wayne and Hal Bridenbaugh of Dakota.

A bill for an act to amend section 33-128, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the compensation of members of county boards of county commissioners or supervisors in certain counties; to provide when the same shall become operative; and to repeal the original section.

LEGISLATIVE BILL 462. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 45-114, Revised Statutes of Nebraska, 1943, relating to installment loans; to redefine terms; to include within the purview of the installment loan act persons making loans by the discounting of negotiable paper payable in installments in this state; and to repeal the original section.

LEGISLATIVE BILL 463. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 21-1749, Revised Statutes Supplement, 1947, relating to credit unions; to increase the amount of tax imposed on credit unions; and to repeal the original section.

LEGISLATIVE BILL 464. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act to amend section 39-721, Revised Statutes Sup-

plement, 1947, relating to operation of vehicles on highways; to increase the maximum authorized length of combinations of vehicles to sixty feet; and to repeal the original section.

LEGISLATIVE BILL 465. By Earl J. Lee of Dodge and John P. McKnight of Nemaha.

A bill for an act relating to taxation; to provide procedure for the proper completion of proceedings heretofore had for the foreclosure of tax liens or tax sale certificates where a valid decree of foreclosure was rendered, but proceedings subsequent to entry of decree are defective, invalid, or void for any reason; to repeal sections 77-1919, 77-1920, 77-1921, 77-1922, Revised Statutes of Nebraska, 1943, and sections 77-1929, 77-1930, 77-1931, and 77-1932, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 466. By Earl J. Lee of Dodge.

A bill for an act to amend section 70-408, Revised Statutes of Nebraska, 1943, relating to charges for sale of electrical energy; to eliminate provisions that no service charge, meter charge, penalty for delinquency, or other charge, in addition to that based on kilowatt-hour shall be made; to authorize penalty for delinquency in payment; and to repeal the original section.

LEGISLATIVE BILL 467. By Earl J. Lee of Dodge.

A bill for an act to amend section 16-676, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the amount that such cities may borrow for acquisition of public utilities; and to repeal the original section.

LEGISLATIVE BILL 468. By William A. Metzger of Cass.

A bill for an act to amend sections 43-502, 68-201, 68-316, 68-319, 68-322, 68-323, 68-324, and 68-401, Revised Statutes of Nebraska, 1943, and section 68-104, Revised Statutes Supplement, 1947, relating to paupers and public assistance; to constitute the board of county commissioners or supervisors of each county as the county public welfare board; to change terminology; to confer jurisdiction on the county public welfare board in connection with giving aid to poor persons, aid to dependent children, old age assistance, and blind assistance; and to repeal the original sections and also all of Chapter 23, article 7, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 469. By Fay Wood of Seward and Willard M. Wilson of Phelps.

A bill for an act relating to schools; to prohibit aliens from teaching in any public, private, or parochial school in the State of Nebraska.

LEGISLATIVE BILL 470. By John S. Callan of Gage, Louis A. Holmes of Hall and Ray A. Babcock of Cheyenne.

A bill for an act to amend sections 60-431, 81-101, 81-102, and 81-120, Revised Statutes of Nebraska, 1943, and section 81-103, Revised Statutes Supplement, 1947, relating to state administrative departments; to eliminate duties concerning irrigation and drainage, motor vehicle registrations and operators' licenses, and Nebraska Safety Patrol from the Department of Roads and Irrigation, and to change the name of such department to Department of Highways; to create a Department of Irrigation and Drainage and a Department of Motor Vehicle Registrations; to provide heads for all such departments; to provide salaries for such directors; to provide for a construction of the words Department of Roads and Irrigation, State Engineer, administrator of motor vehicle registration, and director of motor vehicle division; to provide that the Nebraska Safety Patrol shall be under the jurisdiction and supervision of the Governor; to provide for appointment of a State Engineer and his salary; and to repeal the original sections.

LEGISLATIVE BILL 471. By Louis A. Holmes of Hall.

A bill for an act to appropriate the sum of fifteen thousand two hundred forty dollars out of the General Fund of the state for the purpose of assisting school district No. 3 of Hall County, Nebraska, for each of the fiscal years ending June 30, 1950 and 1951, in paying the tuition of pupils to school district No. 2 of Hall County, Nebraska.

LEGISLATIVE BILL 472. By Louis A. Holmes of Hall, by request.

A bill for an act relating to railroads; to require head lights, rear lights, windshields, and tops on track motor cars operated or controlled by railroads in Nebraska; and to provide a penalty.

LEGISLATIVE BILL 473. By Thomas H. Adams of Lancaster and Clyde F. Cretsinger of Keith.

A bill for an act to amend sections 79-105 and 79-109, Revised Statutes of Nebraska, 1943, relating to schools; to reduce the number of signers required to change boundaries of a school district,

annex any property to a school district, or for the formation of a new school district; and to repeal the original sections.

LEGISLATIVE BILL 474. By Clyde F. Cretsinger of Keith, Otto J. Prohs of Scotts Bluff and N. F. Schroeder of Wayne.

A bill for an act to amend sections 72-202 and 72-212, Revised Statutes of Nebraska, 1943, and sections 72-207 and 72-234, Revised Statutes Supplement, 1947, relating to school lands and funds; to provide for offering for sale at public auction of all school lands upon expiration of term or surrender of school land leases after the effective date of this act; to provide for investment of the proceeds of sale in United States government bonds; to provide that all sales of school lands after the effective date of this act shall be for cash; to provide for appraisement of value of improvements upon expiration of term or surrender of school land lease, and option by tenant to remove the improvements or accept the award made by the appraisement; to provide right of appeal from such appraisement; to provide for leasing of school lands for a period of not more than two years that have been offered at public sale and are unsold for want of bidders; to provide for reservation of oil and mineral rights in deeds of conveyance to all school lands sold; to repeal the original sections, and also sections 70-240, 70-240.01, 70-240.02, 70-240.03, 70-240.04, 70-240.05, and 70-240.06, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 475. By Charles F. Tvrdik of Douglas, J. V. Benesch of Douglas and W. J. Norman of Douglas.

A bill for an act to amend sections 32-208 and 32-1105, Revised Statutes of Nebraska, 1943, and sections 32-209, 32-210, and 32-211, Revised Statutes Supplement, 1947; to provide for election of all county officers, except county judge in counties having a population of more than two hundred thousand inhabitants, for a term of six years; to provide for the nomination and election of all such officers on a non-partisan ballot; and to repeal the original sections.

LEGISLATIVE BILL 476. By Charles Vogt, Jr. of Pawnee.

A bill for an act to amend sections 24-601, 44-309, 16-691, Revised Statutes Supplement, 1947, and sections 21-606, 8-206, 79-2739, 14-613, 77-2302, 77-2315, 72-202, and 14-563, Revised Statutes 1943, relating to investment of funds; to provide for the investment of funds of administrators, executors, guardians, trustees, receivers

and other fiduciaries of every kind or nature, insurance companies of whatever type or nature, including assessment benefit associations, fraternal beneficiary associations, and town and township mutual insurance companies, cemetery associations, charitable, educational and public corporations and organizations, trustees or governing bodies of public employee's pension, benefit, or relief association, trust companies and investment companies, administrative departments, boards, commissions, agencies or officers of the State of Nebraska, and county, municipal or school district administrative departments, boards, commissions or officers; in shares, accounts, certificates, or other forms of investment securities, generally termed "securities" of State and Federal savings, building and loan associations; to provide that such investments shall be held to be legal investments for such funds; and repeal said original sections.

LEGISLATIVE BILL 477. By R. W. Hill of Thayer.

A bill for an act to amend sections 66-408 and 66-409, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that the gallonage of motor vehicle fuels shall be determined by the quantity shown on bills of lading; and to repeal the original sections.

LEGISLATIVE BILL 478. By Fay Wood of Seward and R. W. Hill of Thayer.

A bill for an act relating to electrical construction and installation; to define terms; to create an electrical administrative board, providing for the appointment, terms, qualifications and salary of its members; to provide for the organization procedure, powers, duties, seal, and employees of such board; to provide for inspectors and their duties; to require an electrical contractor and journeyman electrician to secure a registration, providing the method and procedure for obtaining such registration and the display and custody thereof; to provide for the revocation and suspension of such registrations and the method, notice, hearing and procedure therefor; to provide for appeals from the board; to provide for certain fees for registrations and the disposition thereof; to provide for the Electrical Contractor's Examiners' Fund and the disposition thereof; to provide for the exclusion of certain persons and individuals from the provisions of this act; to provide for the procedure for adopting of standards of the board; to limit expenditures of the board; and to prescribe penalties.

LEGISLATIVE BILL 479. By John J. Larkin, Jr. of Douglas, Charles F. Tvrdik of Douglas and John Adams, Sr. of Douglas.

A bill for an act to amend section 32-1721, Revised Statutes of Nebraska, 1943, relating to elections; to authorize registration of voters in counties having a population of more than sixty thousand inhabitants by affidavit; to provide the procedure for such registration; and to repeal the original section.

LEGISLATIVE BILL 480. By Otto J. Prohs of Scotts Bluff.

A bill for an act relating to taxation; to classify livestock feeders for the purpose of taxation; to provide a method of computing the valuation of livestock for taxation purposes and the amount of tax to be paid by the owner thereof; and to provide penalties.

LEGISLATIVE BILL 481. By Willard M. Wilson of Phelps, John Adams, Sr. of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend sections 39-762 and 39-762.01, Revised Statutes Supplement, 1947, relating to operation of motor vehicles; to provide the duties of the driver of a motor vehicle involved in any accident upon either a public highway, private road, or private drive; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 482. By John Adams, Sr. of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend section 23-1211, Revised Statutes Supplement, 1947, relating to counties; to increase the salary of the chief clerk in the office of the county attorney for counties having a population of more than two hundred thousand inhabitants; to provide when such increase shall become operative; and to repeal the original section.

LEGISLATIVE BILL 483. By Willard M. Wilson of Phelps, John Adams, Sr. of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend sections 25-1529 and 69-103, Revised Statutes of Nebraska, 1943, relating to publication of legal notices; to provide for publication of such notices one each week; and to repeal the original sections.

LEGISLATIVE BILL 484. By John Adams, Sr. of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend section 23-1204, Revised Statutes Supplement, 1947, relating to counties; to provide that in a county having a population of more than sixty thousand inhabitants and not more than two hundred thousand inhabitants the county attorney of such county shall appoint as many deputy county attorneys for such county as the county board shall determine; and to repeal the original section.

LEGISLATIVE BILL 485. By Willard M. Wilson of Phelps, John Adams, Sr. of Douglas and Thomas H. Adams of Lancaster.

A bill for an act to amend sections 23-1102, 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, 23-1108, 23-1109, and 23-1110, Revised Statutes Supplement, 1947, relating to counties; to increase the maximum amount that may be paid to county attorneys and their deputies in counties of classes (1), (2), (3), (4), (4a), (5), (6), (7), and (8); to provide when any change in such salaries shall become operative; and to repeal the original sections.

LEGISLATIVE BILL 486. By Victor E. Anderson of Lancaster and Frank Nelson of Holt.

A bill for an act relating to liquified petroleum gas; to make it unlawful to fill or use liquified petroleum gas cylinders without the written authorization of the owner; and to provide a penalty.

LEGISLATIVE BILL 487. By Victor E. Anderson of Lancaster and R. W. Hill of Thayer.

A bill for an act to appropriate to the State Real Estate Commission the sum of ten thousand dollars out of Auditor Account No. 66 for the biennium 1949-1951, for the purpose of defraying the expense of providing an educational program for real estate licensees; to provide for the disbursement of such fund; and to declare an emergency.

LEGISLATIVE BILL 488. By Victor E. Anderson of Lancaster, John P. McKnight of Nemaha and Karl E. Vogel of Douglas.

A bill for an act to amend section 83-104, Revised Statutes of Nebraska, 1943, relating to Board of Control; to increase the salary of the members of the Board of Control; to provide when such increase shall become operative; and to repeal the original section.

LEGISLATIVE BILL 489. By Victor E. Anderson of Lancaster and W. J. Norman of Douglas.

A bill for an act relating to liquified petroleum gas; to prohibit transportation of liquified petroleum gas having a vapor pressure exceeding one hundred fifty pounds per square inch, gauge at 100° Fahrenheit on the highways in this state in tank trucks, semitrailers, and trailers having a combined water capacity exceeding two thousand gallons; and to provide a penalty.

LEGISLATIVE BILL 490. By Thomas H. Adams of Lancaster and Hal Bridenbaugh of Dakota, by request.

A bill for an act to amend section 72-205, Revised Statutes Supplement, 1947, relating to educational lands; to provide the method for reappraisal of school lands by the Board of Educational Lands and Funds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 491. By Charles F. Tvrdik of Douglas, William A. Metzger of Cass and John J. Larkin, Jr. of Douglas.

A bill for an act relating to labor; to provide a state labor relations act; to define the rights of employers and employees under such act; to provide for the administration of the act; and to provide penalties.

LEGISLATIVE BILL 492. By Arthur Carmody of Hitchcock and Otto J. Prohs of Scotts Bluff.

A bill for an act to amend section 60-201, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide for an increase of the equalization fees for motor vehicles propelled by fuels not subject to the motor vehicle fuel laws; to provide for a declaration by a motor vehicle owner, or his agent, of the kind of fuel used to propel such motor vehicle; to provide for the suspension by the Department of Roads and Irrigation of the license or registration of a motor vehicle for failure of payment of the equalization fee; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 493. By Fay Wood of Seward and Louis A. Holmes of Hall.

A bill for an act relating to the giving of proof of financial responsibility of owners and operators of motor vehicles; to pro-

vide for the cancellation and suspension of motor vehicle registrations and operators' licenses under certain contingencies; to provide penalties for violation thereof; to provide for the administration of the act; to repeal all of Article 5, Chapter 60, Revised Statutes Supplement, 1947; and to declare an emergency.

LEGISLATIVE BILL 494. By Victor E. Anderson of Lancaster.

A bill for an act to amend section 12-507, Revised Statutes of Nebraska, 1943, relating to cemetery associations; to increase the limitation for which debts of cemetery associations, other than those owned, operated, and maintained by towns, villages, and cities, and by fraternal and benevolent societies, may be contracted; and to repeal the original section.

LEGISLATIVE BILL 495. By Charles Wilson of Madison.

A bill for an act to amend section 33-134, Revised Statutes of Nebraska, 1943, relating to fees and salaries; to increase the fees that may be charged by a justice of the peace; and to repeal the original section.

LEGISLATIVE BILL 496. By George C. Weborg of Cuming.

A bill for an act to amend section 23-357, Revised Statutes Supplement, 1947, relating to counties; to include the destruction of chattel mortgages filed in the office of the county clerk for the prescribed time; and to repeal the original section.

LEGISLATIVE BILL 497. By George C. Weborg of Cuming.

A bill for an act relating to revenue and taxation; to provide for a tax on soft drinks and fountain syrups; to provide for placing of stamps on containers; to provide that the Department of Agriculture and Inspection shall administer this act; to provide for making of rules and regulations; to provide for collection and distribution of the tax; and to provide for penalties.

LEGISLATIVE BILL 498. By Thomas M. Davies of Lancaster and Thomas H. Adams of Lancaster.

A bill for an act to amend section 43-210, Revised Statutes Supplement, 1947, relating to juvenile courts; to eliminate the provision that the recommendation of the board of managers of a state institution where a child has been committed is necessary to confer power on the court to discharge such child from custody; and to repeal the original section.

LEGISLATIVE BILL 499. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 53-134, Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the county board shall have all the powers of a city or village to regulate beer retailers authorized to sell without the corporate limits of any city or village; and to repeal the original section.

LEGISLATIVE BILL 500. By Thomas H. Adams of Lancaster.

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 emergency flares by motor buses, cars for hire having a capacity of over seven passengers, cars or trucks used as wreckers or for towing purposes, motor trucks and combinations thereof; to prohibit use of open-flame flares adjacent to vehicles transporting flamables; to repeal the original section; and to declare an emergency.

Bills Referred to Standing Committee

L. B.	Committee
373	Public Health and Miscellaneous Subjects
374	Agriculture
375	Banking, Commerce and Insurance
376	Revenue and Taxation
377	Public Works
378	Education
379	Agriculture
380	Public Health and Miscellaneous Subjects
381	Education
382	Public Works
383	Education
384	Banking, Commerce and Insurance
385	Judiciary
386	Public Works
387	Public Health and Miscellaneous Subjects
388	Education
389	Education
390	Public Works
391	Miscellaneous Appropriations and Claims
392	Government
393	Judiciary
394	Education
395	Judiciary
396	Public Health and Miscellaneous Subjects

397 .....Judiciary
398 .....Judiciary
399 .....Revenue and Taxation
400 .....Education
401 .....Revenue and Taxation
402 .....Revenue and Taxation
403 .....Agriculture
404 .....Budget
405 .....Education

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 8, L. B. 9, L. B. 10, L. B. 11, L. B. 73, L. B. 45, L. B. 52 and L. B. 26. (Signed) Thomas M. Davies

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 81-893, Revised Statutes Supplement, 1947, relating to state administrative departments; to eliminate reference therein to the Nebraska Advisory Defense Committee heretofore abolished; 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, J.	Cretsinger	Lusienski	Schroeder
Adams, T.	Davies	McKnight	Tvrdik
Anderson, V.	Hanna	Metzger	Vogel
Benesch	Hern	Nelson	Vogt
Bohlke	Hill	Norman	Weborg
Bridenbaugh	Holmes	Ogden	Williams
Burney	Hoyt	Person	Wilson, C.
Callan	Larkin	Pizer	Wilson, W.
Cramer	Lillibridge	Prohs	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Burnham	Carson	Lindgren
Babcock	Carmody	Lee	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 51.

A bill for an act to amend section 29-314, Revised Statutes of Nebraska, 1943, relating to criminal procedure; to harmonize the provisions thereof with legislation relating to duties of county attorney; 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, J.	Cretsinger	Lusienski	Schroeder
Adams, T.	Davies	McKnight	Tvrdik
Anderson, V.	Hanna	Metzger	Vogel
Benesch	Hern	Nelson	Vogt
Bohlke	Hill	Norman	Weborg
Bridenbaugh	Holmes	Ogden	Williams
Burney	Hoyt	Person	Wilson, C.
Burnham	Larkin	Pizer	Wilson, W.
Callan	Lillibridge	Prohs	Wood
Cramer			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Carmody	Lee	Lindgren
Babcock	Carson		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Vogt Presiding

SELECT FILE

LEGISLATIVE BILL 17. Advanced to E and R for engrossment.

LEGISLATIVE BILL 41. E and R amendment found in the Legislative Journal for the Nineteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 325. E and R amendment found in the Legislative Journal for the Nineteenth Day was adopted.

Mr. Callan offered the following amendment, which was adopted by unanimous consent.

1. Amend page 3 of the bill by adding two new sections to be numbered sections 5 and 6, reading as follows:

"Sec. 5. The Governor, acting through the Adjutant General, may:

(1) Perform services for and furnish materials and supplies to counties and municipalities with respect to performance of any duties enjoined by law upon such counties and municipalities which they are unable to perform because of extreme climatic phenomena, and to receive reimbursement in whole or in part from such counties and municipalities able to pay for same under such terms and conditions as may be agreed upon by the Adjutant General and any such county or municipality.

(2) Perform services for and furnish materials to any individual in connection with alleviating hardship and distress growing out of extreme climatic phenomena, and to receive reimbursement in whole or in part from such individual under such terms as may be agreed upon by the Adjutant General and such individual.

Sec. 6. The Governor may receive such voluntary contributions as may be made from any source to aid in carrying out the purposes of this act and shall credit the same to the Storm Emergency Fund."

2. Renumber the succeeding sections accordingly.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 324.

Mr. Callan offered the following amendment, which was adopted by unanimous consent.

1. Amend page 2 of the bill by adding a new section to be numbered section 2, reading as follows:

"Sec. 2. There is hereby appropriated to the office of the Adjutant General, for the remainder of the biennium ending June 30, 1949, all receipts and contributions from any source made to the Storm Emergency Fund."

2. Renumber present sections 2 and 3 as sections 3 and 4, respectively.

3. Amend page 2 of the bill, renumbered section 3, line 1, by inserting before the word "of" the words and figure "and section 2".

4. Amend the title, line 5, by inserting after the word "to" the following: "appropriate for the remainder of the biennium ending June 30, 1949, all receipts and contributions from any source to the Storm Emergency Fund; to".

Advanced to E and R for engrossment.

SPECIAL ORDER

Mr. Hoyt asked unanimous consent to have L. B. 4 and L. B. 5 laid over for Special Order on February 7, 1949, because of Mr. Carmody's absence.

Consent was granted and it was so ordered.

MOTION—Highway Advisory Committee

Mr. Lusienski offered the following amendment to his motion found in the Legislative Journal for the Nineteenth Day.

Strike the words "the Legislative Council" in line 9 of the first paragraph of this motion and insert in lieu thereof the words "this Legislature".

The amendment to the motion was adopted.

Mr. Lusienski moved to adopt the motion, as amended.

Mr. Metzger moved a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Lusienski asked unanimous consent that the Call be raised. Consent was granted and it was so ordered.

Mr. Lusienski's motion, as amended, was not adopted with 13 ayes, 18 nays and 12 not voting.

RECESS

At 12:00, noon, on a motion by Mr. Tvrdik, the Legislature recessed until 5:00 p.m.

AFTER RECESS

The Legislature reconvened at 5:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Anderson, L., Carmody, Lee and Lindgren, who were excused.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 501. By Cliff N. Ogden of Douglas.

A bill for an act to amend section 44-704, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that a relative of a child may make application for life or health insurance and that such a policy may be issued on such person; and to repeal the original section.

LEGISLATIVE BILL 502. By Cliff N. Ogden of Douglas and J. V. Benesch of Douglas.

A bill for an act relating to withholding money from wages; to provide for the purchase by state, municipal, or civil service employees of any form of group or franchise life, hospital, or sickness and accident insurance through monthly salary deductions.

LEGISLATIVE BILL 503. By Cliff N. Ogden of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act to amend sections 79-2740, 79-2741, 79-2753, and 79-2754, Revised Statutes of Nebraska, 1943, relating to schools; to require a deduction from the amount of the pensions to be paid by a school district in metropolitan cities to teachers and all other regular employees, of a sum equal to one half of any service annuity which may be received by such teacher or other employee from the State of Nebraska under the provisions of section 79-2912, Revised Statutes Supplement, 1947, and one half of any insurance benefits which may be received by such teacher or other employee from the federal government under the provisions of the Social Security Act as amended by the 81st Congress of the United States or as subse-

quently amended; to repeal the original sections, and also section 79-2759, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 504. By Cliff N. Ogden of Douglas and Charles F. Tvrdik of Douglas.

A bill for an act relating to federal aid to public education in the elementary and secondary schools of the state; to qualify the State of Nebraska for funds appropriated under the Educational Finance Act of 1949, enacted by the 81st Congress of the United States; to accept the provisions of said act; to provide for the administration by the Superintendent of Public Instruction of the funds to be received; to provide that the Superintendent of Public Instruction shall represent the State of Nebraska in the administration of said funds; to provide that the State Treasurer shall receive such funds, and report annually to Congress the amounts so received, together with a detailed statement of their disbursement; to provide for an annual audit of such funds by the Auditor of Public Accounts; to provide for a system of reports from the several school districts of the state to the Superintendent of Public Instruction; to require the Superintendent of Public Instruction to make reports to the United States Commissioner of Education with respect to the progress of education on forms to be prescribed by the commissioner; to provide for the apportionment of the funds received by the state to the several public school districts of the state, according to the pro rata enumeration of pupils in each school district; to provide that the Superintendent of Public Instruction shall formulate and effectuate, for each fiscal year beginning after June 30, 1953, a plan for the apportionment of such amounts paid to the state in accordance with the provisions of the Educational Finance Act of 1949; to provide for the transmittal of notice of acceptance of said act, and of all regulations relating thereto and amendments thereof, to the United States Commissioner of Education.

LEGISLATIVE BILL 505. By Cliff N. Ogden of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend section 42-307, Revised Statutes Supplement, 1947, relating to husband and wife; to provide for fee to be paid to person making investigations in divorce actions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 506. By Cliff N. Ogden of Douglas and J. V. Benesch of Douglas.

A bill for an act relating to juvenile courts; to authorize and

establish a referee in the juvenile courts in counties having a population of more than two hundred thousand inhabitants; to provide for the duties and powers of referees; to provide for the compensation for such referees; to amend section 43-207, Revised Statutes Supplement, 1947; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 507. By Charles F. Tvrdik of Douglas, Cliff N. Ogden of Douglas and J. V. Benesch of Douglas.

A bill for an act to amend sections 10-125, 10-205, 21-806, 23-1525, 33-109, 33-110, 33-112, 36-208, 39-903, 54-410, 60-115, and 71-187, Revised Statutes of Nebraska, 1943, and section 33-102, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the fees certain county officers shall be entitled to for services as prescribed therein; to increase the fee the Secretary of State shall be entitled to for filing and approving the bond of a general notary public; and to repeal the original sections.

LEGISLATIVE BILL 508. By Charles F. Tvrdik of Douglas, Cliff N. Ogden of Douglas and John J. Larkin, Jr. of Douglas.

A bill for an act to amend section 77-518, Revised Statutes Supplement, 1947, relating to taxation; to provide for the assessment of property of deceased taxpayers after the filing of inventories in the estate matters of such deceased taxpayers; and to repeal the original section.

LEGISLATIVE BILL 509. By Ray A. Babcock of Cheyenne.

A bill for an act to amend section 44-1402, Revised Statutes Supplement, 1947, relating to insurance; to provide that the law for regulation of casualty and surety rates shall include credit insurance; and to repeal the original section.

LEGISLATIVE BILL 510. By Louis A. Holmes of Hall.

A bill for an act relating to crimes and punishments; to provide that whoever causes the death of another without malice while engaged in the unlawful operation of a motor vehicle shall be guilty of a crime; and to provide a penalty.

LEGISLATIVE BILL 511. By Glenn Cramer of Boone.

A bill for an act to amend section 33-141, Revised Statutes of

Nebraska, 1943, relating to fees and salaries; to increase the legal rate for the publication of all legal notices; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 512. By Fay Wood of Seward.

A bill for an act relating to mortgage foreclosures; to provide that where more than ten years have elapsed since date of entry of decree directing sale of property for the satisfaction of a mortgage and no action has been taken to enforce such decree or sell the property covered therein, such lien and decree shall be barred unless action is taken within one year to enforce satisfaction thereof.

LEGISLATIVE BILL 513. By John J. Larkin, Jr. of Douglas, Thomas H. Adams of Lancaster and J. V. Benesch of Douglas.

A bill for an act to amend sections 48-801, 48-803, 48-804, 48-805, 48-806, 48-807, 48-808, 48-809, 48-810, 48-811, 48-812, 48-813, 48-814, 48-815, 48-816, 48-817, 48-818, 48-819, 48-820, and 48-823, Revised Statutes Supplement, 1947, relating to labor; to change the Court of Industrial Relations to a commission to be known as the Industrial Relations Commission; to provide procedure for appeal to the Supreme Court from any final order of the Industrial Relations Commission; to provide for representation of employees for purposes of collective bargaining, and the duties of the Industrial Relations Commission with respect thereto; to eliminate certain restrictions applicable to court proceedings but not applicable to proceedings before a commission; and to repeal the original sections.

LEGISLATIVE BILL 514. By W. J. Williams of Buffalo, Wm. Hern of Dawes and Cliff N. Ogden of Douglas.

A bill for an act relating to colleges and universities; to require all professors, instructors, and teachers to subscribe and to take oath as prescribed before assuming duties.

LEGISLATIVE BILL 515. By W. J. Williams of Buffalo, Wm. Hern of Dawes and Cliff N. Ogden of Douglas.

A bill for an act relating to schools; to require all teachers to subscribe to take oath as prescribed before assuming duties as a teacher in the public schools of this state.

LEGISLATIVE BILL 516. By Charles F. Tvrdik of Douglas and Cliff N. Ogden of Douglas.

A bill for an act relating to procedure in civil actions; to provide for procedure to be taken in garnishment proceedings; to provide for filing of pleadings; to provide the effect of judgment in the garnishment proceedings; to provide for appeal; and to repeal sections 25-1028, 25-1030, and 25-1031, Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 517. By John S. Callan of Gage, Ed. Hoyt of Red Willow and Willard M. Wilson of Phelps.

A bill for an act to amend section 77-1222, Revised Statutes of Nebraska, 1943, relating to the taxation of grain dealers; to separately classify grain dealers for the purposes of taxation, and to divide grain dealers into several separate classes; to provide a method for determining and computing the average invested capital of grain dealers used in the purchase of grain; to require the average invested capital to be included in the tax returns of grain dealers; to provide that such average invested capital shall be presumed to include and represent the amount of grain owned by each grain dealer at the time of making his return; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 518. By Thomas M. Davies of Lancaster.

A bill for an act to amend section 77-1909, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for awarding an attorney's fee to plaintiff to be taxed as part of the costs in the event redemption is made before decree of foreclosure of tax sale certificate or tax deed has been entered; and to repeal the original section.

LEGISLATIVE BILL 519. By Thomas M. Davies of Lancaster.

A bill for an act to amend sections 77-306, 77-307, 77-308, and 77-310, Revised Statutes of Nebraska, 1943, relating to taxation; to provide for the reassessment of omitted or undervalued property; to prescribe the procedure therefor; to authorize taking of testimony and examination of books, papers, records, memoranda, and tangible property to ascertain the correct valuation of any tangible or intangible property; and to repeal the original sections.

LEGISLATIVE BILL 520. By Harry F. Burnham of Custer, by request.

A bill for an act to amend section 25-1501, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to provide that executions may be issued by the clerk to constables of the county; and to repeal the original section.

LEGISLATIVE BILL 521. By Harry F. Burnham of Custer, by request.

A bill for an act to amend sections 27-501, 27-1303, and 27-1306, Revised Statutes of Nebraska, 1943, relating to justices of the peace; to reduce the time for filing the transcript, petition on appeal, and answer to petition on appeal; to provide that plaintiff, his agent or attorney on motion, shall require the defendant to file a bill of particulars for a claim as a defense; and to repeal the original sections.

LEGISLATIVE BILL 522. By Fay Wood of Seward and Arthur Carmody of Hitchcock.

A bill for an act relating to airports; to include the reciprocal exercise of the power of eminent domain; and to provide how this act may be cited.

LEGISLATIVE BILL 523. By Fay Wood of Seward and Arthur Carmody of Hitchcock.

A bill for an act to create a Department of Civil Defense and other organizations for civil defense within this state; to provide for oath and bond of the director; to provide for a seal; to provide for the powers and duties of the Governor, Director of Civil Defense and other officers as prescribed therein; to provide a salary for the director; and to provide how this act may be cited.

LEGISLATIVE BILL 524. By W. J. Williams of Buffalo.

A bill for an act to amend sections 53-103, 53-117, 53-124, 53-151, 53-152, 53-153, 53-154, 53-155, 53-158, 53-165, 53-166, 53-171, 53-175, and 53-192, Revised Statutes of Nebraska, 1943, and sections 53-123, 53-123.01, 53-160, and 53-161, Revised Statutes Supplement, 1947, relating to liquors; to provide for the sale of alcoholic liquors, except beer, at wholesale by the Nebraska Liquor Control Commission; to prohibit the sale of alcoholic liquors, except beer, to retail licensees other than by the commission; to provide for powers and duties of the commission; to provide for a revolving fund to be known as the "wholesale liquor revolving fund"; to provide for the transfer of five hundred thousand dollars thereto from

the General Fund; to provide for distribution of the fund; and to repeal the original sections, and also section 53-123.02, Revised Statutes Supplement, 1947.

LEGISLATIVE BILL 525. By Thomas H. Adams of Lancaster.

A bill for an act relating to cosmetology; to provide for a tax on the sale of home wave kits and to provide for the collection thereof; to provide for the issuance of a permit by the Department of Health for the sale of home wave kits by dealers; to provide for the enforcement thereof; to provide for penalties for violations; to define terms; and to declare an emergency.

LEGISLATIVE BILL 526. By Thomas H. Adams of Lancaster.

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 the qualifications of applicants for a license to practice chiropractic; to provide that the provisions of sections 71-401 to 71-416, Revised Statutes of Nebraska, 1943, shall not apply to chiropractors; and to repeal the original sections.

LEGISLATIVE BILL 527. By Thomas H. Adams of Lancaster.

A bill for an act to amend section 52-119, Revised Statutes of Nebraska, 1943, relating to mechanics' liens; to provide that failure of contractor to apply payment received to claims of laborers and materialmen shall be unlawful when done with intent to defraud the owner of said house or other structure; and to repeal the original section.

LEGISLATIVE BILL 528. By Thomas H. Adams of Lancaster.

A bill for an act to amend sections 46-543, 46-553, and 46-559, Revised Statutes Supplement, 1947, relating to reclamation districts; to provide limitations for tax levies and assessments; and to repeal the original sections.

LEGISLATIVE BILL 529. By Charles F. Tvrdik of Douglas, W. J. Norman of Douglas and Cliff N. Ogden of Douglas.

A bill for an act to amend section 83-329, Revised Statutes Supplement, 1947, relating to mentally ill persons; to provide for the care of mentally ill patients pending admission to the state hospital for the mentally ill; to provide for the care and treatment of private patients; to provide that county boards shall be responsible for

the care of public patients in public or private facilities; to provide for the issuance of warrants by the county board of mental health and for the execution thereof; to repeal the original section; and to declare an emergency.

Members Excused

Messrs. Nelson, Hern and Hanna were excused for Tuesday, February 1, 1949.

Unanimous Consent—Postpone Hearing

Mr. Prohs asked unanimous consent to postpone the hearing on L. B. 111, which was set for Thursday, February 3, 1949.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 325. Correctly engrossed.
LEGISLATIVE BILL 324. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Adjournment

At 5:30 p.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 1, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Carmody, Hanna, Lindgren and Nelson, who were excused.

The Journal for the Twentieth Day was approved as corrected.

Communication

A letter to Speaker Earl Lee from Mr. John Quinn, Manager of the Nebraska New Car Dealers Association, postponing the invitation extended to the members on February 18 to March 18, 1949.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 229	Monday, February 14, 1949	2:00 p.m.
L. B. 226	Wednesday, February 16, 1949	2:00 p.m.
L. B. 247	Wednesday, February 16, 1949	2:00 p.m.
L. B. 260	Wednesday, February 16, 1949	2:00 p.m.
L. B. 269	Wednesday, February 16, 1949	2:00 p.m.
L. B. 276	Wednesday, February 16, 1949	2:00 p.m.
L. B. 360	Wednesday, February 16, 1949	2:00 p.m.
L. B. 155	Monday, February 21, 1949	2:00 p.m.
L. B. 227	Monday, February 21, 1949	2:00 p.m.
L. B. 333	Monday, February 21, 1949	2:00 p.m.
L. B. 361	Monday, February 21, 1949	2:00 p.m.
L. B. 362	Monday, February 21, 1949	2:00 p.m.

L. B. 371	Monday, February 21, 1949	2:00 p.m.
L. B. 397	Monday, February 21, 1949	2:00 p.m.
L. B. 271	Wednesday, February 23, 1949	2:00 p.m.
L. B. 313	Wednesday, February 23, 1949	2:00 p.m.
L. B. 393	Wednesday, February 23, 1949	2:00 p.m.
L. B. 437	Wednesday, February 23, 1949	2:00 p.m.
L. B. 150	Monday, February 14, 1949 (Reset from Febr. 7, 1949)	2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 131	Tuesday, February 8, 1949	2:00 p.m.

Revenue and Taxation

L. B. 307	Tuesday, February 8, 1949	2:00 p.m.
L. B. 308	Tuesday, February 8, 1949	2:00 p.m.
L. B. 297	Tuesday, February 8, 1949	2:00 p.m.
L. B. 328	Thursday, February 10, 1949	2:00 p.m.
L. B. 341	Thursday, February 10, 1949	2:00 p.m.
L. B. 342	Thursday, February 10, 1949	2:00 p.m.
L. B. 314	Tuesday, February 15, 1949	2:00 p.m.
L. B. 315	Tuesday, February 15, 1949	2:00 p.m.
L. B. 368	Thursday, February 17, 1949	2:00 p.m.
L. B. 290	Thursday, February 17, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 295	Wednesday, February 16, 1949 (reset from February 4, 1949)	2:00 p.m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 134. Placed on General File as amended.

Standing Committee amendments to L. B. 134:

1. Section 1, line 53, strike the word "of" at end of line and insert in lieu thereof the word: "or".

2. Section 7, line 4, after the word "court" and before the word "may", insert the words: *"on original hearing"*.

3. Section 7, line 7, after the word "rehearing" and before the comma "," insert the words: *"before the court sitting en banc"*.

LEGISLATIVE BILL 125. Placed on General File as amended.

Standing Committee amendments to L. B. 125:

1. Section 6, line 10, strike the words "as of that date".

2. Section 6, line 20, strike the word "Such" and insert the following: *"To the extent possible such"*.

3. Section 15, line 31, strike the words: "sections 48-601 to 48-668" and insert in lieu thereof: *"said Wagner-Peyser Act"*.

(Signed) Karl E. Vogel, Chairman

Agriculture

LEGISLATIVE BILL 178. Indefinitely postponed.
LEGISLATIVE BILL 184. Placed on General File as amended.

Standing Committee amendments to L. B. 184:

1. Amend page 2 of the bill, (1) of section 1, line 6, by striking the words "two dollars" and inserting in lieu thereof the words *"one dollar and fifty cents"*.

2. Amend page 2 of the bill, (1) of section 1, lines 6 and 7; by striking the words "three dollars" and inserting in lieu thereof the words *"two dollars and fifty cents"*.

3. Amend page 2 of the bill, (3) of section 1, line 26, by striking the word "five" and inserting in lieu thereof the word *"ten"*.

LEGISLATIVE BILL 193. Placed on General File as amended.

Standing Committee amendment to L. B. 193:

1. Amend page 2 of the bill, section 1, line 8, by inserting after the word and punctuation "swan," the following: *"not less than five dollars nor more than"*.

LEGISLATIVE BILL 194. Placed on General File as amended.

Standing Committee amendment to L. B. 194:

1. Amend page 2 of the bill, section 1, line 23 by inserting after the word "of" the following: *"not less than five dollars nor more than"*.

LEGISLATIVE BILL 208. Indefinitely postponed.

(Signed) Ed. Hoyt, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 9.

L. R. 9 was adopted with 32 ayes, 0 nays and 11 not voting.

Bills Referred to Standing Committee

L. B.	Committee
406	Government
407	Judiciary
408	Public Works
409	Education
410	Education
411	Public Works
412	Banking, Commerce and Insurance
413	Education
414	Education
415	Labor and Public Welfare
416	Revenue and Taxation
417	Public Health and Miscellaneous Subjects
418	Public Health and Miscellaneous Subjects
419	Public Works
420	Revenue and Taxation
421	Miscellaneous Appropriations and Claims
422	Education
423	Public Health and Miscellaneous Subjects
424	Revenue and Taxation
425	Public Works
426	Banking, Commerce and Insurance
427	Education
428	Judiciary
429	Miscellaneous Appropriations and Claims
430	Agriculture
431	Agriculture
432	Government
433	Budget
434	Budget
435	Revenue and Taxation
436	Miscellaneous Appropriations and Claims
437	Judiciary
438	Agriculture
439	Labor and Public Welfare
440	Public Health and Miscellaneous Subjects
441	Labor and Public Welfare

442 .....Public Works
443 .....Revenue and Taxation
444 .....Revenue and Taxation
445 .....Miscellaneous Appropriations and Claims
446 .....Miscellaneous Appropriations and Claims
447 .....Government
448 .....Public Works
449 .....Miscellaneous Appropriations and Claims
450 .....Banking, Commerce and Insurance
451 .....Agriculture
452 .....Agriculture
453 .....Agriculture
454 .....Public Health and Miscellaneous Subjects
455 .....Judiciary
456 .....Agriculture
457 .....Banking, Commerce and Insurance
458 .....Banking, Commerce and Insurance
459 .....Miscellaneous Appropriations and Claims
460 .....Labor and Public Welfare
461 .....Government
462 .....Banking, Commerce and Insurance
463 .....Banking, Commerce and Insurance
464 .....Public Works
465 .....Judiciary
466 .....Public Works
467 .....Government
468 .....Public Health and Miscellaneous Subjects
469 .....Education
470 .....Public Works
471 .....Miscellaneous Appropriations and Claims
472 .....Labor and Public Welfare
473 .....Education
474 .....Education
475 .....Government
476 .....Judiciary
477 .....Public Works
478 .....Public Works
479 .....Government
480 .....Revenue and Taxation
481 .....Judiciary
482 .....Government
483 .....Judiciary
484 .....Government
485 .....Government
486 .....Public Works
487 .....Miscellaneous Appropriations and Claims

488 .....Miscellaneous Appropriations and Claims
489 .....Public Works
490 .....Education
491 .....Labor and Public Welfare
492 .....Revenue and Taxation
493 .....Judiciary
494 .....Public Health and Miscellaneous Subjects
495 .....Government
496 .....Government
497 .....Agriculture
498 .....Judiciary
499 .....Government
500 .....Public Works
501 .....Banking, Commerce and Insurance
502 .....Banking, Commerce and Insurance
503 .....Education
504 .....Education
505 .....Judiciary
506 .....Judiciary
507 .....Miscellaneous Appropriations and Claims
508 .....Judiciary
509 .....Banking, Commerce and Insurance
510 .....Judiciary
511 .....Government
512 .....Judiciary
513 .....Labor and Public Welfare
514 .....Education
515 .....Education
516 .....Judiciary
517 .....Revenue and Taxation
518 .....Judiciary
519 .....Revenue and Taxation
520 .....Judiciary
521 .....Judiciary
522 .....Judiciary
523 .....Government
524 .....Revenue and Taxation
525 .....Public Health and Miscellaneous Subjects
526 .....Public Health and Miscellaneous Subjects
527 .....Labor and Public Welfare
528 .....Public Works
529 .....Public Health and Miscellaneous Subjects

SELECT FILE

LEGISLATIVE BILL 30.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 31. E and R amendment found in the Legislative Journal for the Twentieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 54. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 113.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 114.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 116. E and R amendment found in the Legislative Journal for the Twentieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 118.

Mr. Cramer offered the following amendment, which was adopted by unanimous consent:

1. In the bill, section 1, line 17, page 2, strike the word "thereof" and in lieu thereof insert *"or circulators* thereof *by affidavit filed with such petition"*.

2. In the bill, section 1, page 2, line 13, after the word *"filed"* insert, *"with the Secretary of State"*.

3. The committee on Enrollment and Review shall amend the title to conform.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 124. E and R amendment found in the Legislative Journal for the Twentieth Day was adopted.

Mr. Hoyt asked unanimous consent to add the name of Harry F. Burnham as co-introducer.

Consent was granted and it was so ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 166. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 214.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 29. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Hern Presiding

LEGISLATIVE BILL 177. Laid over.
LEGISLATIVE BILL 76. Laid over.
LEGISLATIVE BILL 75. Considered.

Standing Committee amendment found in the Legislative Journal for the Nineteenth Day was adopted.

Mr. Hoyt offered the following amendment, which was adopted:

Amend L. B. 75, Section 1, Line 41, by striking the words and punctuation *"the actual cost,"*.

Advanced to E and R for review.

LEGISLATIVE BILL 224. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 97. Read and considered.

Mr. Hoyt offered the following amendment, which was adopted by unanimous consent:

Amend L. B. 97 by adding an emergency clause and amending the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 144. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 85. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 84. Read and considered.

Mr. Babcock offered the following amendment, which was adopted:

Amend L. B. 84, Page 2, Section 1, Line 3, by inserting the word "institution" between the words "banking" and "*or*".

Laid over.

LEGISLATIVE BILL 137. Read and considered.

Mr. Hoyt offered the following amendment, which was adopted:

Amend L. B. 137, Section 1, of the printed bill, by striking the words and punctuation "repair, or alteration" from line 11 and substituting the words "closing or non-occupancy"; by striking the word "public" in line 11; by inserting after the word "structure" in line 12 the words "owned by the public"; by striking the words and punctuation "altered, or repaired" in line 16 and substituting the words "closed or unoccupied"; amend the title to conform.

Mr. Davies offered the following amendment, which was adopted by unanimous consent:

Amend L. B. 137, Section 1, Line 14, by inserting after the word

"contractor" and before the word *"or"* the following: *", licensed architect,"*; amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 143. Considered.

Mr. Davies offered the following amendment, which was adopted by unanimous consent:

Amend the Standing Committee amendments to L. B. 143 by adding the following: Amend the title to conform.

Standing Committee amendments found in the Legislative Journal for the Twentieth Day were adopted as amended.

Mr. Lee offered the following amendment, which was adopted:

1. Amend page 7 of the bill, section 9, line 6, by inserting after the punctuation at the end of the line, the following: *"Within the limits herein authorized, the district shall have power to borrow money at a rate not in excess of six per cent per annum and to issue appropriate evidence of indebtedness thereof."*.

2. Amend page 7 of the bill, by inserting a new section, to be numbered 10, reading as follows:

"Sec. 10. That section 35-409, Revised Statutes of Nebraska, 1943, be amended to read as follows:

35-409. All warrants for payment of any indebtedness of a rural fire protection district which are unpaid for want of funds shall bear interest at the rate of *a rate specified by the issuing district and endorsed on the warrant, which rate shall not be more than* six per cent per annum from the date of the registering of such unpaid warrants with the county treasurer; *Provided*, that the amount of such warrants does not exceed the revenue provided for the year in which the indebtedness was incurred.".

3. Renumber sections 10, 11, 12, 13, 14, 15, 16, and 17, as sections 11, 12, 13, 14, 15, 16, 17, and 18, respectively.

4. Amend present section 16, renumbered section 17, line 2 by striking same and inserting in lieu thereof the following: "35-404, 35-408, and 35-409, Revised Statutes of Nebraska, 1943, and".

5. Amend the title, line 2, by striking the word "and".

6. Amend the title, line 3, by inserting after the punctuation following the figures "35-408" the following: "and 35-409".

7. To amend the title, line 22, by inserting after the punctuation following the word "districts" the following: "to authorize such districts to borrow money and issue evidences of indebtedness thereof; to authorize such districts to determine the rate of interest on warrants not paid for want of funds within a specified limit;".

Advanced to E and R for review.

LEGISLATIVE BILL 142. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twentieth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 207. Read and considered.

Advanced to E and R for review.

Visitor

Mr. McKnight introduced Mr. Frank Sorrell, of Syracuse, Nebraska, who spoke briefly to the Legislature.

Member Excused

Mr. Hern was excused for the remainder of the week and Monday, February 7, 1949.

Adjournment

At 11:45 a.m., Mr. Lee moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday, February 2, 1949.

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Hugo F. Srb

Clerk of the Legislature

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 2, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson and Hern, who were excused.

The Journal for the Twenty-first Day was approved.

Communications

Letter from Mr. Lindgren expressing appreciation for sympathy extended and flowers sent to the funeral of his brother.

Unanimous Consent—Print Letter

Mr. Lusienski asked unanimous consent to have the following letter from Representative A. L. Miller printed in the Journal.

Consent was granted and it was so ordered.

January 31, 1949

Hugo Srb, Clerk
Nebraska State Legislature
Lincoln, Nebraska

Dear Hugo:

I appreciate the copy of Resolution No. 5, which memorializes Congress to defeat federal aid to education. This action by the State Senators is wholesome. It indicates their desire to keep some of the

states rights, which are rapidly being dissipated and surrendered to the federal government.

It should be remembered that the Administration is insisting on a Federal aid bill and it is quite likely to pass. If the bill presently before Congress, passes, Nebraska will receive $1,350,000, but will have to return to the federal government in taxes, $2,526,000. In other words our loss would be $1,176,000 under this federal aid bill. I commend the Legislature for their action.

With kindest personal regards, I am,

Sincerely yours,

(Signed) A. L. Miller, M. C.
Fourth District, Nebraska

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 169. Placed on General File as amended.

Standing Committee amendments to L. B. 169:

1. In the bill, strike lines 12 to 15 inclusive after the comma in line 12 and show the original matter as stricken matter and add the following: *"no levy shall be made in excess of twelve mills on the dollar actual valuation unless the proposition to make such increased levy has been approved by fifty-five percent of the electors present and voting thereon at an election or special meeting called for the purpose or at an annual meeting when notice thereof shall have been given for at least fifteen days previous to such meeting or election by copies thereof posted in three public places within the district to the qualified voters thereof; and provided further, that if fifty-five per cent of the votes cast at such election or meeting shall be for the proposed increased levy, the board may make the levy in such amount as may be named in the election notice."*

2. In the bill, add a new section 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.".

3. The Committee on Enrollment and Review will amend the title in accordance with the above amendments.

LEGISLATIVE BILL 168. Placed on General File as amended.

Standing Committee amendments to L. B. 168:

1. In the bill, add a new section 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."

2. In the bill title, strike the last line thereof and in lieu thereof insert: "issued; to repeal the original section; and to declare an emergency.".

(Signed) Dwight W. Burney, Chairman

Revenue and Taxation

LEGISLATIVE BILL 242. Placed on General File.
LEGISLATIVE BILL 243. Placed on General File.
LEGISLATIVE BILL 244. Placed on General File.
LEGISLATIVE BILL 245. Placed on General File.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 42. Correctly engrossed.
LEGISLATIVE BILL 44. Correctly engrossed.
LEGISLATIVE BILL 55. Correctly engrossed.
LEGISLATIVE BILL 70. Correctly engrossed.
LEGISLATIVE BILL 71. Correctly engrossed.
LEGISLATIVE BILL 72. Correctly engrossed.
LEGISLATIVE BILL 86. Correctly engrossed.
LEGISLATIVE BILL 107. Correctly engrossed.
LEGISLATIVE BILL 108. Correctly engrossed.
LEGISLATIVE BILL 51. Correctly enrolled.
LEGISLATIVE BILL 50. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 51 L. B. 50

RESOLUTIONS

LEGISLATIVE RESOLUTION 10.

Memorializing the Congress of the United States to Preserve the Corps of Army Engineers as a Separate Entity.

Introduced by Karl E. Vogel of Douglas, John P. McKnight of Nemaha and Ed. Hoyt of Red Willow.

WHEREAS, legislation has been introduced in the Congress of the United States that would permit the President to reorganize government agencies, subject only to veto by both houses of Congress; and

WHEREAS, there have been numerous indications that the President would be asked to transfer civil functions activities of the Corps of Army Engineers to some other department or some new agency, or even transfer the entire Corps bodily; and

WHEREAS, the training that members of the Corps of Army Engineers receive in carrying out the construction program assigned the Corps in peacetime prepares them for the grave responsibilities they must shoulder in wartime; and

WHEREAS, the Corps of Army Engineers has for many years, by maintaining its own individuality and esprit de corps, rendered invaluable service to the nation through its peacetime functions in the fields of flood control, navigation, rivers and harbor development and in aid to disaster areas; and

WHEREAS, any such change in the status of the Corps of Engineers would set back and perhaps jeopardize the orderly development of the Missouri Basin through the Pick-Sloan Plan; and

WHEREAS, it is the considered judgment of the Nebraska Legislature that any action which would in any way imperil the Corps of Army Engineers as a separate entity would adversely affect not only the Missouri Valley but the interests of the nation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature of Nebraska recommend that the Congress of the United States amend the proposed reorganization legislation so as to exempt the Corps of Army Engineers from the provisions of said Reorganization Act.

2. That copies 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, and to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

LEGISLATIVE RESOLUTION 11.

Memorializing the State of Iowa for Aiding the State of Nebraska.

Introduced by Earl J. Lee of Dodge, Don E. Hanna of Cherry and Dwight W. Burney of Cedar.

WHEREAS, the people of the State of Nebraska have suffered on account of the recent extreme climatic phenomena; and

WHEREAS, the Legislature of the State of Iowa by resolution directed the Iowa State Highway Commission to loan equipment to the Department of Roads and Irrigation of the State of Nebraska for the purpose of opening roads and highways in Nebraska; and

WHEREAS, the equipment furnished to the State of Nebraska has been used to alleviate suffering and distress to the people of Nebraska; and

WHEREAS, the people of the State of Nebraska greatly appreciate the kindness, thoughtfulness, and generosity of the State of Iowa in furnishing such equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Governor of the State of Iowa, the Iowa State Legislature, and the Iowa State Highway Commission be memorialized for furnishing equipment which helped to alleviate the suffering and distress of the people of the State of Nebraska in the recent extreme climatic phenomena.

2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to the Governor of the State of Iowa, to the presiding officer of the Senate of the Iowa State Legislature, to the Speaker of the House of Representatives of the Iowa State Legislature, and to the Chairman of the Iowa State Highway Commission.

MOTION—Invite State Officials

Mr. President: I move that the Chaplain be instructed to invite the members of the Supreme Court, the Governor, General Henninger and other state officials to be the official guests of honor at the Lincoln Memorial Services to be held Friday, February 11, at 11:00 o'clock in the Senate Chamber. (Signed) John Adams, Sr.

The motion prevailed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 7.

A bill for an act to amend sections 14-1321 and 14-1323, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to authorize the board of regents of a muncipal university in such cities in its discretion to provide benefits for and insurance of present and future employees and appointees of such university payable upon disability, retirement, or death; to limit the mutual contributions of such university and its employees to such plan; 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, J.	Carson	Lindgren	Prohs
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Hern	Larkin	Schroeder
Babcock			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 25.

A bill for an act to amend section 80-302, Revised Statutes of Nebraska, 1943, relating to soldiers' and sailors' home; to provide that applications for admission thereto shall be made to the county service committee; 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, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 46.

A bill for an act to amend section 46-140, Revised Statutes of Nebraska, 1943, relating to irrigation districts; to harmonize the provisions thereof with other legislation relating to assessments on real property and assessments on leasehold estates on land belonging to the state as to when the same shall be due and payable and a lien on such real property and on such leasehold estates; 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, J.	Cramer	Lusienski	Schroeder
Adams, T.	Cretsinger	McKnight	Tvrdik
Anderson, V.	Davies	Metzger	Vogel
Benesch	Hanna	Nelson	Vogt
Bridenbaugh	Hill	Norman	Weborg
Burney	Holmes	Ogden	Williams
Burnham	Hoyt	Person	Wilson, C.
Callan	Lee	Pizer	Wilson, W.
Carmody	Lillibridge	Prohs	Wood
Carson	Lindgren		

Voting in the negative, 0.

Not voting, 5:

Anderson, L.	Bohlke	Hern	Larkin
Babcock			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 47.

A bill for an act to amend sections 31-505 and 31-508, Revised Statutes of Nebraska, 1943, relating to drainage; to harmonize the population classification made therein with legislation enacted in 1947 relating to primary and metropolitan cities; to provide dates when trustees shall be elected; 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, 39:

Adams, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 53.

A bill for an act to amend section 24-342, Revised Statutes of Nebraska, 1943, relating to courts; to harmonize the provisions thereof with amendments made in 1947 with reference to preparation and settling of bill of exceptions; 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, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 92.

A bill for an act to amend section 54-134, Revised Statutes Supplement, 1947, relating to brand inspection areas; to include Phelps County in the brand inspection area; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 20.

A bill for an act to amend section 31-451, Revised Statutes of Nebraska, 1943, relating to drainage districts; to require filing of notice in writing with the secretary of any such district of a claim for damages arising out of the construction, operation, or maintenance of any works of improvement of the district as a condition precedent to imposition of any liability; 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, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.

Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 16.

A bill for an act relating to schools; to provide for procedure for accrediting elementary and secondary schools; to provide for appointment of an accreditation committee; and to provide the duties of such committee.

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, T.	Carmody	Lusienski	Vogel
Anderson, V.	Cramer	McKnight	Vogt
Benesch	Davies	Norman	Weborg
Bohlke	Holmes	Ogden	Wilson, C.
Bridenbaugh	Hoyt	Person	Wilson, W.
Burney	Lillibridge	Tvrdik	Wood
Callan	Lindgren		

Voting in the negative, 13:

Adams, J.	Hanna	Metzger	Prohs
Burnham	Hill	Nelson	Schroeder
Carson	Lee	Pizer	Williams
Cretsinger			

Not voting, 4:

Anderson, L.	Babcock	Hern	Larkin

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 for L. B. 7, L. B. 25, L. B. 46, L. B. 47, L. B. 53, L. B. 92, L. B. 20 and L. B. 16. (Signed) John J. Larkin, Jr.

LEGISLATIVE BILL 6.

A bill for an act relating to cities of the metropolitan class; to authorize board of regents of a municipal university of such cities to erect upon land which it already owns or which it may acquire for that purpose, dormitories, dining rooms, faculty or student housing, or student activity buildings; to provide for the payment of the cost of construction or purchase of such buildings by issuing and selling revenue bonds, and securing the payment thereof by pledge of the rentals and earnings therefrom; to authorize the issuance of warrants, notes, debentures, or refunding obligations payable solely out of rentals; to exempt all such obligations from taxation; to permit the temporary investment of the proceeds of such refunding obligations; to provide reserves for amortization; and to prescribe the method of sale of such obligations.

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, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, L.	Babcock	Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Rule Suspension

Mr. President: I move to suspend the rules and take up L. B. 325 and L. B. 324 on Final Reading. (Signed) Charles F. Tvrdik

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

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 325. With emergency.

A bill for an act to create a Storm Emergency Fund; to provide for the administration thereof; to provide for the powers and duties of the Governor, Adjutant General, State Treasurer, and Auditor of Public Accounts, with reference thereto; to provide that the State Treasurer may accept any funds made available by the Government of the United States for alleviating distress due to extreme climatic phenomena and credit the same to said fund except as prescribed; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Cramer	Lindgren	Schroeder
Adams, T.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Benesch	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 324. With emergency.

A bill for an act to appropriate to the office of the Adjutant General, out of the state General Fund, the sum of five hundred thousand dollars for the remainder of the biennium ending June 30, 1949, for the Storm Emergency Fund; to appropriate for the remainder of the biennium ending June 30, 1949, all receipts and contributions from any source to the Storm Emergency Fund; to provide for the disbursement of such fund; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Cramer	Lindgren	Schroeder
Adams, T.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Benesch	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.

GENERAL FILE

Mr. Hoyt Presiding

LEGISLATIVE BILL 177. Laid over.
LEGISLATIVE BILL 76. Laid over.
LEGISLATIVE BILL 134. Considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-first Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 125. Considered.

Standing Committee amendments 1 and 2 found in the Legislative Journal for the Twenty-first Day were adopted.

Laid over.

Speaker Lee Presiding

Visitors

Mr. Lee presented Mr. Hubert R. Gallagher, Associate Director of the Council of State Governments, who spoke briefly upon the legislative report of the Council, which had been delivered to the members.

Mr. Hanna presented Mr. Fred Mueller of Kearney, Nebraska, a former member of the Legislature.

Unanimous Consent—Return Bill to Select File

Mr. Ogden asked unanimous consent to return L. B. 54 to Select File for Specific amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 54.

Mr. Lusienski offered the following amendment, which was adopted by unanimous consent.

Amend the Standing Committee amendment to L. B. 54, under date of January 27, 1949, as follows: In line 3 of said amendment after the word "agency" insert ", making or".

Mr. Ogden offered the following amendment, which was adopted by unanimous consent.

1. Amend page 2 of the bill, section 1, line 13, by inserting after the word "group" the following: ", franchise, or wholesale plan of".

2. Amend pages 2 and 3 of the bill, section 4, lines 4 and 8, and section 5, line 1, by striking the words "group insurance plan"

and inserting in lieu thereof the following: "such group, franchise, or wholesale plan of insurance".

3. Amend the title of the bill, line 4, by inserting after the word "group" the following: ", franchise, or wholesale plan of".

Advanced to E and R for engrossment.

Adjournment

At 12:05 p.m., Mr. Norman made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, February 3, 1949.

The motion prevailed with 29 ayes, 2 nays and 12 not voting.

Hugo F. Srb

Clerk of the Legislature

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 3, 1949

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Warner 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 Twenty-second Day was approved as corrected.

Communications

A letter from Mr. I. K. Werwinski to the members, enclosing a resolution to memorialize the Congress of the United States to pass the General Pulaski's Memorial Day Resolution now pending in Congress. Referred to the Committee on Government.

A letter from Eugene D. O'Sullivan, Member of Congress, acknowledging receipt of L. R. 5.

A letter from Carl T. Curtis, Member of Congress, acknowledging receipt of L. R. 5.

A letter from Senator Hugh Butler, acknowledging receipt of L. R. 5.

A letter from Speaker Sam Rayburn, acknowledging receipt of L. R. 5.

Visitors

Mr. Lusienski presented Mr. E. J. Dowling of Yankton, South Dakota.

Mr. Holmes presented Mr. Walter Raecke, Speaker of the Nebraska Legislature in 1947, who greeted the members.

Mr. Lee presented Mr. R. C. Harris of Fremont, Nebraska, a former member of the Legislature.

Mr. Person presented Mr. Richard N. Johnson of Kimball, Nebraska, a former member of the Legislature.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 37	Tuesday, February 8, 1949	2:00 p.m.
L. B. 38	Tuesday, February 8, 1949	2:00 p.m.
L. B. 39	Tuesday, February 8, 1949	2:00 p.m.
L. B. 121	Tuesday, February 8, 1949	2:00 p.m.
L. B. 122	Tuesday, February 8, 1949	2:00 p.m.
L. B. 318	Tuesday, February 8, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 369	Friday, February 11, 1949	2:00 p.m.
L. B. 391	Friday, February 11, 1949	2:00 p.m.
L. B. 259	Monday, February 14, 1949	2:00 p.m.
L. B. 436	Monday, February 14, 1949	2:00 p.m.
L. B. 459	Monday, February 14, 1949	2:00 p.m.
L. B. 471	Monday, February 14, 1949	2:00 p.m.
L. B. 487	Wednesday, February 16, 1949	2:00 p.m.
L. B. 162	Friday, February 25, 1949 (Reset from February 9, 1949)	2:00 p.m.

Agriculture

L. B. 282	Monday, February 14, 1949	2:00 p.m.
L. B. 311	Monday, February 14, 1949	2:00 p.m.
L. B. 312	Monday, February 14, 1949	2:00 p.m.
L. B. 334	Wednesday, February 16, 1949	2:00 p.m.
L. B. 357	Wednesday, February 16, 1949	2:00 p.m.
L. B. 374	Wednesday, February 16, 1949	2:00 p.m.

Government

L. B. 496	Wednesday, February 16, 1949	2:00 p.m.
L. B. 280	Wednesday, Februray 16, 1949	2:00 p.m.
L. B. 320	Wednesday, February 16, 1949	2:00 p.m.
L. B. 349	Friday, February 18, 1949	1:00 p.m.
L. B. 350	Friday, February 18, 1949	1:00 p.m.

L. B. 351 Friday, February 18, 1949 1:00 p.m.

Public Works

L. B. 67 Friday, February 11, 1949 2:00 p.m.

Judiciary

L. B. 155 Monday, February 7, 1949 2:00 p.m.
(Reset from February 21, 1949)

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 120. Placed on General File.
LEGISLATIVE BILL 126. Placed on General File as amended.

Standing Committee amendment to L. B. 126:

Section 2, Line 1, strike the word "shall" following the word "Board" and insert in lieu thereof the word "*may*" and amend the title to conform thereto.

LEGISLATIVE BILL 136. Placed on General File.
LEGISLATIVE BILL 135. Placed on General File.

(Signed) Arthur Carmody, Chairman

Judiciary

LEGISLATIVE BILL 36. Indefinitely postponed.
LEGISLATIVE BILL 82. Indefinitely postponed.
LEGISLATIVE BILL 102. Placed on General File.
LEGISLATIVE BILL 103. Placed on General File.
LEGISLATIVE BILL 128. Placed on General File.
LEGISLATIVE BILL 129. Placed on General File.

(Signed) John P. McKnight, Chairman

Agriculture

LEGISLATIVE BILL 221. Indefinitely postponed.
LEGISLATIVE BILL 187. Placed on General File as amended.

Standing Committee amendments to L. B. 187:

1. Amend page 2 of the bill by inserting a new section to be known as section 1 and to read as follows:

"Section 1. That section 37-412, Revised Statutes Supplement, 1947, be amended to read as follows:

37-412. For the better protection of birds and the establishment of breeding places therefor, the following area within the State of Nebraska is hereby set aside, designated, and established as a state game refuge: All that portion of the State of Nebraska on the North Platte River and for twenty *ten* rods on each side of the banks of said stream in Garden County, Nebraska."

2. Amend page 2 of the bill, old section 1, line 1, by striking "Section 1." and inserting "Sec. 2.".

3. Amend page 2 of the bill by striking all of old section numbered 2 and inserting in lieu thereof the following:

"Sec. 3. That original sections 37-412 and 37-418, Revised Statutes Supplement, 1947, are repealed."

4. Amend the title of the bill, line 2, by striking the word "section" and inserting in lieu thereof "sections 37-412 and".

5. Amend the title of the bill by inserting after the word "fish" the following: "; to change the boundaries of the game refuges on the North Platte River in Garden County, Nebraska;".

6. Amend the title of the bill, line 10, by striking the word "section" and inserting in lieu thereof the word "sections".

(Signed) Ed. Hoyt, Chairman

Enrollment and Review

LEGISLATIVE BILL 207. Placed on Select File.
LEGISLATIVE BILL 97. Placed on Select File.
LEGISLATIVE BILL 75. Placed on Select File as amended.

E and R amendments to L. B. 75:

1. In Standing Committee amendment, last line, after the word "which" strike ".....".

2. In the bill, section 1, page 3, line 35, after the word "make" insert the word "*an*"; lines 49 and 50, strike "as are all other taxes regularly levied, and which shall be collected as are" and insert in lieu thereof "and be collected *the same* as".

3. In the bill title, third line, strike the word "remove" and in lieu thereof insert "change".

LEGISLATIVE BILL 49. Replaced on Select File as amended.

E and R amendment to L. B. 49:

1. In the bill, section 3, page 2, line 7, strike the comma and show the same as stricken.

LEGISLATIVE BILL 224. Placed on Select File as amended.

E and R amendment to L. B. 224:

1. In the bill, section 2, page 2, line 9, strike the word "periods" and insert in lieu thereof "*period*".

LEGISLATIVE BILL 142. Placed on Select File as amended.

E and R amendments to L. B. 142:

1. In the Standing Committee amendment change section number to "3".

2. After section 1, insert a new section to be numbered 2 to read as follows: "Sec. 2. That original section 66-305, Revised Statutes of Nebraska, 1943, is repealed.".

LEGISLATIVE BILL 43. Replaced on Select File as amended.

E and R amendment to L. B. 43:

1. In the bill, section 1, page 2, line 17, after the figures "17-506" strike the semicolon and show same as stricken matter.

LEGISLATIVE BILL 325. Correctly enrolled.
LEGISLATIVE BILL 324. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 2, 1949 at 11:05 a.m.

L. B. 8	L. B. 11	L. B. 52
L. B. 9	L. B. 26	L. B. 73
L. B. 10	L. B. 45	

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 324 L. B. 325 L. R. 9

STANDING COMMITTEE REPORT

Committee on Committees

Committee on Intergovernmental Cooperation

Mr. President: Your Committee on Committees submits the appointment of Arthur Carmody as Member at Large on the Committee on Intergovernmental Cooperation. (Signed) Harry L. Pizer, Chairman

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 15.

A bill for an act relating to schools; to provide for new kinds of teachers' certificates and the requirements therefor; and to provide that after September 1, 1950, such new certificates shall be issued instead of other certificates specified.

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, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 1:

Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place on General File

Mr. President: I move that L. B. 221 be placed on General File. (Signed) Don E. Hanna

Mr. Hanna requested a record vote on the motion.

Mr. Hanna moved a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Hoyt moved that the Call be raised and the motion prevailed.

Voting in the affirmative, 19:

Anderson, L.	Carson	Norman	Williams
Benesch	Cramer	Schroeder	Wilson, C.
Bohlke	Davies	Tvrdik	Wilson, W.
Burney	Hanna	Vogel	Wood
Callan	McKnight	Vogt	

Voting in the negative, 21:

Adams, J.	Carmody	Larkin	Metzger
Adams, T.	Cretsinger	Lee	Nelson
Anderson, V.	Hill	Lillibridge	Person
Babcock	Holmes	Lindgren	Pizer
Bridenbaugh	Hoyt	Lusienski	Weborg
Burnham			

Not voting, 3:

Hern	Odgen	Prohs

Mr. Hanna's original motion did not prevail.

STANDING COMMITTEE REPORT

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

J. Hyde Sweet Nebraska City, Nebraska	Board of Education, State Normal Schools

Fred H. Klietsch Lincoln, Nebraska	State Engineer
Frank Brady Atkinson, Nebraska	Game Commission
A. D. Majors 2021 F St., Omaha, Nebr.	Board of Education, State Normal Schools
Lynn D. Hutton Norfolk, Nebraska	Game Commission
William H. Smith Franklin, Nebraska	Game Commission
C. J. Reynolds Fremont, Nebraska	Merit System Council
Thomas J. Dredla Crete, Nebraska	Merit System Council
E. D. Crites Chadron, Nebraska	Board of Education, State Normal Schools

(Signed) Harry L. Pizer, Chairman

MOTION—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) Harry L. Pizer

The motion prevailed.

Vote on Mr. Sweet

Voting in the affirmative, 41.

Voting in the negative, 0.

Not voting, 2.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Sweet confirmed.

Vote on Mr. Klietsch

Voting in the affirmative, 41.

Voting in the negative, 0.

Not voting, 2.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Klietsch confirmed.

Vote on Mr. Brady

Voting in the affirmative, 38.

Voting in the negative, 0.

Not voting, 5.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Brady confirmed.

Vote on Mr. Majors

Voting in the affirmative, 39.

Voting in the negative, 0.

Not voting, 4.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Majors confirmed.

Vote on Mr. Hutton

Voting in the affirmative, 41.

Voting in the negative, 0.

Not voting, 2.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hutton confirmed.

Vote on Mr. Smith

Voting in the affirmative, 40.

Voting in the negative, 0.

Not voting, 3.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Smith confirmed.

Vote on Mr. Reynolds

Voting in the affirmative, 42.

Voting in the negative, 0.

Not voting, 1.

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, 42.

Voting in the negative, 0.

Not voting, 1.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Dredla confirmed.

Vote on Mr. Crites

Voting in the affirmative, 36.

Voting in the negative, 1.

Not voting, 6.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Crites confirmed.

GENERAL FILE

Mr. Adams Presiding

LEGISLATIVE BILL 125.

Standing Committee amendment No. 3, found in the Legislative Journal for the Twenty-first Day was adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend L. B. 125, Page 6, Section 3, line 19, by striking the new matter and reinserting the stricken matter. Amend the title to conform.

Mr. Lee offered the following amendment, which was adopted:

Amend L. B. 125 by striking all of Section 18 and renumbering subsequent sections; amend the title to conform.

Laid over.

Unanimous Consent—Return to Select File

Mr. V. Anderson asked unanimous consent to return L. B. 30 from the Committee on Enrollment and Review for Engrossment to Select File for the following Specific amendment:

Amend L. B. 30, Section 1, Line 12, by striking the word "authorize" and inserting the words "reputable solvent" in lieu thereof.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 30.

Mr. Anderson's Specific amendment was adopted by unanimous consent.

Advanced to E and R for engrossment.

Member Excused

Mr. Prohs was excused for Friday, February 4, 1949 and Monday, February 7, 1949.

Adjournment

At 12:00, noon, on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 4, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hern and Prohs, who were excused.

The Journal for the Twenty-third Day was approved as corrected.

Communications

Letters from Kenneth S. Wherry and Karl Stefan acknowledging receipt of L. R. 5.

Letter from Emil E. Placek regarding the Preprimary Convention Law. Referred to Committee on Government.

Letter and resolutions from South Omaha Merchants Association opposing the Schroeder-Weborg bill for the apportionment of the revenue derived from gasoline tax and opposing any Sales Tax measure before the Legislature. Referred to Committee on Public Works.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 141	Thursday, February 10, 1949	2:00 p.m.
L. B. 179	Thursday, February 10, 1949	2:00 p.m.

Labor and Public Welfare

L. B. 117	Monday, February 14, 1949	2:00 p.m.

Government

L. B. 329	Wednesday, February 23, 1949	2:00 p.m.
L. B. 392	Wednesday, February 23, 1949	2:00 p.m.
L. B. 432	Wednesday, February 23, 1949	2:00 p.m.
L. B. 495	Friday, February 25, 1949	2:00 p.m.
L. B. 479	Friday, February 25, 1949	2:00 p.m.
L. B. 484	Friday, February 25, 1949	2:00 p.m.
L. B. 467	Wednesday, March 2, 1949	2:00 p.m.
L. B. 485	Wednesday, March 2, 1949	2:00 p.m.
L. B. 447	Wednesday, March 2, 1949	2:00 p.m.
L. B. 475	Friday, March 4, 1949	2:00 p.m.
L. B. 461	Friday, March 4, 1949	2:00 p.m.
L. B. 482	Friday, March 4, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 212	Friday, February 18, 1949	2:00 p.m.
L. B. 279	Friday, February 18, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 80. Indefinitely postponed.
LEGISLATIVE BILL 81. Indefinitely postponed.
LEGISLATIVE BILL 112. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 100. Placed on General File.

(Signed) Hugh Carson, Vice Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 89. Indefinitely postponed.
LEGISLATIVE BILL 90. Indefinitely postponed.
LEGISLATIVE BILL 91. Placed on General File as amended.

Standing Committee amendment to L. B. 91:

Page 2, Section 1, Line 11, strike the word "five" and insert in lieu thereof the word "*two*".

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 48. Correctly engrossed.

LEGISLATIVE BILL 74. Correctly engrossed.
LEGISLATIVE BILL 17. Correctly engrossed.
LEGISLATIVE BILL 123. Correctly engrossed.
LEGISLATIVE BILL 41. Replaced on Select File as amended.

E and R amendments to L. B. 41:

1. In the Standing Committee amendment 4, line 3, after the word "clemency" insert the words "by any person under sentence to life imprisonment in the penitentiary".

2. In the bill, section 1, insert a period at the end of line 45 to agree with the statutes.

LEGISLATIVE BILL 54. Replaced on Select File as amended.

E and R amendments to L. B. 54:

1. Strike specific amendment by Mr. Lusienski, and in lieu thereof in Enrollment and Review amendment 2, line 7 (of original amendment) after the word "agency" insert "making or", since standing committee amendment has been stricken.

2. In the bill, section 4, lines 3 and 4, strike the words "a specific" and line 8, strike the word "a" in each case before the words stricken by specific amendment 2 by Mr. Ogden.

3. In section 5, line 1, strike the word "plans" instead of the word "plan" stricken by an amendment.

4. In the bill title, 9th line, strike the word "group" and in lieu thereof insert "such group, franchise, or wholesale plan".

LEGISLATIVE BILL 106. Replaced on Select File as amended.

E and R amendment to L. B. 106:

1. In the bill title, line 9, strike the word "fee" before the word "for".

(Signed) Glenn Cramer, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 10.

L. R. 10 was not adopted with 14 ayes, 0 nays and 29 not voting.

LEGISLATIVE RESOLUTION 11.

L. R. 11 was adopted with 34 ayes, 0 nays and 9 not voting.

SELECT FILE

LEGISLATIVE BILL 207.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 97.

Mr. Hoyt asked unanimous consent to have the name of Mr. Burnham added as co-introducer on L. B. 97.

Consent was granted and it was so ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 75. E and R amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 49. E and R amendment found in the Legislative Journal for the Twenty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 224. E and R amendment found in the Legislative Journal for the Twenty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 142. E and R amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 43. E and R amendment found in the Legislative Journal for the Twenty-third Day was adopted.

Advanced to E and R for engrossment.

MOTION—Return to Select File

Mr. President: I move that L. B. 41 be returned to Select File for the following Specific Amendment: (Signed) Willard M. Wilson

Amend L. B. 41 by striking the enacting clause.

The motion did not prevail with 17 ayes, 17 nays and 9 not voting.

Mr. Benesch Presiding

GENERAL FILE

LEGISLATIVE BILL 125.

Mr. Hoyt offered the following amendment, which was adopted:

Amend L. B. 125, Section 3, Line 19, by striking the words "of not to exceed two" after the word "sum", and Line 20, by striking the words "thousand dollars per annum,".

Advanced to E and R for review.

LEGISLATIVE BILL 177. Laid over.

LEGISLATIVE BILL 104.

Mr. L. Anderson made a motion to indefinitely postpone L. B. 104.

The motion prevailed.

LEGISLATIVE BILL 76. Read and considered.

Advanced to E and R for review.

Visitor

Mr. Hill presented Mr. J E Conklin, a former member of the Legislature.

LEGISLATIVE BILL 184. Considered.

The Standing Committee amendments found in the Legislative Journal for the Twenty-first Day were adopted.

Member Excused

Mr. Cretsinger was excused for the remainder of the day.

Mr. Hoyt offered the following amendment, which was adopted.

Amend the Standing Committee amendments to L. B. 184, by

adding Amendment 4, to read: "Amend the title to conform.".

Mr. Hanna offered the following amendment.

Amend the Standing Committee amendments as follows:

1. By striking "*one dollar and fifty cents*" and inserting in lieu thereof "*one dollar*".

2. By striking "*two dollars and fifty cents*" and inserting in lieu thereof "*one dollar and fifty cents*".

Mr. Carmody requested a record vote.

Mr. Lillibridge requested a Call of the House.

A Call of the House was ordered and the roll showed 37 members present.

Mr. Metzger moved that the Call be raised and the motion prevailed with 24 ayes, 10 nays and 9 not voting.

Voting in the affirmative, 21:

Adams, J.	Carson	McKnight	Tvrdik
Anderson, L.	Davies	Metzger	Vogel
Anderson, V.	Hanna	Nelson	Vogt
Burney	Hill	Person	Weborg
Burnham	Larkin	Schroeder	Williams
Callan			

Voting in the negative, 17:

Adams, T.	Cramer	Lillibridge	Pizer
Babcock	Holmes	Lindgren	Wilson, C.
Bohlke	Hoyt	Lusienski	Wilson, W.
Bridenbaugh	Lee	Ogden	Wood
Carmody			

Not voting, 5:

Benesch	Hern	Norman	Prohs
Cretsinger			

Mr. Hanna's amendment was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 193. Considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-first Day was not adopted.

Advanced to E and R for review.

MOTION—Reconsider Action on L. R. 10

Mr. President: I did not vote on Resolution 10. I move that we reconsider action. (Signed) W. Halsey Bohlke

The motion prevailed with 26 ayes, 1 nay and 16 not voting.

Member Excused

Mr. Vogel was excused for Monday and Tuesday, February 7 and 8.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 4, 1949, at 10:00 a.m.

L. B. 325 L. B. 51 L. B. 324
L. B. 50

LEGISLATIVE BILL 31. Correctly engrossed.
LEGISLATIVE BILL 113. Correctly engrossed.
LEGISLATIVE BILL 114. Correctly engrossed.
LEGISLATIVE BILL 115. Correctly engrossed.
LEGISLATIVE BILL 6. Correctly enrolled.
LEGISLATIVE BILL 7. Correctly enrolled.
LEGISLATIVE BILL 16. Correctly enrolled.
LEGISLATIVE BILL 25. Correctly enrolled.
LEGISLATIVE BILL 20. Correctly enrolled.
LEGISLATIVE BILL 92. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Approved by the Governor

February 4, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable

body that on February 3, 1949, he approved L. B. 8, L. B. 9, L. B. 10, L. B. 11, L. B. 26, L. B. 45, L. B. 52, and L. B. 73.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

Adjournment

At 12:10 p.m., Mr. Norman made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, February 7, 1949.

The motion prevailed with 29 ayes, 2 nays and 13 not voting.

Hugo F. Srb

Clerk of the Legislature

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 7, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Pizer, Prohs, Schroeder, Williams and Vogel, who were excused.

Mr. Pizer was excused for Monday and Tuesday, February 7 and February 8.

The Journal for the Twenty-fourth Day was approved as corrected.

Communications

A letter to Mr. Warner from Warren W. Connell, President of the Nebraska State School Boards Association, enclosing a copy of the convention program in Lincoln on February 7 and 8.

A letter from Mr. Albin W. Barkley, acknowledging receipt of L. R. 5.

Letters from Mr. Albin Barkley, Carl T. Curtis, Sam Rayburn, and Kenneth S. Wherry, acknowledging receipt of L. R. 8.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 379 Monday, February 14, 1949 2:00 p.m.

Government

L. B. 511	Wednesday, March 9, 1949	2:00 p.m.
L. B. 406	Wednesday, March 9, 1949	2:00 p.m.
L. B. 499	Friday, March 11, 1949	2:00 p.m.
L. B. 523	Friday, March 11, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 152. Placed on General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 85. Placed on Select File as amended.

E and R amendments to L. B. 85:

1. In the bill, section 1, page 2, strike *"word or"*, in lines 27 and 28.

2. In the bill title, 10th line; after the semicolon insert "to provide a penalty;".

LEGISLATIVE BILL 143. Placed on Select File as amended.

E and R amendments to L. B. 143:

1. In the General File Amendment No. 6 to the title, insert a comma after the figure "35-409".

2. In the bill, section 1, page 2, line 5, strike *"a* majority" and in lieu thereof insert *"sixty per cent"*.

3. In the bill, section 2, page 2, line 9, strike the comma after the word "county" and show as stricken matter; line 15, after the word "and" insert the word *"a"*.

4. In the bill, section 3, page 3, line 9, strike the word *"for"*; line 26, strike the comma after the word *"boards"*; lines 32 and 33, page 4, strike *"as a whole and shall further"* and in lieu thereof insert *", or each of such counties, as a whole,"*; line 34, strike the word *"shall"*.

5. In the bill, section 4, page 4, line 13, strike the word "for" and show same as stricken matter; line 16, strike the word *"electors"* and in lieu thereof insert *"freeholders"*.

6. In the bill, section 5, page 5, line 5, strike "*of*" and insert in lieu thereof "*for*".

7. In the bill, section 8, page 6, line 10, strike the comma after the word "clerk" and show the same as stricken matter; line 11, after the word "*year*" insert a comma; line 14, after the word "be" insert "*(1)*"; line 15, strike "and" and insert in lieu thereof ", *(2)*"; line 16, strike "and be" and in lieu thereof insert "*(3)*"; line 17, after the word "and" and before the word "be" insert "*(4)*".

8. In the bill, section 10, renumbered 11, page 7, line 7, strike ", town,"; line 10, strike ", *town*,".

9. In the bill, section 11, renumbered 12, page 7, line 3, strike "*town, or*"; line 18, strike ", *or plat*" and in lieu thereof insert "*or plat,*"; and line 36, after the word "*boundaries*" insert "*of the territory*".

10. In the bill, section 12, renumbered 13, page 2, line 2, and line 3, page 9, strike the words "*and which is adjacent to the boundaries thereof*"; line 10, strike the figure "*11*" and in lieu thereof insert "*12*".

11. In the bill, section 13, renumbered 14, line 3, strike "*11 and 12*" and in lieu thereof insert "*12 and 13*" line 6, strike "*or*" and insert in lieu thereof a comma.

12. In the bill title, 13th line, strike the word "electors" and insert in lieu thereof "freeholders"; strike the 14th line after the word "whether" and in lieu thereof insert "the organization of such districts should be completed"; 17th line, strike "electors" and insert in lieu thereof "freeholders"; 18th line, after the word "of" and before the word "the" insert "such districts and", and also in the 18th line, strike "of such districts" and insert the word "thereof"; the 22nd line, strike ", towns,"; the 26th and 27th lines, strike "adjacent to the boundaries of such districts" and in lieu thereof insert "as prescribed".

LEGISLATIVE BILL 137. Placed on Select File as amended.

E and R amendments to L. B. 137:

1. In the General File amendment, by Ed. Hoyt, line 3, after the word "closing" insert a comma; in the last line, strike the word "or" in the new matter inserted and in lieu thereof insert ", *or ordered to remain*".

2. In the bill, section 1, page 2, strike the punctuation after the word "vicinity" in line 9, and all of line 10, and insert in lieu thereof

". *Before he condemns or orders the de-*"; line 22, strike ", and the" showing it as stricken matter and in lieu thereof insert ". *The*".

3. In the bill title, lines 5 and 6, strike "repair, or alteration of any public building or structure" and in lieu thereof insert "closing, or nonoccupancy of any building or structure owned by the public"; line 8, after the word "contractor" insert ", licensed architect,"; line 11, strike "altered, or repaired" and in lieu thereof insert "closed, or ordered to remain unoccupied".

LEGISLATIVE BILL 33. Placed on Select File.
LEGISLATIVE BILL 43. Correctly engrossed.
LEGISLATIVE BILL 49. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 6	L. B. 16	L. B. 20
L. B. 7	L. B. 25	L. B. 92

RESOLUTIONS

LEGISLATIVE RESOLUTION 12. Re: In Memory of Delmar S. Anderson.

Introduced by Dwight W. Burney of Cedar, Clyde F. Cretsinger of Keith and Arthur Carmody of Hitchcock.

Delmar S. Anderson was born in Lexington, Nebraska October 3, 1882. He attended the public schools in Lexington and the Hastings Business College at Hastings, Nebraska. He was a Master Farmer and livestock feeder. He was one of several Nebraska farmers who made the recent European inspection trip. He was keenly interested in the University of Nebraska, College of Agriculture, and initiated many of the programs now in effect at said college. He was married in 1904 to Clara M. Gregory and was the father of three children, Mrs. Lowell Sarnes, Mrs. Norris Schroeder, and Mrs. E. D. Slyder. He served as a member of the school board, as a director of the Dawson County Fair Board, and as a director of the Farm Bureau. He was active in the Methodist Church, the Rotary Club, and the I.O.O.F. He served in the Nebraska State Legislature from the 36th District in 1943 and the special session in 1944. He was highly respected by his colleagues in the Legislature and by everyone with whom he came in contact. He died in Lexington, Nebraska, February 5, 1949,

after being fatally injured as a result of an automobile collision, and his death is 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 SIXTY-FIRST SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Delmar S. Anderson, who served so loyally and ably as a member of the Nebraska State 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.

Unanimous Consent—Add Introducers

Mr. Carmody asked unanimous consent that all members be permitted to sign the resolution.

Consent was granted and it was so ordered.

MOTION—Suspend Rules, Adopt Resolution

Mr. President: I move that the rules be suspended and that L. R. 12 be adopted today. (Signed) Dwight W. Burney

The motion prevailed with 34 ayes, 0 nays and 9 not voting and the Resolution was adopted.

The Legislature stood in silent tribute to Mr. Anderson.

MOTION—Send Flowers

Mr. President: I move that flowers be sent for the funeral of Mr. Delmar S. Anderson. (Signed) Ed. Hoyt

The motion prevailed.

LEGISLATIVE RESOLUTION 13. Re: Designation of Route No. 75 as a Blue Star Memorial Highway.

Introduced by William A. Metzger of Cass, Otto J. Prohs of Scotts Bluff and Frank Nelson of Holt.

WHEREAS, the Federation of Garden Clubs of Nebraska, wishing to cooperate with other State Federations of Garden Clubs in the Blue Star Memorial Program sponsored by the National Council of State Garden Clubs, is desirous of recognizing and commemorating the splendid services and achievements of their sons and daughters who served in the Armed Forces of the United States in World War II; and

WHEREAS, it is fitting and appropriate that legislative recognition be accorded the services and sacrifices of citizens so valiantly rendered.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That State Highway Route No. 75 shall be designated as the Blue Star Highway as a memorial in commemoration of the services of the men and women of Nebraska who served in the Armed Forces of the United States in World War II; and

2. That the State Engineer shall immediately file with the Secretary of State a description of the particular section of State Highway No. 75 so designated as Blue Star Memorial Highway.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 42.

A bill for an act relating to the Nebraska Safety Patrol; to prescribe the method of crediting members of the Nebraska Safety Patrol for the time actually served in the armed forces of the United States during a declared emergency when determining benefits due such member from the Safety Patrolmen's Retirement 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, 35:

Adams, J.	Callan	Holmes	Nelson
Adams, T.	Carmody	Hoyt	Norman
Anderson, V.	Carson	Larkin	Ogden

Babcock	Cramer	Lee	Person
Benesch	Cretsinger	Lillibridge	Tvrdik
Bohlke	Davies	Lindgren	Vogt
Bridenbaugh	Hanna	Lusienski	Wilson, C.
Burney	Hern	McKnight	Wilson, W.
Burnham	Hill	Metzger	

Voting in the negative, 0.

Not voting, 8:

Anderson, L.	Prohs	Vogel	Williams
Pizer	Schroeder	Weborg	Wood

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. 42. (Signed) George Weborg

LEGISLATIVE BILL 44. With emergency.

A bill for an act to amend section 77-1615, Revised Statutes Supplement, 1947, relating to taxation; to provide which officers shall complete the tax lists and 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, 35:

Adams, J.	Callan	Holmes	Norman
Adams, T.	Carmody	Hoyt	Ogden
Anderson, V.	Carson	Larkin	Person
Babcock	Cramer	Lee	Tvrdik
Benesch	Cretsinger	Lindgren	Vogt
Bohlke	Davies	Lusienski	Weborg
Bridenbaugh	Hanna	McKnight	Wilson, C.
Burney	Hern	Metzger	Wilson, W.
Burnham	Hill	Nelson	

Voting in the negative, 0.

Not voting, 8:

Anderson, L.	Pizer	Schroeder	Williams
Lillibridge	Prohs	Vogel	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.

LEGISLATIVE BILL 55.

A bill for an act to amend section 79-1310, Revised Statutes of Nebraska, 1943, relating to schools; to reduce the time for which Nebraska Third Grade Elementary School Certificates shall be valid; to discontinue teachers' examinations as a requirement for such certificate; to provide for requirements for renewal of such certificate; 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, 31:

Adams, J.	Burnham	Hoyt	Nelson
Adams, T.	Carson	Larkin	Norman
Anderson, V.	Cramer	Lee	Ogden
Babcock	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogt
Bohlke	Hern	Lusienski	Wilson, W.
Bridenbaugh	Hill	McKnight	Wood
Burney	Holmes	Metzger	

Voting in the negative, 5:

Callan	Hanna	Weborg	Wilson, C.
Carmody			

Not voting, 7:

Anderson, L.	Pizer	Schroeder	Williams
Person	Prohs	Vogel	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 70.

A bill for an act to amend section 39-745, Revised Statutes of Nebraska, 1943, relating to operation of motor vehicles on highways and streets; to extend the exemption therein set forth to all conservation officers and police officers; 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, T.	Carmody	Hoyt	Norman
Anderson, V.	Carson	Larkin	Ogden
Babcock	Cramer	Lee	Person
Benesch	Cretsinger	Lillibridge	Tvrdik
Bohlke	Davies	Lindgren	Vogt
Bridenbaugh	Hanna	Lusienski	Weborg
Burney	Hern	McKnight	Wilson, C.
Burnham	Hill	Metzger	Wilson, W.
Callan	Holmes	Nelson	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Pizer	Schroeder	Williams
Anderson, L.	Prohs	Vogel	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 71.

A bill for an act to amend section 32-1159, Revised Statutes of Nebraska, 1943, relating to elections; to provide for absence of employees from any service or employment upon election day at all elections in order to exercise the privilege of voting; 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, J.	Carmody	Hoyt	Norman
Adams, T.	Carson	Larkin	Ogden
Anderson, V.	Cramer	Lee	Person
Babcock	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogt
Bohlke	Hanna	Lusienski	Weborg
Bridenbaugh	Hern	McKnight	Wilson, C.
Burney	Hill	Metzger	Wilson, W.
Burnham	Holmes	Nelson	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Prohs	Vogel	Williams
Pizer	Schroeder		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 72.

A bill for an act to amend section 77-1617, Revised Statutes Supplement, 1947, relating to revenue and taxation; to change the word "insane" to "mentally ill" in the form to be used for the tax list or unit tax ledger; 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, J.	Carmody	Hoyt	Norman
Adams, T.	Carson	Larkin	Ogden
Anderson, V.	Cramer	Lee	Person
Babcock	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogt
Bohlke	Hanna	Lusienski	Weborg
Bridenbaugh	Hern	McKnight	Wilson, C.
Burney	Hill	Metzger	Wilson, W.
Burnham	Holmes	Nelson	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Prohs	Vogel	Williams
Pizer	Schroeder		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 86.

A bill for an act to amend section 17-705, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide that the county treasurer shall specify the source of the

money when remitting the tax money to such cities and villages; 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, J.	Carmody	Hoyt	Norman
Adams, T.	Carson	Larkin	Ogden
Anderson, V.	Cramer	Lee	Person
Babcock	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogt
Bohlke	Hanna	Lusienski	Weborg
Bridenbaugh	Hern	McKnight	Wilson, C.
Burney	Hill	Metzger	Wilson, W.
Burnham	Holmes	Nelson	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Prohs	Vogel	Williams
Pizer	Schroeder		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 107. With emergency.

A bill for an act to appropriate the sum of eleven thousand three hundred dollars and three cents out of the General Fund for the purpose of paying the salaries of the judges of the Supreme Court for the remainder of the biennium ending June 30, 1949; and to declare an emergency.

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

Voting in the affirmative, 35:

Adams, J.	Carmody	Hoyt	Norman
Anderson, V.	Carson	Larkin	Ogden
Babcock	Cramer	Lee	Person
Benesch	Cretsinger	Lillibridge	Tvrdik
Bohlke	Davies	Lindgren	Weborg

Bridenbaugh	Hanna	Lusienski	Wilson, C.
Burney	Hern	McKnight	Wilson, W.
Burnham	Hill	Metzger	Wood
Callan	Holmes	Nelson	

Voting in the negative, 1:

Vogt

Not voting, 7:

Adams, T.	Pizer	Schroeder	Williams
Anderson, L.	Prohs	Vogel	

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 108. With emergency.

A bill for an act to appropriate the sum of four thousand five hundred forty-one dollars and forty-one cents out of the General Fund for the purpose of paying the salary of the Governor for the remainder of the biennium ending June 30, 1949; and to declare an emergency.

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

Voting in the affirmative, 34:

Adams, J.	Carson	Larkin	Norman
Anderson, V.	Cramer	Lee	Ogden
Babcock	Cretsinger	Lillibridge	Person
Benesch	Davies	Lindgren	Tvrdik
Bridenbaugh	Hanna	Lusienski	Weborg
Burney	Hern	McKnight	Wilson, C.
Burnham	Hill	Metzger	Wilson, W.
Callan	Holmes	Nelson	Wood
Carmody	Hoyt		

Voting in the negative, 1:

Vogt

Not voting, 8:

Adams, T.	Bohlke	Prohs	Vogel
Anderson, L.	Pizer	Schroeder	Williams

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 41. E and R amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Mr. Hanna moved to advance L. B. 41 to E and R for engrossment.

Mr. W. Wilson requested a machine vote.

Mr. T. Adams requested a record vote.

Mr. W. Wilson requested a Call of the House which was not ordered because of lack of seconds.

Voting in the affirmative, 19:

Anderson, V.	Callan	Hern	Lindgren
Babcock	Carson	Hill	McKnight
Bridenbaugh	Cramer	Hoyt	Metzger
Burney	Davies	Larkin	Nelson
Burnham	Hanna	Lee	

Voting in the negative, 12:

Adams, T.	Carmody	Lillibridge	Weborg
Benesch	Cretsinger	Tvrdik	Wilson, C.
Bohlke	Holmes	Vogt	Wilson, W.

Not voting, 12:

Adams, J.	Norman	Pizer	Vogel
Anderson, L.	Odgen	Prohs	Williams
Lusienski	Person	Schroeder	Wood

Advanced to E and R for engrossment.

Mr. Vogt Presiding

LEGISLATIVE BILL 54. E and R amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 106. E and R amendment found in the Legislative Journal for the Twenty-fourth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 4. Laid over.
LEGISLATIVE BILL 5. Laid over.

Unanimous Consent—Re-refer L. B. 503

Mr. Tvrdik asked unanimous consent to re-refer L. B. 503 from the Committee on Education to the Committee on Miscellaneous Appropriations and Claims.

Consent was granted and it was so ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 15. Correctly enrolled.
LEGISLATIVE BILL 46. Correctly enrolled.
LEGISLATIVE BILL 53. Correctly enrolled.
LEGISLATIVE BILL 29. Correctly engrossed.
LEGISLATIVE BILL 30. Correctly engrossed.
LEGISLATIVE BILL 116. Correctly engrossed.
LEGISLATIVE BILL 118. Correctly engrossed.
LEGISLATIVE BILL 124. Crorectly engrossed.
LEGISLATIVE BILL 166. Correctly engrossed.
LEGISLATIVE BILL 214. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 12

GENERAL FILE

LEGISLATIVE BILL 177. Laid over.
LEGISLATIVE BILL 194. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-first Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 169. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Mr. Burney offered the following amendment, which was adopted:

Amend L. B. 169 by striking the word "*ten*" in line 10 of Section 1, and in lieu thereof insert "*twelve*".

Advanced to E and R for review.

LEGISLATIVE BILL 168. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 242. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 243. Read and considered.

Advanced to E and R for review.

Adjournment

At 11:55 a.m., on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 8, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, Pizer, Schroeder and Vogel, who were excused.

The Journal for the Twenty-fifth Day was approved as corrected.

Communication

Telegram from the Central Nebraska Wildlife Association requesting the Legislature to reopen and reconsider the legislative bill to increase hunting and fishing permit fees.

Approved by the Governor

February 7, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 4, 1949, he approved L. B. 324 and L. B. 325.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 223	Tuesday, February 15, 1949	2:00 p.m.
L. B. 228	Tuesday, February 15, 1949	2:00 p.m.
L. B. 396	Tuesday, February 15, 1949	2:00 p.m.

Education

L. B. 199	Tuesday, February 22, 1949	2:00 p.m.
L. B. 210	Tuesday, February 22, 1949	2:00 p.m.
L. B. 211	Tuesday, February 22, 1949	2:00 p.m.

Revenue and Taxation

L. B. 420	Tuesday, February 15, 1949	2:00 p.m.
L. B. 416	Thursday, February 17, 1949	2:00 p.m.
L. B. 376	Tuesday, February 22, 1949	2:00 p.m.
L. B. 444	Tuesday, February 22, 1949	2:00 p.m.
L. B. 480	Tuesday, February 22, 1949	2:00 p.m.
L. B. 517	Thursday, February 24, 1949	2:00 p.m.
L. B. 519	Thursday, February 24, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 230. Placed on General File as amended.

Standing Committee amendments to L. B. 230:

1. Amend page two of the bill by striking all of Section 4 and inserting in lieu thereof the following:

"Sec. 4. *No fee of any kind shall be required by the Secretary of State for any filings made under sections 1 and 2 of this act.*"

2. Amend the title of the bill, line 8 by striking all of the same after the semicolon in line 8 and in lieu thereof insert: "; to provide that no filing fees shall be required by the Secretary of State for any filing made as required by this act; and to declare an emergency."

(Signed) Ed. Hoyt, Chairman

Budget

LEGISLATIVE BILL 367. Placed on General File as amended.

Standing Committee amendment to L. B. 367:

Amend L. B. 367 by inserting the emergency clause.

LEGISLATIVE BILL 366. Placed on General File.

(Signed) John S. Callan, Chairman

Judiciary

LEGISLATIVE BILL 153. Placed on General File.
LEGISLATIVE BILL 154. Placed on General File.
LEGISLATIVE BILL 155. Placed on General File.
LEGISLATIVE BILL 156. Placed on General File.

(Signed) John P. McKnight, Chairman

President Signs

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

L. B. 15 L. B. 46 L. B. 53

SELECT FILE

LEGISLATIVE BILL 85. E and R amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 143. E and R amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 137. E and R amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 33.

Mr. Cramer offered the following amendments, which were adop-

ted by unanimous consent:

1. In the bill, section 1, page 2, line 3, strike "The white cane" and in lieu thereof insert "Such use of a white cane or the use of a guide dog by a person".

2. In the bill, section 2, line 4, strike the word "blind".

3. In the bill, section 3, page 2, line 6, insert the word "such" after the word "both".

4. In the bill title, strike the second and third lines after the word "provide" in the second line and in lieu thereof insert "that the prescribed use of a white cane or of a guide dog shall be an indication that the user thereof is blind; to make certain acts unlawful;".

5. In the bill title, fifth line, strike the word "blind".

Advanced to E and R for engrossment.

Unanimous Consent—Re-refer L. B. 497

Mr. Lee asked unanimous consent to re-refer L. B. 497 from the Committee on Agriculture to the Committee on Revenue and Taxation.

Consent was granted and it was so ordered.

Mr. Lee Presiding

MOTION—Reconsider Action on L. B. 221

Mr. President: Having voted on the prevailing side, I now move that the Legislature reconsider its action on L. B. 221. (Signed) John J. Larkin, Jr.

Mr. Hanna asked unanimous consent to have action on the motion laid over.

Objection was offered by Mr. Hoyt.

Mr. Lusienski raised the point of order of the number of votes required, questioning whether the motion was to be considered as a reconsideration, or an attempt to place the bill on General File.

The Chair ruled that the motion was in effect a reconsideration.

Mr. Metzger moved the previous question.

The President stated the question, "Shall the debate now cease?"

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

Mr. Larkin's motion did not prevail with 18 ayes, 16 nays and 9 not voting.

Visitors

Mr. V. Anderson presented Superintendent Elmer E. Holm, with 26 students and 3 teachers from the Central Rural High School of Sprague and Martel.

GENERAL FILE

LEGISLATIVE BILL 177. Read and considered.

Mr. Davies offered the following amendment, which was adopted.

1. Amend page 2 of the bill, section 1, by striking lines 26 and 27 and inserting in lieu thereof the following: "cash fund are hereby appropriated to the specific uses hereinbefore mentioned *University Cash Fund shall become available when appropriated by the Legislature for the use of the university*".

Advanced to E and R for review.

LEGISLATIVE BILL 244. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 245. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 120. Read and considered.

Laid over.

Visitor

Mr. Lee introduced former Senator Stanley Matzke.

LEGISLATIVE BILL 126. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-third Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 136. Read and considered.

Advanced to E and R for review.

Visitor

Mr. Person presented Mr. E. E. Placek of Wahoo, Nebraska, a former member of the Nebraska Legislature. Mr. Placek spoke about his visit to Europe and his experiences in communistic dominated countries.

LEGISLATIVE BILL 135. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 120.

Advanced to E and R for review.

LEGISLATIVE BILL 102. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 103. Read and considered.

Advanced to E and R for review with 14 ayes, 4 nays and 25 not voting.

LEGISLATIVE BILL 128. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 129. Read and considered.

Advanced to E and R for review.

Mr. Metzger Presiding

LEGISLATIVE BILL 187. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-third Day were adopted.

Mr. Lee offered the following amendment, which was adopted.

Amend L. B. 187, new Section 2, line 8, by striking the word

"twenty" and inserting in lieu thereof the word "ten" and amend the title to conform.

Mr. Nelson asked unanimous consent that the name of Mr. Cretsinger be added as a co-introducer.

Advanced to E and R for review.

LEGISLATIVE BILL 112. Laid over.
LEGISLATIVE BILL 100. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 91. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-fourth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 152. Read and considered.

Advanced to E and R for review.

MOTION—Suspend Rules

Mr. President: I move that the rules be suspended and we consider bills on Final Reading. (Signed) John P. McKnight

The 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:

Speaker Lee Presiding

LEGISLATIVE BILL 48.

A bill for an act to amend sections 23-1820, 29-1805, 29-2211, and 77-1302, Revised Statutes of Nebraska, 1943, relating to classification of counties as to population; to harmonize the provisions thereof with the provisions of amendments made in 1947 to legislation relating to counties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams, J.	Carmody	Larkin	Person
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	McKnight	Williams
Bridenbaugh	Hern	Metzger	Wilson, C.
Burney	Hill	Nelson	Wilson, W.
Burnham	Holmes	Norman	Wood
Callan	Hoyt	Ogden	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Pizer	Schroeder	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 74.

A bill for an act to amend section 81-801, Revised Statutes Supplement, 1947, relating to the Game, Forestation and Parks Commission; to provide that at least one of the members of such commission shall be actually engaged in agricultural pursuits and residing on a farm or ranch; to provide for appointment of a successor for a term of five years whenever the term of any member thereof shall expire; 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, J.	Carmody	Lee	Person
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	McKnight	Weborg
Bohlke	Hern	Metzger	Williams

Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Pizer	Schroeder	Vogel
Hanna			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 17.

A bill for an act to amend section 2-943, Revised Statutes Supplement, 1947, relating to agriculture; to provide that the supervisors of weed eradication districts may sell and trade equipment, material, and supplies as may be deemed necessary for the effective operation of the district; to provide that such supervisors may lease, purchase, or sell sites and buildings for offices and housing of equipment when authorized at any annual or special meeting of the district; to provide that the chairman may execute leases, bills of sale, and deeds when authorized by a majority vote of the supervisors; 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, J.	Carmody	Larkin	Person
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	McKnight	Williams
Bridenbaugh	Hern	Metzger	Wilson, C.
Burney	Hill	Nelson	Wilson, W.
Burnham	Holmes	Norman	Wood
Callan	Hoyt	Ogden	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Pizer	Schroeder	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 123.

A bill for an act to amend sections 37-208 and 37-213, Revised Statutes of Nebraska, 1943, relating to game and fish; to provide that children under sixteen years of age who are residents of the State of Nebraska shall not be required to obtain a permit to hunt or fish; to make it unlawful for persons who are residents of the State of Nebraska and are sixteen years old or older and for persons who are nonresidents of the state to hunt for, kill, shoot at, pursue, take, or possess any kind of game birds or game animals or to take, angle for, or attempt to take any kind of fish from the waters of this state or possess such fish without holding a permit as prescribed; to provide a penalty; 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, 39:

Adams, J.	Carmody	Larkin	Person
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	McKnight	Williams
Bridenbaugh	Hern	Metzger	Wilson, C.
Burney	Hill	Nelson	Wilson, W.
Burnham	Holmes	Norman	Wood
Callan	Hoyt	Ogden	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Pizer	Schroeder	Vogel

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 on February 8, 1949, at 10:40 a.m.

L. B. 6	L. B. 16	L. B. 25
L. B. 7	L. B. 20	L. B. 92

LEGISLATIVE BILL 193. Placed on Select File as amended.

E and R amendments to L. B. 193:

1. In the bill, section 1, page 2, line 10, strike the word "or" after the word "bird" and in lieu thereof insert a comma; line 16, strike the comma, and line 17, strike "and in" and insert in lieu thereof ". *In*".

2. In the bill title, strike the lines beginning with the word "increase" in the third line and ending with the word "or" before the word "game" in the fifth line and inserting in lieu thereof "change the amount of damages which may be assessed for the unlawful killing, destroying, taking, or having in possession of certain game birds,".

LEGISLATIVE BILL 168. Placed on Select File as amended.

E and R amendment to L. B. 168:

1. In the bill title, line 5, after the word "be" insert the word "used".

LEGISLATIVE BILL 76. Placed on Select File as amended.

E and R amendment to L. B. 76:

1. In the bill, section 1, page 2, line 13, before the word "*sections*" insert "*it is found that*".

LEGISLATIVE BILL 242. Placed on Select File.
LEGISLATIVE BILL 243. Placed on Select File as amended.

E and R amendment to L. B. 243:

1. In the bill, section 1, page 2, line 6, after the word "surplus" insert a comma.

LEGISLATIVE BILL 106. Correctly engrossed.

LEGISLATIVE BILL 47. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Judiciary

LEGISLATIVE BILL 127. Placed on General File as amended.

Standing Committee amendments to L. B. 127:

1. Amend page 2 of the bill by adding a new section, to be numbered 1, reading as follows:

30-305. If, however, the executor shall be a residuary legatee, instead of the bond described in the section 30-303, he may give a bond in such sum and with such sureties as the court may direct, with a condition only to pay all the debts and legacies of the testator. , and in such case he shall not be required to return an inventory."

2. Renumber present sections 1 and 2 as sections 2 and 3 respectively.

3. Amend page 2 of the bill, present section 1, by striking lines 5 to 8, inclusive, and inserting in lieu thereof the following:

"*other* executor or administrator, except (1) a special administrator, or (2) an executor or administrator with the will annexed who is also a residuary legatee and shall have given bond to pay all debts and legacies as provided by law, shall".

4. Amend page 2 of the bill, present section 1, line 12, by inserting after the words "real estate" and before the punctuation the words "*in Nebraska*".

5. Amend the title, line 2, by inserting after the word "amend" the following: "section 30-305, Revised Statutes of Nebraska, 1943, and".

6. Amend the title, line 4, by striking the word "statutory" and substituting in lieu thereof the word "eliminate".

7. Amend the title, line 7, by inserting after the punctuation following the word "inventory" the following:

"to provide that an inventory of an executor or administrator as to real estate shall be required to set forth only real estate in Nebraska;".

LEGISLATIVE BILL 149. Placed on General File.

(Signed) John P. McKnight, Chairman

Speaker Signs

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

L. B. 47

Adjournment

At 11:55 a.m., Mr. Weborg made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Wednesday, February 9, 1949.

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

Hugo F. Srb

Clerk of the Legislature

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 9, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Schroeder, who was excused, and Messrs. McKnight, Norman and Vogel, who were excused until 11:00 a.m.

The Journal for the Twenty-sixth Day was approved as corrected.

Communications

A letter from the Nebraska Reclamation Association extending an invitation to the members and their wives to the annual banquet at the Hotel Cornhusker, Thursday, February 10, at 7:00 p.m.

A letter from Sam Rayburn, Speaker of the House of Representatives, acknowledging receipt of L. R. 9.

A letter from the Harvard Township Board, favoring the Schroeder Road Bill. Referred to the Committee on Public Works.

Approved by the Governor

February 8, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 7, 1949, he approved L.B. 50 and L.B. 51.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 32	Tuesday, February 15, 1949	2:00 p.m.
L. B. 40	Tuesday, February 15, 1949	2:00 p.m.
L. B. 319	Tuesday, February 15, 1949	2:00 p.m.
L. B. 355	Tuesday, February 15, 1949	2:00 p.m.
L. B. 356	Tuesday, February 15, 1949	2:00 p.m.
L. B. 130	Thursday, February 17, 1949	2:00 p.m.
L. B. 140	Thursday, February 17, 1949	2:00 p.m.
L. B. 215	Thursday, February 17, 1949	2:00 p.m.

Agriculture

L. B. 430	Monday, February 21, 1949	2:00 p.m.
L. B. 431	Monday, February 21, 1949	2:00 p.m.
L. B. 451	Monday, February 21, 1949	2:00 p.m.
L. B. 364	Wednesday, February 23, 1949	2:00 p.m.
L. B. 452	Wednesday, February 23, 1949	2:00 p.m.
L. B. 456	Wednesday, February 23, 1949	2:00 p.m.
L. B. 403	Monday, February 28, 1949	2:00 p.m.
L. B. 438	Monday, February 28, 1949	2:00 p.m.
L. B. 453	Monday, February 28, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 83. Indefinitely postponed.
LEGISLATIVE BILL 131. Placed on General File.

(Signed) William Hern, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 37. Placed on General File.
LEGISLATIVE BILL 38. Placed on General File as amended.

Standing Committee amendments to L. B. 38:

1. Page 2, Section 1, Line 7, strike the punctuation, figures and word, "*(8), and (13)*" and insert in lieu thereof the punctuation, figures and word, "*(6), (7), (8), (9), (12), (13), and (14)*".

2. Page 2, Section 1, Line 10, strike the punctuation, figures and word, "*(8), and (13)*" and insert in lieu thereof the punctuation, figures and word, "*(6), (7), (8), (9), (13), and (14)*".

LEGISLATIVE BILL 39. Placed on General File as amended.

Standing Committee amendments to L. B. 39:

1. Page 2, Section 1, Line 15, insert after the word "machinery" the words *"on the premises insured"*.

2. Page 2, Section 1, Line 18, insert after the word "by", the words and punctuation, *"smoke and smudge, or by"*.

3. Page 3, Section 1, Line 63, add the following words and punctuation, *"and (h) against other loss or damage to property not prohibited by law or contrary to sound public policy to be determined by the Department of Insurance;"*.

4. Page 3, Section 1, Line 67, insert "(3)" before the word *"Sickness"*.

5. Page 4, Section 1, Line 71, strike the words *"or both"* and insert in lieu thereof the words and punctuation, *"or both, and every insurance pertaining thereto, including quarantine"*.

6. Page 5, Section 1, Line 126, strike the word, "and" and show as stricken matter.

7. Page 5, Section 1, strike all of lines 127 through 135, and insert in lieu thereof the words and punctuation, *"thousand dollars;"*.

LEGISLATIVE BILL 121. Placed on General File.
LEGISLATIVE BILL 122. Placed on General File.
LEGISLATIVE BILL 318. Placed on General File as amended.

Standing Committee amendments to L. B. 318:

1. Page 2, Section 1, Line 5, strike the words, *"or by filing such copies in his office"* and insert in lieu thereof the words and punctuation, *"or by serving such person or persons employed in the Department of Insurance who, previously to such service, has or have been designated in writing by the Director as the person or persons on whom such copies may be served"*.

2. Page 2, Section 1, Line 4, insert after the word "upon" the word *"the"*.

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 91. Placed on Select File.
LEGISLATIVE BILL 125. Placed on Select File as amended.

E and R amendments to L. B. 125:

1. In the bill, section 2, page 2, line 24, before the word "or" insert a comma; line 110, after the semicolon insert *"and"*.

2. In the bill, section 3, page 5, line 14, before the word "and" insert a comma; line 20, strike the word "as".

3. In the bill, section 5, page 8, line 62, after the semicolon insert *"and"*.

4. In the bill, section 9, line 23, after the word "or" insert "section", as in statutes.

5. In the bill, section 15, page 20, line 16, strike the word "hereinafter" and in lieu thereof insert *"herein"*; line 34, strike the word "Railway" and in lieu thereof insert *"Railroad"*.

6. In the bill, section 16, page 21, line 7, after the word "shall" insert *"upon conviction thereof"*.

7. In the bill, section 17, page 23, line 56, strike the word *"its"* and in lieu thereof insert *"his"*.

8. In the bill title, strike "for an" in line 24, all of lines 25 and 26 and the word "operative" in line 27 and in lieu thereof insert "how the salary of the Commissioner of Labor shall be fixed".

LEGISLATIVE BILL 129. Placed on Select File.
LEGISLATIVE BILL 136. Placed on Select File.
LEGISLATIVE BILL 142. Replaced on Select File as amended.

E and R amendment to L. B. 142:

1. In Enrollment and Review amendment 2, last line, strike "of Nebraska, 1943" and in lieu thereof insert "Supplement, 1947".

LEGISLATIVE BILL 152. Placed on Select File.
LEGISLATIVE BILL 169. Placed on Select File as amended.

E and R amendments to L. B. 169:

1. In the Standing Committee amendment, first line of new matter as shown on original amendment, strike the word *"no"* and in lieu thereof insert *" (2) No"*; line 10, after the word *"thereof"* strike *"; and provided further, that if"* and in lieu thereof insert *". If"*.

2. In the bill, section 1, page 2, line 3, insert *"(1)"* before "The"; line 6, after the word "case" insert *", except as provided in subsection (2) hereof,"*; lines 11 and 12, strike *"; Provided,"* and insert a period.

3. In the bill title, insert the word "maximum" in the third line before the word "amount"; and strike the semicolon in line 4

and all of line 5 and in lieu thereof insert "to twelve mills on the dollar of actual valuation, with the prescribed exceptions; to provide procedure to authorize a levy in excess of such limitation; to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 194. Placed on Select File as amended.

E and R amendments to L. B. 194:

1. In the bill, section 1, page 2, line 13, strike the last "or"; line 19, after the word "animal" insert a comma.

2. In the bill title, third line, strike the word "increase" and in lieu thereof insert "change"; strike lines 6 and 7 and insert in lieu thereof "destroy the prescribed game birds, game or fur-bearing animals, or game fish, or unlawfully possessing the same;".

LEGISLATIVE BILL 207. Correctly engrossed.
LEGISLATIVE BILL 224. Correctly engrossed.
LEGISLATIVE BILL 75. Correctly engrossed.
LEGISLATIVE BILL 97. Correctly engrossed.
LEGISLATIVE BILL 108. Correctly enrolled.
LEGISLATIVE BILL 107. Correctly enrolled.
LEGISLATIVE BILL 86. Correctly enrolled.
LEGISLATIVE BILL 71. Correctly enrolled.
LEGISLATIVE BILL 70. Correctly enrolled.
LEGISLATIVE BILL 55. Correctly enrolled.
LEGISLATIVE BILL 44. Correctly enrolled.
LEGISLATIVE BILL 42. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 42	L. B. 70	L. B. 107
L. B. 44	L. B. 71	L. B. 108
L. B. 55	L. B. 86	

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 31.

A bill for an act to amend section 44-220, Revised Statutes of Nebraska, 1943, relating to insurance; to specify and enlarge the

purposes for which a domestic insurance company may borrow money; to eliminate the provision that the proceeds obtained from borrowing money shall be applied solely to surplus of such company; 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, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Tvrdik
Anderson, V.	Cramer	Lillibridge	Vogt
Babcock	Cretsinger	Lindgren	Weborg
Benesch	Davies	Lusienski	Williams
Bohlke	Hanna	Metzger	Wilson, C.
Bridenbaugh	Hern	Nelson	Wilson, W.
Burney	Hill	Ogden	Wood
Burnham	Holmes	Person	

Voting in the negative, 0.

Not voting, 4:

McKnight	Norman	Schroeder	Vogel

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 repeal section 10-125, Revised Statutes of Nebraska, 1943, relating to registration of bonds of indebtedness.

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

Voting in the affirmative, 39:

Adams, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Tvrdik
Anderson, V.	Cramer	Lillibridge	Vogt
Babcock	Cretsinger	Lindgren	Weborg
Benesch	Davies	Lusienski	Williams
Bohlke	Hanna	Metzger	Wilson, C.
Bridenbaugh	Hern	Nelson	Wilson, W.

Burney	Hill	Ogden	Wood
Burnham	Holmes	Person	

Voting in the negative, 0.

Not voting, 4:

McKnight	Norman	Schroeder	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 114.

A bill for an act to repeal sections 23-115 and 23-334, 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, J.	Callan	Larkin	Pizer
Adams, T.	Carmody	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogt
Babcock	Davies	Lusienski	Weborg
Benesch	Hanna	Metzger	Williams
Bohlke	Hern	Nelson	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Carson	Norman	Schroeder	Vogel
McKnight			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 115.

A bill for an act to repeal section 33-137.01, Revised Statutes Supplement, 1947, relating to fees and salaries.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Tvrdik
Anderson, V.	Cramer	Lillibridge	Vogt
Babcock	Cretsinger	Lindgren	Weborg
Benesch	Davies	Lusienski	Williams
Bohlke	Hanna	Metzger	Wilson, C.
Bridenbaugh	Hern	Nelson	Wilson, W.
Burney	Hill	Ogden	Wood
Burnham	Holmes	Person	

Voting in the negative, 0.

Not voting, 4:

McKnight	Norman	Schroeder	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place on General File

Mr. President: I move that L. B. 83 be placed on General File. (Signed) O. H. Person

Mr. Person requested a record vote.

Voting in the affirmative, 24:

Anderson, L.	Cretsinger	Larkin	Person
Babcock	Davies	Lee	Tvrdik
Benesch	Hanna	Lillibridge	Vogel
Bridenbaugh	Hill	Lusienski	Williams
Burnham	Holmes	Metzger	Wilson, W.
Cramer	Hoyt	Ogden	Wood

Voting in the negative, 14:

Adams, J.	Carmody	McKnight	Vogt
Bohlke	Carson	Nelson	Weborg
Burney	Hern	Pizer	Wilson, C.
Callan	Lindgren		

Not voting, 5:

Adams, T. Norman Prohs Schroeder
Anderson, V.

The motion prevailed with 24 ayes, 14 nays and 5 not voting.

SELECT FILE

LEGISLATIVE BILL 193. E and R amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 76. E and R amendment found in the Legislative Journal for the Twenty-sixth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 112.

Mr. Metzger asked unanimous consent to place L. B. 112 at the bottom of General File.

Consent was granted and it was so ordered.

Mr. Metzger Presiding

LEGISLATIVE BILL 230. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Laid over.

LEGISLATIVE BILL 367. Laid over.
LEGISLATIVE BILL 366. Laid over.

LEGISLATIVE BILL 127. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 149. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 153. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 154. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 155. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 156. Considered.

Advanced to E and R for review.

MOTION—Suspend Rules, Final Reading

Mr. President: I move that the rules be suspended and that we consider bills on Final Reading. (Signed) Charles F. Tvrdik

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

BILLS ON FINAL READING

Speaker Lee Presiding

The following bills were read and put upon final passage:

LEGISLATIVE BILL 43.

A bill for an act to amend section 17-534, Revised Statutes Supplement, 1947, relating to cities of the second class and villages; to restrict 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 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 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, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Prohs

Anderson, L.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Williams
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Anderson, V. Schroeder

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 sections 32-708, 32-709, 32-710, 32-712, 32-713, 32-815, and 32-903, Revised Statutes of Nebraska, 1943, and section 33-137, Revised Statutes Supplement, 1947, relating to elections; to harmonize the provisions thereof with the provisions of amendments made in 1947 to legislation relating to elections in counties containing a metropolitan or primary city; to provide when the election board shall deliver the ballot box to the counting board in counties having a population of more than sixty thousand inhabitants; and to repeal the original sections and also section 32-108, 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, 40:

Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, J. Anderson, V. Schroeder

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Indefinitely Postpone

Mr. President: I move that L. B. 12, which is being held on Select File, be indefinitely postponed. (Signed) Charles F. Tvrdik

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on Februray 9, 1949, at 11:05 a.m.

L. B. 15 L. B. 47 L. B. 53
L. B. 46

Member Excused

Mr. Babcock was excused for Thursday, February 10, 1949.

Adjournment

At 12:00, noon, Mr. Ogden made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Thursday, February 10, 1949.

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

Hugo F. Srb

Clerk of the Legislature

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 10, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Babcock, who was excused, and Mr. Lee, who was excused until 10:30 a.m.

The Journal for the Twenty-seventh Day was approved as corrected.

Communications

Letter addressed to Mr. Hanna from Mr. Jay C. Colburn of the Iowa State Senate, acknowledging receipt of L. R. 11.

Letter from Mr. A. C. Gustafson, Chief Clerk of the State of Iowa House of Representatives, acknowledging receipt of L. R. 11.

Letter from Karl Stefan acknowledging receipt of L. R. 8.

Letters from Albin W. Barkley and Carl T. Curtis acknowledging receipt of L. R. 9.

NOTICE OF COMMITTEE HEARINGS

Revenue and Taxation

L. B. 62	Thursday, February 24, 1949	2:00 p.m.

Labor and Public Welfare

L. B. 272	Monday, February 21, 1949	2:00 p.m.

L. B. 338	Monday, February 21, 1949	2:00 p.m.
L. B. 347	Monday, February 21, 1949	2:00 p.m.
L. B. 348	Monday, February 21, 1949	2:00 p.m.

Judiciary

L. B. 3	Monday, February 28, 1949	2:00 p.m.
L. B. 13	Monday, February 28, 1949	2:00 p.m.
L. B. 57	Monday, February 28, 1949	2:00 p.m.
L. B. 77	Monday, February 28, 1949	2:00 p.m.
L. B. 200	Monday, February 28, 1949	2:00 p.m.
L. B. 201	Monday, February 28, 1949	2:00 p.m.
	(Reset from Febr. 14)	
L. B. 238	Monday, February 28, 1949	2:00 p.m.
L. B. 232	Wednesday, March 2, 1949	2:00 p.m.
L. B. 281	Wednesday, March 2, 1949	2:00 p.m.
L. B. 398	Wednesday, March 2, 1949	2:00 p.m.
L. B. 428	Wednesday, March 2, 1949	2:00 p.m.
L. B. 455	Wednesday, March 2, 1949	2:00 p.m.
L. B. 483	Wednesday, March 2, 1949	2:00 p.m.
L. B. 213	Monday, March 7, 1949	2:00 p.m.
L. B. 395	Monday, March 7, 1949	2:00 p.m.
L. B. 465	Monday, March 7, 1949	2:00 p.m.
L. B. 481	Monday, March 7, 1949	2:00 p.m.
L. B. 508	Monday, March 7, 1949	2:00 p.m.
L. B. 510	Monday, March 7, 1949	2:00 p.m.
L. B. 512	Monday, March 7, 1949	2:00 p.m.
L. B. 226	Wednesday, March 9, 1949	2:00 p.m.
	(Reset from Febr. 16)	
L. B. 247	Wednesday, March 9, 1949	2:00 p.m.
	(Reset from Febr. 16)	
L. B. 372	Wednesday, March 9, 1949	2:00 p.m.
L. B. 407	Wednesday, March 9, 1949	2:00 p.m.
L. B. 516	Wednesday, March 9, 1949	2:00 p.m.
L. B. 520	Wednesday, March 9, 1949	2:00 p.m.
L. B. 521	Wednesday, March 9, 1949	2:00 p.m.
L. B. 296	Monday, March 14, 1949	2:00 p.m.
L. B. 337	Monday, March 14, 1949	2:00 p.m.
L. B. 385	Monday, March 14, 1949	2:00 p.m.
L. B. 522	Monday, March 14, 1949	2:00 p.m.
L. B. 309	Wednesday, March 16, 1949	2:00 p.m.
L. B. 344	Wednesday, March 16, 1949	2:00 p.m.
L. B. 346	Wednesday, March 16, 1949	2:00 p.m.
L. B. 498	Wednesday, March 16, 1949	2:00 p.m.
L. B. 505	Wednesday, March 16, 1949	2:00 p.m.
L. B. 506	Wednesday, March 16, 1949	2:00 p.m.

L. B. 518	Wednesday, March 16, 1949	2:00 p.m.
L. B. 476	Monday, March 21, 1949	2:00 p.m.
L. B. 493	Monday, March 21, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 148. Placed on General File as amended.

Standing Committee amendments to L. B. 148:

1. Amend page 2 of the bill, section 2, lines 2 and 3, by striking the following new matter: "the care and custody of the person of his ward, and".

2. Amend page 2 of the bill, section 4, lines 2 and 3, by striking the following new matter: "the care and custody of the person of his ward, and".

LEGISLATIVE BILL 157. Placed on General File as amended.

Standing Committee amendments to L. B. 157:

1. Amend page 2 of the bill, section 1, line 1, by inserting after the word "*tax*" the words and punctuation ", *if any,*".

2. Amend page 2 of the bill, section 1, line 9, by striking the same and inserting in lieu thereof the following: "*(3) by application of the county attorney, or (4) by application of any person having a legal interest in the property involved in*".

3. Amend page 2 of the bill, section 1, lines 14 and 15, by striking the same and inserting in lieu thereof the following: "*petition of (1) the county attorney, or (2) any person having a legal interest in the property involved in the determination of the tax.*"

LEGISLATIVE BILL 159. Placed on General File.
LEGISLATIVE BILL 175. Placed on General File.
LEGISLATIVE BILL 180. Indefinitely postponed.
LEGISLATIVE BILL 181. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Government

LEGISLATIVE BILL 167. Placed on General File.

(Signed) Arthur Carmody, Chairman

Agriculture

LEGISLATIVE BILL 98. Placed on General File as amended.

Standing Committee amendments to L. B. 98:

1. Amend page 2 of the bill, section 1, by striking lines 10 to 18, inclusive, and inserting in lieu thereof the following: "shows or any kind of livestock shows or rodeos, *which conduct approved and qualified county fairs organized and operated under the provisions of Chapter 2, article 2,* and one part shall be remitted to the county treasurer of each such county regardless of population, to be used *of said county. The money shall be used by qualified county fairs* only for the purpose of paying premiums for agriculture, *home economics,* and livestock exhibits and such other premiums as are referred to in section 2-205."

2. Amend page 2 of the bill by inserting immediately after section 2 a new section to be known as section 3, and to read 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."

3. Amend the title to conform.

(Signed) Ed. Hoyt, Chairman

Enrollment and Review

LEGISLATIVE BILL 100. Placed on Select File as amended.

E and R amendment to L. B. 100:

1. In the bill, section 1, line 1, strike the period after "Section" and insert "1."; line 7, strike "; they" and in lieu thereof insert ". *They*"; line 18, strike the comma after the word "examined".

LEGISLATIVE BILL 102. Placed on Select File as amended.

E and R amendment to L. B. 102:

1. In the bill, section 1, page 2, line 4, strike the word "or" and insert in lieu thereof a comma; line 5, after the word "decoyed" insert a comma.

LEGISLATIVE BILL 103. Placed on Select File as amended.

E and R amendments to L. B. 103:

1. In the bill, section 1, page 2, line 15, strike the word "have" and in lieu thereof insert *"has"*.

2. In the bill title, line 4, strike "furnishing," and in lieu thereof insert "or furnishing to any person under the age of eighteen years,"; line 6, after the word "business" insert "by any such person".

LEGISLATIVE BILL 120. Placed on Select File as amended.

E and R amendment to L. B. 120:

1. In the bill title, line 7, after the word "streets" insert "in villages".

LEGISLATIVE BILL 126. Placed on Select File as amended.

E and R amendment to L. B. 126:

1. In the bill title, line 4, strike the words "reimburse petitioners" and insert in lieu thereof "expend money under the prescribed limitations and conditions"; lines 5 and 6, strike "in the amounts set forth in the act"; line 7, strike the word "shall" and in lieu thereof insert "may".

LEGISLATIVE BILL 128. Placed on Select File as amended.

E and R amendment to L. B. 128:

1. In the bill, section 1, page 2, lines 21 and 22, strike ", and to inform the owners" and in lieu thereof insert "and"; line 51, page 3, strike "may be" and in lieu thereof insert *"possible"*.

LEGISLATIVE BILL 135. Placed on Select File as amended.

E and R amendment to L. B. 135:

1. In the bill, section 1, page 2, lines 8 and 9, strike the words *"intention so to do"* and in lieu thereof insert *"such intention"*; line 11, after the word *"entering"* insert *"an"*.

LEGISLATIVE BILL 177. Placed on Select File as amended.

E and R amendment to L. B. 177:

1. In the bill, section 1, page 2, line 6, strike the word "and"; line 47, strike the word "against" and in lieu thereof insert *"for"*; and strike all of lines 50 and 51, except the period and show all original matter so stricken as stricken matter.

LEGISLATIVE BILL 187. Placed on Select File as amended.

E and R amendments to L. B. 187:

1. In the Standing Committee amendment 5, strike "game refuges" and in lieu thereof insert "state game refuge"; and strike the semicolon after the word "Nebraska" and insert "and the state game refuge along the Platte River commencing at the west line of Dodge and Saunders Counties, Nebraska, and running east and southeast to a designated bridge across said river".

2. In the bill title, third line, strike the word "from" and insert in lieu thereof ", as an area for" and insert a comma in the 5th line after "therefor".

LEGISLATIVE BILL 244. Placed on Select File as amended.

E and R amendments to L. B. 244:

1. In the bill, section 2, page 2, line 7, after the word "levy" insert a comma.

2. In the bill, section 3, page 3, lines 8 and 9, strike the words "shall not have been" and insert in lieu thereof "*are* not"; lines 11 and 12, strike "; and if" in line 11 and all of line 12 and in lieu thereof insert ". *If* such taxes and *the* interest due thereon have *not* been paid".

LEGISLATIVE BILL 245. Placed on Select File as amended.

E and R amendments to L. B. 245:

1. In the bill, section 1, page 2, insert the following commas: line 7, after the word "in", line 10, after the word "full" and line 17, after the word "individual"; strike the commas in the following lines, line 8, after the word "Nebraska", line 13, after the word "state", line 15, after the word "statement"; line 11, after the word "showing" insert "*(1)*"; lines 13 and 14, strike "; and a further statement showing" and in lieu thereof insert ", *(2)*"; and line 16, after the word "and" insert "*(3)*".

2. In the bill, section 2, page 2, line 9, insert a comma after the word "firm" also after the word "spurs" in line 10.

LEGISLATIVE BILL 17. Correctly enrolled.
LEGISLATIVE BILL 31. Correctly enrolled.
LEGISLATIVE BILL 43. Correctly enrolled.
LEGISLATIVE BILL 48. Correctly enrolled.
LEGISLATIVE BILL 49. Correctly enrolled.

LEGISLATIVE BILL 72. Correctly enrolled.
LEGISLATIVE BILL 74. Correctly enrolled.
LEGISLATIVE BILL 113. Correctly enrolled.
LEGISLATIVE BILL 114. Correctly enrolled.
LEGISLATIVE BILL 115. Correctly enrolled.
LEGISLATIVE BILL 123. Correctly enrolled.
LEGISLATIVE BILL 137. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 17	L. B. 49	L. B. 114
L. B. 31	L. B. 72	L. B. 115
L. B. 43	L. B. 74	L. B. 123
L. B. 48	L. B. 113	

Visitors

Mr. Davies introduced Miss Grace Hooper and 37 of her students in the Civics Class of College View High School.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 29.

A bill for an act to amend section 44-409, Revised Statutes of Nebraska, 1943, relating to insurance; to provide, that in ascertaining the condition of a domestic sickness and accident insurance company, what reserves shall be required to be set aside to meet liabilities; 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, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg

Bridenbaugh	Hern	Norman	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Larkin	Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 30.

A bill for an act to amend section 44-401, Revised Statutes of Nebraska, 1943, relating to insurance; to provide for the amount domestic fire and automobile insurance companies, doing business on the mutual plan with a stipulated premium, shall reserve of the total unearned premium on all their policies in force in ascertaining their liabilities; 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, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hern	Norman	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Babcock	Lee	Lillibridge

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 116.

A bill for an act to amend section 84-314, Revised Statutes Supplement, 1947, relating to official bonds; to provide for the penal sum of the bond of the deputy auditor of public accounts; 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, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Babcock	Lee

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 32-1206, Revised Statutes Supplement, 1947, relating to elections; to provide in what office and the time within which petitions must be filed to fill vacancy on the general election ballot for office of member of the Legislature; to require the circulator or circulators of such petition to show the truth of the prescribed statements in the petition by affidavit to be filed with such petition; 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, 42:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Babcock

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 relating to agriculture; to require all carnival companies, booking agencies, or shows contracting with the State Board of Agriculture, any county agricultural society, or county fair board to execute and file with the Secretary of the State Board of Agriculture a good and sufficient corporate surety bond in the sum of fifteen hundred dollars running to the State of Nebraska, conditioned that any such carnival company, booking agency, or show will faithfully perform any contract entered into by it in the State of Nebraska during a period of one year from the date of execution of such contract; to require the filing of a sworn statement of the ownership of such company, agency, or show as prescribed; to provide for filing of receipt or certificate with county clerk of county where contract is made with county fair showing bond filed as prescribed; to provide that the State Board of Agriculture, any county agricultural society, or county fair board may bring suit upon such bond to recover any damages sustained by reason of breach of contract or failure to carry out the terms thereof; to provide a penalty; 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, 42:

Adams, J.	Carson	Lillibridge	Prohs

Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Babcock

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.

A bill for an act relating to commercial fertilizers; to provide for a fee to be paid to the Department of Agriculture and Inspection for each net ton of commercial fertilizer sold or offered for sale in this state; and to provide manner of payment of fee and disposition thereof.

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

Voting in the affirmative, 41:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Davies	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bohlke	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Babcock	Cretsinger

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 214. With emergency.

A bill for an act to appropriate the sum of two thousand dollars to aid in defraying traveling expenses of district judges for the biennium ending June 30, 1949; and to declare an emergency.

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

Voting in the affirmative,40:

Adams, J.	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.
Carson	Lee	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Babcock	Bohlke

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 168. E and R amendment found in the Legislative Journal for the Twenty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 242.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 243. E and R amendment found in the Legislative Journal for the Twenty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 125. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 142. E and R amendment found in the Legislative Journal for the Twenty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 169. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 194. E and R amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for engrossment.

MOTION—Return L.B. 244 to General File

Mr. President: I move to return L. B. 244 to General File for the following specific amendment. (Signed) Charles F. Tvrdik

1. Amend page 3 of the bill by inserting immediately after section 3 a new section to be known as section 4, and to read as follows:

"Sec. 4. That section 86-504, Revised Statutes of Nebraska, 1943, be amended to read as follows:

86-504. For the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity in this state, each such express company shall pay into *to* the State Treasury *Tax Commissioner for the use of the General Fund of the state* on or before November 1 of each year, an annual occupa-

tion tax fee, which shall be equal to two per cent upon its gross earnings within this state, including its gross earnings from its transportation or transmission business originating and terminating within this state, but not including earnings derived from an interstate character. *At the time of paying the tax, there shall be issued by the Tax Commissioner a receipt therefor in duplicate, one of which shall be given to the taxpayer and one filed with the State Treasurer at the time the tax collected is paid by the Tax Commissioner to the State Treasurer.*"

2. Amend section 4 of the bill by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 5. That original sections 77-1003, 77-1004, 77-1005, and 86-504, Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title of the bill, line 2, by striking the word "and" and inserting after the figures and punctuation "77-1005," the following: "and 86-504,".

4. Amend the title of the bill, line 7, by inserting after the word "upon" the words "express companies and".

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 244.

Mr. Tvrdik's amendment found in this day's Journal was adopted.

Advanced to E and R for review.

Mr. Davies Presiding

LEGISLATIVE BILL 230.

Advanced to E and R for review.

LEGISLATIVE BILL 367. Laid over.
LEGISLATIVE BILL 366. Laid over.
LEGISLATIVE BILL 131. Considered.

Mr. Hern asked unanimous consent to have the bill laid over.

Objection was offered and consent was not granted.

Mr. Hern moved that L. B. 131 be laid over.

The motion prevailed with 25 ayes, 13 nays and 5 not voting.

LEGISLATIVE BILL 37. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 38. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 39. Considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 121. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 122. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 318. Considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 83. Laid over.

Members Excused

Messrs. L. Anderson and Benesch were excused for Friday, February 11, 1949.

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 10, 1949 at 10:00 a.m.

L. B. 42	L. B. 70	L. B. 107
L. B. 44	L. B. 71	L. B. 108
L. B. 55	L. B. 86	

Adjournment

At 11:55 a.m., on a motion by Mr. Hern, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 11, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Babcock and Benesch, who were excused.

The Journal for the Twenty-eighth Day was approved as corrected.

Communications

A petition addressed to Mr. Person favoring the retention of the County Supervisor form of government. Referred to the Committee on Government..

An invitation extended by the Omaha Chamber of Commerce to the members of the Legislature on Saturday, February 26, in Omaha.

A wire from the Hastings chapter of the Nebraska Better Fishing Association favoring an increase in the hunting and fishing fees. Referred to the Committee on Agriculture.

A letter from Major General Grandison Gardner acknowledging receipt of L.R. 8, advising the Legislature that the deactivation of the Kearney Air Base is being held in abeyance.

A letter from the Iowa State Highway Commission acknowledging receipt of L.R. 11.

A letter from Miss Phyllis Guilliaume, Secretary of the Alpha Theta Chapter of Beta Sigma Phi of North Platte, supporting the cerebral palsey drive and the support of L.B. 79.

Approved by the Governor

February 9, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 9, 1949, he approved L.B. 16, L.B. 20, L.B. 25, L.B. 92, and L.B. 7.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

February 10, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 9, 1949, he approved L.B. 46, L.B. 53, and L.B. 47, and that on February 10, 1949, he approved L.B. 6, L.B. 107, L.B. 108, and L.B. 44.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 231	Thursday, February 17, 1949	2:00 p.m.
L. B. 235	Thursday, February 17, 1949	2:00 p.m.
L. B. 256	Thursday, February 17, 1949	2:00 p.m.
L. B. 257	Thursday, February 17, 1949	2:00 p.m.

Public Works

L. B. 528	Friday, February 18, 1949	1:30 p.m.
L. B. 470	Friday, February 25, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L B. 503 Friday, February 25, 1949 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 342. Placed on General File.
LEGISLATIVE BILL 308. Placed on General File as amended.

Standing Committee amendments to L. B. 308:

1. Amend page 2 of the bill, section 2, line 2, by striking the same, and inserting in lieu thereof the following: *"States, or any of its departments, instrumentalities, or agencies, or (2) this state, or any governmental subdivision, department, agency, or instrumentality thereof, any municipal corporation or body politic created by or under the laws of Nebraska, or any agency, institution, foundation, or fund administered or operated by any of the same".*

2. Amend page 3 of the bill, section 3, line 16, by inserting after the punctuation the word *"or"*.

3. Add a new section, to be numbered 5, reading 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 6, by striking the word "and".

5. Amend the title, line 8, by inserting after the figures "1947," the following: "; and to declare an emergency."

6. Amend the title by adding the names of Willard Wilson of Phelps and Charles Tvrdik of Douglas as co-introducers.

(Signed) Charles F. Tvrdik, Chairman

Public Works

LEGISLATIVE BILL 18. Indefinitely postponed.
LEGISLATIVE BILL 133. Placed on General File as amended.

Standing Committee amendments to L. B. 133:

1. Amend L. B. 133, Section 1, Line 18, by inserting the words *"at the discretion of the County Board,"* following the word "may," and amend the title to conform.

2. Amend L. B. 133 by adding the emergency clause and by amending the title to conform.

LEGISLATIVE BILL 59. Indefinitely postponed.
LEGISLATIVE BILL 138. Placed on General File as amended.

Standing Committee amendments to L. B. 138:

1. Amend the bill, Section 1, by striking the period after "system" in line 5, all the balance of line 5 and all of lines 6, 7 and 8, and insert in lieu thereof the following: "and any additional highways built *for which actual physical construction costs are paid for either* in whole or in part with *state* funds appropriated for highway purposes which are constructed under the exclusive direction of the department, including bridges thereon; *Provided,* that *the department shall maintain all highways built in whole or in part with federal funds appropriated for highway purposes which were constructed under the exclusive direction of the department, including bridges thereon, when actual physical construction of such highway was commenced, on or before effective date of this act.*"

2. Amend the title of the bill by striking the balance of the title beginning with the word "relieve" in the third line, and inserting in lieu thereof the following: "provide that the Department of Roads and Irrigation shall maintain the whole of the state highway system or any highway built for which actual physical construction costs are paid for either in whole or in part with state funds, and all highways built in whole or in part with federal funds when actual physical construction was commenced on or before the effective date of this act."

(Signed) Otto J. Prohs, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 35. Placed on General File.
LEGISLATIVE BILL 23. Placed on General File as amended.

Standing Committee amendments to L. B. 23:

1. Section 1, line 10, strike the word "*county*" and insert in lieu thereof the word "*state*".

2. Section 1, line 11, insert after the word "*board*" the words "*of the county in which the applicant resides or the county in which they themselves reside*".

3. The Committee on Enrollment and Review will amend the title to conform.

LEGISLATIVE BILL 141. Placed on General File.

(Signed) William Hern, Chairman

Enrollment and Review

LEGISLATIVE BILL 33. Correctly engrossed.
LEGISLATIVE BILL 41. Correctly engrossed.
LEGISLATIVE BILL 54. Correctly engrossed.
LEGISLATIVE BILL 76. Correctly engrossed.
LEGISLATIVE BILL 85. Correctly engrossed.
LEGISLATIVE BILL 142. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 106.

A bill for an act to amend sections 81-270, 81-271, 81-272, 81-273, and 81-275, Revised Statutes of Nebraska, 1943, relating to agriculture; to provide for selling of eggs in containers bearing the proper grade; to provide that the Department of Agriculture and Inspection may make rules and regulations for establishing grades and standards for market eggs, and for labeling and maintenance of quality of eggs; to increase the fee for a permit for any person to engage in commercial buying of eggs; to provide for issuing licenses to grade, candle, or grade and candle eggs and fee therefor; to eliminate the provision for a candler's license except where the applicant desires to engage in the business of candling eggs; to eliminate the provisions for storing and candling of eggs; and to repeal the original sections and also section 81-274, 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, 34:

Adams, J.	Cretsinger	Lillibridge	Prohs
Adams, T.	Davies	Lindgren	Schroeder
Anderson, V.	Hanna	Lusienski	Tvrdik
Bohlke	Hern	Metzger	Vogel
Bridenbaugh	Hill	Norman	Weborg
Burney	Holmes	Ogden	Williams
Burnham	Hoyt	Person	Wilson, W.
Carson	Larkin	Pizer	Wood
Cramer	Lee		

Voting in the negative, 3:

Carmody	Vogt	Wilson, C.

Not voting, 6:

Anderson, L.	Benesch	McKnight	Nelson
Babcock	Callan		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Unanimous Consent—Return L. B. 98 to Committee

Mr. Hoyt asked unanimous consent to have L. B. 98 returned to Committee for further consideration.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 91.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 129.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 136.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 152.

Mr. Weborg made a motion to indefinitely postpone.

The motion did not prevail.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 100. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Laid over.

LEGISLATIVE BILL 102. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 103. E and R amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 120. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Davies introduced a delegation from the Lincoln League of Women Voters.

LEGISLATIVE BILL 126. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 128. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 135. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 177. E and R amendment found in the Legislative Journal for the Twenty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 245. E and R amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Mr. Tvrdik offered the following Specific amendment, which was adopted by unanimous consent:

Add the emergency clause and amend the title to conform.

Advanced to E and R for engrossment.

MOTION—Holiday

Mr. President: I move that the employees of the Legislature be granted a holiday on Saturday, February 12, 1949, in observance of Abraham Lincoln's birthday. (Signed) Charles F. Tvrdik

The motion prevailed.

MOTION—Return to General File

Mr. President: I move to return L. B. 244 to General File for the following Specific amendment. (Signed) Charles F. Tvrdik

Add the emergency clause and amend the title to conform.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 244.

Mr. Tvrdik's amendment found in this day's Journal was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 367. Laid over.
LEGISLATIVE BILL 366. Laid over.
LEGISLATIVE BILL 131. Laid over.
LEGISLATIVE BILL 83. Laid over.

Speaker Lee Presiding

LEGISLATIVE BILL 112.

Mr. Tvrdik asked unanimous consent to have L. B. 112 laid over and held on General File awaiting disposition of L. B. 101.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 148. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 157. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 159. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 131.

Mr. Hern offered the following amendments:

1. Amend page 2 of the bill, section 1, by striking line 9 and inserting in lieu thereof the following: "bureau, but *which shall* not to exceed ~~twenty-four~~ hundred *three thousand* dollars, together".

2. Amend page 2 of the bill, section 2, by striking line 14 and inserting in lieu thereof the following: "be fixed by the bureau, but which shall not exceed $3,300.00 *four thousand dollars.*"

Mr. Hern requested a record vote.

Voting in the affirmative, 12:

Bohlke	Carson	Lee	Schroeder
Burnham	Hanna	Lindgren	Vogt
Carmody	Hern	Person	Weborg

Voting in the negative, 19:

Adams, J.	Hill	McKnight	Vogel
Anderson, V.	Holmes	Metzger	Williams
Callan	Hoyt	Norman	Wilson, C.
Cramer	Larkin	Pizer	Wilson, W.
Davies	Lillibridge	Tvrdik	

Not voting, 12:

Adams, T.	Benesch	Cretsinger	Ogden
Anderson, L.	Bridenbaugh	Lusienski	Prohs
Babcock	Burney	Nelson	Wood

The amendment was not adopted with 12 ayes, 19 nays and 12 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 175. Read and considered.

Advanced to E and R for review.

Unanimous Consent—Re-refer Bills

Mr. Pizer asked unanimous consent to re-refer L. B. 471 from the Committee on Miscellaneous Appropriations and Claims to the Committee on Education to correspond with L. B. 210.

Objection was offered and consent was not granted.

Mr. Pizer asked unanimous consent to re-refer L. B. 210 from the Committee on Education to the Committee on Miscellaneous Appropriations and Claims.

Consent was granted and it was so ordered.

NOTICE OF COMMITTEE HEARING

Miscellaneous Appropriations and Claims

L. B. 210 Monday, February 14, 1949 2:00 p.m.
(Reset from Febr. 22)

LINCOLN MEMORIAL PROGRAM

Reverend Hansen Presiding

At 11:00 a.m., the following program was rendered:

PROCESSIONAL

Constitutional Officers and State National Guard

General Introduction .....Chaplain Hansen

Gettysburg Address .....Charles Chambers

The National Anthem and The Battle Hymn
of the Republic .....Doane College Soloist

Prayer .....Rabbi Samuel Baron

Address .....Hon. Senator John Adams

Song .....Doane College Soloist

RECESSIONAL

State Officers and National Guard

Adjournment

At 11:55 a.m., Mr. Hoyt made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, February 14, 1949.

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 14, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lusienski and Weborg, who were excused, and Mr. L. Anderson, who was excused until 11:00 a.m.

The Journal for the Twenty-ninth Day was approved as corrected.

Communications

Letter and resolution from the Nebraska Committee for MVA opposing L. R. 10. Referred to Committee on Public Works.

Memorandum and copy of the Congressional Record from Hugh Butler acknowledging receipt of L. R. 9.

Resolution bearing 35 signatures from the Social Action Council of Lincoln, Nebraska, urging the passage of L. B. 117. Referred to Committee on Labor and Public Welfare.

Letter from the Federal Security Agency in Washington notifying the Legislature that the President has referred L. R. 2 to this agency.

Letter and resolution from the George W. Norris Co-operative urging the passage of L. B. 117. Referred to the Committee on Labor and Public Welfare.

Invitation from the Nebraska Rural Electrification Association to the members and their wives to a banquet in the large dining room of the Lincoln Hotel on Monday, March 7, at 6:30 p.m.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

L. B. 352	Monday, February 21, 1949	2:00 p.m.
L. B. 488	Monday, February 21, 1949	2:00 p.m.
L. B. 429	Monday, February 21, 1949	2:00 p.m.
L. B. 449	Monday, February 21, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 160. Placed on General File.
LEGISLATIVE BILL 67. Placed on General File as amended.

Standing Committee amendments to L. B. 67:

1. Amend the bill, Section 11, Sub-Section (2), Line 31, by striking the word "on" before the word "resolution" and inserting in lieu thereof the word "*by*".

2. Amend the bill, Section 11, Sub-Section (2), Page 7, Line 33, by changing the period at the end of Line 33 to a semicolon and inserting the following: "*provided, however, that no lands within any municipal corporation shall be annexed to any such district and no tract of 20 acres or more which is outside any municipal corporation and is used primarily for industrial purposes, shall be annexed to any such district without the written consent of the owner of such tract.*"

LEGISLATIVE BILL 94. Placed on General File as amended.

Standing Committee amendments to L. B. 94:

1. Amend the bill, Section 1, Page 4, by striking lines 72 through 85 and inserting in lieu thereof the following: "*gross axle load shall be reduced to ten thousand pounds, and in no event shall the gross weight per axle exceed three hundred pounds per inch of tire, roller or wheel width on such axle; Provided, where two or more axles are of less than twelve feet distance between the extremes of such group, the maximum gross load for each such axle shall not exceed eight thousand pounds; and provided further, that in no event shall the combined gross weight of the vehicle and the load exceed twenty thousand pounds. Tire width when applied to pneumatic tires shall mean the diameter of the cross section of such tire as customarily measured and rated by the manufacturers of motor vehicles and tires. When such incapabilities of a highway exist, the Department of Roads and Irrigation shall at the beginning and end of the highway affected, and at points of intersection with gravel or hard surfaced roads and out-*

side of corporate places, place signs which conspicuously indicate the limitations of the gross axle load weight and weight per inch of tire. When, in the opinion of the State Engineer, any such highway or any section thereof is in such condition as to warrant a further reduction of the gross axle loads, the State Engineer, under rules and regulations prescribed by the department, shall further reduce such axle loads by causing to be placed signs in the form and substance as heretofore mentioned. (5) If any truck", and amend the title to conform.

2. Amend the bill, Section 2, Page 4, Line 3, by striking the words "exceed fifty" and insert in lieu thereof the following: *"be less than twenty-five dollars nor more than three hundred".*

3. Amend the title of the bill, Line 7, by inserting after the word "thawing" the following: "; to define terms;".

(Signed) Otto J. Prohs, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 179. Indefinitely postponed.

(Signed) William Hern, Chairman

Government

LEGISLATIVE BILL 205. Indefinitely postponed.
LEGISLATIVE BILL 287. Placed on General File.
LEGISLATIVE BILL 165. Placed on General File.
LEGISLATIVE BILL 266. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 37. Placed on Select File.
LEGISLATIVE BILL 38. Placed on Select File as amended.

E and R amendment to L. B. 38:

1. In the bill, section 1, page 2, line 13, strike the word "that" showing it as stricken and in lieu thereof insert *"as"*.

LEGISLATIVE BILL 121. Placed on Select File.
LEGISLATIVE BILL 122. Placed on Select File.
LEGISLATIVE BILL 149. Placed on Select File as amended.

E and R amendment to L. B. 149:

1. In the bill, section 2, page 2, line 14, strike "served, as aforesaid," and in lieu thereof insert "*so* served"; line 18, strike "in case" and insert in lieu thereof "*if*"; line 19, strike "as aforesaid in this state" and in lieu thereof insert "in this state *as above provided*".

LEGISLATIVE BILL 153. Placed on Select File as amended.

E and R amendments to L. B. 153:

1. In the bill, section 1, page 2, line 7, strike "either," and in lieu thereof insert "*the same*"; line 14, strike the comma after the word "divorce".

2. In the bill, section 2, page 2, line 7, before the word "*defendant*" insert "*the*".

3. In the bill title, fifth line, after the word "notice" insert "in divorce actions"; lines 6 and 7, strike the words "at the time action for divorce is instituted" and insert in lieu thereof "or his whereabouts cannot be ascertained after the prescribed search and inquiry".

LEGISLATIVE BILL 154. Placed on Select File as amended.

E and R amendment to L. B. 154:

1. In the bill, section 1, page 2, line 11, after the word "within" insert "said" as in the statute.

LEGISLATIVE BILL 156. Placed on Select File.
LEGISLATIVE BILL 193. Replaced on Select File as amended.

E and R amendment to L. B. 193:

1. In the bill, section 1, page 2, line 10, insert a comma after "game animal"; line 13, strike "or fowl" and in lieu thereof insert ", fowl,"; and in Enrollment and Review Amendment 2 to title, strike the word "of" after the word "possession" near the end of said amendment 2.

LEGISLATIVE BILL 244. Replaced on Select File with the following instructions:

1. Adopt the amendments turned in by this committee to the Legislature on February 10, 1949, before the bill was called back to General File.

LEGISLATIVE BILL 143. Replaced on Select File as amended.

E and R amendments to L. B. 143:

1. In the original bill, section 4, page 4, line 12, reinsert the stricken period prior to the word "Notice".

2. In the bill, section 15, renumbered 16, line 14, strike the word "voters" and in lieu thereof insert "*freeholders*".

LEGISLATIVE BILL 29. Correctly enrolled.
LEGISLATIVE BILL 30. Correctly enrolled.
LEGISLATIVE BILL 116. Correctly enrolled.
LEGISLATIVE BILL 118. Correctly enrolled.
LEGISLATIVE BILL 124. Correctly enrolled.
LEGISLATIVE BILL 166. Correctly enrolled.
LEGISLATIVE BILL 214. Correctly enrolled.
LEGISLATIVE BILL 168. Correctly engrossed.
LEGISLATIVE BILL 169. Correctly engrossed.
LEGISLATIVE BILL 194. Correctly engrossed.
LEGISLATIVE BILL 242. Correctly engrossed.
LEGISLATIVE BILL 243. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on February 11, 1949 at 11:00 a.m.

L. B. 17	L. B. 49	L. B. 114
L. B. 31	L. B. 72	L. B. 115
L. B. 43	L. B. 74	L. B. 123
L. B. 48	L. B. 113	

(Signed) Glenn Cramer, Chairman

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 Sixty-First 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; and (4) a copy of its sub-committee reports as approved by the Legislative Council.

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. Copies of the minutes, 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
(by) William A. Metzger, Chairman

MOTION—Adopt Report

Mr. President: I move that the report of the Legislative Council be adopted. (Signed) William A. Metzger

The motion prevailed.

MOTION—Vote of Confidence

Mr. President: I move a vote of confidence in Senator Callan and the Budget Committee, relating to the employees of the Tax Commissioner's office for checking assessments. (Signed) Ed. Hoyt

The motion prevailed with 31 ayes, 7 nays and 5 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 207. With emergency.

A bill for an act specifically to appropriate the sum of five thousand seven hundred eighty-four dollars and fifty-two 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 6, 1949; 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 4, 1951; and to declare an emergency.

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

Voting in the affirmative, 37:

Adams, J.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder

Babcock	Davies	McKnight	Tvrdik
Benesch	Hanna	Metzger	Vogel
Bridenbaugh	Hern	Nelson	Vogt
Burney	Hill	Norman	Williams
Burnham	Hoyt	Ogden	Wilson C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Bohlke	Lusienski	Weborg
Anderson, L.	Holmes		

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 224.

A bill for an act to amend sections 17-920 and 17-923, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to reconcile conflict in interest rate on special assessments levied in connection with sewer construction; 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, 39:

Adams, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hern	Norman	Wilson, C.
Burney	Hill	Ogden	Wilson, W.
Burnham	Holmes	Person	Wood
Callan	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Lusienski	McKnight	Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 75.

A bill for an act to amend section 39-259, Revised Statutes of Nebraska, 1943, relating to highways; to change the limitation on the amount the road overseer may charge and be paid for trimming hedge fences, trees, or undergrowth; 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, J.	Carson	Larkin	Pizer
Adams, T.	Cramer	Lee	Prohs
Anderson, V.	Cretsinger	Lillibridge	Schroeder
Babcock	Davies	Lindgren	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Norman	Williams
Callan	Holmes	Ogden	Wilson, W.
Carmody	Hoyt	Person	

Voting in the negative, 2:

Burnham	Nelson

Not voting, 6:

Anderson, L.	Lusienski	Wilson, C.	Wood
Bohlke	Weborg		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 97. With emergency.

A bill for an act to repeal section 77-1602, Revised Statutes Supplement, 1947, relating to taxation; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, L.	Lusienski	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.

Mr. Burney Presiding

SELECT FILE

LEGISLATIVE BILL 100.

Mr. J. Adams asked unanimous consent to have L. B. 100 laid over for one month.

Objection was offered and consent was not granted.

Mr. J. Adams asked that the bill be laid over for two weeks.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 367. Laid over.
LEGISLATIVE BILL 366. Laid over.
LEGISLATIVE BILL 83. Considered.

Mr. McKnight offered the following amendments, upon which no action was taken.

1. Amend page 2 of the bill, section 1, by striking lines 3 to 12 and inserting in lieu thereof the following:

"28-1003. Whoever shall use, sell, offer for sale or keep for sale in this state any firecrackers more than five inches in length

and more than three-fourths of an inch in diameter, or any toy revolvers for shooting blank cartridges, or blank cartridges for toy revolvers, shall be fined not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding thirty days: Provided, however, caps containing dynamite may be used, kept for sale or sold when needed for mining purposes, or for danger signals or for other necessary uses. *It shall be unlawful for any person, firm, partnership, or corporation, except as provided in Sections 3 and 4 of this act, to sell at retail, possess for sale at retail, use, discharge or cause to be discharged any pyrotechnics, commonly known as fireworks, of any description whatsoever except those designated as safe and sane fireworks and enumerated as follows: sparklers, Vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color shells, without explosive charge for the purpose of making a noise, Roman candles, sky rockets, star mines, color wheels, Chinese-made soft shell fire crackers not exceeding one and five-eighths inches in length and one-fourth inch outside diameter, toy cap pistols and caps where the caps used do not contain more than .35 grain of explosive material in each cap. That such safe and sane fireworks as set out in this section shall be sold only from June 27 to and including July 5 of each year, except toy cap pistols and toy caps which may be sold at any time.*"

2. Amend page 2 of the bill, section 2, by striking lines 3 to 17 and inserting in lieu thereof the following:

"28-1003.01. It shall be unlawful for any person, firm, *partnership,* or corporation to sell any *pyrotechnics, commonly known as* fireworks, at retail outside of the corporate limits of any city or village. Any person, firm or corporation or employee or agent of any person, firm or corporation, violating the provisions hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a period of not less than five days and not exceeding thirty days, by a fine of not less than twenty five dollars and not more than one hundred dollars, or by both such fine and imprisonment. *except (1) for the purpose of exhibition or display as provided in section 3 of this act and (2) public exhibitions as displays thereof under the auspices of any governmental subdivision of this state.*"

3. Amend the bill by striking section 3 and inserting two new sections to be known as sections 3 and 4 as follows:

"Sec. 3. *Any person, firm, partnership, or corporation before giving any exhibition or display of fireworks within the state shall first secure a written permit to do so from the governing board of the city, village, township, or county wherein said public display is to be fired.*"

Sec. 4. *Nothing in this act shall prohibit the use of torpedoes, flares, or fuses by railroad or other transportation agencies for signal purposes or illumination; Provided, that nothing in this act shall prohibit the sale or use of blank cartridges for ceremonial purposes, athletic or sporting events.*"

4. Amend sections 4 and 5 by renumbering as sections 5 and 6, respectively.

5. Amend renumbered section 5 by striking lines 1 to 3 and inserting in lieu thereof the following:

"Sec. 5. *Any person, firm, partnership, or corporation, or employee or agent of any such person, firm, partnership, or corporation, violating any of the provisions of this act, shall be deemed*".

6. Amend the bill by striking all of old section 6.

7. Amend the title of the bill by striking lines 4 to 9 and inserting in lieu thereof the following: "punishments; to regulate the sale of fireworks at retail and use thereof between certain dates; to permit display and exhibitions of fireworks as prescribed; to redefine penalties; and to repeal the original sections.".

Laid over.

LEGISLATIVE BILL 167. Read and considered.

Laid over.

Adjournment

At 12:05 p.m., on a motion by Mr. Vogt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 15, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Thirtieth Day was approved as corrected.

Communication

A petition addressed to Mr. Person from voters in his district, favoring retention of the County Supervisor form of government. Referred to the Committee on Government.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 216	Tuesday, March 1, 1949	2:00 p.m.
L. B. 217	Tuesday, March 1, 1949	2:00 p.m.
L. B. 233	Tuesday, March 1, 1949	2:00 p.m.
L. B. 378	Tuesday, March 1, 1949	2:00 p.m.

Revenue and Taxation

L. B. 220	Tuesday, March 1, 1949	2:00 p.m.
L. B. 443	Tuesday, March 1, 1949	2:00 p.m.

President Signs

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

L. B. 29 L. B. 118 L. B. 166
L. B. 30 L. B. 124 L. B. 214
L. B. 116

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 299. Placed on General File as amended.

Standing Committee amendments to L. B. 299:

1. Amend page 2 of the bill, section 1, lines 6, 12, and 21, by striking the new matter and reinstating the old matter.

2. Amend page 2 of the bill, section 1, line 6 by inserting after the word and punctuation "dollars," the following: "and may, if the premiums and permanent improvements warrant it, levy such part of an additional one-fourth mill levy as will produce an additional five thousand dollars, or any part thereof,"

3. Amend page 2 of the bill, section 1, line 15 by striking the word "four" and inserting in lieu thereof the word "*five*".

4. Amend page 2 of the bill, section 1, line 24, by striking the word "three" and inserting in lieu thereof the word "*five*".

LEGISLATIVE BILL 98. Placed on General File as amended.

Standing Committee amendments to L. B. 98:

1. Amend page 2 of the bill, section 1, line 14, by inserting after the word "agriculture" the following: ", *home economics,*".

2. Amend page 2 of the bill, section 1, by striking line 18 and inserting in lieu thereof the following: "*by a 4-H club having a county show.*".

3. Amend page 2 of the bill by adding a new section known as Section 3 providing for the emergency clause, and amend the title to conform.

LEGISLATIVE BILL 282. Placed on General File.
LEGISLATIVE BILL 311. Placed on General File.
LEGISLATIVE BILL 312. Placed on General File.
LEGISLATIVE BILL 379. Placed on General File as amended.

Standing Committee amendments to L. B. 379:

1. Amend page 2 of the bill, section 1, line 18, by inserting after

the word "authorized" the following: ", *when written request has been filed by the property owner,*".

2. Amend page 2 of the bill, section 1, line 20, by striking the words "the carcass" and inserting in lieu thereof the following: "*live deer or carcasses.*".

3. Amend the bill by adding a new section to be known as Section 3 providing for the emergency clause, and amend the title to conform.

(Signed) Ed. Hoyt, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 259. Placed on General File as amended.

Standing Committee amendments to L. B. 259:

1. In the bill, page 2, strike all of Section 1, commencing with the word "*eight*" in line 7 and in lieu thereof insert "*six* cents per mile *for each mile actually and necessarily traveled in each calendar month.*".

2. In the bill, Section 2, page 3, strike line 39 commencing with the word "*eight*" and lines 40, 41, 42 and 43 up to and including the first comma in line 43, and in lieu thereof insert: "*six* cents per mile for each mile actually and necessarily traveled *in each calendar month*".

LEGISLATIVE BILL 436. Indefinitely postponed.
LEGISLATIVE BILL 471. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Budget

LEGISLATIVE BILL 285. Placed on General File.

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 39. Placed on Select File as amended.

E and R amendment to L. B. 39:

1. In the bill, insert commas in the following places: section 1, page 2, line 9, after the word "weather"; line 15, page 2, after the word "crops"; line 33, page 2, before the word "and"; line 41,

page 3, before the word "or"; line 42, after the word "transit", line 61, after the word "theft"; line 85, page 4, after the word "person"; line 87, page 4, after the word "breaking"; line 87, after "theft"; and line 99, after the word "*conduits*". In line 138, page 6, after the semicolon insert the word "*or*"; strike the word "*sound*" in Standing Committee amendment 3.

LEGISLATIVE BILL 102. Replaced on Select File as amended.

E and R amendments to L. B. 102:

1. In the bill, section 1, line 4, strike "or parents" and all amendments to said line 4, and in lieu thereof insert ", parents,".

LEGISLATIVE BILL 127. Placed on Select File as amended.

E and R amendments to L. B. 127:

1. Prior to the newly inserted matter in Standing Committee Amendment 1, insert "Section 1. That section 30-305, Revised Statutes of Nebraska, 1943, be amended to read as follows:". In the Standing Committee Amendment 1, first line of inserted matter, strike ", however,".

2. In the bill, line 2 of the renumbered section 3, strike the word "is" and in lieu thereof insert the word "are" and in line 1, after the word "original" insert "section 30-305, Revised Statutes of Nebraska, 1943, and original".

3. In the bill title, line 7, after the word "inventory" insert "; to provide that a special administrator shall make an inventory within two weeks after this appointment".

LEGISLATIVE BILL 91. Correctly engrossed.
LEGISLATIVE BILL 120. Correctly engrossed.
LEGISLATIVE BILL 126. Correctly engrossed.
LEGISLATIVE BILL 129. Correctly engrossed.
LEGISLATIVE BILL 75. Correctly enrolled.
LEGISLATIVE BILL 97. Correctly enrolled.
LEGISLATIVE BILL 207. Correctly enrolled.
LEGISLATIVE BILL 224. Correctly enrolled.
LEGISLATIVE BILL 106. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 106

MOTION—Washington's Birthday

Mr. President: I move that the Chaplain be authorized to plan a program for Washington's birthday. (Signed) Frank Nelson

The motion prevailed with 15 ayes, 5 nays and 23 not voting.

Mr. President: I move that Mr. Lillibridge be appointed as a committee of one to confer with the Chaplain in arranging the program. (Signed) Dwight W. Burney

The motion prevailed.

Visitors

Mr. V. Anderson presented the Fifth Grade class of Huntington School, with Mrs. Hodder, the principal and Miss Hess, the teacher.

Mr. V. Anderson presented a class of 62 students from Whittier Junior High School, with Mr. Bogar, the principal and Patricia Goralski, the teacher.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 137.

A bill for an act to amend section 81-513, Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to provide that before the State Fire Marshal condemns or by order directs the destruction, closing, or nonoccupancy of any building or structure owned by the public for any other cause than fire prevention, he shall be required to obtain a written report from a building contractor, licensed architect, or licensed engineer stating the condition of the building, and the reason why such building or structure should be condemned, destroyed, closed, or ordered to remain unoccupied, and a copy of the report shall be attached to the order; 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, J.	Callan	Larkin	Pizer

Anderson, L.	Carmody	Lee	Prohs
Anderson, V.	Carson	Lillibridge	Schroeder
Babcock	Cramer	Lindgren	Tvrdik
Benesch	Cretsinger	Metzger	Vogel
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham			

Voting in the negative, 3:

Hill	Vogt	Wood

Not voting, 7:

Adams, T.	Hanna	McKnight	Weborg
Davies	Lusienski	Person	

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 for L. B. 137. (Signed) Thomas M. Davies

MOTION—Rule Suspension, Final Reading

Mr. President: I move that the rules be suspended and that we consider L. B. 33, L. B. 41, L. B. 54, L. B. 76, L. B. 85 and L. B. 142 on final reading. (Signed) Lester H. Anderson

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

MOTION—Recommit L. B. 41

Mr. President: I move to recommit L. B. 41 to the proper standing committee with instructions to make some provision in the bill to provide a manner of clemency in less than 20 years where, in the opinion of the board, such clemency is warranted. (Signed) Willard M. Wilson

The motion did not prevail with 19 ayes, 18 nays and 6 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 33.

A bill for an act relating to blind persons; to provide that the prescribed use of a white cane or of a guide dog shall be an indication that the user thereof is blind; to make certain acts unlawful; to require the operator of any vehicle or conveyance to give special consideration to a person bearing a white cane or using a guide dog, and to yield the right-of-way to such blind person; 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, 39:

Adams, J.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	Wood
Carson	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Babcock	Burney	Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 41.

A bill for an act to amend sections 29-2606 and 29-2632, Revised Statutes of Nebraska, 1943, relating to pardons and paroles; to provide that the Board of Pardons shall have no authority to act upon any application for clemency by any person under sentence to life imprisonment in the penitentiary until at least twenty calendar years have elapsed between the date of commitment and date of application for clemency except on the ground of newly discovered evidence; to provide that such convict shall not be released on account of good behavior until a term of twenty calendar years has been served; and to repeal the original sections.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 22:

Adams, J.	Cramer	Lee	Person
Anderson, L.	Davies	Lindgren	Prohs
Anderson, V.	Hanna	McKnight	Vogel
Burney	Hern	Metzger	Weborg
Callan	Holmes	Nelson	Wood
Carson	Hoyt		

Voting in the negative, 17:

Benesch	Hill	Ogden	Vogt
Bohlke	Larkin	Pizer	Williams
Bridenbaugh	Lillibridge	Schroeder	Wilson C.
Carmody	Norman	Tvrdik	Wilson, W.
Cretsinger			

Not voting, 4:

Adams, T.	Babcock	Burnham	Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 54. With emergency.

A bill for an act relating to withholding money from wages and salaries of public employees; to authorize such employees to participate in group, franchise, or wholesale plan of insurance; to provide for the payment of premiums by deduction from wages or salaries of such employees; to prescribe the manner of making an order for such withholding and revocation thereof; to authorize payment of amounts withheld to insurance companies issuing such group, franchise, or wholesale plan insurance policies; to provide that the employer shall not contribute any money thereto except as prescribed; and to declare an emergency.

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

Voting in the affirmative, 41:

Adams, J.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	McKnight	Vogel

Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Adams, T. 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 76.

A bill for an act to amend section 41-104, Revised Statutes of Nebraska, 1943, relating to hotels and inns; to provide for inspection of restaurants by the Department of Agriculture and Inspection prior to issuing of certificate of registration; 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:

Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Norman	Weborg
Burney	Hill	Ogden	Williams
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Larkin		

Voting in the negative, 1:

Nelson

Not voting, 4:

Adams, J.	Adams, T.	Lusienski	Wilson, C.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 85.

A bill for an act to amend section 8-305, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to prohibit the use of certain designated words in the name used by individuals, firms, companies, corporations, or associations, with exceptions, operating in the State of Nebraska which are not organized or incorporated under and in accordance with the provisions of sections 8-301 to 8-349, Revised Statutes of Nebraska, 1943; to provide a penalty; and to repeal the original section and also section 8-341, 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, 40:

Adams, J.	Carmody	Lee	Prohs
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Hanna	Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 142. With emergency.

A bill for an act to amend section 66-305, Revised Statutes Supplement, 1947, relating to motor vehicle fuels; to reduce inspection fees; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, J.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Adams, T.	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.

SELECT COMMITTEE REPORT

Committee on Order and Arrangement

The Committee on Order and Arrangement met on the call of the Chairman at noon, February 11, 1949, in the west senate lounge. Those present were Senators Pizer, Hoyt, Cramer, Carmody, McKnight, Vogel, Schroeder, Prohs and Tvrdik.

It was moved by Senator Tvrdik and seconded by Senator Hoyt that Senator Cramer be selected vice-chairman.

(Signed) Harry L. Pizer, Chairman

Member Excused

Mr. Schroeder was excused for the balance of the morning.

SELECT FILE

LEGISLATIVE BILL 37.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendment found in the Legislative Journal for the Thirtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 121.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 122.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 149. E and R amendment found in the Legislative Journal for the Thirtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 153. E and R amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 154. E and R amendment found in the Legislative Journal for the Thirtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 156.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 193. E and R amendment found in the Legislative Journal for the Thirtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 244. E and R amendments found in the Legislative Journal for the Twenty-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 Thirtieth Day were adopted.

Advanced to E and R for engrossment.

Mr. Burney Presiding

GENERAL FILE

LEGISLATIVE BILL 367. Laid over.
LEGISLATIVE BILL 366. Laid over.
LEGISLATIVE BILL 83.

Mr. McKnight's amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Mr. Person asked unanimous consent to have L. B. 83 laid over until Friday morning for Specific amendment.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 167.

Mr. Lee made a motion to have L. B. 167 made a Special Order of Business for February 23, 1949 at 10:00 a.m.

Mr. Tvrdik requested a machine vote.

Mr. Carmody requested a record vote.

Voting in the affirmative, 21:

Anderson, V.	Davies	Lee	Ogden
Babcock	Hanna	Lillibridge	Person
Bridenbaugh	Hern	Lindgren	Prohs
Burney	Hill	Metzger	Vogel
Callan	Hoyt	Nelson	Wood
Cramer			

Voting in the negative, 18:

Adams, J.	Carmody	Norman	Weborg
Anderson, L.	Carson	Pizer	Williams
Benesch	Cretsinger	Tvrdik	Wilson, C.
Bohlke	Holmes	Vogt	Wilson, W.
Burnham	Larkin		

Not voting, 4:

Adams, T. Lusienski McKnight Schroeder

The motion prevailed with 21 ayes, 18 nays and 4 not voting.

LEGISLATIVE BILL 342. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 308. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Advanced to E and R for review.

Adjournment

At 12:00, noon, on a motion by Mr. Vogt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 16, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, V. Anderson, L. Anderson, Callan, Lillibridge, Norman, Williams and Wood, who were excused.

The Journal for the Thirty-first Day was approved as corrected.

Communications

Petition from the members of the Federated and Beatrice Garden Club supporting a resolution designating Route 75 through Nebraska as part of the Blue Star Memorial Highway. Referred to Committee on Agriculture.

Letter from Mr. Roy A. Foxworthy opposing L. B. 399. Referred to Committee on Revenue and Taxation.

Letter to Mr. Carmody from Mr. G. E. McClurg opposing L. B. 187. Referred to Committee on Agriculture.

Invitation to attend the Unesco Conference at the University of Nebraska. Members may show identification cards for entry and be given special seats.

Petition bearing 35 signatures sent to Mr. Nelson from the Members of the Civic Improvement Garden Club supporting a resolution designating Route 75 through Nebraska as part of the Blue Star Memorial Highway. Referred to Committee on Agriculture.

Petition from Boyd County bearing 314 signatures endorsing L. B. 187. Referred to Committee on Agriculture.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 258	Tuesday, February 22, 1949	2:00 p.m.
L. B. 261	Tuesday, February 22, 1949	2:00 p.m.
L. B. 262	Tuesday, February 22, 1949	2:00 p.m.
L. B. 284	Tuesday, February 22, 1949	2:00 p.m.
L. B. 303	Thursday, February 24, 1949	2:00 p.m.
L. B. 304	Thursday, February 24, 1949	2:00 p.m.
L. B. 316	Thursday, February 24, 1949	2:00 p.m.
L. B. 332	Thursday, February 24, 1949	2:00 p.m.

Miscellaneous Appropriations and Claims

L. B. 170	Wednesday, March 2, 1949	2:00 p.m.
L. B. 445	Wednesday, March 2, 1949	2:00 p.m.
L. B. 298	Monday, March 7, 1949	2:00 p.m.
L. B. 331	Monday, March 7, 1949	2:00 p.m.
L. B. 343	Monday, March 7, 1949	2:00 p.m.
L. B. 446	Monday, March 7, 1949	2:00 p.m.
L. B. 391	Wednesday, March 9, 1949 (Reset from Febr. 11)	2:00 p.m.
L. B. 507	Wednesday, March 9, 1949	2:00 p.m.
L. B. 323	Monday, March 14, 1949	2:00 p.m.
L. B. 358	Monday, March 14, 1949	2:00 p.m.
L. B. 421	Monday, March 14, 1949	2:00 p.m.
L. B. 359	Monday, March 14, 1949	2:00 p.m.
L. B. 449	Friday, March 11, 1949 (Reset from Febr. 21)	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 65. Placed on General File.
LEGISLATIVE BILL 79. Placed on General File.
LEGISLATIVE BILL 99. Indefinitely postponed.

(Signed) Dwight W. Burney, Chairman

Judiciary

LEGISLATIVE BILL 190. Placed on General File as amended.

Standing Committee amendments to L. B. 190:

1. Amend page 2, line 4, by striking the word "*eighteen*" and inserting in lieu thereof the word "*sixteen*".

2. Amend page 2, line 7, by striking the punctuation and words ", *or of an approved public or private welfare agency*".

LEGISLATIVE BILL 189. Indefinitely postponed.
LEGISLATIVE BILL 188. Indefinitely postponed.
LEGISLATIVE BILL 88. Placed on General File as amended.

Standing Committee amendments to L. B. 88:

1. Amend page 3 of the bill, section 2, line 6, by inserting after the word "following" the word "rebuttable".

2. Amend page 3 of the bill, section 2, by striking all of lines 22 to 25, inclusive, and substituting in lieu thereof the following: "*The presumptions thus arising shall not be conclusive but shall be sufficient to establish a prima facie case upon the issue of whether or not the defendant was under the influence of intoxicating liquor. Other competent evidence may be introduced upon such issue, and the presumptions arising and such other evidence, if any, shall all be considered in determining the guilt or innocence of the defendant.*"

LEGISLATIVE BILL 191. Indefinitely postponed.
LEGISLATIVE BILL 206. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Revenue and Taxation

LEGISLATIVE BILL 314. Placed on General File as amended.

Standing Committee amendment to L. B. 314:

Add the emergency clause as a new section and amend the title to conform.

LEGISLATIVE BILL 420. Placed on General File as amended.

Standing Committee amendment to L. B. 420:

Add the emergency clause as a new section and amend the title to conform.

(Signed) Charles F. Tvrdik, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 223. Placed on General File.
LEGISLATIVE BILL 228. Indefinitely postponed.
LEGISLATIVE BILL 396. Indefinitely postponed.

(Signed) William Hern, Chairman

President Signs

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

L. B. 75 L. B. 207 L. B. 224
L. B. 97

Enrollment and Review

LEGISLATIVE BILL 131. Placed on Select File.
LEGISLATIVE BILL 157. Placed on Select File as amended.

E and R amendments to L. B. 157:

1. In the bill, section 1, page 2, at the beginning of line 10 and also at the end of line 13, insert "*the*".

2. In the bill, section 4, page 3, line 12, before the word "the" and also in line 13, before the word "the", strike "and"; lines 13, 14 and 15, strike "in such cases shall be the same as those provided in probate cases in the county courts of this state".

LEGISLATIVE BILL 134. Placed on Select File as amended.

E and R amendments to L. B. 134:

1. In Standing Committee Amendment 2, inserted matter, after the word "*on*" insert "*the*".

2. In the bill, section 1, page 2, line 6, after "*(2)*" insert "*a*"; strike "*(3)*" in line 7, and in lieu thereof insert "*and (3) a*"; line 16, after the word "sister" and also after the word "sister" in line 17, strike the commas; line 48, strike the word "or" after the word "widow" and in lieu thereof insert a comma; line 49, strike the word "or" as it appears before the words "lineal", "ancestor", and "brother" and also insert a comma before the last word "or"; and line 59, strike "of" and in lieu thereof insert "*by*".

3. In the bill, section 2, page 4, line 15, strike ", or" and in lieu thereof insert "or ,"; line 23, change the figure "48-198" to "48-189"; line 47, page 5, after the word "*paid*" and also after the word "*Court*" insert a comma.

4. In the bill, section 3, line 3, after the word "that" insert "*(1)*"; line 5, after the word "interest" strike the semicolon and in lieu thereof insert ", *(2)*"; and line 8, strike "; and" and in lieu thereof insert ", and *(3)*".

5. In the bill, section 4, page 5, lines 8 and 9, strike ", not, however," and in lieu thereof insert "*but* not".

6. In the bill, section 5, page 6, after the word "employers" in line 4, and after the word "companies" in line 5, insert a comma; line 11, strike ", and it" and in lieu thereof insert ". *It*".

7. In the bill, section 7, page 7, line 9, after the word "court" strike the comma.

8. In the bill, section 8, page 7, strike the word and punctuation "*however*,".

9. In the bill title, line 16, after the word "to" insert "provide for the filing of an application for a rehearing before the Nebraska Workmen's Compensation Court sitting en banc from the findings, order, award, or judgment of that court on the original hearing; to".

LEGISLATIVE BILL 159. Placed on Select File.
LEGISLATIVE BILL 143. Correctly engrossed.
LEGISLATIVE BILL 187. Correctly engrossed.
LEGISLATIVE BILL 193. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on February 15, 1949 at 3:00 p.m.

L. B. 29	L. B. 116	L. B. 166
L. B. 30	L. B. 118	L. B. 214
L. B. 106	L. B. 124	

(Signed) Glenn Cramer, Chairman

NOTICE OF COMMITTEE HEARING

Banking, Commerce and Insurance

L. B. 277	Tuesday, February 22, 1949	2:00 p.m.
L. B. 278	Tuesday, February 22, 1949	2:00 p.m.

Approved by the Governor

February 15, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 14, 1949, he approved L. B. 31, L. B. 42, L. B. 70, L. B. 71, L. B. 86,and that on February 15, 1949, he approved

L. B. 17, L. B. 43, L. B. 48, L. B. 49, L. B. 72, L. B. 74, L. B. 113, and L. B. 123.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL 127. E and R amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 102. E and R amendment found in the Legislative Journal for the Thirty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 39. E and R amendment found in the Legislative Journal for the Thirty-first Day was adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Return L. B. 243 to Select File

Mr. Tvrdik asked unanimous consent to bring L. B. 243 back to Select File, to be held there for specific amendment.

Consent was granted and it was so ordered.

Mr. Hanna Presiding

GENERAL FILE

LEGISLATIVE BILL 133. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 138. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Laid over.

LEGISLATIVE BILL 35. Read and considered.

Laid over.

LEGISLATIVE BILL 141. Laid over.
LEGISLATIVE BILL 23. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 160. Read and considered.

Mr. Vogt offered the following amendments, which were adopted.

1. Amend page 2 of the bill by inserting immediately after section 1 a new section to be known as section 2, and to read as follows: "Sec. 2. *When the most practicable route for the public highway to be laid out as provided in section 39-157 shall be adjacent to a watercourse, the land to be taken for such highway shall be measured from the edge of the watercourse.*".

2. Amend the bill by renumbering section 2 as section 3.

3. Amend the title of the bill, line 5, by inserting after the word "land" the following: "; to provide that when the most practicable route for the public highway shall be adjacent to a watercourse, the land to be taken for such highway shall be measured from the edge of the watercourse".

4. Add the emergency clause to the bill and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 67. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Advanced to E and R for review.

Mr. McKnight Presiding

LEGISLATIVE BILL 94. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Mr. Burney offered the following amendment, which was adopted.

Amend L. B. 94 by adding the emergency clause and amend the title to conform.

Laid over.

LEGISLATIVE BILL 287. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 165. Considered.

Advanced to E and R for review.

Mr. Metzger Presiding

LEGISLATIVE BILL 299. 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 with 23 ayes, 0 nays, and 20 not voting.

LEGISLATIVE BILL 98. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Lee made a motion to indefinitely postpone.

The motion did not prevail with 8 ayes, 16 nays and 19 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 282. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 311. Read and considered.

Mr. Davies offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 311, the title of the bill, line 2, by striking the word "for" following the word "provide".

Advanced to E and R for review.

LEGISLATIVE BILL 312. Considered.

Advanced to E and R for review.

Visitors

Mr. Davies introduced Mrs. Goralski and sixty-five pupils from Whittier Junior High School.

LEGISLATIVE BILL 379. 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.

LEGISLATIVE BILL 259. Laid over.
LEGISLATIVE BILL 285. Laid over.

Adjournment

At 11:40 a.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 17, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, V. Anderson, Larkin and Callan and Mr. T. Adams, who was excused until 9:45 a.m.

The Journal for the Thirty-second Day was approved.

Communications

A card of appreciation from the Delmer Anderson family.

A resolution from citizens of Oakland, Nebraska, opposing increased highway users taxation. Referred to the Committee on Revenue and Taxation.

A petition from members of the Scottsbluff Garden Club favoring the Resolution designating Route 75 as the Blue Star Memorial Highway. Referred to the Committee on Public Works.

A similar petition from the Stuart Garden Club. Referred to the Committee on Public Works.

MESSAGE FROM THE GOVERNOR

Appointment

February 16, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

I am pleased to advise your Honorable Body that in accordance with Section 81-801, Revised Statutes Supplement, 1947, I have this day appointed, subject to your confirmation, John Havens Lowe as a member of the Nebraska Game, Forestation and Parks Commission.

Mr. Lowe, of Sidney, Nebraska, replaces Dr. C. H. Silvernail of Bridgeport, Nebraska, and will serve until January 15, 1954.

Respectfully submitted,

(Signed) Val Peterson
Governor

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 265	Monday, February 28, 1949	2:00 p.m.
L. B. 321	Monday, February 28, 1949	2:00 p.m.
L. B. 326	Monday, February 28, 1949	2:00 p.m.
L. B. 327	Monday, February 28, 1949	2:00 p.m.

Government

L. B. 320	Wednesday, March 9, 1949 (reset from February 16)	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 334. Placed on General File.

(Signed) Ed. Hoyt, Chairman

Government

LEGISLATIVE BILL 496. Placed on General File.

(Signed) Don E. Hanna, Vice-chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 40. Placed on General File as amended.

Standing Committee amendments to L. B. 40:

1. Amend page 2 of the bill, section 1, by striking all of lines 6 to 8 and inserting in lieu thereof the following: *"the minimum conditions prescribed in section 44-219 as now existing or hereafter amend-*

ed, insufficient to justify its continuance in business, the Department of Insurance shall *may*".

2. Amend page 2 of the bill, section 1, line 12, by striking the words "ninety days" and inserting in lieu thereof the following: "ninety days *a reasonable time, not to exceed one hundred eighty days,*".

3. Amend the title to the bill, line 6, by striking the words "for the formation of such companies" and inserting in lieu thereof the words: "specified in section 44-219 as now existing or as hereafter amended".

4. Amend the title of the bill, line 7, by striking the word "shall" and inserting in lieu thereof the word "may".

5. Amend the title to the bill, line 9, by striking the words "ninety days" and inserting in lieu thereof the words and punctuation "a reasonable time, not to exceed one hundred eighty days,".

LEGISLATIVE BILL 32. Placed on General File as amended.

Standing Committee amendments to L. B. 32:

1. Amend page 2 of the bill, section 1, by striking all of lines 3 through 28 and insert in lieu thereof the following words and punctuation:

"44-219. *(1)* No domestic mutual insurance company organized after July 16, 1913, shall begin to transact the business of insurance until (a) it shall issue simultaneously policies upon two hundred or more risks, each within the maximum single risk prescribed in section 44-222; (b) it shall hold a fund, in cash or invested as provided by law, of at least *one hundred thousand dollars for the insurance specified in subdivision (5) of section 44-201, and* fifty thousand dollars, or equal to ten times the maximum single risk to be assumed, whichever is greater, for each class *of the other classes* of insurance specified under section 44-201, as now existing, or as hereafter amended, which such mutual company is licensed to write, and said fund shall be used for the payment of losses only, and cannot be repaid except as provided in sections 44-220 and 44-221; and *in addition thereto* (c) it shall have received in cash one annual premium upon each risk outstanding. *In all cases where such company holds funds, described in (b) above, in an amount less than two hundred fifty thousand dollars, and transacts more than one class of insurance, it must hold funds equal in amount to the combined minimum funds required for separate companies transacting the same classes of insurance. A domestic mutual insurance company holding funds amounting to two hundred*

fifty thousand dollars or over, may be licensed to transact as many classes of insurance as the law permits a single company to write.

(2) Domestic mutual insurance companies transacting the classes of insurance described in subsections (1), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), and (14) of section 44-201 shall be required to maintain a minimum surplus equal to the fund requirements necessary for the beginning of the transaction of such business as set forth in subsection (1) of this section.

(3) Domestic mutual insurance companies transacting the classes of insurance described in subsections (2) and (3) of section 44-201 shall be required to maintain a minimum surplus equal to one half of the fund requirements necessary for the beginning of the transaction of such business as set forth in subsection (1) of this section.

LEGISLATIVE BILL 356. Placed on General File.
LEGISLATIVE BILL 355. Placed on General File.
LEGISLATIVE BILL 319. Placed on General File.
LEGISLATIVE BILL 69. Placed on General File as amended.

Standing Committee amendments to L. B. 69:

1. Amend page 3 of the bill, page 3, by adding a new section immediately after section 3 and to be known as section 4 and to read as follows: "Section 4. That section 62-307, Revised Statutes Supplement, 1947, is repealed."

2. Amend the title of the bill, line 4, by striking the period after the word "items" and inserting in lieu thereof the following: "; and to repeal section 62-307, Revised Statutes Supplement, 1947."

LEGISLATIVE BILL 68. Placed on General File as amended.

Standing Committee amendments to L. B. 68:

1. Amend page 2 of the bill, section 1, line 6, by inserting after the word "banks" the following: "and corporate records that relate to the corporation or the corporate existence of the bank".

2. Amend page 2 of the bill, section 1, line 2, by striking the word "eleven" and inserting in lieu thereof the word "six".

(Signed) Ray A. Babcock, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 459. Indefinitely postponed.

LEGISLATIVE BILL 487. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Revenue and Taxation

LEGISLATIVE BILL 315. Placed on General File as amended.

Standing Committee amendment to L. B. 315:

Add the emergency clause as a new section and amend the title to correspond.

LEGISLATIVE BILL 101. Placed on General File as amended.

Standing Committee amendments to L. B. 101:

1. Amend page 2 of the bill, section 1, lines 12 and 13, by restoring the stricken words "two and one half" and striking the word "*ten*".

2. Amend page 2 of the bill, section 1, lines 14 to 19, by striking the same and inserting in lieu thereof the following: "credited to the state general fund, and, when appropriated, shall be used by the department to pay for the cost of administration of the motor vehicle law together with the cost of all automobile license plates, and the supervision of the maintenance of state highways. *General Fund.*"

3. Amend page 2 of the bill, section 2, by striking lines 8 to 13 and inserting in lieu thereof the following: "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 for such hauling of such supplies or products in exchange of services."

4. Amend the bill by striking all of sections 3, 5, 6, 11, and 14.

5. Amend the bill by renumbering section 4 as section 3, and section 7 as section 4.

6. Amend the bill, renumbered section 4, line 8, by inserting after the stricken matter "traction engines," the following: "*farm tractors, farm tractors used occasionally outside of general farm usage,*".

7. Amend the bill by inserting immediately after renumbered section 4 a new section to be known as section 5 and to read as follows:

"Sec. 5. That section 60-302, Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-302. Every owner of a motor vehicle shall, for each motor vehicle owned, except as otherwise expressly provided, make application for registration on a blank to be furnished for that purpose by the county treasurer of the county in which the owner resides, or, if such owner is not a resident of this state, such application for registration may be made to the county treasurer of any county, except as otherwise expressly provided. The application shall contain, in addition to such other particulars as may be required by the Department of Roads and Irrigation, a statement of the name and post-office address of the applicant, a description of the motor vehicle, including the name of the maker, the number, if any, affixed to the motor or engine by the maker, the color of the car, the kind of wheels, the number of cylinders, the seating capacity, the published weight of the vehicle and, in case of a truck, the weight shall include the chassis, body and cab, and the year model or letter designated by the manufacturer, if any. *In lieu of the engine or serial number, the department may register a vehicle by an identification number approved by the State Engineer. When so registered, such identification number shall be deemed to be included in the engine number, and the provisions of Chapter 60, article 3 relating to engine numbers shall apply to the identification number except where, by its nature, such is not possible.* With such application, the applicant shall pay the proper registration fee as provided in sections 60-329 to 60-342, except as otherwise expressly provided. No change shall be made for changing certificates in case the owner repaints the car.".

8. Amend the bill by renumbering sections 8, 9, 10, 12, and 13 as sections 6, 7, 8, 9, and 10, respectively.

9. Amend the bill, renumbered section 10, line 8, by inserting after the stricken matter "traction engines," the following: "*farm tractors, farm tractors used occasionally outside of general farm useage,*".

10. Amend the bill by renumbering section 15 as section 11.

11. Amend the bill by inserting immediately following renumbered section 11 a new section to be known as section 12 and to read as follows:

"Sec. 12. That section 60-502, Revised Statutes Supplement, 1947, be amended to read as follows:

60-502. The department shall administer and enforce the provisions of this act and may make rules and regulations necessary for its administration. *The department may destroy all records (1) when one year shall have elapsed following the date of such accident and satisfactory evidence has been filed with the department that no ac-*

tion for damages arising out of such accident has been instituted during such period, or (2) after three years from the date such proof was required when, during the three-year period preceding the request the department has not received a record of a conviction or a forfeiture of bail."

12. Amend the bill by striking section 24 and inserting in lieu thereof the following:

"Sec. 13. That original sections 39-605, 60-107, 60-302, 60-332, and 60-401, Revised Statutes of Nebraska, 1943, original sections 60-102, 60-301, 60-308, 60-310, 60-315, 60-407, and 60-502, Revised Statutes Supplement, 1947, and also section 60-328.01, Revised Statutes Supplement, 1947, are repealed."

13. Amend the title of the bill by striking lines 2 to 14 and inserting in lieu thereof the following:

"FOR AN ACT to amend sections 39-605, 60-107, 60-302, 60-332, and 60-401, Revised Statutes of Nebraska, 1943, and sections 60-102, 60-301, 60-308, 60-310, 60-315, 60-407, and 60-502, Revised Statutes Supplement, 1947, relating to motor vehicles; to increase the amount of and change the allocation of motor vehicle registration fees; to prescribe regulations respecting the registration of motor vehicles and the issuance of certificates of title thereto; to change the definition of a motor vehicle with respect to granting of motor vehicle operators' licenses; to prescribe rules for examination for and issuance of motor vehicle operators' licenses; to provide for destruction of prescribed records; to repeal the original sections and also section 60-328.01, Revised Statutes Supplement, 1947.".

(Signed) Charles F. Tvrdik, Chairman

Judiciary

LEGISLATIVE BILL 150. Placed on General File as amended.

Standing Committee amendments to L. B. 150:

1. Amend page 3 of the bill, section 1, line 41, by striking the word "ten" and inserting in lieu thereof the word "*five*".

2. Amend page 4 of the bill, section 1, lines 93 and 95, by striking the new matter in said lines and restoring the stricken matter.

3. Amend page 4 of the bill, section 2, line 2, by striking the word "is" and inserting in lieu thereof the following: "and also section 43-114, Revised Statutes of Nebraska, 1943, are".

4. Amend the title of the bill by striking lines 4 to 8 and inserting in lieu thereof the following:

"specified fees in guardianship proceedings; to repeal the original section, and also section 43-114, Revised Statutes of Nebraska, 1943."

LEGISLATIVE BILL 203. Indefinitely postponed.
LEGISLATIVE BILL 229. Indefinitely postponed.
LEGISLATIVE BILL 276. Placed on General File.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 148. Placed on Select File as amended.

E and R amendments to L. B. 148:

1. In the bill, section 1, page 2, line 5, and also in section 3, line 3, before the word "*guardian*" insert "*a*".

2. In the bill, section 2, line 3, and also in section 4, line 3, before the word "*estate*" insert "*ward's*"; in line 5, of section 2 and also of section 4, strike "*to that of*" and insert in lieu thereof "*as*".

3. In the bill title, line 3, after "for" insert "a".

LEGISLATIVE BILL 175. Placed on Select File as amended.

E and R amendments to L. B. 175:

1. In the bill, section 2, line 2, strike the word "section".

2. In the bill title, line 5, strike "its" and in lieu thereof insert "their".

LEGISLATIVE BILL 160. Placed on Select File.
LEGISLATIVE BILL 311. Placed on Select File.
LEGISLATIVE BILL 102. Correctly engrossed.
LEGISLATIVE BILL 37. Correctly engrossed.
LEGISLATIVE BILL 38. Correctly engrossed.
LEGISLATIVE BILL 135. Correctly engrossed.
LEGISLATIVE BILL 136. Correctly engrossed.
LEGISLATIVE BILL 152. Correctly engrossed.
LEGISLATIVE BILL 177. Correctly engrossed.
LEGISLATIVE BILL 245. Correctly engrossed.
LEGISLATIVE BILL 142. Correctly enrolled.
LEGISLATIVE BILL 85. Correctly enrolled.

LEGISLATIVE BILL 76. Correctly enrolled.
LEGISLATIVE BILL 33. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 17, 1949 at 9:00 a.m.

L. B. 75 L. B. 207 L. B. 224
L. B. 97

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 142 L. B. 76 L. B. 33
L. B. 85

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 339	Tuesday, March 1, 1949	2:00 p.m.
L. B. 345	Tuesday, March 1, 1949	2:00 p.m.
L. B. 353	Tuesday, March 1, 1949	2:00 p.m.
L. B. 354	Tuesday, March 1, 1949	2:00 p.m.
L. B. 365	Thursday, March 3, 1949	2:00 p.m.
L. B. 370	Thursday, March 3, 1949	2:00 p.m.
L. B. 373	Thursday, March 3, 1949	2:00 p.m.
L. B. 380	Thursday, March 3, 1949	2:00 p.m.

Visitor

Mr. Hern introduced Mrs. W. Halsey Bohlke, of Hastings, Nebraska.

STANDING COMMITTEE REPORT

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Forrest R. Johnston	Board of Control
Rufus M. Howard	Director, Dept. of Agriculture
Donald P. Miller	Commissioner of Labor

J. F. McLain	Director, Dept. of Banking
Bernard R. Stone	Director, Dept. of Insurance
E. C. Iverson	State Fire Marshal
Dr. W. S. Petty	Director, Dept. of Health
Louis R. Eby	Director, Veterans' Affairs
James D. Ramsey	Director, Dept. of Aeronautics
William H. Diers	Board of Control
Henry H. Bartling	Secretary, Board of Educational Lands and Funds
Philip K. Johnson	State Tax Commissioner

(Signed) Harry L. Pizer, Chairman

Education Committee Hearing Days

Mr. President: The Committee on Commitees recommends that the Committee on Education meet on Monday, Tuesday and Wednesday during the month of March. (Signed) Harry L. Pizer, Chairman

Consent was granted and it was so ordered.

MOTION—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) Harry L. Pizer

The motion prevailed.

Vote on Mr. Johnston

Voting in the affirmative, 34.

Voting in the negative, 0.

Not voting, 9.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Johnston confirmed.

Vote on Mr. Howard

Voting in the affirmative, 35.

Voting in the negative, 0.

Not voting, 8.

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, 36.

Voting in the negative, 0.

Not voting, 7.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Miller confirmed.

Vote on Mr. McLain

Voting in the affirmative, 36.

Voting in the negative, 0.

Not voting, 7.

Having received a majority of the votes of all members, the President declared the appointment of Mr. McLain confirmed.

Vote on Mr. Stone

Voting in the affirmative, 36.

Voting in the negative, 0.

Not voting, 7.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Stone confirmed.

Vote on Mr. Iverson

Voting in the affirmative, 35.

Voting in the negative, 0.

Not voting, 8.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Iverson confirmed.

Vote on Dr. Petty

Voting in the affirmative, 36.

Voting in the negative, 0.

Not voting, 7.

Having received a majority of the votes of all members, the President declared the appointment of Dr. Petty confirmed.

Vote on Mr. Eby

Voting in the affirmative, 35.

Voting in the negative, 0.

Not voting, 8.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Eby confirmed.

Vote on Mr. Ramsey

Voting in the affirmative, 34.

Voting in the negative, 0.

Not voting, 9.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Ramsey confirmed.

Vote on Mr. Diers

Voting in the affirmative, 35.

Voting in the negative, 0.

Not voting, 8.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Diers confirmed.

Vote on Mr. Bartling

Voting in the affirmative, 35.

Voting in the negative, 0.

Not voting, 8.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Bartling confirmed.

Vote on Mr. Johnson

Voting in the affirmative, 35.

Voting in the negative, 1.

Not voting, 7.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Johnson confirmed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 168. With emergency.

A bill for an act to amend section 79-1018, Revised Statutes Supplement, 1947, relating to schools; to reduce the number of qualified voters required to petition for the issuance of bonds for purchasing a site and land to be used for experiment purposes, erecting suitable buildings, and furnishing and equipping the same for county high schools; to increase the amount of bonds that may be issued; 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, J.	Davies	Lusienski	Schroeder
Babcock	Hanna	McKnight	Tvrdik
Benesch	Hern	Metzger	Vogel
Bridenbaugh	Hill	Nelson	Vogt
Burney	Holmes	Norman	Weborg
Burnham	Hoyt	Ogden	Williams
Carmody	Lee	Person	Wilson, C.
Carson	Lillibridge	Pizer	Wilson, W.
Cramer	Lindgren	Prohs	Wood
Cretsinger			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Anderson, V.	Callan	Larkin
Anderson, L.	Bohlke		

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 169. With emergency.

A bill for an act to amend section 79-1006, Revised Statutes Supplement, 1947, relating to schools; to increase the maximum amount that may be levied for the aggregate county high school tax to twelve mills on the dollar of actual valuation, with the prescribed exceptions; to provide procedure to authorize a levy in excess of such limitation; 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, J.	Cramer	Lindgren	Schroeder
Adams, T.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Anderson, V.	Callan	Larkin

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 194.

A bill for an act to amend section 37-308, Revised Statutes Supplement, 1947, relating to game and fish; to change the penalty for unlawfully catching, taking, trapping, killing, or destroying, or attempting to catch, take, kill, or destroy the prescribed game birds, game or fur-bearing animals, or game fish, or unlawfully possessing the same; 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, J.	Carson	Lindgren	Prohs
Adams, T.	Cramer	Lusienski	Tvrdik
Babcock	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Lee	Person	Wilson, W.
Carmody	Lillibridge	Pizer	Wood

Voting in the negative, 1:

Hern

Not voting, 6:

Anderson, L.	Callan	Larkin	Schroeder
Anderson, V.	Holmes		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 242.

A bill for an act to repeal section 77-405, Revised Statutes of Nebraska, 1943, relating to 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, 39:

Adams, J.	Cramer	Lindgren	Schroeder
Adams, T.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Anderson, V.	Callan	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Metzger introduced Mrs. Josephine Reihart and ten students of the Civics Class of Manley Junior High School, Manley, Nebraska.

Mr. Person introduced Mr. and Mrs. John Peterson, of Ashland, Nebraska.

SELECT FILE

LEGISLATIVE BILL 131.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 157. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 134. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 159.

Advanced to E and R for engrossment.

Member Excused

Mr. McKnight was excused for Friday, February 18, 1949.

Mr. Person Presiding

GENERAL FILE

LEGISLATIVE BILL 138.

Advanced to E and R for review.

Visitors

Mr. Bohlke introduced a group of Hasting College students who

are attending the Unesco Conference at the University of Nebraska.

LEGISLATIVE BILL 35. Laid over.
LEGISLATIVE BILL 141. Read and considered.

Mr. Davies offered the following amendment, which was adopted by unanimous consent:

1. Amend page 2 of the bill, section 1, lines 15 and 16, by striking the words "superintendent of the state hospital" and inserting in lieu thereof the following: *"Auditor of Public Accounts"*.

Advanced to E and R for review.

LEGISLATIVE BILL 94.

Advanced to E and R for review.

LEGISLATIVE BILL 259. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 285. Considered.

Advanced to E and R for review.

Speaker Lee Presiding

LEGISLATIVE BILL 65. Read and Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 79. Read and considered.

Advanced to E and R for review.

Explanation of Vote

Mr. President: I favor completely the purpose of L. B. 79. I voted against this advancement momentarily because there should have been a provision giving protection to parents whose child might be declared uneducatable. (Signed) John Adams, Sr.

LEGISLATIVE BILL 190. Read and considered.

Standing Committee amendments found in the Legislative Jour-

nal for the Thirty-second Day were adopted.

Mr. McKnight offered the following amendment, which was adopted:

Amend the title to L. B. 190 to conform to the Standing Committee amendments.

Advanced to E and R for review.

LEGISLATIVE BILL 88. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Mr. W. Wilson asked unanimous consent to have L. B. 88 laid over for one week.

Mr. Hill objected.

Mr. W. Wilson moved to have L. B. 88 laid over for one week and retain its place on General File.

The motion prevailed with 31 ayes, 5 nays and 7 not voting.

Unanimous Consent—Add Introducers

Mr. Prohs asked unanimous consent to add the names of Messrs. Pizer, Ogden and Davies as co-introducers on L. B. 79.

Consent was granted and it was so ordered.

Mr. Schroeder Presiding

Member Excused

Mr. Hanna was excused for Friday and Monday, February 18 and 21, respectively.

Adjournment

At 11:50 a.m., on a motion by Mr. Ogden, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 18, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hanna and McKnight, who were excused.

The Journal for the Thirty-third Day was approved as corrected.

Communications

Letter from Senator Kenneth S. Wherry, acknowledging receipt of L. R. 9.

Invitation to members of the Legislature from Mr. Thomas C. Woods to a dinner at the Cornhusker Hotel at 6:00 p.m. on Wednesday, March 2, 1949.

Cards from Harold E. Abramson and Harvey Davis favoring L. B. 117. Referred to Committee on Labor and Public Welfare.

Approved by the Governor

February 17, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable

body that on February 15, 1949, he approved L. B. 15, L. B. 55, L. B. 114, L. B. 115 and L. B. 214.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

REPORT OF THE BOARD OF CONTROL

February 17, 1949

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

Dear Mr. Srb:

Submitted herewith is the Board of Control's report of projects proposed for construction under the State Institutional Military Department Construction Fund. This report is made in compliance with Legislative Resolution 24 adopted at the last session of the Legislature.

Detailed plans and specifications have not been prepared for proposed work and will probably not be completed before late Spring this year.

Very truly yours,
BOARD OF CONTROL

(Signed) W. H. Diers
Chairman

February 15, 1949

TENTATIVE TEN-YEAR CONSTRUCTION PROGRAM BY BOARD OF CONTROL UNDER THE STATE INSTITUTIONAL AND MILITARY DEPARTMENT CONSTRUCTION FUND

At completion this Winter of construction under the Post War Construction Fund, the Board of Control has accomplished all work planned in 1938 for a ten-year period. The Board has now undertaken a new ten-year project of physical plant additions and replacements. The first increment now under construction and scheduled for com-

pletion in early Summer of 1949 consists of the Receiving Wards for 330 patients at Lincoln State Hospital and the Central Laundry at the Penitentiary and designed to serve all Lincoln institutions.

Attached hereto is a tentative schedule of construction items proposed for completion in the period 1948-1958. Items are shown in two groups: First—those now under construction or to be constructed during 1949 and 1950. Second—those to be constructed during the remainder of the ten-year period. Preliminary estimates shown are based upon present day construction prices and represent probable total costs, excluding only the cost of furniture and equipment.

Only items of construction for which there is an imperative need or which are definitely necessary have been scheduled in the ten-year project. Other necessary items and many that might be classified as desirable have not been included in the project. Items scheduled for the last seven years of the period have been listed without any system of priority rating or reference to specific year for construction. In selecting the most imperative needs each year, such factors as these will be considered: Effects of possible changes in commitment laws, methods of treatments, unforeseen changes in institution populations and resulting changes in operation plans. Such factors also may make construction necessary at the several institutions where it is not now anticipated for the period.

February 15, 1949

PROPOSED CONSTRUCTION BY BOARD OF CONTROL UNDER STATE INSTITUTIONAL AND MILITARY DEPARTMENT BUILDING FUND

	1948-50	REMAINDER OF PERIOD
INSTITUTION FOR FEEBLE MINDED		
BEATRICE		
1. Employees' Quarters for 48 to replace condemned "Old Main."	$ 80,000.00	
2. Improvements to water and steam distribution systems.	$ 55,000.00	
3. Wards for 280 inmates.		$ 700,000.00

4.	Remodeling of Hospital Building and addition for approximately 50 inmates		$ 120,000.00
		$ 135,000.00	$ 820,000.00

MENTAL HOSPITALS

LINCOLN

1.	Receiving Building for 330 patients (now under construction).	$ 710,000.00	
2.	Heat and Power Plant.	$ 265,000.00	
3.	Disciplinary Ward for 200 patients (to serve three mental hospitals and Penitentiary).		$ 600,000.00
4.	Staff Residences.		$ 60,000.00
5.	Wards for 325 patients to replace Center Building		$ 780,000.00
6.	Administration Building to replace Center Building.		$ 145,000.00
7.	Superintendent's Residence.		$ 25,000.00
		$ 975,000.00	$1,610,000.00

HASTINGS

1.	Administration Building	$ 145,000.00	
2.	Superintendent's Residence (These two buildings to permit razing of Center Building)	$ 25,000.00	
3.	Medical, Surgical and T.B. Building for 250 patients (raze South Annex Building)	$ 855,000.00	
4.	Ward for 300 patients (same plan as used in 1948 building)		$ 770,000.00

5.	Staff Residences		$ 77,000.00
6.	1-500 H. P. Boiler		$ 45,000.00
7.	Steam Tunnel Replacement (200 l.f.)		$ 13,000.00
8.	Laundry Building		$ 180,000.00
		$1,025,000.00	$1,085,000.00

NORFOLK

1.	Staff Residences	$ 60,000.00	
2.	Dairy Buildings to move farm away from Ward Buildings	$ 45,000.00	
3.	Wards for 400 patients in Receiving, Medical and Surgical Wards and Administration Offices		$1,000,000.00
4.	1-500 H.P. Boiler		$ 60,000.00
5.	1-Turbine Generator		$ 60,000.00
6.	Steam Tunnel replacement (320 l.f.)		$ 20,000.00
7.	Wards for 330 patients		$ 790,000.00
		$ 105,000.00	$1,930,000.00

CHILDREN'S INSTITUTIONS
HOME FOR CHILDREN

1.	School Building	$ 200,000.00	
2.	Land purchase for School Building	$ 2,250.00	
		$ 202,250.00	NONE

SCHOOL FOR DEAF

1.	Administration Building and Dining Hall	$ 135,000.00

2. School Building addition		$ 115,000.00
3. Superintendent's Residence		$ 25,000.00
4. Boys' Cottage addition—(buildings 1, 2, & 3 to replace present Main Building)		$ 85,000.00
	NONE	$ 360,000.00
SCHOOL FOR BLIND	NONE	NONE
GIRLS' TRAINING SCHOOL		
1. Cottages for 60 girls to vacate dormitory on top floor of Administration Building		$ 200,000.00
	NONE	$ 200,000.00
BOYS' TRAINING SCHOOL		
1. Two (2) Cottages for 40 boys each and four (4) employees' apartments.	$ 365,000.00	
2. Sewer distribution system		$ 5,000.00
3. Cottages for 80 boys to replace present cottages.		$ 360,000.00
4. Dining Hall to replace present building.		$ 100,000.00
5. Laundry to replace space in present Dining Hall building.		$ 25,000.00
6. School and Administration Building to replace present building.		$ 175,000.00
	$ 365,000.00	$ 665,000.00
MEDICAL HOSPITALS		
ORTHOPEDIC HOSPITAL	NONE	NONE
HOSPITAL FOR TUBERCULOUS		

1. Hospital addition for approximately 100 beds.		$ 320,000.00
2. Nurses' Home for 50.		$ 90,000.00
	NONE	$ 410,000.00

PENAL INSTITUTIONS

PENITENTIARY

1. Dormitory for 200 trusties.	$ 400,000.00	
2. Central Laundry for Lincoln Institutions (now under construction).	$ 182,000.00	
3. Complete the replacement of security wall.		$ 105,000.00
4. Industry Shop Buildings.		$ 150,000.00
5. Guards' Quarters for 50.		$ 90,000.00
	$ 582,000.00	$ 345,000.00
REFORMATORY FOR WOMEN	NONE	NONE
REFORMATORY FOR MEN	NONE	NONE
SOLDIERS' AND SAILORS' HOME GRAND ISLAND	NONE	NONE
INDUSTRIAL HOME	NONE	NONE
GENOA STATE FARM	NONE	NONE
	$3,389,250.00	$7,425,000.00

Probable Total Cost for Entire Project $10,814,250.00

Visitor

Mr. Bohlke introduced Representative Carl T. Curtis who spoke to the Legislature regarding states' rights and states' responsibility as affecting schools and taxation and stressing the importance of co-operation between state and national government.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 171	Tuesday, March 1, 1949	2:00 p.m.
L. B. 172	Tuesday, March 1, 1949	2:00 p.m.
L. B. 173	Tuesday, March 1, 1949	2:00 p.m.
L. B. 174	Tuesday, March 1, 1949	2:00 p.m.
L. B. 384	Tuesday, March 1, 1949	2:00 p.m.
L. B. 251	Thursday, March 3, 1949	2:00 p.m.
L. B. 252	Thursday, March 3, 1949	2:00 p.m.
L. B. 253	Thursday, March 3, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 140. Placed on General File.
LEGISLATIVE BILL 130. Indefinitely postponed.
LEGISLATIVE BILL 215. Placed on General File as amended.

Standing Committee amendments to L. B. 215:

1. Amend page 2 of the bill, section 1, lines 3 and 5 by striking the word "one" and inserting in lieu thereof the word "five".

2. Amend page 2 of the bill, section 1, line 6 by striking the words "for rental purposes" and insert in lieu thereof the following: "by constructing comprehensive moderate cost rental housing projects, not including hotels, but including accommodations for retail stores, garages, shops, offices and other community and recreational facilities reasonably connected with such housing projects. Any such project must be designed to provide living accommodations for at least fifty or more families."

3. Amend page 2 of the bill, section 1, lines 7 and 9 by striking the word "one-third" and inserting in lieu thereof the word "one-fourth".

4. Amend page 2 of the bill, section 1, line 13, by striking the words "rental projects" and inserting in lieu thereof the words "such comprehensive rental projects".

5. Amend page 2 of the bill, section 1, lines 15 and 16 by striking the words "rental property" and inserting in lieu thereof the words "a comprehensive rental housing project".

6. Amend the title of the bill, line 4, by striking the words "one million dollars" and insert in lieu thereof the following: "five million dollars or any non stock insurance company with surplus over all liability in excess of five million dollars".

7. Amend the title to the bill, lines 5 and 6 by striking the

words "for rental purposes" and insert in lieu thereof "by constructing comprehensive rental projects".

(Signed) Ray A. Babcock, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 231. Indefinitely postponed.
LEGISLATIVE BILL 235. Placed on General File.
LEGISLATIVE BILL 256. Placed on General File.
LEGISLATIVE BILL 257. Placed on General File.

(Signed) William Hern, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 117. Indefinitely postponed.

(Signed) Karl E. Vogel, Chairman

Judiciary

LEGISLATIVE BILL 360. Placed on General File as amended.

Standing Committee amendments to L. B. 360:

1. Amend page 2 of the bill by inserting a new section immediately after section 2 to be known as section 3 and to read 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."

2. Amend the title of the bill, line 5, by striking the word "and".

3. Amend the title of the bill, line 6, by inserting after the word "section" the following: "; and to declare an emergency".

(Signed) John P. McKnight, Chairman

Public Works

LEGISLATIVE BILL 185. Indefinitely postponed.
LEGISLATIVE BILL 218. Placed on General File.
LEGISLATIVE BILL 225. Placed on General File.
LEGISLATIVE BILL 239. Placed on General File as amended.

Standing Committee amendment to L. B. 239:

Add the emergency clause as a new section and amend the title to conform.

(Signed) Otto J. Prohs, Chairman

Revenue and Taxation

LEGISLATIVE BILL 290. Placed on General File.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 23. Placed on Select File as amended.

E and R amendments to L. B. 23:

1. In the bill, section 1, page 2, line 16, strike "; *Provided,* any" and in lieu thereof insert ". *Any*"; line 16, after the word "eligible" insert a comma; line 20, strike ", and the" and in lieu thereof insert ". *The*" and line 21, after the word "make" insert "*an*".

2. In the bill title, line 6, strike the word "county" and in lieu thereof insert "state"; and at the end of line 7, insert "of the county in which the applicant resides or in which they themselves reside".

LEGISLATIVE BILL 98. Placed on Select File as amended.

E and R amendments to L. B. 98:

1. In the bill, section 1, page 2, line 10, strike the words "and one" and in lieu thereof insert ". *One*".

2. In the bill title, strike line 5 after the word "counties" and all of line 6, and in lieu thereof insert "and the use thereof; to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 133. Placed on Select File as amended.

E and R amendments to L. B. 133:

1. In the bill, section 1, page 2, line 11, after the word "mail" insert "*routes*".

2. In the bill title, line 7, after the word "purposes" insert a comma; strike line 9 after the word "feasible" and in lieu thereof insert ", at the discretion of the county board; to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 154. Replaced on Select File as amended.

E and R amendment to L. B. 154:

1. In the bill, section 1, line 9, page 2, strike the word "such" at the end of the line, since that word also appears at the beginning of line 10.

LEGISLATIVE BILL 165. Placed on Select File as amended.

E and R amendment to L. B. 165:

1. In the bill title, line 8, strike the word "their" and in lieu thereof insert "its".

LEGISLATIVE BILL 282. Placed on Select File as amended.

E and R amendment to L. B. 282:

1. In the bill, section 1, page 2, line 10, strike "; and the same" and in lieu thereof insert ". *It*"; and in line 11, strike the comma after the word "Regents".

LEGISLATIVE BILL 287. Placed on Select File.
LEGISLATIVE BILL 299. Placed on Select File as amended.

E and R amendments to L. B. 299:

1. In the bill, section 1, line 3, insert "*(1)*" before the word "In"; strike lines 6, 7 and 8 and amendments thereto and in lieu thereof insert "raise seven thousand five hundred dollars. *(2)* In"; strike lines 13 to 18, inclusive, commencing with the first comma in line 13 and ending with the period in line 18, and amendment thereto, and in lieu thereof insert ". *(3)*"; line 21, strike ", and" and in lieu there insert ". *(4) The county board of any county*"; line 24, strike "and the" and in lieu thereof insert "*over and above the respective limitations set forth in subsection (1), (2), or (3). (5) The*"; line 25, strike "this amount" and in lieu thereof insert "*the* amount *so raised by such levy in said county*".

2. In the bill title, line 5, after the word "societies" insert "under the prescribed conditions".

LEGISLATIVE BILL 308. Placed on Select File as amended.

E and R amendment to L. B. 308:

1. Strike the first line of Standing Committee amendment 5

after the word "by" and in lieu thereof insert "striking the period at end of the line and inserting the".

LEGISLATIVE BILL 312. Placed on Select File as amended.

E and R amendment to L. B. 312:

1. In the bill, section 1, page 3, line 39, insert a comma after the word "mineral" and also after the word "industries" in line 50.

LEGISLATIVE BILL 342. Placed on Select File as amended.

E and R amendment to L. B. 342:

1. In the bill, section 1, page 2, line 9, insert after the word "lands", the words "and improvements"; and strike "shall" in line 15.

LEGISLATIVE BILL 379. Placed on Select File as amended.

E and R amendments to L. B. 379:

1. In the Standing Committee amendment 2, strike the period after the new matter.

2. In the bill title, line 4, after the word "Commission" insert "upon the prescribed request"; and strike all of line 7 and in lieu thereof insert "of the live deer or carcasses; to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 103. Correctly engrossed.
LEGISLATIVE BILL 128. Correctly engrossed.
LEGISLATIVE BILL 121. Correctly engrossed.
LEGISLATIVE BILL 122. Correctly engrossed.
LEGISLATIVE BILL 149. Correctly engrossed.
LEGISLATIVE BILL 153. Correctly engrossed.
LEGISLATIVE BILL 156. Correctly engrossed.
LEGISLATIVE BILL 244. Correctly engrossed.
LEGISLATIVE BILL 41. Correctly enrolled.
LEGISLATIVE BILL 137. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 18, 1949 at 9:30 a.m.

L. B. 142 L. B. 76 L. B. 33
L. B. 85

(Signed) Glenn Cramer, Chairman

NOTICE OF COMMITTEE HEARING

Revenue and Taxation

L. B. 497	Thursday, March 3, 1949	2:00 p.m.
L. B. 435	Thursday, March 3, 1949	2:00 p.m.
L. B. 524	Thursday, March 3, 1949	2:00 p.m.

RESOLUTION

LEGISLATIVE RESOLUTION 14. Re: Senate File No. 362

Introduced by Lester H. Anderson of Hamilton.

WHEREAS, the Federal Government owns one-fourth of the total area of the United States which is about one half billion acres; and

WHEREAS, most of this is tax exempt irrespective of forty-six separate provisions of law providing for payments in lieu of taxes in as many specific and isolated circumstances; and

WHEREAS, in many localities the Federal Government owns more than one half of the total real property and in some counties it owns as much as ninety per cent of the total acreage, and this situation has disrupted the tax bases of local governments and has imposed an unfair burden on the remaining real property which is taxable; and

WHEREAS, there is now pending in the Senate of the United States Senate File No. 362 which calls for payments in lieu of taxes on federal owned real property so as to reimburse to states and local governments, bringing about substantial equity between local and federal taxpayers with respect to federal owned real property.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature of the State of Nebraska respectfully request the Senate of the United States to enact into law Senate File No. 362 now before the Senate of the United States.

2. That copies 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, and to each member of the Congress of the United States from Nebraska.

SELECT FILE

LEGISLATIVE BILL 148. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 175. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for engrossment.

Mr. Lillibridge Presiding

MOTION—Place L. B. 117 on General File

Mr. President: I move that L. B. 117 be raised from the Committee and placed on General File. (Signed) John Adams, Sr.

Mr. J. Adams requested a Call of the House.

A Call of the House was ordered and the roll showed 39 members present.

Mr. Pizer moved that the Call be raised and the motion prevailed with 31 ayes, 0 nays and 12 not voting.

The original motion did not prevail with 10 ayes, 16 nays and 17 not voting.

Mr. J. Adams raised the question of whether those members not voting could be considered to have voted "aye".

RECESS

At 10:00 a.m., Mr. Metzger moved that the Legislature recess for ten minutes.

The motion prevailed with 20 ayes, 7 nays and 16 not voting.

AFTER RECESS

The Legislature reconvened at 10:10 a.m., Mr. Lillibridge presiding.

The roll was called, showing 28 members present.

Mr. Metzger, in answer to the question raised by Mr. J. Adams,

ruled that under Gregg's Parliamentary Rules of Order that those members not voting can be considered to be voting with the prevailing side.

Mr. J. Adams then conceded that his motion did not prevail.

GENERAL FILE

LEGISLATIVE BILL 367. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 366. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 35. Laid over.
LEGISLATIVE BILL 314. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-second Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 420. Considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-second Day was adopted.

Mr. Babcock offered the following amendment, which was adopted:

Amend Section 2, Page 3, Line 11, following the word "annually" by inserting "or as often as the Auditor deems advisable" and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 83. Laid over.
LEGISLATIVE BILL 223. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 334. Considered.

Mr. Williams asked unanimous consent to have the bill laid over for amendment.

Mr. Person objected and consent was not granted.

Advanced to E and R for review.

LEGISLATIVE BILL 496. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 40. Read and considered.

Standing Committee amendments 1 and 2, found in the Legislative Journal for the Thirty-third day were adopted.

Laid over.

LEGISLATIVE BILL 32. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 356. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 355. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 319. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 69. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 68. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for review.

Speaker Signs

While the Legislature was in session and capable of transacting

business, the Speaker signed:

L. B. 137 L. B. 41

Adjournment

At 12:00, noon, Mr. Holmes moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, February 21, 1949.

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

Hugo F. Srb

Clerk of the Legislature

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 21, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hanna, Nelson and Wood, who were excused and Mr. T. Adams, who was excused until 11:00 a.m.

The Journal for the Thirty-fourth Day was approved.

Communications

A petition from the Oakland Garden Club supporting L. R. 13.

A letter from Mr. Donald P. Miller drawing attention to the delivery of copies of the Thirty-Second Biennial Report of the Department of Labor.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 425	Thursday, March 3, 1949	2:00 p.m.
L. B. 317	Thursday, March 3, 1949	2:00 p.m.
L. B. 448	Thursday, March 3, 1949	2:00 p.m.

Education

L. B. 383	Wednesday, March 2, 1949	2:00 p.m.
L. B. 389	Wednesday, March 2, 1949	2:00 p.m.
L. B. 394	Wednesday, March 2, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 2. Placed on General File as amended.

Standing Committee amendment to L. B. 2:

1. In Section 3, line 13, strike the words "one-third" and insert in lieu thereof *"ten per cent"*.

LEGISLATIVE BILL 1. Placed on General File as amended.

Standing Committee amendment to L. B. 1:

1. Amend page 3 of the bill, section 2, lines 7 and 11, by striking the word "hundred".

2. Amend page 14 of the bill, section 32, by striking lines 35 and 36 and inserting in lieu thereof the following:

"valid for the office. A person may serve as county superintendent of more than one county when approved by the county board. If any".

3. Amend page 16 of the bill, section 37, by striking the new matter in lines 8 to 11.

4. Amend page 17 of the bill, section 41, line 4, by striking the word "sixty" and inserting in lieu thereof the following: "~~sixty~~ *fifty-five*".

5. Amend page 17 of the bill, section 41, line 7, by inserting after the word "district" the following:

"; Provided, changes affecting cities or villages shall be made upon the petition of the board of education of the district or districts affected".

6. Amend page 20 of the bill, section 47, line 21, by inserting after the word "defense" the following:

", flood control, irrigation,".

7. Amend page 22 of the bill, section 53, line 21, by striking the words "bonded and other" and inserting in lieu thereof the word *"unbonded"*.

8. Amend page 24 of the bill, section 59, by striking lines 18 to 29 and inserting in lieu thereof the following:

"The county superintendent shall distribute the assets of the closed district among the other districts to which the property has been attached in proportion to the assessed valuation of the property attached to each district or districts."

9. Amend page 27 of the bill, section 66, by striking lines 10 to 13 beginning with the word "all" and inserting in lieu thereof the following:

"all electors at school elections held in cities where registration of voters is required shall comply with the provisions of such registration law before they shall be entitled to vote. *the provisions of sections 79-427 to 79-430 shall not apply to Class 5 districts."*

10. Amend page 28 of the bill, section 70, by reinstating the stricken matter in line 3, and striking the word and figure "June 1" in line 4.

11. Amend page 28 of the bill, section 70, line 11, by inserting after the word "year" the following:

"; Provided, that the provisions of sections 79-431 to 79-438 shall not apply to Class 5 districts".

12. Amend page 28 of the bill, section 71, by striking lines 2 to 11, and inserting in lieu thereof the following:

"levied for general school purposes in any *Class 1, 2, 3, and 6* school districts organized under sections 79-301 to 79-311 and 79-601 to 79-616, shall in no event exceed eight mills on the dollar of the actual valuation of such districts; Provided, that there shall be no restriction on the amount of taxes to be levied for the fiscal years ending June 30, 1948, and June 30, 1949. Thereafter a levy of not exceeding twenty mills may be made after submitting the proposition of the increased levy *shall be without restriction, except as provided in subsection (2) of this section. In school districts of the first, second, third, and sixth classes, no levy shall be made".*

13. Amend page 28 of the bill, section 71, line 14, by striking the word "sixty" and inserting in lieu thereof the words *"fifty-five".*

14. Amend page 28 of the bill, section 71, line 19, by striking the word "sixty" and inserting in lieu thereof the following: "sixty *fifty-five".*

15. Amend page 32 of the bill, section 78, line 9, by inserting after the word "meeting" the following:

"; Provided, the provisions of sections 79-439 to 79-444 shall not apply to Class 5 districts".

16. Amend page 32 of the bill, section 80, line 3, by inserting after the word "district" the following:

", *and shall have authority to hire a superintendent and the required number of teachers*".

17. Amend page 32 of the bill, section 81, by striking the comma at the end of line 2 and all of lines 3 to 9, and inserting in lieu thereof the following:

", except in his official capacity as a member of the board. *in amounts in excess of five hundred dollars.*"

18. Amend page 33 of the bill, section 82, by striking ", second, and third" and inserting in lieu thereof the words "*and second*".

19. Amend page 33 of the bill, section 83, by striking lines 1 to 9 and inserting in lieu thereof the following:

"Sec. 83. 79-414. *79-444.* The district board or the board of education in all classes of school districts shall not be compelled in their respective districts, to admit any child or children who had not reached the age of five years on or before September 1 of the current year."

20. Amend page 37 of the bill, section 91, line 15, by inserting after the word "meeting" the following:

"; *Provided, the provisions of sections 79-452 to 79-467 shall not apply to Class 5 districts*".

21. Amend page 41 of the bill, section 107, line 1, by inserting after the word "voters" the following: ", *except in Class 4 and 5 districts,*".

22. Amend page 50 of the bill, section 129, by striking the entire section and inserting in lieu thereof the following:

"Sec. 129. 79-1907. *79-490.* When no other means of free transportation is provided and the *to a child attending an elementary school, there shall be paid to the family of said child by such district in which said family resides, on the basis of the record of attendance of such child and the trips actually made to and from such school amounts as follows: To a child attending elementary school in his own district, where said* child lives more than three miles from the public schoolhouse which he is authorized to attend by the nearest practicable traveled road, five cents per family for each day of actual attendance, by means of the nearest practicable traveled road actually traveled, for each one half of a mile or fraction thereof by which the distance of the resi-

dence from the schoolhouse exceeds three miles, shall be paid such family monthly by such district on the basis of the record of attendance of such child, which, *there shall be paid ten cents per half mile for each one half of a mile or fraction thereof by which the distance of the residence from the schoolhouse exceeds three miles; to a child required to attend an elementary school outside of his own district there shall be paid ten cents per half mile for each one half mile or fraction thereof for the distance that the school in the other district is in excess of the distance from the school of his residence. The trips actually made to and from such school by means of the nearest practicable traveled road actually traveled* shall be reported monthly by the teacher to the school board of such public school district; and no *No* pupil shall be exempt from school attendance on account of distance from the public schoolhouse."

23. Amend page 54 of the bill, section 136, lines 29 and 33, by inserting before the word "private" the following: *"public,"*.

24. Amend page 55 of the bill, section 141, line 2, by striking the words "county high" and inserting in lieu thereof the following: "~~county high~~ *class six*".

25. Amend page 60 of the bill, section 154, by striking lines 6 and 7, and inserting in lieu thereof the following:

"trict court to the Supreme Court,. *Such appeals shall be prosecuted* in the same manner as appeals are prosecuted in the civil actions, ~~but the~~. *The* school dis-".

26. Amend pages 65 and 66 of the bill, section 175, lines 2 and 3, by striking the new matter and reinstating the stricken matter.

27. Amend page 68 of the bill, section 183, by striking lines 8 to 10, and inserting in lieu thereof the following:

"books other than regular textbooks. ~~If~~ , *except that if* a sum equal".

28. Amend page 69 of the bill, section 188, line 6, by striking the word "ten" and inserting in lieu thereof the word *"five"*.

29. Amend page 70 of the bill, section 189, lines 5 and 16, by striking the word "sixty" and inserting in lieu thereof the words *"fifty-five"*.

30. Amend page 70 of the bill, section 190, lines 7 and 8, by striking the words "two-thirds" and inserting in lieu thereof the following: "~~two-thirds~~ *fifty-five per cent*".

31. Amend page 70 of the bill, section 191, line 5, by inserting after the word "schoolhouse" the words *"or other school buildings"*.

32. Amend page 71 of the bill, section 192, line 3, by striking the words "two-thirds" and inserting in lieu thereof the following "two-thirds *fifty-five per cent*".

33. Amend page 74 of the bill, section 202, by striking lines 13 and 14, and inserting in lieu thereof the following:

"vision. *The secretary of the board shall, not later than April 15, notify in writing each teacher of his election or failure of election.*"

34. Amend page 74 of the bill, section 203, line 5, by striking the word "thereafter" and inserting in lieu thereof the following: "thereafter *after receiving the notice provided for in section 79-517*".

35. Amend page 74 of the bill by inserting after section 203 three new sections to read as follows:

Sec. 204. 79-2420. All consolidated *school* districts *formerly* organized in accordance with the provisions of sections 79-2401 to 79-2426 *as rural high school districts or consolidated school districts* which provide for comfortable transportation of pupils and maintain *are established with* suitable grounds and a two-room school building and the necessary departments and equipment for teaching agriculture and home economics, or other industrial and vocational subjects in addition to the regular course of study, which employ teachers holding a certificate showing their qualifications to teach said *such* subjects, and in which said subjects are provided *provide those subjects* as a part of the regular course in such instruction, *schools, subject to the approval of the Superintendent of Public Instruction,* shall be awarded and paid from the State Treasury *state treasury,* from moneys *money not otherwise* appropriated biennially for this specific purpose, the sum of one hundred dollars toward the equipment required, and the further sum of one hundred and fifty dollars annually.

Sec. 205. 79-2421. All consolidated *school* districts *formerly* organized in accordance with the provisions of sections 79-2401 to 79-2426 *as rural high school or consolidated school districts* which provide for comfortable transportation of pupils and maintain *are established with* suitable grounds and a three-room building and the necessary department *departments* and equipment for teaching agriculture and home economics, or other suitable and vocational subjects in addition to the regular course of study, which employ teachers holding certificates showing their qualifications to teach those *such* subjects and in which such subjects are provided *provide those subjects* as a part in *of* the regular course of *in* such schools, subject to the approval of the Super-

intendent of Public Instruction, shall be awarded and paid from the State Treasury *state treasury*, from moneys *money not otherwise* appropriated biennially by the Legislature for this specific purpose, the sum of one hundred and fifty dollars toward the equipment required, and the further sum of two hundred dollars annually.

Sec. 206. 79-2422. All consolidated *school* districts *formerly* organized in accordance with the provisions of sections 79-2401 to 79-2426 *as rural high school districts or consolidated school districts* which provide for comfortable transportation of pupils and maintain *are established with* suitable grounds and a four or more room school building and the necessary *departments and* equipment for teaching agriculture and home economics, or other suitable and vocational subjects in addition to the regular course of study, which employ teachers holding certificates showing their qualifications to teach said subjects, and in which those subjects are provided *provide those subjects* as a part of the regular course in such schools, subject to the approval of the Superintendent of Public Instruction, shall be awarded and paid from the State Treasury *state treasury*, from the moneys *money not otherwise* appropriated biennially by the Legislature for this specific purpose, the sum of two hundred and fifty dollars toward the equipment required, and the further sum of three hundred dollars annually."

36. Renumber old sections 204 to 232 as sections 207 to 235, respectively.

37. Amend page 74 of the bill, renumbered section 207, line 3, by striking the word and punctuation "five,".

38. Amend page 75 of the bill, renumbered section 208, lines 2 and 3, by striking "three, four, and five" and inserting in lieu thereof the following: *"three and four"*.

39. Amend page 75 of the bill, renumbered section 209, line 3, by striking the word and punctuation "fifth,".

40. Amend page 75 of the bill, renumbered section 210, line 1, by inserting after the word "provisions" the following:

"of sections 79-523 to 79-529 shall apply to class four districts only, and the provisions".

41. Amend page 79 of the bill, renumbered section 221, by adding at the end of line 25 the following:

"Where the school district boundaries of a metropolitan city school district extend outside of the metropolitan city, such part of the school district shall have its tax levy extended upon the county tax list, in

the manner provided for on other school districts of the county, outside of the school district of such city. Such taxes shall be paid to the county treasurer at the same time that other school district taxes are paid."

42. Amend page 82 of the bill, renumbered section 231, by striking lines 31 and 32, and inserting in lieu thereof the following:

"two districts, by a vote of fifty-five per cent of the legal voters voting at an annual or special meeting, shall decide to discontinue the".

43. Amend page 85 of the bill by inserting after renumbered section 235 two new sections to be known as sections 236 and 237, and to read as follows:

"Sec. 236. 79-2504. In cities of the first class *having a population of less than forty thousand and more than five thousand inhabitants,* the board of education shall at the option of the school district consist of nine members, who shall be qualified electors of such city and shall be actual taxpayers, who shall be elected at the times and hold their offices for the terms hereinafter prescribed. At the first annual city election held after organizing under section 79-2501 *79-801,* three members shall be elected for the term of three years, three for two years, and three for one year; and annually thereafter their successors shall be chosen for the term of three years, and all members so elected shall serve until their successors are duly elected and qualified.

Sec. 237. 79-2505. In school districts including within their boundaries, or comprised in, cities of the first class having a population of less than twenty-five thousand *inhabitants* which are governed under the provisions of the commission plan of government, the members of the board of education shall be elected in the manner following: (1) At the first general city election there shall be elected the first third of the membership of the board of education for a term of six years; (2) at the next general city election and every six years thereafter there shall be elected the second third of the membership of the board of education for a term of six years; and (3) at the next general city election and every six years thereafter there shall be elected the last third of the membership of the board of education for a term of six years. Incumbents in office as members of the board of education in such cities shall be privileged to continue in office until their successors are elected and qualified. , as provided in sections 79-2506 and 79-2507. Those members whose terms shall first expire shall be superseded by those first elected under the provisions of this section. The members of the board of education shall enter upon the duties of their office at the first regular meeting succeeding their election. In the event of a vacancy among the members

of the board of education, such vacancy shall be filled by the action of the remaining members of the board of education, and such appointment shall continue for the unexpired term."

44. Amend the bill by renumbering old sections 233 to 241 as sections 238 to 246, respectively.

45. Amend page 89 of the bill by inserting after renumbered section 246 two new sections to be known as sections 247 and 248, and to read as follows:

"Sec. 247. 79-2620. *79-903.* The board of education, in the month of June in each year, shall report to the county board an estimate of the amount of funds required for the fiscal year next ensuing (1) for the payment of interest on bonds issued by the district, as provided in section 79-2625, to be designated as the "Bond Interest Fund"; (2) to provide a sinking fund for the payment of bonds issued by the district as provided by said section, to be designated as the "Bond Sinking Fund"; (3) to provide for the purchase and betterment of school sites, the remodeling, erection and equipment, (not replacement), of buildings, (new and old), to be designated as the "Building Fund"; and (4) to provide for the support of schools, being the running expenses, miscellaneous, and all other expenses for such year. . to be designated as the "General Fund." The county board is required to levy and collect the number of mills necessary to provide the amounts so reported by the board of education in like manner as other taxes are levied and collected, not to exceed, however, the amounts authorized in section 79-2621 *79-904.*

Sec. 248. 79-2621. *79-904.* The tax for the "bond interest fund" shall in no one year exceed such amount as will with the balance on hand in such fund be sufficient to pay the bond interest falling due within the fiscal year next after that for which the levy is made, and the tax for the "bond sinking fund" shall not exceed that provided for in section 79-2625. *a sum sufficient to pay the principal of such bonds as it becomes due, or in lieu thereof to pay each year such number of the bonds as will retire them all at or before their maturity.* Commencing with the fiscal year that begins July 1, 1947, the aggregate school tax exclusive of "school bond interest fund" and "school bond sinking fund" shall in no one year exceed twenty mills on the dollar of the actual value of all taxable property within the district; and shall in no one year exceed such rate as shall be necessary to raise the sums provided for by the estimate returned in accordance with section 79-2620 *79-903.*"

46. Amend the bill by renumbering old section 242 as section 249.

47. Amend page 89 of the bill by inserting after renumbered section 249 a new section to be known as section 250, and to read as follows:

"Sec. 250. 79-2702. All schools erected or organized within the limits of metropolitan cities shall be under the direction and control of the board of education authorized by section 79-2705 *79-1003*. Such schools shall be free to all children between the ages of five and twenty-one years whose parents or guardians reside within the limits of the district, and to all children of school age, nonresidents of the district, who are or may be by law allowed to attend such school without charge."

48. Amend the bill by renumbering old sections 243 and 244 as sections 251 and 252, respectively.

49. Amend page 89 of the bill, renumbered section 251, by adding after line 4 the following:

"The affairs of the school district created by this act shall be conducted exclusively by the board of education except as otherwise provided by this act."

50. Amend page 90 of the bill by inserting after renumbered section 252 four new sections to be known as sections 253 to 256, and to read as follows:

"Sec. 253. 79-2706. The regular meetings of the board of education shall be held on the first and third Monday of each month, but special meetings may be held from time to time, as circumstances may demand, at the call of the president of the board or on petition of a majority of the members thereof. All meetings of the board shall be open to the public unless otherwise specially ordered.

Sec. 254. 79-2707. A majority of all the members of each board of education shall constitute a quorum, but a less number in attendance at any regular meeting shall have, and a quorum at any special meeting may have, power to compel the attendance of absent members in such manner and under such penalties as each board shall see fit to prescribe. The absence of any member from four consecutive regular meetings of the board, unless on account of sickness or by consent of the board, shall vacate his position on the board, which facts shall be passed upon by the board of education and spread upon its records.

Sec. 255. 79-2708. The board of education shall have power to fill any vacancy which may occur in its body. ; Provided, any vacancy occurring more than ten days previous to the annual school election and leaving an unexpired term for more than one year shall

be filled at the first school election thereafter, and the ballots and returns shall be designated as follows: "To fill unexpired term."

Sec. 256. 79-2709. The board of education shall have power to select its own officers, and make its rules and regulations. , subject to the provisions of sections 79-2701 to 79-2734. The board of education herein provided for, or any committee of the members thereof, shall have power to compel the attendance of witnesses for the investigation of matters that may come before them. The presiding officer of the board of education, or the chairman of such committee for the time being, may administer the requisite oaths, and such board or committee thereof shall have the same authority to compel the giving of testimony as is conferred on courts of justice."

51. Amend the bill by renumbering old section 245 as section 257.

52. Amend page 91 of the bill, renumbered section 257, line 6, by striking the words "in July" and inserting in lieu thereof the following: "in July *prior to April 1*".

53. Amend page 91 of the bill, renumbered section 257, line 8, by striking the words and punctuation "one superintendent of school buildings,".

54. Amend page 91 of the bill, renumbered section 257, by inserting at the end of line 12 the following:

"*Annual contracts with employees other than teachers shall be entered into on or before April 15.*"

55. Amend page 91 of the bill by inserting after renumbered section 257 five new sections to be known as sections 258 to 262, and to read as follows:

"Sec. 258. 79-2712. It shall be the duty of the president to preside at all meetings of the board, to appoint all committees whose appointment is not otherwise provided for, and to sign all warrants ordered by the board of education to be drawn upon the city treasurer for school moneys *money*.

Sec. 259. 79-2713. It shall be the duty of the vice president to perform all the duties of the president in case of his absence or disability.

Sec. 260. 79-2714. It shall be the duty of the secretary to be present at all meetings of the board, to keep an accurate journal of the proceedings, to take charge of its books and documents, to countersign all warrants for school moneys *money* drawn upon the city treas-

urer by order of the board, to apply for and receive school funds from the county treasurer or other persons to whom such funds are payable by law and deposit the same with the treasurer of the board, and to perform such duties as the board may require. Before entering into the discharge of his duties the secretary of the board shall give bond in the sum of not less than ten thousand dollars, with good and sufficient sureties, and shall take and subscribe an oath or affirmation before a proper officer that he will support the Constitution of the State of Nebraska, and faithfully perform the duties of his office.

Sec. 261. 79-2715. The treasurer of the county in which such city is located shall be ex officio treasurer of the board of education. He shall collect all taxes of the school district and his powers with respect thereto shall be the same as his powers with respect to the collection of county taxes. He shall attend all meetings of the board when required to do so, shall prepare and submit in writing a monthly report of the state of its finances, and shall pay school money only upon a warrant signed by the president, or in his absence by the vice president, and countersigned by the secretary. He shall give bond, payable to the board of education in such amount as may be required of him by the board of education, in no event to be less than two hundred thousand dollars, conditioned for the faithful discharge of his duties as treasurer of the school district, for the safekeeping and proper disbursement of all funds and money of the school district collected or received by him, and for all taxes not collected by him whenever such taxes or assessments remain uncollected by him by reason of any neglect of duty, want of diligence, or failure on his part to comply with the law relating to the collection thereof. Such bond shall be signed by one or more surety companies of recognized responsibility, to be approved by the board of education. The cost of the bond shall be paid by the school district. Such bond may be enlarged at any time the board of education may deem an enlargement or additional bond necessary.

Sec. 262. 79-2716. It shall be unlawful for any member of the board of education to have any pecuniary interest, either directly or indirectly, in any contract for the erection of schoolhouses, or for warming, ventilating, furnishing, or repairing the same, or to be in any manner connected with the furnishing of supplies for the maintenance of the schools."

56. Amend the bill by renumbering old sections 246 to 248 as sections 263 to 265, respectively.

57. Amend page 92 of the bill, renumbered section 263, by adding at the end of line 15 the following:

"All money belonging to the school district in the hands of the county treasurer as ex officio treasurer of such school district shall be accounted for and disbursed directly to the board of education."

58. Amend page 92 of the bill by inserting after renumbered section 265 five new sections to be known as sections 266 to 270, and to read as follows:

"Sec. 266. 79-2723. The aggregate school tax shall not in any one year exceed fifteen mills on the dollar upon the actual value of all the taxable property of the district, except intangible property; *Provided,* that for a period of four years from and after April 8, 1947, the aggregate school tax may be twenty mills but not in excess of twenty mills, in any one year on the dollar upon the actual value of all the taxable property of the district, except intangible property.

Sec. 267. 79-2724. There shall be created for the general operation of the schools such fund as will result from an annual levy of fifteen and one half mills on the dollar upon the actual value of all the taxable property in such school district, except intangible property. A further fund resulting from an annual levy of not to exceed four mills on the dollar upon the actual valuation of all the taxable property in the district, except intangible property, is created for the purpose of paying the interest on and retiring, funding, or servicing bonded indebtedness of the district. A further fund, resulting from an annual levy of not less than one half mill on the dollar upon the actual valuation of all the taxable property in the district, except intangible property, is created for the sole purpose of acquiring sites for school buildings and for the erection, alteration, equipping, and furnishing of school buildings and additions to school buildings, and shall be used for no other purpose; *Provided,* that out of the levy to be certified by the board of education to the city council *county board of equalization* in July, 1947, 1948, 1949, and 1950, such portion of the additional four mill levy as shall not be required to be credited to the sinking fund by section 79-2730 *268 of this act* may, at the option of the board of education, be levied for and credited to the fund for the general operation of schools and to the site and building fund.

Sec. 268. 79-2730. The board of education is authorized and required to provide for the interest on all existing bonds issued by the district before it shall become due. It shall also, immediately after the expiration of one half of the time for which such bonds are issued, proceed to set apart each year, for a sinking fund, a requisite amount or proportion sufficient to pay the principal of the bonds when they shall become due. All money set apart for the sinking fund shall be invested as follows:

(1) In the purchase of and redemption of bonds of the school

districts, which bonds shall be purchased in the open market in such manner as the board of education shall prescribe;

(2) In bonds of the city constituting the school district;

(3) In bonds of the county wherein such district is situated;

(4) In bonds of the State of Nebraska; and

(5) In United States bonds.

Sec. 269. 79-2732. All ~~moneys~~ *money* arising from any source whatever, which are *is* payable to the school fund of any primary city or any city of the first class which may become a metropolitan city, or any ~~moneys~~ *money* which are *is* required to be set apart by the treasurer of any such city for the support and maintenance of any school therein, shall be payable to the treasurer of the board of education, and shall be used only for the purposes specified in sections 79-2701 ~~to 79-2734~~ *249 to 270 of this act.*

Sec. 270. 79-2734. The president of the board shall issue his proclamation to the qualified voters of the school district, such proclamation to be published for at least ten days prior to the election in at least one daily paper of general circulation in the school district, setting forth the time when and place or places where such election will be held, and a full and complete statement of the officers, bond proposition, or question of expenditure to be voted on at the election."

59. Amend the bill by renumbering old sections 249 to 275 as sections 271 to 297, respectively.

60. Amend page 95 of the bill, renumbered section 276, lines 9 and 13, by inserting after the word "representatives" the words *"or designated beneficiaries"*.

61. Amend page 101 of the bill, renumbered section 296, line 6, by striking the word "sixty" and inserting in lieu thereof the words *"fifty-five"*.

62. Amend page 101 of the bill, renumbered section 297, line 2, by inserting after the word "class" the following:

"which formerly was organized as a rural high school".

63. Amend page 101 of the bill, renumbered section 297, by striking line 4 and inserting in lieu thereof the following:

"treasurer and three other members, to be chosen *in the manner prescribed in section 231 of this act* at the annual meeting of such high school".

64. Amend page 101 of the bill, renumbered section 297, line 18, by striking the word "second" and inserting in lieu thereof the word *"first"*.

65. Amend page 102 of the bill by inserting after renumbered section 297 a new section to be known as section 298, and to read as follows:

"Sec. 298. 79-1003. The board of such *education of class six districts formerly organized as a* county high school *district* shall consist of five members, to be known as the board of regents. Two members of the board shall be elected at each general election for a term of four years. The county superintendent, by virtue of his office, shall be the fifth member of the board and shall act as secretary thereof. The county treasurer shall be treasurer of the board, but he shall not be entitled to a vote upon any question. Candidates for the board of regents shall be nominated and elected on the nonpolitical ballot, as provided in sections 32-1201 to 32-1203; *Provided,* if the candidate is nominated by petition, his certificate of nomination shall be signed by fifty or more qualified electors of the county high school district. No filing fee shall be charged any candidate for such office. The board of regents shall have power to fill any vacancy that may occur in their number until the next general election."

66. Amend the bill by renumbering old sections 276 to 493 as sections 299 to 516, respectively.

67. Amend page 102 of the bill, renumbered section 301, line 3, by striking the word "sixty" and inserting in lieu thereof the words *"fifty-five"*, and by striking the word "attending" and inserting in lieu thereof the words *"voting at"*.

68. Amend page 123 of the bill, renumbered section 357, by adding at the end of line 16 the following:

"Unless such probationary teacher,whose contract is automatically renewed according to the aforesaid provision shall, on or before April 15, file with the secretary of the board his or her resignation, he or she shall be regarded as under contract for such year, and failure to file such resignation shall be conclusive evidence of acceptance of the contract."

69. Amend page 123 of the bill, renumbered section 359, line 8, by inserting after the figures "79-1260" the following:

", or unless such permanent teacher shall, on or before April 15, file with the secretary of the board his or her resignation, effective at the beginning of the next school year, he or she shall be regarded as

under contract for such year, and failure to file such resignation shall be conclusive evidence of intention to perform the contract".

70. Amend pages 130 and 131 of the bill, renumbered section 378, lines 16 to 19, by striking the new matter.

71. Amend page 154 of the bill, renumbered section 436, lines 15, 16 and 17, by striking the new matter in lines 15 and 16 and the ";" in line 16, and reinstating the stricken matter in the three lines.

72. Amend pages 155 and 156 of the bill, renumbered section 436, lines 42 and 68, by striking the word and figures "April 16, 1945" and inserting in lieu thereof *"July 1, 1945"*.

73. Amend pages 156 and 157 of the bill, renumbered section 437, lines 4, 5 and 6, by reinstating the stricken matter and striking the new matter.

74. Amend page 158 of the bill, renumbered section 444, line 7 and 8, by striking the word and figures "April 16, 1945" and inserting in lieu thereof *"July 1, 1945"*.

75. Amend page 158 of the bill, renumbered section 444, line 9, by striking the word and figure "April 16" and inserting in lieu thereof the following: "April 16 *July 1*".

76. Amend page 160 of the bill, renumbered section 450, lines 14, 15, 17 and 21, by striking the word and figure "April 16" and inserting in lieu thereof the following: "April 16 *July 1*".

77. Amend page 173 of the bill, renumbered section 486, line 3, by striking the word and figure "April 16" and inserting in lieu thereof *"July 1"*.

78. Amend page 176 of the bill, renumbered section 497, lines 4, 5 and 6, by striking all the new matter.

(Signed) Dwight Burney, Chairman

Public Works

LEGISLATIVE BILL 528. Indefinitely postponed.
LEGISLATIVE BILL 241. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Government

LEGISLATIVE BILL 349. Placed on General File.

LEGISLATIVE BILL 350. Placed on General File as amended.

Standing Committee amendment to L. B. 350:

Section 1, line 8, strike the word "twenty" following the stricken word "ten" and insert the words "not to exceed twenty".

LEGISLATIVE BILL 351. Placed on General File as amended.

Standing Committee amendment to L. B. 351:

Section 1, line 13, insert after the word "thereof," the word "marijuana".

(Signed) Arthur Carmody, Chairman

Revenue and Taxation

LEGISLATIVE BILL 416. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 144. Placed on Select File as amended.

E and R amendments to L. B. 144:

1. Insert a comma in Standing Committee amendment 3, fourth line, after *"(13)"*.

2. In the bill, section 1, page 2, line 11, strike the comma after the word "levy"; line 27, after the word "tax" insert a comma as in statute; line 38, strike the word *"State"*.

3. In the bill, section 2, line 6, strike "each year," and in lieu thereof insert *"of* each year *(1)"*; line 7, strike the comma after "president" and also after "secretary" in line 8; line 11, strike "and shall at the same time" and in lieu thereof insert ", and *(2)"*; line 16, strike ", which the" and in lieu thereof insert *". The"*; strike all newly inserted matter in line 19, section 2, and in lieu thereof insert *"credit such tax so paid to the General Fund of the state"* and following the same insert the new matter inserted by Standing Committee amendment 4, instead of at the place it is inserted by such amendment 4.

4. In the bill, section 3, page 4, line 21, strike *"State"*.

5. In the bill, section 4, page 4, line 9, strike "January" and in lieu thereof insert *"February"*, and in the same line strike the comma

after the word "year" and insert *"(1)"*; line 11, after "president" and also after "secretary" strike the commas; line 14, strike "shall at the same time" and in lieu thereof insert *"(2)"*; line 15, strike "(1)" and in lieu thereof insert *"(a)"*; line 17, strike "; or "(2)" and in lieu thereof insert "or *(b)*"; line 31, strike the word *"State"*.

6. In the bill, section 5, line 5, strike the word "State".

7. In the bill title, line 5, strike "State"; line 8, before the word "and" insert "to change the time for making the specified insurance reports and paying certain taxes;".

LEGISLATIVE BILL 175. Replaced on Select File as amended.

E and R amendment to L. B. 175:

1. In the bill, section 2, line 1, before the word "and" insert ", Revised Statutes of Nebraska, 1943,".

LEGISLATIVE BILL 125. Correctly engrossed.
LEGISLATIVE BILL 127. Correctly engrossed.
LEGISLATIVE BILL 131. Correctly engrossed.
LEGISLATIVE BILL 134. Correctly engrossed.
LEGISLATIVE BILL 148. Correctly engrossed.
LEGISLATIVE BILL 157. Correctly engrossed.
LEGISLATIVE BILL 159. Correctly engrossed.
LEGISLATIVE BILL 168. Correctly enrolled.
LEGISLATIVE BILL 169. Correctly enrolled.
LEGISLATIVE BILL 194. Correctly enrolled.
LEGISLATIVE BILL 242. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 168 L. B. 194 L. B. 242
L. B. 169

Unanimous Consent—Lay over Bill

Mr. Carmody asked unanimous consent that L. B. 187 be laid over since the introducer was absent.

Consent was granted and the bill remained on Final Reading file.

RESOLUTION

LEGISLATIVE RESOLUTION 14.

L. R. 14 was adopted with 31 ayes, 0 nays and 12 not voting.

Unanimous Consent—Place L. B. 215 at Head of General File

Mr. Babcock asked unanimous consent to have L. B. 215 placed at the head of General File.

Consent was granted and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 91.

A bill for an act to amend section 21-1,130, Revised Statutes Supplement, 1947, relating to corporations; to limit the time a corporation may be revived when dissolved for nonpayment of taxes; to provide a condition for revival; 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, J.	Callan	Lee	Prohs
Anderson, L.	Carmody	Lillibridge	Schroeder
Anderson, V.	Carson	Lusienski	Vogel
Babcock	Cramer	McKnight	Vogt
Benesch	Cretsinger	Metzger	Weborg
Bohlke	Davies	Norman	Williams
Bridenbaugh	Hern	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 8:

Adams, T.	Hill	Lindgren	Tvrdik
Hanna	Larkin	Nelson	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 120.

A bill for an act to amend sections 17-108 and 17-209, Revised Statutes Supplement, 1947, relating to cities of the second class and villages; to increase the maximum salaries of specified officers that may be fixed by ordinance; to eliminate the monthly allowance that may be paid the marshal and the daily and hourly sum to be paid the overseer of streets in villages; to eliminate the provision that certain salaries may be approved by a vote of the electors; to provide when such increase in salaries shall become operative; to provide for compensation of other officers and employees; and to repeal the original sections and also sections 17-108.01 and 17-209.01, Revised Statutes Supplement, 1947.

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, J.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lusienski	Schroeder
Babcock	Davies	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	

Voting in the negative, 3:

Bohlke	Carmody	Weborg

Not voting, 9:

Adams, T.	Larkin	Nelson	Wilson, C.
Callan	Lindgren	Tvrdik	Wood
Hanna			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 126. With emergency.

A bill for an act to amend section 23-113, Revised Statutes of Nebraska, 1943, relating to counties; to provide that the county board may expend money under the prescribed limitations and conditions for the care and maintenance of abandoned and neglected cemeteries; to provide that the county board may include such items in the bud-

get for the next fiscal 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, 28:

Adams, J.	Carmody	Lillibridge	Pizer
Anderson, L.	Carson	Lusienski	Prohs
Anderson, V.	Cramer	McKnight	Vogt
Benesch	Cretsinger	Metzger	Weborg
Bridenbaugh	Hern	Norman	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.

Voting in the negative, 2:

Bohlke	Schroeder

Not voting, 13:

Adams, T.	Hanna	Lee	Tvrdik
Babcock	Holmes	Lindgren	Vogel
Callan	Larkin	Nelson	Wood
Davies			

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, 29:

Adams, J.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lusienski	Tvrdik
Anderson, V.	Cramer	McKnight	Vogt
Babcock	Hern	Metzger	Weborg
Benesch	Hill	Norman	Williams
Bridenbaugh	Hoyt	Person	Wilson, C.
Burney	Larkin	Pizer	Wilson, W.
Burnham			

Voting in the negative, 3:

Bohlke	Holmes	Schroeder

Not voting, 11:

Adams, T.	Davies	Lindgren	Vogel
Callan	Hanna	Nelson	Wood
Cretsinger	Lee	Ogden	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 129.

A bill for an act to amend section 25-2183, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to clarify the provisions thereof with reference to where sale held in partition proceedings shall be had; 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, J.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bohlke	Hill	Norman	Weborg
Bridenbaugh	Holmes	Ogden	Williams
Burney	Hoyt	Person	Wilson, C.
Burnham	Larkin	Pizer	Wilson, W.
Carmody	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Hanna	Nelson	Wood
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 143.

Mr. Davies asked unanimous consent to refer L. B. 143 back to Select File for amendment.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 193.

A bill for an act to amend section 37-614, Revised Statutes of Nebraska, 1943, relating to game and fish; to change the amount of damages which may be assessed for the unlawful killing, destroying, taking, or having in possession certain game birds, game animals or fur-bearing animals; 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:

Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hill	Metzger	Vogt
Bohlke	Holmes	Norman	Weborg
Bridenbaugh	Hoyt	Ogden	Williams
Burnham	Larkin	Person	Wilson, C.
Carmody	Lee	Pizer	Wilson, W.
Carson	Lillibridge	Prohs	

Voting in the negative, 3:

Adams, J.	Burney	Hern

Not voting, 5:

Adams, T.	Hanna	Nelson	Wood
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 160.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 311.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 154. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 308. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 165. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 133. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 23. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 379. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for engrossment.

Mr. Metzger offered the following amendments, which were adopted.

Amend L. B. 379, Page 2, Section 1, Line 20, by placing a period after the word "property" and striking the balance of the section.

Add after the word and punctuation "property.", Section 1, Line 20, the following: "The carcass must first be offered to local hospitals or other local charitable institutions, or the Board of Control for use in institutions under its jurisdiction. If none of the above-

mentioned institutions desire said carcass, they may be sold or disposed of in any other manner."

Advanced to E and R for engrossment.

LEGISLATIVE BILL 282. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 342. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 98. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 312. E and R amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 287.

Advanced to E and R for engrossment.

Visitor

Mr. Hoyt introduced Mrs. Ruth Stoll, of McCook, Nebraska, who is the daughter of a former member of the Legislature.

MOTION—Recommit L. B. 134

Mr. President: I move that L. B. 134 be recommitted to Select File for the following Specific Amendments. (Signed) W. J. Williams

1. Strike all of section 4.

2. Renumber succeeding sections accordingly.

3. Amend page 8 of the bill, section 9, line 3, by striking the figures and punctuation "48-159,".

4. Amend the title, line 4, by striking the figures and punctuation "48-159,".

5. Amend the title, lines 10 to 13, by striking the words and punctuation "to provide for reimbursement of judges and employees for certain expenses while away from their place of residence on business of the court;".

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

SELECT FILE

LEGISLATIVE BILL 134.

Mr. Williams' Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

Visitor

Mr. Lee introduced Mr. Bill Glassford, who is the new coach at the University of Nebraska. Mr. Glassford spoke a few words to the Legislature.

GENERAL FILE

Special Order

LEGISLATIVE BILL 83.

Mr. Person moved to indefinitely postpone L. B. 83.

Mr. Person requested a record vote.

Voting in the affirmative, 6:

Anderson, V.	Hern	Pizer	Weborg
Callan	Hoyt		

Voting in the negative, 22:

Adams, J.	Burnham	McKnight	Tvrdik
Adams, T.	Carmody	Metzger	Vogel
Anderson, L.	Cramer	Norman	Vogt
Benesch	Cretsinger	Ogden	Williams
Bohlke	Holmes	Schroeder	Wilson, W.
Bridenbaugh	Lusienski		

Not voting, 15:

Babcock	Hanna	Lillibridge	Prohs
Burney	Hill	Lindgren	Wilson, C.
Carson	Larkin	Nelson	Wood
Davies	Lee	Person	

The motion to indefinitely postpone did not prevail.

Mr. Person asked unanimous consent to have the bill laid over.

Mr. Bohlke objected and consent was not granted.

Mr. Schroeder moved that the bill be laid over until tomorrow and the motion prevailed with 29 ayes, 3 nays and 11 not voting.

LEGISLATIVE BILL 215. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 35. Laid over.
LEGISLATIVE BILL 40.

Standing Committee amendments 3 and 5, found in the Legislative Journal for the Thirty-third Day were adopted.

Standing Committee amendment 4 was not adopted.

Mr. Schroeder offered the following amendment to the Standing Committee amendments, which was adopted.

Amend the Standing Committee Amendment 1 of L. B. 40 by striking the word "may" and reinserting the word "shall".

Advanced to E and R for review.

President Signs

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

L. R. 14

Adjournment

At 11:55 a.m., on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 22, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Thirty-fifth Day was approved as corrected.

Communications

Petitions to Mr. Person opposing Legislative Bills 300, 234, 265, 145, 497 and 525.

Telegram from the Nebraska Division of the Izaak Walton League of Fremont, Nebraska opposing L. B. 187. Referred to Committee on Agriculture.

Telegram from the Lincoln Chapter of the Izaak Walton League urging passage of L. B. 184 and opposing L. B. 187. Referred to Committee on Agriculture.

Card from Mrs. Ed Weinfurtner urging passage of L. B. 79. Referred to Committee on Public Health and Miscellaneous Subjects.

Approved by the Governor

February 21, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable

body that on February 21, 1949, he approved L. B. 29, L. B. 30, L. B. 106, L. B. 116, L. B. 118, L. B. 124, L. B. 166, L. B. 207, L. B. 224 and L. B. 142.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

REPORT OF THE UNIVERSITY OF NEBRASKA

Use of Building Mill Levy Funds

This report is being presented in conformance with the Legislative Resolution No. 24 passed June 6, 1947 by the Sixtieth Session Legislature of Nebraska.

During the past year and a half a study has been made by a special committee of the University on building problems. On the first of November, a comprehensive report was made by this committee to The Board of Regents (a copy of this report can be made available to any member of the Legislature who so desires it). The Regents accepted the report as being one for use in guiding them on the expenditure of Building Mill Levy Funds.

A pictorial pamphlet was also prepared which gives, in brief, the findings of the committee and the proposals as accepted by The University of Nebraska Board of Regents. A copy of this booklet is in the hands of each member of the Legislature.

The present report is supplemental to these less formal reports and is for the purpose of complying with the Legislative Resolution.

The Special Building Committee has been made a permanent University Committee. The Committee has been assigned the problem of continued careful planning in the use of the Mill Levy Fund. The early work has set up a tentative priority list for new buildings. This list represents the best thinking of the committee and of the Regents at the present time. It, of course, may be modified from time to time as conditions change but it will be a good guidepost from which to judge requests for change in priority.

To illustrate further the carefulness with which the planning has been done, the University Board of Regents have authorized the use of the firm Hare and Hare of Kansas City to serve as site planning consultants. Site planning is of most importance in terms of future economical operation of our campuses. In a similar fashion, University problems of supply of steam, electricity and other utilities

is being given careful study and a consulting engineer will be used in laying final plans for the solution of this problem.

Finally, each individual building is planned with extreme care. The first step in the planning is for the Building Committee to work with the department concerned to determine actual needs and approve actual space assignments. A preliminary estimate of cost is then made. If the cost estimates are in line with committee thinking, authorization of the engagement of an architect is recommended. Once the architect's drawings are prepared, again an estimate of cost is made which must meet with the approval of The Board of Regents before bids are requested. The final step, of course, is the acceptance of the contractual bid for each building. In this fashion, although somewhat lengthy, we are assured of adequately planned buildings and ones which will most economically meet present and future needs.

A detailed account of the present condition of buildings is given in the report of the building committee to The Board of Regents. Briefly, one may summarize by saying that the general physical condition of the University plant is not good. There are many reasons for this state of affairs, the chief of which is that the University has never had sufficient funds for the proper upkeep of buildings. The above conditions will be corrected just as rapidly as possible and the Building Mill Levy Funds will be used for the purpose.

The University, in order to be perfectly clear, has divided building maintenance needs into three categories. The first is "Upkeep Costs", which has been defined as costs of regularly needed repair, such as painting, minor repairs to structures and repairs to plumbing, etc. The second type of costs is "Operation Costs", which has been defined as costs of heat, light, power, janitorial service, security service, etc. The third category is "Reconditioning Costs", which has been defined as costs of major, irregularly occurring repairs to building structures and utility services.

Without question, if the University plant is to be maintained as it should be, the first two of these items should be a regular part of the operating budget. In the past, the "operations" budget has been sufficient for the purpose. However, the amount of money budgeted for "upkeep" has been far too small. The average modern industry sets aside at least 2% of its capital evaluation for upkeep costs. The University has been able to budget much less than 1% for this purpose during the past fifteen years. Our present budget request includes an item which amounts to approximately 1⅓% of our replacement evaluation of physical plant buildings. This is a minimum to keep pace with day to day deterioration.

The "reconditioning" costs, as indicated above, should come from Building Mill Levy Funds. The University feels that it is of utmost importance to the future to keep operation costs and upkeep costs in the general University budget.

There are attached to this report, as appendices, three groups of information, namely:

1. Report of the Building Committee to The Board of Regents.

2. Copy of the Booklet addressed to the Legislature concerning the Building Program.

3. Fiscal report of use of Mill Levy Funds as of December 31, 1948.

The University wants to take this added opportunity of expressing its appreciation to the Legislature for their foresight in setting up the Building Mill Levy Fund. For the first time, the University and other state agencies can make careful plans for their physical plants. Such should lead to very material savings in operational costs in the future and should lead to a beautiful, useful and economical use of state funds. (Signed) John K. Selleck

Copies of the Report of the Building Committee to the Board of Regents, the booklet addressed to the Legislature concerning the Building Program, and the Fiscal report of use of Mill Levy Funds as of December 31, 1948 are filed in the original Journal in the Clerk's office.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 352. Placed on General File as amended.

Standing Committee amendments to L. B. 352:

1. Amend the bill to insert a new section prior to Section 1 to read as follows:

Section 1. That Section 83-412, Revised Statutes Supplement, 1947, be amended to read as follows:

83-412. There shall be paid to the officers of the prison the following yearly salaries and compensations, to be paid quarterly out of the state treasury on the warrants of the Auditor of Public Accounts: (1) To the warden, not to exceed the sum of thirty-six hundred dollars until March 1, 1949 and, on and after that date, the

sum of twenty-five hundred dollars; and (2) to the deputy warden, matron, chaplain, physician, instructors, foremen, guards, and other employees, such sums as may be provided for by the Board of Control.

2. Amend present Section 1 of the bill in line 1 by striking "Section 1." and inserting "Sec. 2." and after the word "That" insert the word "original.".

3. Re-number present section 2 as "Sec. 3.".

4. In the bill title, line 2, strike the word "repeal" and in lieu thereof insert the word "amend".

5. In the bill title, strike all of the title after the word "institutions" in the third line thereof, and in lieu thereof insert "; to remove the provision reducing the salary of the warden of the State Penitentiary commencing March 1, 1949; to repeal the original section; and to declare an emergency.".

(Signed) N. F. Schroeder, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 338. Placed on General File as amended.

Standing Committee amendment to L. B. 338:

Add the emergency clause as a new section and amend the title to conform.

LEGISLATIVE BILL 272. Placed on General File as amended.

Standing Committee amendment to L. B. 272:

Section 1, page 2, lines 20 and 21, by striking the words "fifteen hundred" and inserting in lieu thereof the words: *"one thousand"*.

LEGISLATIVE BILL 348. Placed on General File.

(Signed) Karl E. Vogel, Chairman

Agriculture

LEGISLATIVE BILL 374. Placed on General File.
LEGISLATIVE BILL 270. Indefinitely postponed.

(Signed) Ed. Hoyt, Chairman

Judiciary

LEGISLATIVE BILL 227. Indefinitely postponed.
LEGISLATIVE BILL 260. Placed on General File.
LEGISLATIVE BILL 361. Placed on General File.
LEGISLATIVE BILL 333. Placed on General File.
LEGISLATIVE BILL 362. Placed on General File.
LEGISLATIVE BILL 371. Placed on General File.
LEGISLATIVE BILL 397. Placed on General File.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 67. Placed on Select File as amended.

E and R amendments to L. B. 67:

1. In the Standing Committee amendment 2, "*however,*" should be stricken in first line of newly inserted matter.

2. In the bill, section 4, page 3, line 11, strike the comma before the word "*shall*".

3. In the bill, section 5, page 4, line 21, strike "*; he*" and in lieu thereof insert ". *He*".

4. In the bill, section 7, page 5, line 3, after the word "*all*" insert "*the*", and in the same line, strike "*and*" and in lieu thereof insert a comma; line 8, strike the word "*a*" and in lieu thereof insert "*the*"; line 4, insert a comma before the word "*and*".

5. In the bill, section 8, page 6, line 13, after the word "*given*" and before the period, insert "*or had*".

6. In the bill, section 10, page 6, line 3, strike the comma; line 7, after the word "*at*" insert "*the*".

7. In the bill, section 11, page 7, line 19, strike the word "*for*".

8. In the bill, section 12, page 8, insert a comma after the word "specifications" in line 6, and also before the word "and" in line 14.

9. In the bill, section 13, page 9, line 4, after the word "*resolutions*" strike the comma and also after the word "*district*" in line 5.

10. In the bill title, strike all of lines 7, 8, and 9 and insert in lieu thereof "qualified persons; to provide for the filling of vacancies on the board of trustees; to increase the limit of general obligation bonds which such districts may issue; to provide for the issuance of warrants; to provide that the county treasurer of the

county in which the greatest portion of the area of such a district is located shall be ex"; line 10, after the word "his" insert "responsibility and".

LEGISLATIVE BILL 69. Placed on Select File.
LEGISLATIVE BILL 366. Placed on Select File.
LEGISLATIVE BILL 223. Placed on Select File.
LEGISLATIVE BILL 68. Placed on Select File.
LEGISLATIVE BILL 285. Placed on Select File.
LEGISLATIVE BILL 141. Placed on Select File.
LEGISLATIVE BILL 154. Correctly engrossed.
LEGISLATIVE BILL 91. Correctly enrolled.
LEGISLATIVE BILL 193. Correctly enrolled.
LEGISLATIVE BILL 120. Correctly enrolled.
LEGISLATIVE BILL 126. Correctly enrolled.
LEGISLATIVE BILL 129. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 21, 1949 at 11:00 a.m.

L. B. 41 L. B. 137

Presented to the Governor for approval on February 22, 1949 at 9:30 a.m.

L. B. 168 L. B. 194 L. B. 242
L. B. 169

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 91 L. B. 120 L. B. 129
L. B. 193 L. B. 126

RESOLUTION

LEGISLATIVE RESOLUTION 15. Re: Legislative Council report regarding economy in State Government.

Introduced by Lester H. Anderson of Hamilton.

WHEREAS, there has been no comprehensive reorganization of

the Nebraska state government since 1919; and

WHEREAS, many additional executive or administrative agencies have been established during the last thirty years; and

WHEREAS, the growth of administrative agencies is believed to have resulted in an unnecessary overlapping and duplication of functions with a consequent loss of efficiency and increase in costs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Nebraska Legislative Council be directed to study and examine into the following matters:

(a) The functions and duties of all executive or administrative departments, boards, commissions, and other agencies;

(b) The internal organization and operation of such executive or administrative agencies; and

(c) All other matters designed to produce efficiency and economy in the state administration.

2. That the Nebraska Legislative Council report its findings, together with recommendations for improving the administrative services of the state government, on or before January 1, 1950, and send a copy of its report to the Governor and to each member of the Legislature.

Speaker Lee Presiding

SELECT FILE

LEGISLATIVE BILL 144. E and R amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 175. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

MOTION—Return L. B. 39 to Select File

Mr. L. Anderson made a motion to return L. B. 39 to Select

File for the following specific amendment.

1. Amend page 4 of the bill, section 1, by striking lines 77 to 79 and inserting in lieu thereof the following: "(5) LIABILITY *WORKMEN'S COMPENSATION* INSURANCE—Against loss or damage resulting from accident to, or injury, fatal or nonfatal, suffered by an employee or other person for which the insured is liable;"

2. Amend page 6 of the bill, section 1 by striking lines 139 to 142 and inserting in lieu thereof the following: "(14) *LIABILITY AND* MISCELLANEOUS INSURANCE—Upon any risk not included within any of the foregoing classes and which is a proper subject for insurance, not prohibited by law or contrary to sound *Against loss resulting from liability for injury, fatal or nonfatal, suffered by any person, or resulting from liability for damage to property, or property interests of others but does not include the classes of insurance defined in subsections (5), (7), and (12) of this section; and against any other kind of loss, damage or liability properly the subject of insurance and not within any other kind or kinds of insurance as defined in this section, if such insurance is not contrary to law or* public policy, to be determined by the Department of Insurance."

The motion to return the bill to Select File prevailed and the amendment is pending.

SELECT FILE

LEGISLATIVE BILL 243.

Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent.

1. Amend the bill, page 2, section 1, line 4, by striking the words *"or domesticated"*.

2. Amend the bill, page 2, by adding a new section, to be numbered 2, reading as follows:

"Sec. 2. That section 77-721, Revised Statutes Supplement, 1947, be amended to read as follows:

77-721. Every corporation organized under the laws of any other state or country transacting business in Nebraska or offering for sale in Nebraska any of its securities, and not having complied with the requirements of the laws of Nebraska providing for the domestication of foreign corporations shall, on or before March 10 of each year, file a statement with the Tax Commissioner, giving the name and postoffice address of each person residing in Nebraska owning any of such stock or shares, together with the number of

shares held by each person and the par and market value as of March 10 of that year."

3. Amend the bill, page 2, by renumbering present section 2 as section 3.

4. Amend the bill, page 2, present section 2, renumbered section 3, line 2, by inserting before the word "is" the following: "and original section 77-721, Revised Statutes Supplement, 1947,".

5. Amend the bill, page 2, by inserting a new section, to be numbered 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."

6. Amend the title, line 3, by inserting before the word "relating" the following: "and section 77-721, Revised Statutes Supplement, 1947,".

7. Amend the title, by striking all of lines 4 to 6, inclusive, and inserting in lieu thereof the following: "manner of reporting of certain information by domestic corporations to the Tax Commissioner, or his authorized representatives; to require all corporations organized under the laws of any other state or country that transact business in Nebraska or offer for sale in Nebraska any of its securities to file statement with the Tax Commissioner with respect to ownership of its shares by persons residing in Nebraska; to repeal the original sections; and to declare an emergency."

Advanced to E and R for re-engrossment.

GENERAL FILE

SPECIAL ORDER

LEGISLATIVE BILL 4.

Mr. Schroeder made a motion to indefinitely postpone L. B. 4.

Mr. Babcock presiding.

Speaker Lee presiding.

Mr. Carmody requested a record vote.

Voting in the affirmative, 10:

Anderson, L.	Holmes	Ogden	Vogel
Babcock	Lindgren	Schroeder	Vogt
Hanna	Nelson		

Voting in the negative, 28:

Adams, T.	Callan	Hill	Person
Anderson, V.	Carmody	Hoyt	Pizer
Benesch	Carson	Larkin	Prohs
Bohlke	Cramer	Lusienski	Tvrdik
Bridenbaugh	Cretsinger	McKnight	Williams
Burney	Davies	Metzger	Wilson, C.
Burnham	Hern	Norman	Wilson, W.

Not voting, 5:

Adams, J.	Lillibridge	Weborg	Wood
Lee			

The motion to indefinitely postpone did not prevail.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 4, Section 1, Line 10, by striking the word "Sixty" and inserting in lieu thereof the words "Fifty-five".

Mr. Metzger moved the previous question.

The President stated the question, "Shall the debate now cease?"

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

Mr. Hoyt's amendment was adopted with 26 ayes, 14 nays and 3 not voting.

Advanced to E and R for review.

MESSAGE FROM THE GOVERNOR

Without Governor's Approval

February 22, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

In view of an opinion by the Honorable James H. Anderson, Attorney General of Nebraska, holding L. B. 41 unconstitutional, I am returning the said bill, L. B. 41, without my signature.

Public officials are sworn to uphold the Constitution and the rule applicable where constitutionality is in question is stated in the following quotation:

"***. Whoever derives power from the constitution to perform any public function is disloyal to that instrument, and grossly derelict in duty, if he does that which he is not reasonably satisfied the constitution permits. Whether the power be legislative, executive, or judicial, there is manifest disregard of constitutional and moral obligation by one who, having taken an oath to observe that instrument, takes part in an action which he cannot say he believes to be no violation of its provisions. A doubt of the constitutionality of any proposed legislative enactment should in any case be reason sufficient for refusing to adopt it." Cooley's Constitutional Limitations, Eighth Edition, Volume I, page 153.

A copy of the Attorney General's opinion as set forth in a letter to the Honorable Clyde F. Cretsinger, member of the Nebraska State Legislature, is attached.

Respectfully submitted,

(Signed) Val Peterson
Governor

A copy of the Attorney General's opinion is placed on File in the Clerk's office.

Visitors

Mr. Hern presented Miss Azora Sharp, a former employee of the Legislature.

Mr. V. Anderson presented Mr. Frank Golden, United States Marshal for the State of Nebraska.

GENERAL FILE

LEGISLATIVE BILL 5. Considered.

Standing Committee amendment found in the Legislative Journal for the Ninth Day was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 35.

Mr. Benesch moved that L. B. 35 be indefinitely postponed.

The motion prevailed.

LEGISLATIVE BILL 83.

Mr. Person offered the following amendment:

1. Amend the John P. McKnight amendment by inserting immediately after section 1 a new section to be known as section 2, and to read as follows:

"Sec. 2. *(1) Vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color shells, without explosive charge for the purpose of making a noise, Roman candles, sky rockets, star mines, and color wheels, shall be prohibited under the provisions of section 28-1003, unless each and every separate item is plainly labeled in readable print with a label or stamp stating the maximum amount and type of explosive material contained therein.*

(2) Sky rockets shall not exceed eight inches in length nor one inch in diameter.

(3) Each individual packet of Chinese fire crackers shall be labeled or stamped with the maximum amount and type of explosive content contained in each individual fire cracker therein.

(4) Roman candles shall be limited to not more than six fire balls or lights.

(5) Cap pistols as provided in section 28-1003 shall be a type with enclosed firing chambers to prevent any particles of caps, when discharged, from being thrown out of the pistol in any direction."

2. Amend the John P. McKnight amendment, number 2, line 1, by striking the figures "28-1003.01" and inserting in lieu thereof the figures "28-1003.02".

3. Amend the John P. McKnight amendment by renumbering sections 2, 3, 4, 5 and 6 as sections 3, 4, 5, 6 and 7, respectively.

4. Amend the John P. McKnight amendment, number 7, by inserting after the word "penalties" in the last line the following: "; to provide for labeling or stamping the prescribed fireworks and what the label or stamp shall contain; to limit the number of fire balls or light in Roman candles; to provide for type of cap pistols that may be sold".

Mr. McKnight offered the following amendment to Mr. Person's amendments, which was adopted.

Amend Sec. 4 of the Person amendment to read "each parcel or case of Chinese fire crackers" instead of "each package".

Amend Sec. 5. for ten instead of six balls for Roman Candles.

Mr. Person's amendment, as amended by Mr. McKnight was adopted.

Mr. Person made a motion to indefinitely postpone L. B. 83.

Mr. Person requested a record vote.

Voting in the affirmative, 21:

Adams, J.	Hanna	Lillibridge	Pizer
Anderson, V.	Hern	McKnight	Prohs
Babcock	Hill	Metzger	Tvrdik
Benesch	Hoyt	Norman	Vogt
Bohlke	Larkin	Person	Weborg
Carson			

Voting in the negative, 17:

Anderson, L.	Carmody	Holmes	Vogel
Bridenbaugh	Cramer	Lindgren	Williams
Burney	Cretsinger	Nelson	Wilson, C.
Burnham	Davies	Schroeder	Wilson, W.
Callan			

Not voting, 5:

Adams, T.	Lusienski	Ogden	Wood
Lee			

The motion to indefinitely postpone L. B. 83 prevailed.

Visitor

Mr. Tvrdik presented Mr. Cliff Sandahl, formerly a member of the Press covering the Nebraska Legislative sessions, who is now associated with the United States Chamber of Commerce and editor of the weekly publication "Business Action".

WASHINGTON MEMORIAL PROGRAM

Reverend Hansen Presiding

At 11:30 a.m., the following program was rendered:

General Introduction .....Chaplain Hansen

Prayer .....Reverend Doctor Court
Pastor of St. Paul's Methodist Church

Solo .....Robert Anderson

Address .....Chancellor Knight
Nebraska Wesleyan University

Solo .....Robert Anderson

Adjournment

At 12:00, noon, on a motion by Mr. Hern, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 23, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Reverend Bert L. Story of the Methodist Church of North Platte, Nebraska.

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

The Journal for the Thirty-sixth Day was approved as corrected.

Communications

A letter from Joseph Micanek to Mr. Nelson approving the repeal of the game refuge on the Niobrara River. Referred to Committee on Agriculture.

A resolution from the Fourth District of the Nebraska Rural Letter Carriers Association opposing the Kennedy Road Report. Referred to the Committee on Public Works.

MOTION—Blizzard Statement

Mr. President: I move that the statement on the blizzard of 1949 be printed in the Legislative Journal. (Signed) W. J. Williams

The motion prevailed.

Blizzard Statement

The blizzard of 1949 will long be remembered as the worst storm to hit Nebraska. Many people have called this blizzard the state's greatest catastrophe. Seldom, if ever, has such a storm played such havoc with the economy of a great livestock producing state.

Realizing the inadequacy of individuals, counties and even the state to meet such an emergency, the office of the Nebraska Stock Growers Association spent several days appealing to the Governor, Senators, Congressmen, Stock Yard Companies and many others for immediate help for ranchers. It was emphasized over and over that the problem was too big for any county or state to handle—that it needed national attention on a big scale.

During many telephone conversations, taking hours and hours, the Association stated that it viewed the situation as extremely grave and felt that it should be turned over to the army in order that all available equipment be rushed to the ranching areas as quickly as possible to open blocked roads and to open ranch trails—in fact to cut a checkerboard of life lines through Nebraska's snowbound cattle country—to avert a major catastrophe for the state.

The Association was calling for speed and more speed when President Truman directed the army to take over and to send "all out" aid to the disaster area. General Pick was placed in command to head the fifth army operations and "Disaster Operations Snowbound" became a reality.

Immediately an army of bulldozer equipment, operators, truck drivers and mechanics began moving into the snow-blocked cattle country of Nebraska to assist in every way possible to avert a calamity from reaching tragic proportions.

Operations Snowbound has moved ahead rapidly and hundreds of miles of roads and trails have been opened, including trails to haystacks and trails for moving cattle, making it possible to provide thousands of cattle with feed. Ranchers have been guiding the tractor operators to the area where the cattle are and then the crew opens paths for the cattle and to the sources of feed.

Tractors, bulldozers equipped of all types and sizes, moved in massed assault in every direction across Nebraska's cattle country, battling one of the worst winters in history.

Death losses which, as measured by the direct effect of the original storm, were fairly light, are mounting daily. But still more serious is the increase in the potential loss caused by subsequent storms. Today the primary question is not: "How great has the livestock toll been?" but rather, "What will be the final loss?" Ranchers frankly fear a serious cut in the spring calf crop.

Usually the effects of a catastrophe are exaggerated at the outset, but in this case, the situation became steadily worse as one costly storm followed another. The storms and repeat storms, the frigid

days and nights continuing week after week, means the loss of dollars upon dollars in economic livestock operating units.

The loss to stockmen not only comes from the thousands of dead cattle but the effect of the blizzards will be even more devastating in the terrific shrinkage of livestock, the weakened condition, and resultant disease and death. No amount of money can repay the stockmen for the swath these storms have made in his herd of cattle.

People can count on a general effect on the industry, an effect that cannot be measured until the spring thaws reveal the number of cattle now under drifts and the number of cattle that will make it through the winter after suffering a heavy shrinkage and weakened condition.

The seriousness of the situation emphasizes a fact that is not often appreciated by the general public. The business of livestock production is hazardous. A man may spend a lifetime of work and investment, improving his product and making his operations the most efficient possible; only to have all of his accomplishments virtually wiped out by the vagaries of nature. At the same time, the stockman has little control over the market for his product—as has been demonstrated the last two months.

Yet, the rancher or the farmer, the feeder, or the breeder, stays at the business year in and year out, taking the good with the bad—cussed and maligned by part of the public when the stockman fights back against anything he believes is aimed at his individualism.

The 5th Army's Operation Snowbound in the "Battle of the Drifts" made wonderful progress. The work of the bulldozer operators has made many snake-like paths to haystacks and erratic across-country meanderings of trails to ranch homes. These trails have meant life to thousands of stockmen—it meant the saving of thousands of head of livestock. Now, "Operations Snowbound" is rapidly being terminated in Nebraska, having accomplished its mission of opening up a vast snow-blocked area. It has been a big job well done—thousands of miles of trails opened by bulldozers to feed supplies and farm and ranch yards, and thousands of cattle liberated and given access to feed and water supplies.

Only the efforts of a number of people prevented a major catastrophe. It is almost an impossible feat to give to those men, who fought the blizzards with every tool at hand, through the long hours of blinding snow and freezing cold, the credit to which they are entitled.

Air travel, considered by many as a luxury, proved its worth

during the storm. By reason of air travel, ranchers could be notified of the whereabouts of isolated cattle and were able to proceed directly to them to provide feed and water. Telephone operators are to be commended for their splendid work and whole-hearted cooperation in meeting many emergencies.

Mercy trips to carry food, supplies and medicine to isolated individuals were made. At the same time many hundreds of pounds of needed commodities were delivered by weasel, truck and airplane; to say nothing about the number of sick people who had to be removed by snow-traveling equipment to points where medical aid was available.

The Governor of Nebraska and the State Legislature are to be commended for their assistance regarding the emergency which existed, and for taking the necessary steps to abridge the emergency until the President declared this a "Disaster Area" and put it in charge of the Fifth Army.

The words of appreciation by the people of Nebraska for "Operations Snowbound" and for the efforts of the 5th Army engineers and their personnel are those of praise and credit for having done a good job. Many stockmen are of the opinion that the relief efforts of the army have saved the country from an otherwise impossible situation with disastrous economic losses. The willingness of officers and other personnel to cooperate fully with local officials in different areas in accomplishing the huge task has been highly complimentary.

In the opinion of the officers and members of The Nebraska Stock Growers Association, the Army under the capable direction of General Pick has done an outstandingly fine job in Nebraska. Its work has been done rapidly and efficiently. When people have been asked for their opinions on "Operations Snowbound", it has been "A swell job, we never could have handled the situation without the speedy, efficient, and complete action by Major General Pick and the personnel under his command".

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 111	Thursday, March 3, 1949	2:00 p.m.

Labor and Public Welfare

L. B. 322	Monday, March 7, 1949	2:00 p.m.
L. B. 460	Monday, March 7, 1949	2:00 p.m.
L. B. 527	Monday, March 7, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 199. Placed on General File.
LEGISLATIVE BILL 211. Placed on General File as amended.

Standing Committee amendments to L. B. 211:

1. In the bill, amend Section 1, Line 4 by inserting after the word "body" the followning: "; *Provided, any vacancy occurring more than ten days previous to a primary election and leaving an unexpired term of more than one year following the next general election, may be filled temporarily by the board of education, but a successor shall be nominated at the next primary and elected at the next school election, to be designated on the ballots and returns as follows: "To fill unexpired term".*"

2. In the bill, amend Sec. 4, Line 7, by striking the word "*board*" and inserting in lieu thereof the word "*clerk*".

3. In the bill, amend Sec. 4, Line 17, by inserting after the word "*board*" the words "*of equalization*".

LEGISLATIVE BILL 27. Placed on General File as amended.

Standing Committee amendments to L. B. 27:

1. In the bill, Sec. 5, Line 5, after the word "members", insert the following matter ", no two of which shall be from the same district".

2. In the bill, Sec. 5, Line 16, strike the word "or".

3. In the bill, Sec. 5, Line 29, strike the balance of the line beginning with the word "Legislature" and all of Line 30, and insert in lieu thereof "County Board.".

4. In the bill, strike all of Sec. 9.

5. Correct all section numbers beginning with Sec. 10 to be renumbered as Sec. 9.

6. In the bill, new Sec. 9, formerly the section numbered 10, Line 1, strike the word "If" and insert in lieu thereof the word "When".

7. In the bill, new Sec. 9, formerly the section numbered 10, Line 2, strike the word "desired" and insert in lieu thereof the word "desirable".

8. In the bill, new Sec. 15, formerly the first section numbered

16, Line 1, strike the word "ninety" and insert in lieu thereof the words "one hundred twenty".

(Signed) Dwight W. Burney, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 95. Placed on General File as amended.

Standing Committee amendments to L. B. 95:

1. Amend the bill, page 2, section 1, line 4, by striking the words "Dental Examiners" and inserting in lieu thereof the words "Examiners in Dentistry".

2. Amend the bill, page 2, section 5, line 3, by striking the words "Dental Examiners" and inserting in lieu thereof the words "Examiners in Dentistry".

3. In the bill, section 6, strike the balance of the sentence in lines 3 and 4 commencing with the word "render" and in lieu thereof insert "remove lime deposits, accretions and stains from the surfaces of the teeth and polish teeth."; in said section, line 7, strike the word "general" and in lieu thereof insert "direct".

4. Amend page 3 of the bill by inserting immediately after section 7 a new section to be known as section 8, and to read as follows: "Sec. 8. All fees to be collected by the Department of Health as provided by this act shall be deposited in the state treasury and by the State Treasurer credited to a fund for the uses and purposes of this act and its enforcement. Compensation of the Board of Examiners in Dentistry as provided in Section 71-122, Revised Statutes of Nebraska, 1943, and all legitimate and necessary expenses incurred by the department in administering the provisions of this act, shall be paid out of such fund upon the warrant of the Auditor of Public Accounts, issued upon a requisition signed by the Director of Health."

5. Amend the bill by renumbering section 8 as section 9.

6. Amend the title of the bill, line 5, by striking the words "Dental Examiners" and inserting in lieu thereof the words "Examiners in Dentistry".

7. Amend the title of the bill, line 8, by inserting after the word "states" the following: "; to provide for disposition of fees and the disbursement thereof".

LEGISLATIVE BILL 96. Placed on General File as amended.

Standing Committee amendment to L. B. 96:

Page 2, section 1, line 6, strike the word "director" and insert in lieu thereof the word "chief", and in lines 6 to 8 strike the words "equal in amount to the salary paid to the medical directors of divisions of the Department of Health".

LEGISLATIVE BILL 258. Placed on General File.
LEGISLATIVE BILL 261. Indefinitely postponed.
LEGISLATIVE BILL 262. Placed on General File as amended.

Standing Committee amendment to L. B. 262:

Page 2, section 1, line 9, after the word *"in"* add the words *"public, state, or private"* and after the word *"school"* add the words *"under the college level"*.

LEGISLATIVE BILL 284. Placed on General File.

(Signed) William Hern, Chairman

Revenue and Taxation

LEGISLATIVE BILL 368. Placed on General File as amended.

Standing Committee amendments to L. B. 368:

1. Amend the bill, page 2, section 1, line 10 by striking the words *"property not heretofore assessed"* and inserting the words *"any omitted or undervalued property"*.

2. Amend the title of the bill, line 8, by striking the words "not heretofore assessed" and inserting before the word "property" the words "omitted or undervalued".

LEGISLATIVE BILL 195. Placed on General File as amended.

Standing Committee amendments to L. B. 195:

1. Amend page 2 of the bill by striking all of section 2 and inserting in lieu thereof three new sections to be known as sections 2, 3, and 4, to read as follows:

"Sec. 2. The State of Nebraska under the direction of the State Tax Commissioner shall collect a license fee of five dollars, except as provided in section 3 of this act, from the operators of each pinball machine, shuffle board, and all other coin operated games of amusement or skill, and any coin operated radio, television,

and mechanical musical device. All money received by the State Tax Commissioner from such license fees shall be deposited by him in the state treasury and by the State Treasurer placed in the General Fund.

Sec. 3. The provisions of section 2 of this act shall not apply when any pinball machine, shuffle board, or any other coin operated game of amusement or skill, or any coin operated radio, television, or mechanical musical device when owned and operated by a charitable or civic association.

Sec. 4. Any person or corporation violating any of the provisions of this act shall, upon conviction thereof, be fined in a sum not less than twenty-five dollars nor more than one hundred dollars."

2. Amend the title of the bill by striking lines 4 to 9 and inserting in lieu thereof the following: "of any such city or village to impose a license tax upon the operation of pinball machines, shuffle boards, and any other game of chance; to provide for a license fee upon all pinball machines, shuffle boards, and all other coin operated games of amusement or skill, and any coin operated radio, television, and mechanical musical device to be collected by the State Tax Commissioner except as prescribed; to provide that such fees shall be placed in the General Fund; and to provide a penalty."

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 65. Placed on Select File as amended.

E and R amendment to L. B. 65:

1. In the bill, section 1, line 11, after the word "sites" insert a comma.

LEGISLATIVE BILL 138. Placed on Select File as amended.

E and R amendments to L. B. 138:

1. In Standing Committee amendment 1, next to the last line, strike ", *on or before*" and insert in lieu thereof "*on or before the*"; strike the period at the end of Standing Committee amendment 2, and in lieu thereof insert "; and to repeal the original section.".

2. In the bill, section 1, page 2, line 21, before the word "maintenance" insert "*(1)*", and lines 24 and 25, strike "or for snow removal or for" and insert in lieu thereof "*(2)* snow removal, or *(3)*".

LEGISLATIVE BILL 319. Placed on Select File as amended.

E and R amendment to L. B. 319:

1. In the bill, section 1, page 2, line 5, strike "that the applicant" and in lieu thereof insert "*has*"; lines 7 and 8, strike "then in that case" and show as stricken matter.

LEGISLATIVE BILL 259. Placed on Select File as amended.

E and R amendment to L. B. 259:

1. In the bill, section 2, page 2, line 11, after the word "expense" insert a comma; also after the word "office" in line 34, insert a comma.

LEGISLATIVE BILL 40. Placed on Select File as amended.

E and R amendment to L. B. 40:

1. Strike Standing Committee amendment 4 because of General File amendment to bill itself.

LEGISLATIVE BILL 215. Placed on Select File as amended.

E and R amendments to L. B. 215:

1. In the Standing Committee amendment 2, fifth line, after the word "offices" insert a comma; and strike the period in the last line; Standing Committee amendment 4, line 2, change the word "projects" to "purposes"; and in Standing Committee amendment 6, line 3, insert a comma after the word "dollars".

2. In the bill, section 1, page 2, line 11, strike the word "town" and in lieu thereof insert "village".

3. In the bill, section 2, page 2, line 7, strike "there" and in lieu thereof insert "it".

LEGISLATIVE BILL 356. Placed on Select File as amended.

E and R amendment to L. B. 356:

1. In the bill, section 1, page 2, line 18, strike "shall have been *filed*" and in lieu thereof insert "have been *filed with*"; line 21, after the word "effect" insert "*(1)*"; line 25, after "insurer," insert "*(2)*"; line 27, strike "; and" and in lieu thereof insert ", and *(3)*"; and line 29, strike ", and that all" and in lieu thereof insert ". *All such*".

LEGISLATIVE BILL 420. Placed on Select File as amended.

E and R amendments to L. B. 420:

1. In the bill, section 1, page 2, line 16, strike "; *Provided,* before" and in lieu thereof insert ". *Before*"; line 20, strike "and, if" and in lieu thereof insert ". *If*".

2. In the bill, section 3, page 3, line 5, strike the word "*to*" which appears before the word "*the*" and in lieu thereof insert "*in*".

3. In the bill title, line 7, strike "annual audit" and in lieu thereof insert "audits annually or as often as the Auditor of Public Accounts deems advisable"; strike line 13 commencing with "and" and all of line 14, and in lieu thereof insert "to repeal the original sections; and to declare an emergency.".

LEGISLATIVE BILL 79. Placed on Select File as amended.

E and R amendments to L. B. 79:

1. In the bill, section 1, page 2, line 8, after the word "*of*" insert "*the*"; line 16, strike "who" and in lieu thereof insert "*and*".

2. In the bill, section 5, page 4, after "teacher," insert "*or*"; line 6, strike the comma after "trustees" and in lieu thereof insert "*or by the*".

3. In the bill, section 7, page 5, line 4, before the word "as" insert a comma.

LEGISLATIVE BILL 190. Placed on Select File as amended.

E and R amendment to L. B. 190:

1. In the title of the bill, fifth line, strike the word "eighteen" and in lieu thereof insert "sixteen"; in the seventh and eighth lines strike ", or of an approved public or private welfare agency".

LEGISLATIVE BILL 314. Placed on Select File as amended.

E and R amendments to L. B. 314:

1. In the bill, section 1, page 2, line 20, strike "and" and in lieu thereof insert "*or*".

2. In the title of the bill, strike the last two lines commencing with the semicolon in line 7, and in lieu thereof insert "denoting payment of cigarette tax; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 496. Placed on Select File.
LEGISLATIVE BILL 355. Placed on Select File.
LEGISLATIVE BILL 379. Replaced on Select File as amended.

E and R amendments to L. B. 379:

1. Strike the second Specific Amendment by Senator Metzger and after the period inserted by his first amendment to section 1, line 20, insert: *"If it shall be necessary to kill any such deer to remove the same, the carcass thereof shall first be offered to local hospitals or other local charitable institutions, or to the Board of Control for use in institutions under its jurisdiction. If said institutions or board does not desire the same, such carcass may be sold or disposed of in any other manner."*.

2. In section 1, line 3, before the word "The" insert *"(1)"* and in line 18, before the word *"The"* insert *"(2)"*; and indent subsection (2).

3. In the bill title, strike all of the title commencing with the comma in the 6th line thereof and all amendments thereto and in lieu thereof insert: "; to provide for the disposition of the carcass of any deer necessarily killed for such purpose; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 367. Placed on Select File as amended.

E and R amendments to L. B. 367:

1. If the Standing Committee amendment in regard to the emergency clause is adopted, the committee on Enrollment and Review should be authorized to amend the title in accordance therewith.

2. In the bill, section 1, page 2, line 34, strike the comma after the word "charge".

3. In the bill, section 4, page 4, line 6, strike "the" before the word "supply" and in lieu thereof insert *"a"*.

4. In the bill title, lines 4, 5, and 6, strike the words commencing with "full-time" to and including the word "mansion" in line 6 and in lieu thereof insert "the operation of the heat and power plant at the University of Nebraska and the conduits and tunnels appurtenant thereto by the Board of Regents and the furnishing by it of heat, light, and power to the State Capitol and executive mansion; to provide for the division of the cost thereof and the collection of the part to be paid by the State Capitol, including the executive mansion".

LEGISLATIVE BILL 175. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

MOTION—Statutes to Press

Mr. President: I move that the World Herald and Lincoln Star receive copies of the 1943 Revised Statutes and that copies of the 1948 Statutes, Reissue, be supplied to the reporters covering the Legislature for the World Herald, Lincoln Daily Star and Lincoln Journal. (Signed) Glenn Cramer

The motion prevailed.

RESOLUTION

LEGISLATIVE RESOLUTION 15.

Mr. L. Anderson made a motion to adopt L. R. 15.

Mr. Davies asked unanimous consent that L. R. 15 be laid over.

Mr. Callan objected and consent was not granted.

Mr. Carmody made a motion that L. R. 15 be tabled.

The motion prevailed with 26 ayes, 1 nay and 16 not voting.

NOTICE OF COMMITTEE HEARING

Public Health and Miscellaneous Subjects

L. B. 387	Tuesday, March 8, 1949	2:00 p.m.
L. B. 417	Tuesday, March 8, 1949	2:00 p.m.
L. B. 418	Tuesday, March 8, 1949	2:00 p.m.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 187.

A bill for an act to amend sections 37-412 and 37-418, Revised Statutes Supplement, 1947, relating to game and fish; to change the boundaries of the state game refuge on the North Platte River in Garden County, Nebraska and the state game refuge along the Platte River commencing at the west line of Dodge and Saunders Counties, Nebraska, and running east and southeast to a designated bridge across said river; to eliminate, as an area for a state refuge for the better protection of birds and the establishment of breeding

places therefor, all that portion on the Niobrara River and twenty rods on each side of the banks of the stream from the west line of Holt and Boyd Counties extending in an easterly direction down said river to the east line of Holt and Boyd Counties; 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, J.	Cretsinger	Lindgren	Schroeder
Babcock	Hanna	McKnight	Tvrdik
Benesch	Hern	Metzger	Vogel
Burney	Holmes	Nelson	Vogt
Burnham	Hoyt	Norman	Weborg
Callan	Larkin	Ogden	Wilson, W.
Cramer	Lee	Prohs	

Voting in the negative, 11:

Adams, T.	Bridenbaugh	Davies	Pizer
Anderson, V.	Carmody	Hill	Williams
Bohlke	Carson	Lillibridge	

Not voting, 5:

Anderson, L.	Person	Wilson, C.	Wood
Lusienski			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 102.

A bill for an act to amend section 28-419, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the crime of harboring or concealing 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, 40:

Adams, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer

Anderson L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, W.

Voting in the negative, 1:

Babcock

Not voting, 2:

Wilson, C. Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 37.

A bill for an act to amend section 44-214, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that domestic insurance companies having paid-up capital stock of two hundred fifty thousand dollars or more, and a surplus of not less than twenty-five per cent of such capital stock outstanding may be licensed to transact as many kinds of insurance business as the law authorizes a single stock insurance company to write; 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, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, W.
Callan			

Voting in the negative, 0.

Not voting, 2:

Wilson, C. Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 38.

A bill for an act to amend section 44-204, Revised Statutes of Nebraska, 1943, relating to insurance; to provide for additional kinds of insurance that may be embraced in one policy; 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, T.	Carson	Lee	Pizer
Anderson L.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.

Voting in the negative, 0.

Not voting, 3:

Adams, J. Anderson, V. Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 135.

A bill for an act to authorize and empower the board of county commissioners or supervisors of any county to vacate, relocate, lay out, or alter any public road within the boundaries of or adjacent to any flood control project of the United States; to provide the powers of such county board with reference thereto; to provide procedure for the exercise of such power; to amend section 39-102, Revised Statutes Supplement, 1947; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan			

Voting in the negative, 1:

Metzger

Not voting, 1:

Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 136.

A bill for an act to provide for the apportionment and distribution of funds received by the state from the United States under an act of Congress known as the Flood Control 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams

Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 152.

A bill for an act to amend section 23-1613, Revised Statutes Supplement, 1947, relating to auditing of county records; to provide that the salaries of accountants shall be fixed by the Auditor of Public Accounts; to remove the restriction of the amount of the salary that may be paid to assistant accountants; to provide when any change in such salaries shall become operative; 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, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lindgren	Prohs
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Wilson, C.
Bridenbaugh	Hill	Norman	Wilson, W.
Burney	Holmes	Ogden	
Callan	Hoyt		

Voting in the negative, 7:

Anderson, L.	Nelson	Vogt	Williams
Cretsinger	Schroeder	Weborg	

Not voting, 3:

Burnham	Lillibridge	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 177. With emergency.

A bill for an act to amend section 85-125, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to prescribe the source and use of the University Cash Fund; to provide what funds shall be deposited with the State Treasurer; to provide for retention of prescribed funds; 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, J.	Callan	Larkin	Person
Adams, T.	Carmody	Lee	Pizer
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	McKnight	Weborg
Bohlke	Hanna	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	

Voting in the negative, 3:

Hern	Schroeder	Vogt

Not voting, 1:

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.

LEGISLATIVE BILL 245. With emergency.

A bill for an act to amend sections 77-624, 77-625, and 77-628, Revised Statutes of Nebraska, 1943, relating to taxation; to change the dates for performing certain acts with respect to the taxation of of car companies; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

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.

Unanimous Consent—Postpone Final Reading

Speaker Lee asked unanimous consent to postpone consideration of the remaining bills on Final Reading for today in order to take up General File.

Consent was granted and it was so ordered.

Mr. Babcock Presiding

Visitor

Mr. Metzger introduced Mrs. Mabel Gillespie, of Gretna, Nebraska, a former member of the Legislature, who spoke a few words of greeting to the members.

SELECT FILE

LEGISLATIVE BILL 39. Laid over.

LEGISLATIVE BILL 67. E and R amendments found in the Legislative Journal for the Thirty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 69. Advanced to E and R for engrossment.

LEGISLATIVE BILL 366. Advanced to E and R for engrossment.
LEGISLATIVE BILL 223. Advanced to E and R for engrossment.
LEGISLATIVE BILL 68. Advanced to E and R for engrossment.
LEGISLATIVE BILL 285. Advanced to E and R for engrossment.
LEGISLATIVE BILL 141. Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 167.

Mr. Lee asked unanimous consent to have L. B. 167 laid over and made Special Order at 10:00 a.m. on Wednesday, March 2, 1949.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 101. Laid over.

MOTION—Return L. B. 184 to General File

Mr. President: I move that L. B. 184 be returned to General File for the following Specific amendment. (Signed) W. J. Williams

Amend L. B. 184 by reinstating the Standing Committee amendments to Section 1.

Mr. Bohlke moved the previous question.

The President stated the question "Shall the debate now cease?"

The motion prevailed with 37 ayes, 2 nays and 4 not voting.

Mr. Lillibridge requested a record vote on the Williams' motion.

Mr. Williams requested a Call of the House.

A Call of the House was ordered and the roll showed 42 members present.

Mr. Metzger moved that the Call be raised and the motion prevailed with 28 ayes, 11 nays and 4 not voting.

Voting in the affirmative, 22:

Adams, T.	Carson	Lee	Ogden
Anderson, V.	Cramer	Lillibridge	Pizer
Babcock	Cretsinger	Lindgren	Williams
Bohlke	Hern	Lusienski	Wilson, C.

Bridenbaugh	Holmes	Norman	Wilson, W.
Carmody	Hoyt		

Voting in the negative, 18:

Adams, J.	Callan	Metzger	Tvrdik
Anderson, L.	Davies	Nelson	Vogel
Benesch	Hanna	Prohs	Vogt
Burney	Larkin	Schroeder	Weborg
Burnham	McKnight		

Not voting, 3:

Hill	Person	Wood

Mr. Williams' motion prevailed with 22 ayes, 18 nays and 3 not voting.

GENERAL FILE

LEGISLATIVE BILL 184.

Mr. Williams moved to adopt his Specific amendment found in this day's Journal.

Mr. Nelson moved to have the bill laid over.

The motion did not prevail with 11 ayes, 28 nays and 4 not voting.

Mr. Williams' amendment was adopted with 23 ayes, 17 nays and 3 not voting.

Mr. Pizer offered the following amendment:

Amend L. B. 184 by adding a new section, numbered Section 2, reading as follows: "Any person receiving old age assistance or on County relief and a resident of the State of Nebraska is exempt from having a license for fishing.".

Renumber present Section 2 as Section 3, and amend the title to conform.

Mr. Nelson offered the following amendment to the Pizer amendment:

Amend the Pizer amendment by adding the following after the word "Nebraska" in the first paragraph: "and those living on and operating land be enabled to hunt without procuring a license,".

Mr. Nelson's amendment was adopted with 24 ayes, 13 nays and 6 not voting.

Mr. Pizer moved to withdraw his amendment as amended.

Mr. Williams requested a Call of the House.

A Call of the House was ordered and the roll showed 42 members present.

Mr. Hanna moved that the Call be raised and the motion prevailed with 33 ayes, 2 nays and 8 not voting.

Mr. Pizer's motion prevailed with 21 ayes, 18 nays and 4 not voting.

Members Excused

Mr. Vogel was excused for the remainder of the week.

Mr. Norman was excused until 10 a.m. tomorrow, February 24, 1949.

Adjournment

At 12:00, noon, on a motion by Mr. Ogden, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 24, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Vogel, who was excused, and Mr. Norman, who was excused until 10:00 a.m.

The Journal for the Thirty-seventh Day was approved as corrected.

Communications

Resolution from the Farmers Union Cooperative Oil Association of Saunders County opposing any further increase in the gasoline tax rate and other legislation which will further tax or restrict the use of motor vehicles in Nebraska. Referred to Committee on Revenue and Taxation.

Petition bearing 370 signatures to Mr. Hanna opposing L. B. 399, L. B. 94, L. B. 401 and L. B. 218.

Approved by the Governor

February 23, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 23, 1949, he approved L. B. 76, L. B. 137,

L. B. 97, L. B. 75, L. B. 242, L. B. 194, L. B. 85, L. B. 33, L. B. 129.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARING

Government

L. B. 186 Wednesday, March 11, 1949 2:00 p.m.
(Reset from Febr. 9)

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 277. Placed on General File as amended.

Standing Committee amendments to L. B. 277:

1. Amend the bill, Page 2, section 1, subsection 1, line 21 by striking the punctuation "." at the end of line 21 and by adding the following punctuation and language: ", nor shall include money arising from public or private construction contracts for which the assignor has furnished a surety bond guaranteeing the performance of the contract or the payment of labor and material claims arising therefrom."

2. Amend the bill, page 7, section 11, line 4 by inserting after the word "request" the word "a".

3. Amend the bill, page 7, section 11, line 5 by inserting after the word "to" the word "such".

LEGISLATIVE BILL 278. Placed on General File as amended.

Standing Committee amendments to L. B. 278:

1. Amend the bill, page 12, section 13, line 3 by striking the words "with the Secretary of State".

2. Amend the bill, page 13, line 13 by inserting the following: "The statement shall be filed in the office of the county clerk of the county wherein the trustee resides, or if the trustee is a corporation, firm, association, partnership, or two or more persons having a joint or common interest in the goods entrusted, then in the office of the county clerk of the county wherein the trustee has its or their principal place of business."

3. Amend the bill, page 15 by inserting a new section after section 16 and to be known as Section 17 as follows:

"Sec. 17. In order to avoid any conflict with the provisions of the Nebraska Certificate of Title Act, the provisions of this act shall not apply to motor vehicles, commercial trailers, semi-trailers and cabin trailers to which the provisions of Sections 60-101 to 60-117, Revised Statutes of Nebraska, 1943, and amendments thereto, are applicable."

4. Amend the bill, page 15 by renumbering sections 17, 18, 19 and 20 as sections 18, 19, 20 and 21, respectively.

(Signed) Ray A. Babcock, Chairman

Revenue and Taxation

LEGISLATIVE BILL 376. Placed on General File.

(Signed) Charles F. Tvrdik, Chairman

Agriculture

LEGISLATIVE BILL 364. Placed on General File.
LEGISLATIVE BILL 456. Placed on General File as amended.

Standing Committee amendments to L. B. 456:

1. Amend page 3 of the bill, section 1, line 58, after the word "together" by striking the word "as" and inserting in lieu thereof the word *"and"*.

(Signed) Ed. Hoyt, Chairman

Judiciary

LEGISLATIVE BILL 437. Placed on General File.
LEGISLATIVE BILL 271. Placed on General File.
LEGISLATIVE BILL 158. Placed on General File.
LEGISLATIVE BILL 147. Placed on General File as amended.

Standing Committee amendments to L. B. 147:

1. Amend page 2 of the bill by inserting in lieu of lines 3 to 24 the following:

"24-507. When any county judge shall be (1) disqualified to act in any cause or matter before him, (2) temporarily absent from the county or (3) temporarily disqualified from acting in any cause or matter before him because of sickness, the county board may ap-

point a competent and disinterested person to act in place of such judge in such case or other matter, during such absence or disqualification, who shall give a bond in the same manner, possess the same powers, and be subject to the duties, restrictions and liabilities therein as are prescribed by law respecting county judges; Provided, however, that the county board may, in its discretion, by a single order, appoint some competent and disinterested person to act in the place of the county judge during all such absences and disqualifications during his term of office, requiring but one bond for the entire period of such appointment, which appointment shall be subject to revocation by the board at its pleasure. When any acting county judge shall furnish a bond, with a corporate surety company as surety, which is approved by the county board, the county shall pay the premium for such bond. *Provided further, in counties having a population in excess of 60,000, when because of the volume of court matters which occupies the time and attention of the county judge he is unable to hear matters ready to be heard the acting county judge appointed as aforesaid may also act in place of such judge to hear such matters and in such instances the acting county judge shall make findings and conclusions and recommend the same to the county judge, who may enter judgment thereon if he approves the same. The county judge shall on such occasions assign the cases to be so heard by the acting county judge.*"

2. Amend page 2 of the bill by inserting immediately following the foregoing section 1 as above amended to be known as section 2 and to read as follows:

"Sec. 2. That section 24-507.01, Revised Statutes Supplement, 1947, be amended to read as follows:

24-507.01. *(1)* Except as otherwise provided in *sub-section 2 of this section and* section 32-1602, an acting county judge shall receive compensation from the county for services rendered only during such time as the regular county judge is absent by reason of illness and such compensation shall be limited to the 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 acting county judge shall receive compensation from the county on a per diem basis for each day he shall act as county judge in an amount which shall be equal to 1-365th part of the annual salary of the regular county judge for whom he is acting; *Provided,* if the acting county judge is an officer or employee of the county in some other capacity, he shall not be entitled to receive any compensation for his services as acting county judge. The compensation of the acting county judge shall not be deducted from the salary of the regular county judge.

(2) Except as otherwise provided in section 32-1602 in counties having a population of more than sixty thousand inhabitants, an acting county judge shall receive compensation from the county for services rendered on a per diem basis for each day he shall act as county judge in an amount which shall be equal to 1-365th part of the annual salary of the regular county judge for whom he is acting and such compensation shall be limited to the payment of compensation for not to exceed sixty days in any one calendar year; Provided, if the acting county judge is an officer or employee of the county in some other capacity, he shall not be entitled to receive any compensation for his services as acting county judge. The compensation of the acting county judge shall not be deducted from the salary of the regular county judge."

3. Amend page 2 of the bill by striking section 2 and inserting in lieu thereof the following, to be known as Sections 3 and 4:

"Sec. 3. That original sections 24-507 and 24-507.01, Revised Statutes Supplement, 1947, are repealed."

"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."

4. Amend the title of the bill by striking lines 2 to 6 and inserting in lieu thereof the following:

"FOR AN ACT to amend sections 24-507 and 24-507.01, Revised Statutes Supplement, 1947, relating to county judges; to provide that in counties having a population in excess of 60,000 an acting county judge may sit, make findings and conclusions and recommend the same to the county judge who may enter judgment thereon when the county judge is unable to hear cases ready for hearing; to provide for salary of acting county judge in counties having a population of more than sixty thousand inhabitants and to repeal the original sections."

(Signed) John P. McKnight, Chairman

Government

LEGISLATIVE BILL 329. Placed on General File.
LEGISLATIVE BILL 392. Placed on General File.
LEGISLATIVE BILL 432. Placed on General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 4. Placed on Select File.

LEGISLATIVE BILL 32. Placed on Select File as amended.

E and R amendment to L. B. 32:

1. In the original Standing Committee amendment, newly inserted matter, line 18, strike the word *"above"* after *"(b)"* and in lieu thereof insert *"of this subsection"*; in subsection (2) of newly inserted matter, third line, insert a comma after *"(13)"*.

LEGISLATIVE BILL 334. Placed on Select File as amended.

E and R amendments to L. B. 334:

1. In the bill, section 1, page 2, line 10, after "1-100" and also after the word "consignor" in line 16, insert commas; line 23, strike the stricken comma.

2. In the title of the bill, last two lines, strike "the cattle that shall be vaccinated for Bang's disease" and in lieu thereof insert "in regard to the use of the prescribed vaccine for vaccination of cattle for Bang's disease; to redefine terms".

LEGISLATIVE BILL 308. Replaced on Select File as amended.

E and R amendment to L. B. 308:

1. Strike the comma at the end of line 13 of section 3, page 2, and in lieu thereof insert a colon.

LEGISLATIVE BILL 243. Replaced on Select File as amended.

E and R amendments to L. B. 243:

1. In the bill, original section 2, now section 3, line 2, strike the word "is" and in lieu thereof insert "are".

2. In specific amendment 7, by Mr. Tvrdik, lines 9 and 10 of the original amendment, strike the word "its" and in lieu thereof insert "their" in two places in said lines.

LEGISLATIVE BILL 133. Correctly engrossed.
LEGISLATIVE BILL 165. Correctly engrossed.
LEGISLATIVE BILL 282. Correctly engrossed.
LEGISLATIVE BILL 287. Correctly engrossed.
LEGISLATIVE BILL 311. Correctly engrossed.
LEGISLATIVE BILL 23. Correctly engrossed.
LEGISLATIVE BILL 98. Correctly engrossed.
LEGISLATIVE BILL 160. Correctly engrossed.
LEGISLATIVE BILL 342. Correctly engrossed.

LEGISLATIVE BILL 135. Correctly enrolled.
LEGISLATIVE BILL 136. Correctly enrolled.
LEGISLATIVE BILL 152. Correctly enrolled.
LEGISLATIVE BILL 177. Correctly enrolled.
LEGISLATIVE BILL 245. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 23, 1949, at 11:15 a.m.

L. B. 91	L. B. 126	L. B. 193
L. B. 120	L. B. 129	

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 103.

A bill for an act to amend section 28-1027, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the crime of a licensee selling, giving, or furnishing to any person under the age of eighteen years, or willingly allowing to be taken from his place of business by any such person, any cigars, tobacco, cigarettes, or cigarette material; 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, 20:

Adams, T.	Callan	Lee	Pizer
Anderson, L.	Carson	Lusienski	Schroeder
Bridenbaugh	Davies	McKnight	Williams
Burney	Holmes	Metzger	Wilson, C.
Burnham	Larkin	Ogden	Wilson, W.

Voting in the negative, 17:

Anderson, V.	Cramer	Hoyt	Prohs
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Person	Wood
Carmody			

Not voting, 6:

Adams, J.	Lillibridge	Tvrdik	Vogel
Hanna	Norman		

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

LEGISLATIVE BILL 128.

A bill for an act to amend section 46-554, Revised Statutes Supplement, 1947, relating to reclamation districts; to harmonize the procedure for taking an appeal from district court to Supreme Court in proceedings to establish a reclamation district with the procedure for appeal in other civil cases; 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, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Burnham	Norman	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 121.

A bill for an act to amend section 44-330, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that the Department of Insurance shall adopt rules and regulations for annually renewing or extending licenses to be issued soliciting agents or brokers for any insurance company; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Burney	Norman	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 122.

A bill for an act to amend section 44-333, Revised Statutes of Nebraska, 1943, relating to insurance; to eliminate from the application for license to sell insurance the statement of the applicant that money advanced by an insurance company has not been paid back; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Norman Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 149.

A bill for an act to amend section 24-518, Revised Statutes of Nebraska, 1943, relating to county courts; to reconcile conflict between the provisions therein and statutory provisions with respect to procedure in the county court; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Norman Vogel

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 sections 42-305.01 and 42-305.03, Revised Statutes Supplement, 1947, relating to divorce and alimony; to provide for service by publication and by personal notice in divorce actions where the defendant is a resident of this state but is absent therefrom or his whereabouts cannot be ascertained after

the prescribed search and inquiry; 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, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	McKnight	Weborg
Bohlke	Hanna	Metzger	Williams
Bridenbaugh	Hern	Nelson	Wilson, C.
Burney	Hill	Odgen	Wilson, W.
Burnham	Holmes	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Lusienski	Norman	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 156.

A bill for an act to amend section 25-1931, Revised Statutes of Nebraska, 1943, relating to error proceedings in the Supreme Court; to reduce the time for institution of such proceedings to correspond with the time for taking of an appeal to the Supreme Court; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams

Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Norman	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 244. With emergency.

A bill for an act to amend section 77-1003, 77-1004, 77-1005, and 86-504, Revised Statutes of Nebraska, 1943, relating to taxation; to provide how the tax levy upon nonresident motor vehicle carriers shall be determined; to provide procedure for the payment and collection of taxes levied upon express companies and nonresident motor vehicle carriers; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Odgen	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Norman	Vogel

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: Had I been present, I would have voted for Legislative Bills 128, 121, 122, 149, 153, 156 and 244. (Signed) W. J. Norman

Unanimous Consent—Postpone Final Reading

Mr. Cramer asked unanimous consent to have the reading of the remaining bills on Final Reading postponed until tomorrow morning.

Consent was granted and it was so ordered.

Visitors

Mr. V. Anderson presented a class from Rokeby High School.

Mr. Babcock Presiding

SELECT FILE

LEGISLATIVE BILL 65. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 138. 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 319. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 259. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 40. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 215. 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 356. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 420. 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 79. 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 190. E and R amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 314. 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 496. Advanced to E and R for engrossment.
LEGISLATIVE BILL 355.

Advanced to E and R for engrossment with 27 ayes, 0 nays and 16 not voting.

LEGISLATIVE BILL 379. 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 367. E and R amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Standing Committee amendment, found in the Legislative Journal for the Twenty-sixth Day was adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Hold L. B. 88

Mr. W. Wilson asked unanimous consent to hold L. B. 88 for one week for further amendment.

Consent was granted and it was so ordered.

MOTION—Place L. B. 94 back on General File

Mr. President: I move to have L. B. 94 returned to General File for the following specific amendment: (Signed) William H. Hern

1. Amend pages 3 and 4 of the bill, section 1, lines 64 to 85, by striking the new matter and reinstating the stricken matter.

2. Amend page 3 of the bill, section 1, line 64, by striking the reinstated word "may" and inserting in lieu thereof the following: "may *shall*".

3. Amend page 4 of the bill by striking all of section 2 and renumbering section 3 as section 2.

4. Amend the title of the bill by striking lines 3 to 7 and inserting in lieu thereof the following: "1947, relating to highways; to make it mandatory upon the Department of Roads and Irrigation to restrict wheel and axel loads for a reasonable period where road subgrades are materially weakened from thawing after deep frost or from a continued saturated condition of the soil; and to".

The motion prevailed.

MOTION—Raise Bill

Mr. President: I move that L. B. 270, which was indefinitely postponed by the Committee on Agriculture, be placed on General File. (Signed) W. Halsey Bohlke

Mr. Tvrdik asked unanimous consent, as a substitute motion, that

L. B. 270 be returned to the Committee on Agriculture.

Mr. Hoyt, as chairman of the Committee on Agriculture, said he had no objection to withdrawing his former report on the bill and having it returned to the committee for further amendment.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 184.

Mr. Lillibridge renewed his motion to advance L. B. 184.

Mr. Carmody moved the previous question.

The President stated the question "Shall the debate now cease?"

Mr. Metzger raised the point of order that motions to amend take precedence over the motion to advance. He called for a ruling of the Chair upon whether Mr. Carmody's motion was in order.

The Chair ruled that Mr. Carmody's motion was in order.

Mr. Carmody's motion did not prevail with 18 ayes, 17 nays and 8 not voting.

Mr. Hern offered the following amendment.

Amend L. B. 184 by adding a new section 2 and renumbering the following sections to conform. That fifty cents of all fees collected for hunting and fishing permits be placed in a special fund known as "The Coyote Bounty Fund". Money collected and placed in this fund shall be expended only for bounty on coyotes or for the eradication of coyotes.

Mr. Carmody requested a record vote.

Voting in the affirmative, 18:

Adams, J.	Carson	Larkin	Prohs
Anderson L.	Cretsinger	Metzger	Schroeder
Benesch	Davies	Nelson	Tvrdik
Burney	Hanna	Person	Weborg
Callan	Hern		

Voting in the negative, 22:

Adams, T.	Carmody	Lillibridge	Pizer
Anderson, V.	Cramer	Lindgren	Vogt
Babcock	Hill	Lusienski	Williams

Bohlke	Holmes	Norman	Wilson, C.
Bridenbaugh	Hoyt	Ogden	Wood
Burnham	Lee		

Not voting, 3:

McKnight	Vogel	Wilson, W.

Mr. Hern's amendment was not adopted.

Mr. Tvrdik offered the following amendment:

That any one who leases property for hunting and fishing shall pay a tax of $50.00 to be spent by the Game Commission to replenish game and fish stock.

Mr. Carmody requested a record vote.

Voting in the affirmative, 19:

Adams, J.	Callan	Metzger	Schroeder
Anderson, L.	Carson	Nelson	Tvrdik
Benesch	Hanna	Norman	Vogt
Burney	Hern	Person	Weborg
Burnham	Larkin	Prohs	

Voting in the negative, 18:

Adams, T.	Carmody	Lee	Williams
Anderson, V.	Cretsinger	Lillibridge	Wilson, C.
Babcock	Hill	Ogden	Wilson, W.
Bohlke	Holmes	Pizer	Wood
Bridenbaugh	Hoyt		

Not voting, 6:

Cramer	Lindgren	McKnight	Vogel
Davies	Lusienski		

Mr. Tvrdik's amendment was adopted.

Advanced to E and R for review with 23 ayes, 11 nays and 9 not voting.

LEGISLATIVE BILL 94.

Mr. Williams asked unanimous consent to have L. B. 94 held on General File for consideration of the Hern amendments found in this day's Journal.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 101. Laid over.
LEGISLATIVE BILL 315. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-third Day was adopted.

Advanced to E and R for review.

Visitors

Mr. Hern introduced the Supreme Guardian of Jobs Daughters and also the Grand Guardian from the State of Nebraska.

LEGISLATIVE BILL 150. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 276. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 140. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 256. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 257. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 360. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 218. Read and considered.

Mr. Burnham requested a record vote on the motion to advance.

Voting in the affirmative, 26:

Anderson, V.	Cramer	Hoyt	Prohs
Benesch	Cretsinger	Lillibridge	Schroeder
Bridenbaugh	Davies	Lindgren	Vogt
Burney	Hanna	Metzger	Weborg
Callan	Hern	Person	Wilson, C.
Carmody	Hill	Pizer	Wilson, W.
Carson	Holmes		

Voting in the negative, 8:

Anderson, L.	Burnham	Lee	Norman
Bohlke	Larkin	Nelson	Williams

Not voting, 9:

Adams, J.	Lusienski	Ogden	Vogel
Adams, T.	McKnight	Tvrdik	Wood
Babcock			

Advanced to E and R for review.

Explanation of Vote

The reason that I voted and worked against L. B. 218 was because it would cost the state between $200,000 to $300,000. (Signed) Harry F. Burnham

LEGISLATIVE BILL 239. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-fourth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 225. Read and considered.

Advanced to E and R for review.

Members Excused

Messrs. Lee and Pizer were excused for Friday, February 25, 1949.

Mr. Bohlke was excused for Friday, Monday and Tuesday, February 25 and 28 and March 1, 1949.

Mr. L. Anderson was excused for Friday morning, February 25.

Adjournment

At 11:55 a.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 25, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Bohlke, Lee, Pizer and Vogel, who were excused and Mr. V. Anderson.

The Journal for the Thirty-eighth Day was approved as corrected.

Communications

A letter from Mr. Thomas C. Woods, changing the date for the dinner from March 2 to March 3 at 6:00 p.m.

MESSAGE FROM THE GOVERNOR

February 25, 1949

Mr. President, Mr. Speaker
and Members of the Senate:

Gentlemen:

Re: Fees for county treasurers on school land collections

An opinion of the Attorney General of January 3, 1945, stated that county treasurers could not withhold the 1% school land collection fees under Section 72-243 R.S. Nebraska 1943. This opinion was recently upheld by the district court in Stanton County.

In conformity with this opinion, the Miscellaneous Appropria-

tion and Claims Committee of the 1947 legislature appropriated $7,391.23 for the purpose of reimbursing the Permanent School Fund for amounts withheld by county treasurers for the period ending June 30, 1946.

In order to bring this matter up to date and make the law operative in making settlements with the several county treasurers, appropriations are necessary as follows:

(1) $13,667.43 to repay the Permanent School Fund for 1% collection fees withheld by the county treasurers during the biennium ending June 30, 1948, and
(2) $18,000 to enable the State Auditor to issue warrants as contemplated in 72-243 for the current biennium.

Respectfully submitted,

(Signed) Val Peterson
Governor

Chairman, Board of Educ. Lands
and Funds

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 264	Tuesday, March 8, 1949	2:00 p.m.
L. B. 288	Tuesday, March 8, 1949	2:00 p.m.
L. B. 336	Tuesday, March 8, 1949	2:00 p.m.

Revenue and Taxation

L. B. 402	Tuesday, March 8, 1949	2:00 p.m.
L. B. 424	Tuesday, March 8, 1949	2:00 p.m.

Public Works

L. B. 411	Friday, March 4, 1949	2:00 p.m.
L. B. 291	Friday, March 4, 1949	2:00 p.m.
L. B. 419	Friday, March 4, 1949	2:00 p.m.
L. B. 273	Friday, March 4, 1949	2:00 p.m.

President Signs

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

L. B. 135 L. B. 177 L. B. 245

L. B. 136 L. B. 152

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 237. Indefinitely postponed.
LEGISLATIVE BILL 192. Indefinitely postponed.

(Signed) Otto J. Prohs, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 303. Placed on General File.
LEGISLATIVE BILL 304. Placed on General File.
LEGISLATIVE BILL 316. Placed on General File.

(Signed) Wm. Hern, Chairman

Revenue and Taxation

LEGISLATIVE BILL 519. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 256. Placed on Select File.
LEGISLATIVE BILL 230. Placed on Select File as amended.

E and R amendments to L. B. 230:

1. Strike the semicolon at the beginning of the Standing Committee amendment 2.

2. In the bill, section 1, line 5, strike "the respective" and in lieu thereof insert "such".

LEGISLATIVE BILL 315. Placed on Select File.
LEGISLATIVE BILL 37. Correctly enrolled.
LEGISLATIVE BILL 38. Correctly enrolled.
LEGISLATIVE BILL 102. Correctly enrolled.
LEGISLATIVE BILL 187. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

While the Legislature was in session and capable of transacting

business, the President signed:

L. B. 37 L. B. 102 L. B. 187
L. B. 38

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 125. With emergency.

A bill for an act to amend sections 48-601, 48-610, 48-622, 48-625, 48-662, and 48-663, Revised Statutes of Nebraska, 1943, and sections 48-602, 48-605, 48-621, 48-624, 48-626, 48-627, 48-646, 48-649, 48-652, 48-655, and 48-668, Revised Statutes Supplement, 1947, relating to unemployment compensation; to change the name of the act applying to unemployment compensation to Employment Security Law; to redefine terms; to provide for wage reports from claimants; to provide for unit payment of benefits and unit charging of employers' accounts; to reduce the waiting period and increase earnings required to qualify for benefits; to eliminate obsolete and duplicated provisions; to fix date for termination of employers' experience accounts; to provide for process on nonresident employers; to provide for forfeiture of benefit rights; to revise reciprocal agreement provisions; to increase maximum weekly benefit amounts and the duration of benefits; to eliminate the charging of employers' accounts under prescribed conditions; to harmonize the names of funds to correspond with changed name of the law; to increase the compensation of advisory council members; to provide for alternate advisory council member; to provide how the salary of the Commissioner of Labor shall be fixed; to provide for transition of compensation of benefits; to repeal the original sections and also sections 48-628.01 and 48-653, Revised Statutes Supplement, 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, J.	Cramer	Larkin	Person
Adams, T.	Cretsinger	Lillibridge	Prohs
Babcock	Davies	Lindgren	Tvrdik
Benesch	Hanna	Lusienski	Weborg
Bridenbaugh	Hern	McKnight	Williams
Burney	Hill	Metzger	Wilson, C.

Callan	Holmes	Norman	Wilson, W.
Carmody	Hoyt	Ogden	Wood
Carson			

Voting in the negative, 3:

Nelson	Schroeder	Vogt

Not voting, 7:

Anderson, L.	Bohlke	Lee	Vogel
Anderson, V.	Burnham	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 131.

A bill for an act to amend sections 71-1,115.02 and 71-1,120, Revised Statutes Supplement, 1947, relating to public health and welfare; to remove the limitation on the maximum amount that may be paid as salary to the Director and assistant director of Nursing Education; to provide when any change in such salaries shall become operative; 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, J.	Carson	Lusienski	Tvrdik
Adams, T.	Davies	McKnight	Weborg
Benesch	Hill	Metzger	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 9:

Babcock	Cretsinger	Lindgren	Schroeder
Burnham	Hern	Nelson	Vogt
Cramer			

Not voting, 7:

Anderson, L.	Bohlke	Lee	Vogel
Anderson, V.	Hanna	Pizer	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 148.

A bill for an act to amend section 38-201.01, Revised Statutes Supplement, 1947, relating to guardian and ward; to provide for a special guardian to act pending appeal from the appointment of a guardian for a mentally incompetent; to provide the powers for a special guardian of a mentally incompetent; to provide for a special guardian pending the hearing on the application for guardian or pending an appeal from the appointment of guardian for spendthrift person, and to provide his powers and duties; 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, J.	Cramer	Lillibridge	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood
Carson			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Bohlke	Pizer	Vogel
Anderson, V.	Lee		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 157.

A bill for an act relating to taxation; to clarify the procedure for determination of inheritance tax; to amend sections 77-2019, 77-2025, and 77-2028, 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, 37:

Adams, J.	Cramer	Lillibridge	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood
Carson			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Bohlke	Pizer	Vogel
Anderson, V.	Lee		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 159.

A bill for an act to amend section 30-1606, Revised Statutes of Nebraska, 1943, relating to appeals of probate matters and the jurisdiction and procedure in the district court upon appeal; to provide for trial to a jury of appeals from the probate or denial of probate of wills and the allowance or disallowance of claims as provided in section 25-1104, Revised Statutes of Nebraska, 1943, as to actions for the recovery of money or of specific real or personal property; to provide for trial on appeal of all other matters as a suit in equity in the manner provided in section 25-1105, Revised Statutes of Nebraska, 1943; 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, J.	Cramer	Lillibridge	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik

Benesch	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood
Carson			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Bohlke	Pizer	Vogel
Anderson, V.	Lee		

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 42-340, Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to reduce the time within which appeal may be taken from a decree of divorce to correspond with time for taking appeal in other civil cases; 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, T.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogt
Bridenbaugh	Hanna	Metzger	Weborg
Burney	Hern	Nelson	Williams
Burnham	Hill	Norman	Wilson, C.
Callan	Holmes	Ogden	Wilson, W.
Carmody	Hoyt	Person	Wood
Carson	Larkin	Prohs	

Voting in the negative, 1:

Adams, J.

Not voting, 7:

Anderson, L.	Bohlke	McKnight	Vogel
Anderson, V.	Lee	Pizer	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Hill presented Mr. W. W. LaMunyon, Superintendent and five students of the senior class of Bruning High School.

Mr. Person presented Mr. Robert B. Crosby, of North Platte, former Lieutenant Governor of Nebraska, who spoke a few words of greeting.

RESOLUTION

LEGISLATIVE RESOLUTION 16. Re: Glendo Dam and Reservoir, Reclamation

Introduced by Ed F. Lusienski, of Platte.

WHEREAS, the Bureau of Reclamation has asked Congress for an appropriation for the commencement of construction on the Glendo Reservoir on the North Platte River in Wyoming, unlimited as to the capacity of the Reservoir, and unlimited as to the uses of the water to be impounded, and

WHEREAS, the Flood Control Act of 1944, enacted by the United States Congress, requires as follows: That before action is taken on any construction on rivers in this area, investigations must be conducted in such a manner as to give to the affected state or states during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals and so far as practicable, opportunity to cooperate in the investigations. The said Flood Control Act also requires the transmission to the affected state or states a copy of the proposed report and plans and proposals. If any affected state sets forth objections, the proposed works may not be authorized except upon approval by an act of Congress, and

WHEREAS, the Bureau of Reclamation in relation to the proposed Glendo Reservoir has not complied with this provision of the Flood Control Act to the extent of giving to the Nebraska authorities the information required, and

WHEREAS, Nebraska is one of the states which will be affected by the proposed Glendo Dam and there is a possibility that the effect will be detrimental to the general welfare of Nebraska citizens and to Nebraska projects, making and intending to make use of the waters of the North Platte River, and

WHEREAS, on June 11, 1945, the Supreme Court of the United States adjudicated the rights of the United States and of the States of Colorado, Wyoming and Nebraska, in the waters of the North Platte River, and stated that further relief could be granted if further construction of reservoirs threatened to disturb the delicate balance of the river, and

WHEREAS, there is reasonable ground to believe that the construction of the Glendo Reservoir and its intended operation as announced by officers of the Bureau of Reclamation, would give to Wyoming more than its apportioned share of the river waters and would disturb the balance of the river.

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the State of Nebraska hereby requests the Congress of the United States to withhold any authorization for the construction of the said Glendo Reservoir and any appropriation of money therefor, until the plans therefor have been submitted to the State of Nebraska and to its Department of Roads and Irrigation, and an opportunity given to it to examine and evaluate said plans, and to present its objections if said plans should require objections.

Member Excused

Mr. McKnight was excused for the remainder of the morning and Monday, February 28, 1949.

Unanimous Consent—Return L. B. 243 to Committee

Mr. Tvrdik asked unanimous consent to return L. B. 243 to the Committee on Revenue and Taxation for further consideration.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 4. Advanced to E and R for engrossment.

LEGISLATIVE BILL 32. E and R amendment found in the Legislative Journal for the Thirty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 334. 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 308. E and R amendment found in the Legislative Journal for the Thirty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 39.

Mr. L. Anderson's amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 94. Laid over.
LEGISLATIVE BILL 101. Considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Advanced to E and R for review.

Unanimous Consent—Return L. B. 218 to General File

Mr. Babcock asked unanimous consent to return L. B. 218 to General File for the following Specific amendment:

1. Amend page 2 of the bill, section 1, by striking lines 2 to 5 and inserting in lieu thereof the following: "hereby authorized to contract with any person, partnership, or corporation for the use of scales along any state highway, and to designate such scales as official scales for weighing of motor vehicles."

2. Amend page 2 of the bill by striking all of section 2.

3. Amend the title of the bill by striking lines 3 to 5, and inserting in lieu thereof the following: "Roads and Irrigation to contract for the use of scales along any state highway; and to designate such scales as official scales for weighing of motor vehicles."

Mr. Burney offered objection and consent was not granted.

Mr. Babcock made a motion to return L. B. 218 to General File for the above Specific amendment.

The motion did not prevail with 10 ayes, 16 nays and 17 not voting.

LEGISLATIVE BILL 235. Laid over.
LEGISLATIVE BILL 290. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 2. Laid over.
LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 241. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 349. Read and considered.

Advanced to E and R for review.

Visitor

Mr. Hanna introduced Mrs. Eva Bowring, of Merriman, Nebraska, who spoke a few words to the Legislature.

LEGISLATIVE BILL 350. Read and considered.

Standing Committee amendment found in the Legislative Jour- for the Thirty-fifth Day was adopted.

Advanced to E and R for review.

Presentation of Flowers

Mr. Schroeder, as Chairman of the Miscellaneous Appropriations and Claims Committee, was presented a large bouquet of roses from the Central Park PTA of Omaha, Nebraska, urging this Committee to wisely consider L. B. 132 and L. B. 162 and act justly.

LEGISLATIVE BILL 351. Read and considered.

Standing Committee amendment found in the Legislative Jour- for the Thirty-fifth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 352. Read and considered.

Standing Committee amendments found in the Legislative Jour- nal for the Thirty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 338. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Laid over.

LEGISLATIVE BILL 272. Considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for review.

Communication

Invitation from Mr. James C. Olson, Secretary of the Nebraska State Historical Society, asking the members of the Legislature to attend the official welcoming ceremonies of the French Thank You Train to be held in the Museum of the State Capitol at 2:00 p.m. on Tuesday, March 1, 1949.

Adjournment

At 12:00, noon, Mr. Holmes moved to suspend the rules and adjourn until 10:00 a.m., Monday, February 28, 1949.

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Hugo F. Srb

Clerk of the Legislature

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 28, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, McKnight and Tvrdik, who were excused, and Mr. T. Adams, who was excused until 10:30 a.m.

The Journal for the Thirty-ninth Day was approved as corrected.

Speaker Lee Presiding

Communications

Letter and resolution from the Nebraska Christian Ministers' Association urging passage of L. B. 88. Referred to Committee on Judiciary.

Letter and resolution from the County Board of Supervisors of Knox County, expressing appreciation for the splendid service rendered in relieving the snowbound conditions.

Explanation of Vote

Mr. President: Had I been present on Final Reading, I would have voted for L. B. 125 and L. B. 131. (Signed) Lester H. Anderson

Unanimous Consent—Reset Hearing

Mr. Hern asked unanimous consent to reset the hearing date on L. B. 417 and L. B. 418 to March 15, 1949.

Consent was granted and it was so ordered.

NOTICE OF COMMITTEE HEARING

Public Health and Miscellaneous Subjects

L. B. 417	Tuesday, March 15, 1949 (Reset from March 8)	2:00 p.m.
L. B. 418	Tuesday, March 15, 1949 (Reset from March 8)	2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 484. Placed on General File as amended.

Standing Committee amendment to L. B. 484:

Section 1, line 23, strike the new matter "shall appoint as", and strike all new matter in lines 24 and 25 reading as follows: "many deputy county attorneys for such county as county board shall determine", and insert in lieu thereof the following: *"may at their discretion appoint one additional deputy county attorney for such county as the county board may determine."*.

LEGISLATIVE BILL 479. Indefinitely postponed.
LEGISLATIVE BILL 495. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 218. Placed on Select File as amended.

E and R amendment to L. B. 218:

1. In the bill, section 2, page 2, line 7, strike "as amended" and in lieu thereof insert "any amendments thereto".

LEGISLATIVE BILL 225. Placed on Select File as amended.

E and R amendment to L. B. 225:

1. In the bill, section 1, line 9, strike the word "shall"; at the end of line 15, after the word "conviction" insert *"thereof"*.

LEGISLATIVE BILL 239. Placed on Select File as amended.

E and R amendments to L. B. 239:

1. In the bill, section 1, line 8, strike the word *"members"* and in lieu thereof insert *"the membership thereof"*.

2. Add a new section to read "Sec. 2. That original section 21-1107, Revised Statutes of Nebraska, 1943, is repealed.".

3. In the title of the bill, strike the last two lines after the first word "to" in line 8, and in lieu thereof insert "the members thereof; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 257. Placed on Select File as amended.

E and R amendments to L. B. 257:

1. In the bill, section 1, line 2, strike the word "assistant" and in lieu thereof insert "assistance"; line 8, strike the word "recommendation" and in lieu thereof insert "action".

2. In the bill title, line 3, strike the word "assistant" and in lieu thereof insert "assistance"; line 10, strike the word "recommendation" and in lieu thereof insert "action".

LEGISLATIVE BILL 360. Placed on Select File.
LEGISLATIVE BILL 276. Placed on Select File.
LEGISLATIVE BILL 5. Placed on Select File as amended.

E and R amendment to L. B. 5:

1. In the bill, section 1, line 9, strike the word "and"; line 10, after the word "expenditures" insert a comma; lines 15 and 16, strike the words beginning with "pro rata" and ending with "in" in line 16, and in lieu thereof insert "in *the* proportion *that* such deficiency *bears to*".

LEGISLATIVE BILL 39. Replaced on Select File as amended.

E and R amendment to L. B. 39:

1. Strike the comma inserted in section 1, line 87, after "theft".

LEGISLATIVE BILL 140. Placed on Select File as amended.

E and R amendments to L. B. 140:

1. In the bill, section 1, page 2, line 10, after the word "employee", and section 2, line 7, after "employee", line 9, after the word "public" and also after "agent", and line 11, after the word "valid" insert commas.

2. In the bill title, insert a comma after "tion" in line 6, and also after "employee" in line 10; line 6, after the word "public"

insert the following: "and is not a director or elected officer of such association,".

LEGISLATIVE BILL 144. Replaced on Select File as amended.

E and R amendment to L. B. 144:

1. In the bill, section 2, line 11, strike the comma after the word "kind" which is not shown on the printed bill, to avoid double punctuation.

LEGISLATIVE BILL 150. Placed on Select File as amended.

E and R amendments to L. B. 150:

1. In the original Standing Committee amendment 4, third line, before the word "to" insert "and"; in the fourth line, after "section" and before "and" strike the comma.

2. In the bill, section 1, page 2, line 3, before the word "In" insert "*(1)*"; line 33, before "In" insert "*(2)*"; page 3, line 38, strike the word "dollars"; line 53, before "In" insert "*(3)*"; line 57, before "In" insert "*(4)*"; and line 63, before "The" insert "*(5)*".

LEGISLATIVE BILL 68. Correctly engrossed.
LEGISLATIVE BILL 69. Correctly engrossed.
LEGISLATIVE BILL 141. Correctly engrossed.
LEGISLATIVE BILL 223. Correctly engrossed.
LEGISLATIVE BILL 285. Correctly engrossed.
LEGISLATIVE BILL 299. Correctly engrossed.
LEGISLATIVE BILL 312. Correctly engrossed.
LEGISLATIVE BILL 215. Correctly engrossed.
LEGISLATIVE BILL 366. Correctly engrossed.
LEGISLATIVE BILL 121. Correctly enrolled.
LEGISLATIVE BILL 122. Correctly enrolled.
LEGISLATIVE BILL 149. Correctly enrolled.
LEGISLATIVE BILL 153. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 121 L. B. 149 L. B. 153
L. B. 122

RESOLUTION

LEGISLATIVE RESOLUTION 16.

Mr. President: I move that Resolution No. 16 be adopted and that a copy properly authenticated and suitably engrossed be sent to the following: The President of the Senate and The Speaker of the House of the U. S. Congress. (Signed) Ed F. Lusienski

The motion prevailed and the resolution was adopted with 36 ayes, 0 nays and 7 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 127.

A bill for an act to amend section 30-305, Revised Statutes of Nebraska, 1943, and section 30-401, Revised Statutes Supplement, 1947, relating to decedents' estates; to reconcile conflict between the provisions thereof and eliminate provision that residuary legatee who has given bond to pay debts and legacies shall not be required to file inventory; to provide that a special administrator shall make an inventory within two weeks after his appointment; to provide that an inventory of an executor or administrator as to real estate shall be required to set forth only real estate in Nebraska; 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, J.	Carson	Lee	Prohs
Anderson L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Larkin		

Voting in the negative, 0:

Not voting, 5:

Adams, T.	McKnight	Norman	Tvrdik
Bohlke			

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 amend section 26-194, Revised Statutes of Nebraska, 1943, relating to municipal courts in primary and metropolitan cities; to give to such municipal courts the same power to vacate or modify their judgments as is possessed by district and county courts; and to repeal the original section and also section 26-195, 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, J.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Larkin		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	McKnight	Norman	Tvrdik
Bohlke			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Williams presented Coach Charles Foster and members of the basketball team from Kearney State Teachers College.

SELECT FILE

LEGISLATIVE BILL 230. E and R amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Return L. B. 218

Mr. L. Anderson asked unanimous consent to return L. B. 218 to General File for the following specific amendment:

Amend L. B. 218, Section 1, Line 5 after the period by adding the words "not to exceed $100,000".

Mr. Hanna offered objection and consent was not granted.

Mr. L. Anderson moved that the bill be returned to General File.

The motion did not prevail with 14 ayes, 22 nays and 7 not voting.

GENERAL FILE

LEGISLATIVE BILL 94.

Mr. Hern made a motion to indefinitely postpone L. B. 94.

The motion prevailed with 24 ayes, 9 nays and 10 not voting.

LEGISLATIVE BILL 235. Laid over.
LEGISLATIVE BILL 2. Laid over.
LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 338. Advanced to E and R for review.
LEGISLATIVE BILL 348. Read and considered.

Mr. Vogel offered the following amendment, which was adopted.

Amend L. B. 348, by adding the emergency clause and amending the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 374.

Mr. Hoyt asked unanimous consent that L. B. 374 be made Special Order for March 14.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 260. Laid over.
LEGISLATIVE BILL 333. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 361. Laid over.
LEGISLATIVE BILL 362. Laid over.
LEGISLATIVE BILL 371. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 397. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 199. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 211. 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.

Explanation of Absence

On account of car trouble, I was delayed in Ashland for one and one-half hours, and that was the reason I was late. (Signed) W. J. Norman

Adjournment

At 11:55 a.m., on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 1, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fortieth Day was approved.

Communications

A letter from Chancellor R. G. Gustavson inviting the members to a dinner given by the University on Saturday, March 5, 1949.

Letters acknowledging receipt of L. R. 14 from A. L. Miller, M.C., Hugh Butler, U.S.S., Sam Rayburn, Speaker of the House, Kenneth S. Wherry, U.S.S., Carl T. Curtis, M.C., and Karl Stefan, M.C.

A letter from Mr. E. Selement of Milligan, Nebraska urging reconsideration of the bill on fireworks.

Mr. Ogden read a letter from Mr. Philip E. Horan, Attorney of the Mutual Benefit Health and Accident Association, favoring the enactment of L. B. 215.

Approved by the Governor

February 28, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable

body that on February 26, 1949, he approved L. B. 91, L. B. 126, and L. B. 193.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 198	Wednesday, March 9, 1949	2:00 p.m.
L. B. 340	Wednesday, March 9, 1949	2:00 p.m.
L. B. 381	Wednesday, March 9, 1949	2:00 p.m.
L. B. 183	Monday, March 14, 1949	2:00 p.m.
L. B. 289	Monday, March 14, 1949	2:00 p.m.
L. B. 294	Monday, March 14, 1949	2:00 p.m.
L. B. 236	Monday, March 14, 1949	2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 423	Tuesday, March 8, 1949	2:00 p.m.
L. B. 440	Tuesday, March 8, 1949	2:00 p.m.
L. B. 454	Thursday, March 10, 1949	2:00 p.m.
L. B. 494	Thursday, March 10, 1949	2:00 p.m.

Public Works

L. B. 330	Thursday, March 10, 1949	2:00 p.m.
L. B. 255	Thursday, March 10, 1949	2:00 p.m.
L. B. 390	Thursday, March 10, 1949	2:00 p.m.
L. B. 442	Thursday, March 10, 1949	2:00 p.m.
L. B. 267	Thursday, March 10, 1949	2:00 p.m.
L. B. 306	Thursday, March 10, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 453. Indefinitely postponed.
LEGISLATIVE BILL 438. Indefinitely postponed.
LEGISLATIVE BILL 357. Indefinitely postponed.
LEGISLATIVE BILL 270. Placed on General File as amended.

Standing Committee amendments to L. B. 270:

1. Amend page 2 of the bill, section 1, line 31 by reinstating

the period after the word "unloaded"; strike the comma and new material in the remainder of line 31, and all of lines 32 and 33.

2. Amend the title to conform.

(Signed) Ed. Hoyt, Chairman

Revenue and Taxation

LEGISLATIVE BILL 62. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 326. Indefinitely postponed.
LEGISLATIVE BILL 321. Indefinitely postponed.
LEGISLATIVE BILL 265. Indefinitely postponed.
LEGISLATIVE BILL 347. Indefinitely postponed.
LEGISLATIVE BILL 327. Placed on General File.

(Signed) Karl E. Vogel, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 28, 1949, at 11:15 a.m.

L. B. 37	L. B. 135	L. B. 177
L. B. 38	L. B. 136	L. B. 187
L. B. 102	L. B. 152	L. B. 245

LEGISLATIVE BILL 134. Correctly re-engrossed.
LEGISLATIVE BILL 4. Correctly engrossed.
LEGISLATIVE BILL 40. Correctly engrossed.
LEGISLATIVE BILL 65. Correctly engrossed.
LEGISLATIVE BILL 138. Correctly engrossed.
LEGISLATIVE BILL 190. Correctly engrossed.
LEGISLATIVE BILL 259. Correctly engrossed.
LEGISLATIVE BILL 319. Correctly engrossed.
LEGISLATIVE BILL 356. Correctly engrossed.
LEGISLATIVE BILL 272. Placed on Select File as amended.

E and R amendment to L. B. 272:

1. In the bill, line 3, before "The" insert *"(1)"*; line 28, strike

the word "therewith" and in lieu thereof insert *"therein"*; line 17, insert *"(2)"* after the period.

LEGISLATIVE BILL 155. Placed on Select File as amended.

E and R amendment to L. B. 155:

1. In the bill, section 1, line 7, after *"(2)"* insert *"that the defendant to be served,"*; line 7, after "state" and also after "therefrom" and line 8, after "residence" insert commas; strike all of lines 11, 12, and 13 and in lieu thereof insert *"the plaintiff or person in whose behalf the affidavit is made, after diligent investigation and inquiry, is unable to ascertain and does not know the* whereabouts if in this state or the residence *of the defendant to be served.*".

LEGISLATIVE BILL 371. Placed on Select File.
LEGISLATIVE BILL 352. Placed on Select File as amended.

E and R amendment to L. B. 352:

1. In the original Standing Committee amendment 2, strike the period after the word "original".

LEGISLATIVE BILL 241. Placed on Select File as amended.

E and R amendment to L. B. 241:

1. In the bill, section 1, page 2, line 22, strike ", and of all officers of election," and in lieu thereof insert "and officers of election".

LEGISLATIVE BILL 199. Placed on Select File as amended.

E and R amendment to L. B. 199:

1. In the bill, section 1, page 2, line 14, strike "And in" and in lieu thereof insert *"In"*; line 19, after "accomplish"insert *"a"*; line 20, strike ", and in such" and in lieu thereof insert "in such *a*".

LEGISLATIVE BILL 349. Placed on Select File as amended.

E and R amendment to L. B. 349:

1. In the bill, section 1, line 7, strike the word "and" which appears after "physician,".

LEGISLATIVE BILL 290. Placed on Select File.
LEGISLATIVE BILL 350. Placed on Select File.

LEGISLATIVE BILL 156. Correctly enrolled.
LEGISLATIVE BILL 128. Correctly enrolled.
LEGISLATIVE BILL 154. Correctly enrolled.
LEGISLATIVE BILL 159. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 156	L. B. 154	L. R. 16
L. B. 128	L. B. 159	

Member Excused

Mr. Davies was excused at 9:40 a.m., for the balance of the morning.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 133. With emergency.

A bill for an act to amend section 77-1605.01, Revised Statutes Supplement, 1947, relating to taxation; to remove restrictions on use of funds raised by special levy for cooperation with the government of the United States in the construction and improvement of roads within a county; to authorize the use of such funds for general road purposes, when suitable projects involving federal funds are not available or deemed feasible, at the discretion of the county board; 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, 42:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams

Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Bohlke

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.

Mr. Cramer asked unanimous consent that L. B. 165 be returned to Select File for the following specific amendment:

1. In the bill, section 1, page 2, line 4, strike *"for or against"* and in lieu thereof insert *"upon"*.

2. In the bill title, 4th line, strike "for or against" and in lieu thereof insert "upon".

Consent was granted and it was so ordered.

LEGISLATIVE BILL 282. With emergency.

A bill for an act relating to the University of Nebraska; to establish the United States Agricultural Extension Fund; to provide for the source and use of such fund; 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, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.

Burnham	Hoyt	Person	Wood
Callan	Larkin	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 287.

A bill for an act to amend section 17-529.01, Revised Statutes Supplement, 1947, relating to cities and villages of the second class; to authorize such cities and villages to levy a tax of not to exceed five mills on the dollar actual valuation for the purpose of assisting in defraying the cost of construction or maintenance of ditches and dikes to prevent flooding; 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, 43:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin	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 311. With emergency.

A bill for an act relating to the University of Nebraska; to provide for the appointment of a State Forester by the Board of Regents of the University of Nebraska; and to declare an emergency.

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

Voting in the affirmative, 41:

Adams, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan			

Voting in the negative, 1:

Hanna

Not voting, 1:

Lee

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 23.

A bill for an act to amend section 68-204, Revised Statutes of Nebraska, 1943, relating to public assistance; to provide that as a part of the investigation of an application for old age assistance, the parents or children of any applicant shall be required, if within the state, to appear in person before the old age assistance board of the county in which the applicant resides or in which they themselves reside and state under oath the facts with reference to inability to support the applicant; 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:

Anderson, L.	Cretsinger	McKnight	Tvrdik
Babcock	Davies	Metzger	Vogel

Bohlke	Hanna	Nelson	Vogt
Bridenbaugh	Hern	Norman	Weborg
Burney	Holmes	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.
Carson	Lee	Schroeder	Wood
Cramer	Lindgren		

Voting in the negative, 12:

Adams, J.	Benesch	Hill	Pizer
Adams, T.	Burnham	Hoyt	Prohs
Anderson, V.	Callan	Lusienski	Williams

Not voting, 1:

Lillibridge

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 to amend section 2-1210, Revised Statutes of Nebraska, 1943, relating to State Racing Commission; to change the manner of distribution of the surplus funds of such commission to the counties and the use thereof; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	McKnight	Vogt
Bohlke	Hanna	Metzger	Williams
Bridenbaugh	Hern	Norman	Wilson, C.
Burney	Hill	Ogden	Wilson, W.
Burnham	Holmes	Person	Wood
Callan	Hoyt		

Voting in the negative, 5:

Babcock	Nelson	Vogel	Weborg
Lee			

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 160. With emergency.

A bill for an act to amend section 39-157, Revised Statutes of Nebraska, 1943, relating to highways; to increase the width of a public highway that a county board may lay out for ingress and egress to isolated land; to provide that when the most practicable route for the public highway shall be adjacent to a watercourse, the land to be taken for such highway shall be measured from the edge of the watercourse; 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, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burnham	Holmes	Person	Wood
Callan	Hoyt	Pizer	

Voting in the negative, 3:

Lee	Metzger	Williams

Not voting, 1:

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 342.

A bill for an act to amend section 77-1317, Revised Statutes Supplement, 1947, relating to taxation; to provide for listing for taxation of improvements that have not been assessed or have escaped taxation in former 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, 33:

Anderson, V.	Davies	Lindgren	Schroeder
Babcock	Hern	McKnight	Tvrdik
Benesch	Hill	Metzger	Vogel
Bohlke	Holmes	Nelson	Vogt
Bridenbaugh	Hoyt	Norman	Weborg
Burnham	Larkin	Ogden	Wilson, C.
Callan	Lee	Person	Wilson, W.
Cramer	Lillibridge	Pizer	Wood
Cretsinger			

Voting in the negative, 10:

Adams, J.	Burney	Hanna	Prohs
Adams, T.	Carmody	Lusienski	Williams
Anderson, L.	Carson		

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Return L. B. 338

Mr. President: I move that L. B. 338 be returned to General File for the purpose of striking the enacting clause. I was not present and did not vote on the motion to advance this bill. (Signed) John P. McKnight

The motion did not prevail with 14 ayes, 19 nays and 10 not voting.

Invitation

Mr. Hern extended an invitation to the members to a dinner at the Cornhusker Hotel on March 9, 1949, given by the Chadron Chamber of Commerce.

SELECT FILE

LEGISLATIVE BILL 165.

Mr. Cramer's Specific amendment found in this Day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 256. Advanced to E and R for engrossment.
LEGISLATIVE BILL 315. Advanced to E and R for engrossment.
LEGISLATIVE BILL 218. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Laid over.

LEGISLATIVE BILL 225. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 239. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 257. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 360. Advanced to E and R for engrossment.
LEGISLATIVE BILL 276. Advanced to E and R for engrossment.
LEGISLATIVE BILL 5. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 39. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Laid over.

LEGISLATIVE BILL 140. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 144. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 150. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 235. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 2. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 1. Read through Section 39.

Standing Committee amendment No. 1 found in the Legislative Journal for the Thirty-fifth Day was not adopted (not in original bill).

Mr. Carmody Presiding

Mr. Burney offered the following amendment, which was adopted:

Amend L. B. 1, Section 15, Line 16, by striking the word "month" in two places in the line and inserting in lieu thereof the word "period".

Speaker Lee Presiding

Standing Committee amendments 2 and 3 found in the Legislative Journal for the Thirty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL 260. Laid over.
LEGISLATIVE BILL 361. Read and considered.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARING

Banking, Commerce and Insurance

L. B. 163	Tuesday, March 8, 1949	2:00 p.m.
L. B. 139	Tuesday, March 8, 1949	2:00 p.m.
L. B. 283	Tuesday, March 8, 1949	2:00 p.m.
L. B. 119	Thursday, March 10, 1949	2:00 p.m.
L. B. 301	Thursday, March 10, 1949	2:00 p.m.
L. B. 302	Thursday, March 10, 1949	2:00 p.m.

Adjournment

At 11:55 a.m., on a motion by Mr. Burnham, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 2, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Williams and Wood, who were excused.

The Journal for the Forty-first Day was approved.

Communications

Letter from Mr. Eugene D. O'Sullivan, M.C., acknowledging receipt of L. R. 14.

Letter from Mr. Vandemoer, Director of Assistance, enclosing copies of letters from Lincoln County and Miss Jane Hoey, Director of the Social Security Administration, regarding Legislative Bills 543 and 544 of the Sixtieth Session of the Legislature. Copies of these three letters were given to each member of the Legislature.

Approved by the Governor

March 1, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on February 28 he approved L. B. 120, L. B. 168, and L. B. 169.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 388	Tuesday, March 15, 1949	2:00 p.m.
L. B. 400	Tuesday, March 15, 1949	2:00 p.m.
L. B. 469	Wednesday, March 16, 1949	2:00 p.m.
L. B. 409	Wednesday, March 16, 1949	2:00 p.m.
L. B. 410	Wednesday, March 16, 1949	2:00 p.m.

Public Works

L. B. 268	Friday, March 11, 1949	2:00 p.m.
L. B. 464	Friday, March 11, 1949	2:00 p.m.
L. B. 310	Friday, March 11, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 217. Placed on General File as amended.

Standing Committee amendments to L. B. 217:

1. In the bill, amend Section 1, Line 9, by striking "out of an appropriation therefor from the Aircraft Fuel Tax Fund".

2. Amend the bill by adding a new section to be known as Sec. 2 providing for the emergency clause, and amend the title to conform.

(Signed) Dwight W. Burney, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 354. Placed on General File.
LEGISLATIVE BILL 353. Placed on General File.
LEGISLATIVE BILL 345. Placed on General File.
LEGISLATIVE BILL 339. Placed on General File as amended.

Standing Committee amendment to L. B. 339:

In the bill, section 1, pages 2 and 3, strike the material beginning with ", *except*" in line 31 through the word "shall" in line 40

and insert in lieu thereof the following: "; *provided that on Sundays, holidays, or if the physician who last attended the deceased be absent from his office and for other reasons over which the undertaker seeking removal of the body has no control, twenty-four hours of grace will be granted and the body may be temporarily removed for the period mentioned above pending the completion of the death certificate. If it is impossible to complete the certificate of death and secure a removal permit within the period of time prescribed above, the funeral director shall notify the coroner and registrar in the county where death occurred and obtain their written approval before any disposal of the remains can be made. Except as otherwise provided, the county registrar shall, upon receipt of a death certificate properly and completely filled out,*".

LEGISLATIVE BILL 332. Placed on General File.

(Signed) William Hern, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 384. Placed on General File as amended.

Standing Committee amendments to L. B. 384:

1. Amend the bill, page 2, section 1, by striking lines 3 and 4 and inserting in lieu thereof the following:

"44-1206. Where shall be at all times *In addition to the requirement that a fund, in cash or invested as provided by law, be on deposit with the attorney as provided in subdivision (7) of section 44-1203, it shall be a further requirement that such beginning deposit be continually maintained with such attorney, and in addition thereto there shall at all times be*".

2. Amend the bill, page 2, section 1, line 14 by inserting after the word and punctuation "reserves.", the following: "*In computing aggregate net annual deposits and aggregate net unearned deposits, credit will be given for reinsurance in reputable, solvent companies*".

3. Amend the bill, page 2, section 1, by striking lines 17 to 25 and inserting in lieu thereof the following: "Said sum in reserve shall at no time be less than fifty thousand dollars, and in case of employer's liability and compensation insurance not less than one hundred thousand dollars; and if at any time such reserve computed as provided herein and so collected and credited, shall not equal the amount hereby prescribed, then the subscribers or their attorney for them shall make up any deficiency. *If at any time the assets on deposit with the attorney shall not equal the fund necessary to be*

maintained as described above and in addition thereto the reserves as computed herein, then the subscribers or their attorney for them shall make up any deficiency".

4. Amend the bill, page 2, section 1, line 32 by inserting after the word and punctuation, "Nebraska.": *"Whenever it shall appear from any proper showing, or from any examination made, that the assets and resources of any domestic reciprocal insurance exchange are insufficient to meet the minimum conditions prescribed in this section, the department may promptly determine the amount of such deficiency, and thereupon issue a written notice and requisition to the attorney of such reciprocal, requiring that such deficiency be removed within a reasonable time not to exceed one hundred eighty days from the service of such notice and requisition. If such deficiency shall not be made good within the time specified in the notice and requisition, and satifactory proof thereof filed with the department, such reciprocal exchange shall be deemed insolvent, and shall be proceeded against as an insolvent company in the manner authorized and directed by sections 44-125 to 44-132."*

LEGISLATIVE BILL 174. Indefinitely postponed.
LEGISLATIVE BILL 173. Placed on General File as amended.

Standing Committee amendments to L. B. 173:

1. Amend the bill, page 3, section 1, by striking lines 36 to 38 and inserting in lieu thereof the following: "that in case of employer's liability and compensation insurance such sum shall be not less than one hundred thousand dollars. *such fund shall be not less than one hundred thousand dollars for the classes of insurance specified in subsections (5) and (12) of section 44-201, respectively; Provided, in all cases where the reciprocal has on deposit with such attorney less than two hundred fifty thousand dollars, and transacts more than one kind of insurance, it must deposit a fund equal to the combined funds required of separate reciprocals transacting the same kind of insurance; and provided further, a reciprocal having on deposit with its attorney an amount equal to or in excess of two hundred fifty thousand dollars, may be licensed to transact as many kinds of insurance business as the law authorizes a single stock insurance company to write. Reciprocals doing business in this state on January 1, 1949, shall not be subject to the foregoing deposit requirements insofar as such requirement would increase the amount of deposit necessary for the issuance of contracts on those classes of insurance being issued by them on said date; Provided, such reciprocals desiring to increase the number of classes of insurance business written after January 1, 1949, shall make additional deposits as provided herein".*

2. Add the following section after section 2, page 3:

"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."

3. Strike the word "and" in line 11 of the title.

4. Strike the final period in the title of the bill and add the following punctuation and words: "; and to declare an emergency."

LEGISLATIVE BILL 172. Placed on General File.
LEGISLATIVE BILL 171. Placed on General File as amended.

Standing Committee amendments to L. B. 171:

1. Amend the bill, page 2 by striking section 1 therefrom and inserting in lieu thereof two new sections to be known as sections 1 and 2 and to read as follows:

"Section 1. That section 44-1214, Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-1214. The making of contracts as hereinbefore provided for, and such other matters as are properly incident thereto, shall not be subject, unless specifically mentioned, to the laws of this state relating to insurance concerns, except as provided in sections 44-1201 to 44-1214. *(1) Reciprocal or interinsurance contracts, the exchange thereof, the subscribers, attorneys-in-fact, agents, and representatives, and all matters incident to or concerned with such contracts and relationship, shall be exclusively subject to and regulated by the provisions of sections 44-1201 to 44-1214, and no other law relating to insurance heretofore or hereafter enacted, except as provided in this article, or when such other law relating to insurance specifically uses the words "reciprocal" or "interinsurance". (2) Reciprocal or interinsurance exchanges and all matters relating thereto shall be subject to and governed by articles 1, 2, 3, 4, 5, 6, 7, 12, 14 and 15, Chapter 44, as now existing or as hereafter amended, insofar as these statutes may be reasonably applicable; Provided, sections 44-1201 to 44-1214 shall govern in the event of conflict between the application of the articles enumerated above.*

Sec. 2. That original section 44-1214, Revised Statutes of Nebraska, 1943, is repealed."

2. Amend the title of the bill by striking lines 1 to 4 and inserting in lieu thereof the following: "A BILL FOR AN ACT to amend section 44-1214, Revised Statutes of Nebraska, 1943, relating

to insurance; to restate that reciprocal and interinsurance contracts are not subject to the insurance laws except to the extent provided herein; to provide that reciprocal or interinsurance contracts shall be subject to articles 1 to 7, 12, 14 and 15, Chapter 44, Revised Statutes of Nebraska, 1943, and as amended, where applicable, article 12, Chapter 44 to govern in the event of conflict; and to repeal the original section.

Be it enacted by the people of the State of Nebraska."

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 351. Placed on Select File as amended.

E and R amendments to L. B. 351:

1. In the Standing Committee amendment insert a comma after the word "marijuana".

2. In the bill, section 1, line 9, before the word "jail" insert "*reformatory,*".

3. In the title of the bill, strike the lines commencing with the word "include" in line 3 to line 8, inclusive, and in lieu thereof insert "prohibit and prevent the use and availability of benzedrine and marijuana in certain institutions in this state under the prescribed conditions; to make certain acts unlawful; to provide penalties;"

LEGISLATIVE BILL 32. Correctly engrossed.
LEGISLATIVE BILL 79. Correctly engrossed.
LEGISLATIVE BILL 230. Correctly engrossed.
LEGISLATIVE BILL 308. Correctly engrossed.
LEGISLATIVE BILL 314. Correctly engrossed.
LEGISLATIVE BILL 334. Correctly engrossed.
LEGISLATIVE BILL 367. Correctly engrossed.
LEGISLATIVE BILL 379. Correctly engrossed.
LEGISLATIVE BILL 496. Correctly engrossed.
LEGISLATIVE BILL 144. Correctly engrossed.
LEGISLATIVE BILL 355. Correctly engrossed.
LEGISLATIVE BILL 127. Correctly enrolled.
LEGISLATIVE BILL 175. Correctly enrolled.
LEGISLATIVE BILL 244. Correctly enrolled.
LEGISLATIVE BILL 157. Correctly enrolled.
LEGISLATIVE BILL 148. Correctly enrolled.
LEGISLATIVE BILL 131. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 1, 1949, at 10:30 a.m.

L. B. 121 L. B. 153 L. B. 149
L. B. 122

Presented to the Governor for approval on March 2, 1949, at 9:00 a.m.

L. B. 128 L. B. 156 L. B. 159
L. B. 154

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 127 L. B. 244 L. B. 148
L. B. 175 L. B. 131 L. B. 157

SELECT FILE

LEGISLATIVE BILL 39. Laid over.

LEGISLATIVE BILL 272. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 155. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 371. Advanced to E and R for engrossment.

LEGISLATIVE BILL 352. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 241. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Laid over.

LEGISLATIVE BILL 349. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 290. Advanced to E and R for engrossment.
LEGISLATIVE BILL 350. Advanced to E and R for engrossment.

Visitor

Mr. Person introduced Miss A. Bohaboy, of Prague, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 1. Read from Section 40 through 41.

Standing Committee amendments 4 and 5, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Bohlke made a motion to read only the new and stricken matter in the remainder of the bill.

The motion prevailed with 23 ayes, 4 nays and 16 not voting.

Mr. Hoyt offered the following amendment, which was adopted:

Amend L. B. 1, Section 61, line 14 by striking the word "majority" and inserting in lieu thereof the words "fifty-five per cent".

L. B. 1 was considered from Section 42 to Section 70.

Standing Committee amendments 4, 5, 6, 7, 8 and 9, found in the Legislative Journal for the Thirty-fifth Day, were adopted.

Laid over.

LEGISLATIVE BILL 362. Read and considered.

Advanced to E and R for review with 20 ayes, 8 nays and 15 not voting.

LEGISLATIVE BILL 27. Laid over.
LEGISLATIVE BILL 95. Read and considered.

Standing Committee amendments 1, 2 and 3, found in the Legislative Journal for the Thirty-seventh Day were adopted.

Laid over.

LEGISLATIVE BILL 96. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-seventh Day, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 95.

Mr. Callan offered the following amendment to Standing Committee amendment 4, which was adopted.

Amend the Standing Committee amendment to Section 8 by striking in line 3 after the word "treasury" the balance of the line and striking lines 4, 5, 6, 7, 8, 9, 10 and 11.

Standing Committee amendment 4, as amended by Mr. Callan, was adopted.

Mr. Vogt offered the following amendment to the bill, which was adopted:

Amend L. B. 95, Page 2, Section 2, line 2, by striking the words "in advance".

Standing Committee amendments 5, 6 and 7, found in the Legislative Journal for the Thirty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 258. Considered.

Mr. Holmes asked unanimous consent that the name of Mr. Lester H. Anderson be added as co-introducer of the bill.

Consent was granted and it was so ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 262. Considered.

The Standing Committee amendment found in the Legislative Journal for the Thirty-seventh Day was adopted.

Mr. Vogel made a motion to indefinitely postpone the bill.

Mr. Carmody requested a record vote.

Voting in the affirmative, 21:

Adams, J.	Hern	Lee	Schroeder
Anderson, L.	Hill	Metzger	Tvrdik
Anderson, V.	Holmes	Norman	Vogel
Babcock	Hoyt	Ogden	Weborg
Cretsinger	Larkin	Person	Wilson, W.
Hanna			

Voting in the negative, 17:

Adams, T.	Carmody	Lindgren	Pizer
Benesch	Carson	Lusienski	Prohs
Bridenbaugh	Cramer	McKnight	Vogt
Burney	Davies	Nelson	Wilson, C.
Burnham			

Not voting, 5:

Bohlke	Lillibridge	Williams	Wood
Callan			

The motion to indefinitely postpone L. B. 262 prevailed with 21 ayes, 17 nays and 5 not voting.

LEGISLATIVE BILL 284. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 368. Laid over.
LEGISLATIVE BILL 195. Read and considered.

The Standing Committee amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

The following amendments to the Standing Committee amendments were offered for consideration at a later date.

Mr. L. Anderson offered the following amendment:

Amend the Standing Committee amendments to L. B. 195, Sec. 2, by striking the comma and the word "and" following the word "skill" in line 5, striking all of line 6 and the word "device" at the beginning of line 7.

Mr. Davies offered the following amendment:

1. Amend section 2 of the bill, as amended by Standing Committee Amendments of February 23, 1949, by striking lines 2 to 6,

and inserting in lieu thereof the following: "the Tax Commissioner shall, except as provided in section 3 of this act, collect from the operators thereof an annual license fee of five dollars upon each pinball machine, shuffle board, or any other coin operated game of amusement or skill, and also upon each coin operated radio, phonograph, juke-box, television set, wired radio system, or mechanical musical".

2. Amend section 2 of the bill, as amended by Standing Committee Amendments of February 23, 1949, by inserting after line 9 the following: "Each license shall expire on June 30 of each year."

3. Amend section 3 of the bill, as set out in the Standing Committee Amendment of February 23, 1949, by striking line 4, and inserting in lieu thereof the following: "operated radio, phonograph, juke-box, television set, wired radio system, or mechanical musical device when".

4. Amend the title to the bill, as amended by Standing Committee Amendment 2 of February 23, 1949, by striking the word "television" in line 6 of the amendment and inserting in lieu thereof the following: "phonograph, juke-box, television set, wired radio system".

Mr. McKnight offered the following amendment:

Amend the Standing Committee Amendment to L. B. 195, Sec. 2, line 4, by striking the word "operator" and inserting in lieu thereof the word "owner", and amend the title to conform.

Mr. Vogt offered the following amendment:

Amend the Standing Committee amendments to L. B. 195 to read as follows: Sec. 2, line 6, following the word "radio" insert the word "telephone". Instruct the E and R committee to amend the title to conform.

Laid over until Monday, March 7, 1949.

LEGISLATIVE BILL 277. Laid over until Monday, March 7, 1949.

Unanimous Consent—L. B. 101

Mr. T. Adams asked unanimous consent that L. B. 101, as reprinted with the standing committee amendments, be substituted for the original L. B. 101.

Consent was granted and it was so ordered.

Member Excused

Mr. L. Anderson was excused for Thursday and Friday, March 3 and 4, 1949.

Adjournment

At 12:00, noon, on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 3, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson and Williams, who were excused.

The Journal for the Forty-second Day was approved as corrected.

Communications

A petition from the Tekamah Garden Club supporting the Blue Star Memorial Highway resolution.

A letter from Albin W. Barkley acknowledging receipt of L. R. 14.

A letter from Harry F. Custer of Herman, Nebraska, regarding old age assistance grants.

RESOLUTION

LEGISLATIVE RESOLUTION 17. Re: Study by the Legislative Council on the Childrens Laws of the State.

Introduced by Louis A. Holmes of Hall and Thomas M. Davies of Lancaster.

WHEREAS, it is the duty of the state government to protect the interests of children and promote their welfare; and

WHEREAS, the laws of Nebraska which are intended for this

purpose are alleged to be diffused, inconsistent, and wholly inadequate; and

WHEREAS, it is desirable that these laws be simplified, clarified, recodified, and strengthened; and

WHEREAS, a comprehensive survey of the entire child welfare program of the state is essential to a proper revision of these laws; and

WHEREAS, the Nebraska Legislative Council has already made a partial study of this subject, including a digest of all statutory provisions relating thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Nebraska Legislative Council be directed to examine into the following matters:

(a) All provisions of the Nebraska statutes relating to children, and the interpretation and administration thereof;

(b) Child welfare legislation in other states, and the interpretation and administration thereof; and

(c) Proposals previously made or to be made for the improvement of the child welfare program in Nebraska.

2. That the Legislative Council, in making this study, be directed to seek the advice and cooperation of both public and private agencies and individuals concerned with the welfare of children; that the Legislative Council hold public hearings during the course of the study at which all interested persons shall have an opportunity to express their views.

3. That the Legislative Council be directed to make a report to the Legislature in January, 1951, with regard to:

(a) Its findings concerning existing laws, conditions, and services to children within this state;

(b) Its recommendations as to needed legislation in order to coordinate, recodify, and clarify existing laws;

(c) Its recommendations as to new and needed legislation for the benefit of children within this state; and

(d) Its recommendations as to the best methods for carrying out these laws.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 280. Indefinitely postponed.
LEGISLATIVE BILL 447. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Revenue and Taxation

LEGISLATIVE BILL 444. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Education

LEGISLATIVE BILL 389. Placed on General File as amended.

Standing Committee amendment to L. B. 389:

1. In the title, amend Line 7, by striking the word "without" and inserting in lieu thereof "within".

(Signed) Dwight W. Burney, Chairman

Judiciary

LEGISLATIVE BILL 3. Indefinitely postponed.
LEGISLATIVE BILL 13. Placed on General File as amended.

Standing Committee amendments to L. B. 13:

1. Amend page 2 of the bill by adding a new section, to be numbered 1, reading as follows:

"Section 1. *As used in this act, the words "property acquired" shall mean (1) all property acquired by either husband or wife or both, during marriage, and on and after September 7, 1947, and prior to the effective date of this act, and (2) all property acquired after the effective date of this act (a) by exchange for, (b) by the increase of, (c) with the proceeds of, or (d) with the income from, any property defined in subsection (1) of this section.*".

2. Renumber present sections 1, 2, 3, 4, 5, and 6, as sections 2, 3, 4, 5, 6 and 7, respectively.

3. Amend present section 1, renumbered section 2, lines 3 and 4, by striking same, and inserting in lieu thereof the following:

"42-603. All property *Property* acquired, *as defined in section*

1 of this act, by either the husband or wife during marriage and after September 7, 1947,".

4. Amend page 2 of the bill, present section 1, renumbered section 2, by striking all of lines 10 to 13, and substituting in lieu thereof the following: "be dissolved shall *not* be regarded as common effects or gains *community property* unless the contrary be satisfactorily proved."

5. Amend page 2 of the bill, present section 2, renumbered section 3, line 3, by striking the following words and punctuation: *"except by will,"*.

6. Amend page 2 of the bill, present section 3, renumbered section 4, line 3, by inserting after the word *"property"* the words *"has been"*.

7. Amend page 2 of the bill, present section 3, renumbered section 4, line 4, by striking the word *"since"* and inserting in lieu thereof the words *"on or after"*.

8. Amend page 2 of the bill, present section 3, renumbered section 4, line 4, by striking the words *"in many cases"*.

9. Amend page 2 of the bill, present section 3, renumbered section 4, by striking all of lines 7 and 8, and inserting in lieu thereof the following: *"acquired as defined in section 1 of this act, was, or is,"*.

10. Amend page 2 of the bill, present section 3, renumbered section 4, lines 12 and 13, by striking the words *"by either husband or wife, or both, after September 7, 1947,"* and inserting in lieu thereof the following: *"as defined in section 1 of this act"*.

11. Amend page 2 of the bill, present section 3, renumbered section 4, line 13, by striking the word *"within"*.

12. Amend page 3 of the bill, present section 3, renumbered section 4, line 16, by striking the words *"such property"* and inserting in lieu thereof the words *"the property therein described"*.

13. Amend page 3 of the bill, present section 3, renumbered section 4, line 21, by striking the word *"and"*.

14. Amend page 3 of the bill, present section 3, renumbered section 4, line 24, by striking same and inserting in lieu thereof the following: *"delivered to the debtor; in case of life insurance, the affidavit shall be filed with the home office of the insurer; and in case of all other personal property"*.

15. Amend page 3 of the bill, present section 3, renumbered sec-

tion 4, line 26, by striking same and inserting in lieu thereof the following: *"in which the husband resides or last resided in Nebraska."*.

16. Amend page 3 of the bill, present section 3, renumbered section 4, line 27, by inserting after the word *"filing"* the words *"or recording"*.

17. Amend page 3 of the bill, by striking all of present section 4, and inserting in lieu thereof the following: "Sec. 5. *If, for any reason, any of the foregoing sections of this act are held to be invalid, the Legislature declares that it would have passed section 6 irrespective of the fact that such sections of this act or any part thereof may be declared invalid.*".

LEGISLATIVE BILL 24. Placed on General File as amended.

Standing Committee amendments to L. B. 24:

1. Amend section 1 of the bill, line 12, by striking the comma after the word "wife".

2. Amend section 1 of the bill, line 13, by striking the word "or" and inserting in lieu thereof the word "and".

3. Amend section 2 of the bill, lines 5 and 23, by striking the comma after the word "wife" and inserting after the word "wife" the word "and".

LEGISLATIVE BILL 77. Indefinitely postponed.
LEGISLATIVE BILL 200. Indefinitely postponed.
LEGISLATIVE BILL 201. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 2. Placed on Select File as amended.

E and R amendments to L. B. 2:

1. In the bill, section 2, page 2, line 2, strike the semicolon in the original bill and insert a colon as in printed bill; strike all of line 6 and the word "votes" in the 7th line and in lieu thereof insert "voting on the question shall have *voted*".

2. In the bill, section 3, line 6, after the word "board" strike the comma; line 8, strike the comma after the word "for" and insert *"(a)"*; line 9, strike "or" after "schoolhouses," and in lieu thereof insert *"(b)"*; line 10, insert ", *(c)*" after the word "same"; line 11, strike *"or"*

after *"warrants,"* and in lieu thereof insert *"(d)"*; line 12, after "or" and before "for" insert *"(e)"*.

3. In the bill, section 4, page 3, line 11, strike the word "or" after "bonds" and in lieu thereof insert a comma.

4. In the title of the bill, eighth line, after the semicolon insert "to lower the number of voters required to sign a petition for such an election;"; and line eleven, after the word "upon" insert the word "the".

LEGISLATIVE BILL 211. Placed on Select File as amended.

E and R amendments to L. B. 211:

1. In the bill, section 2, page 2, line 12, strike the word "with" and in lieu thereof insert *"at"*; line 17, after the word "janitors" and also after the word "ballot" strike the commas.

2. In the bill, section 5, page 4, line 10, strike "or" after "him" and in lieu thereof insert a comma, and strike the word "to" after "or" in said line.

3. In the title of the bill, line 14, strike "and" and in lieu thereof insert a semicolon; line 16, strike the word "board" and in lieu thereof insert "clerk; to provide that the county board of equalization is authorized, directed, and required to levy and collect the number of mills of taxes as prescribed".

LEGISLATIVE BILL 235. Placed on Select File.
LEGISLATIVE BILL 284. Placed on Select File.
LEGISLATIVE BILL 333. Placed on Select File as amended.

E and R amendments to L. B. 333:

1. In the bill, section 1, line 6, strike the word "of" and in lieu thereof insert *"as"*.

2. In the title of the bill, line 3, insert a semicolon after "estates"; and in line 5, strike "that" and in lieu thereof insert "with others who".

LEGISLATIVE BILL 338. Placed on Select File as amended.

E and R amendments to L. B. 338:

1. In the bill, section 1, line 7, strike the comma before the word "and".

2. In the title of the bill, strike "and to" in line 5 and all

of line six, and in lieu thereof insert "to provide penalties; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 348. Placed on Select File as amended.

E and R amendment to L. B. 348:

1. In the title of the bill, strike the last line and in lieu thereof insert "to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 361. Placed on Select File.
LEGISLATIVE BILL 397. Placed on Select File as amended.

E and R amendment to L. B. 397:

1. In the bill, section 1, lines 11 and 12, strike the words and punctuation ", the application for which" and in lieu thereof insert ". *The* application for *such an order*"; and in lines 17 and 18, strike the words and punctuation ", and said cause" and in lieu thereof insert "and *it*".

LEGISLATIVE BILL 67. Correctly engrossed.
LEGISLATIVE BILL 420. Correctly engrossed.
LEGISLATIVE BILL 165. Correctly re-engrossed.
LEGISLATIVE BILL 342. Correctly enrolled.
LEGISLATIVE BILL 311. Correctly enrolled.
LEGISLATIVE BILL 287. Correctly enrolled.
LEGISLATIVE BILL 282. Correctly enrolled.
LEGISLATIVE BILL 160. Correctly enrolled.
LEGISLATIVE BILL 133. Correctly enrolled.
LEGISLATIVE BILL 125. Correctly enrolled.
LEGISLATIVE BILL 98. Correctly enrolled.
LEGISLATIVE BILL 23. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 23	L. B. 133	L. B. 287
L. B. 98	L. B. 160	L. B. 311
L. B. 125	L. B. 282	L. B. 342

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 68.

A bill for an act relating to banks and banking; to authorize the destruction of bank records and files after a prescribed period of time; to prescribe the effect of the destruction of such records; to limit the liability of banks after destruction of its records as authorized; to provide for the admissibility as evidence of entries in bank records or files, or of a photostatic or photographic reproduction thereof; and to limit the time for bringing of action against any bank based on a claim involving entries in any bank record or ledger.

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

Voting in the affirmative, 37:

Adams, J.	Carson	Larkin	Prohs
Anderson, V.	Cramer	Lee	Schroeder
Babcock	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogel
Bohlke	Hanna	Lusienski	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	McKnight	Person	Williams
Anderson, L.	Norman		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 69.

A bill for an act relating to the collection, payment, and dishonor of demand items by banks and the revocation of credit for, and payment of, such items; and to repeal section 62-307, Revised Statutes Supplement, 1947.

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

Voting in the affirmative, 38:

Adams, J.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Larkin		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	McKnight	Norman	Williams
Anderson, L.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 141.

A bill for an act to amend section 83-352, Revised Statutes Supplement, 1947, relating to state institutions; to provide procedure for the recovery of cost of maintenance of patients in a hospital for the mentally ill; to provide a penalty; 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, J.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Anderson, L.	Lusienski	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 223. With emergency.

A bill for an act relating to Nebraska State Historical Society; to authorize such society to sell, exchange, destroy, or otherwise dispose of any surplus, damaged, defective, or duplicate books or materials in its collections; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Anderson, L.	Williams

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 section 85-122, Revised Statutes Supplement, 1947, relating to the University of Nebraska; to designate additional funds for the support of such university; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, J.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Anderson, L.	Williams

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 299.

A bill for an act to amend section 2-203, Revised Statutes of Nebraska, 1943, relating to county agricultural societies; to increase the amount that may be raised by taxation for the support of such societies under the prescribed conditions; to change the population classification of counties to correspond with other legislation; 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, J.	Carson	Lillibridge	Schroeder
Adams, T.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Norman	Weborg
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee	Prohs	

Voting in the negative, 4:

Burnham	Hern	Metzger	Nelson

Not voting, 4:

Anderson, L.	Bohlke	Holmes	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 312. With emergency.

A bill for an act to amend section 85-163, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to eliminate the provisions for the appointment of a State Forester by the Conservation and Survey Division, and the duties of such person; 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, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Davies	McKnight	Vogt
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Wilson, C.
Burney	Hill	Norman	Wilson, W.
Burnham	Holmes	Ogden	Wood
Callan	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Lusienski	Person	Williams

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 to authorize any insurance company organized under the laws of Nebraska, with capital and surplus in excess of five million dollars, or any nonstock insurance company with surplus

over all liability in excess of five million dollars, to invest a portion of its capital and surplus in real estate by constructing comprehensive rental projects and to hold and operate such property; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Carson	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Burney	McKnight	Williams

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. With emergency.

A bill for an act relating to the University of Nebraska; to appropriate the sum of fifty thousand dollars out of the General Fund to the University of Nebraska for the purpose of repair or replacement of the existing transmission line or for construction and equipping of a new underground electric transmission line between the power plant of the University of Nebraska and the State Capitol; and to declare an emergency.

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

Voting in the affirmative, 33:

Adams, J.	Cretsinger	Lindgren	Prohs
Adams, T.	Davies	Lusienski	Schroeder

Anderson, V.	Hill	McKnight	Vogel
Babcock	Holmes	Nelson	Vogt
Bridenbaugh	Hoyt	Norman	Weborg
Callan	Larkin	Ogden	Wilson, C.
Carmody	Lee	Person	Wilson, W.
Carson	Lillibridge	Pizer	Wood
Cramer			

Voting in the negative, 3:

Bohlke	Hern	Metzger

Not voting, 7:

Anderson, L.	Burney	Hanna	Williams
Benesch	Burnham	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.

MOTION—Reconsider L. B. 54

Mr. President: I move reconsideration of L. B. 54, passed on Final Reading February 15, 1949. (Signed) William A. Metzger

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

Unanimous Consent—Return L. B. 54 to Select File

Mr. Metzger asked unanimous consent to return L. B. 54 to Select File for the following Specific amendments:

1. Amend page 2, section 1, line 13 by striking the period and adding the following punctuation and words, ", or a sum, each month, which is equivalent in amount to the sum fixed by an employees' association which association may be the policyholder and premium payer of such group, franchise, or wholesale plan of insurance."

2. Amend page 2, section 4, line 5 by striking line 5 and inserting in lieu thereof the following punctuation and words, "shall be paid to the insurance company or employees' association, designated in the orders, ".

3. Amend page 3, section 4, line 10 by inserting after the word "carriers" the following punctuation and words, "or employees' association"; also strike the first comma in said line 10.

4. In the bill title, strike the same commencing with the semi-

colon in the third line thereof to but not including the semicolon in the fourth line and all amendments thereto.

5. In the bill title, insert after the word "premiums" in line 5 the following words, " or the payment of dues to an employees' association for the prescribed insurance".

6. In the bill title, strike the word "plan" included in the newly inserted matter by E and R amendment 4 to the 9th line of the title.

7. Insert after the word, "policies" and before the semicolon in the 9th line of the title the following punctuation and words, ", or to an employees' association".

Consent was granted and it was so ordered.

MOTION—Committee to Study ADC and OAA

Mr. President: I move that a committee consisting of Messrs. Lee, Ogden, Callan, Benesch and Carmody be appointed to study and make recommendations for legislation regarding ADC and medical over-ceiling old age assistance, and submit a report to the Legislature in two weeks. (Signed) Arthur Carmody

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 199. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 351. 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

Special Order

LEGISLATIVE BILL 88.

Mr. W. Wilson moved to indefinitely postpone L. B. 88.

Mr. Burnham moved the previous question.

The President stated the question "Shall the debate now cease?"

Mr. Burnham's motion prevailed with 30 ayes, 3 nays and 10 not voting.

Mr. Burnham requested a record vote.

Voting in the affirmative, 10:

Adams, J.	Larkin	Schroeder	Wilson, C.
Adams, T.	Lusienski	Vogel	Wilson, W.
Davies	Metzger		

Voting in the negative, 27:

Anderson, V.	Callan	Hill	Nelson
Babcock	Carmody	Holmes	Norman
Benesch	Carson	Hoyt	Pizer
Bohlke	Cramer	Lee	Tvrdik
Bridenbaugh	Cretsinger	Lillibridge	Vogt
Burney	Hanna	Lindgren	Weborg
Burnham	Hern	McKnight	

Not voting, 6:

Anderson, L.	Person	Williams	Wood
Ogden	Prohs		

Mr. W. Wilson's motion did not prevail with 10 ayes, 27 nays and 6 not voting.

Mr. W. Wilson offered the following amendments:

Amend L. B. 88 as follows: Section 1, line 11, strike the words "less than ten days nor".

Section 1, line 12, strike the word "fifty" and insert in lieu thereof the word "ten".

Section 1, line 13, strike the words "one hundred" and insert in lieu thereof the word "fifty".

Section 1, line 16, strike the words "less than thirty days nor more than" and insert in lieu thereof the words "to exceed".

Section 1, line 22, strike the words "one hundred" and insert in lieu thereof the word "fifty" and also strike the word "five" and insert in lieu thereof the word "two".

Section 1, line 28, strike all of line 28 after the word "later" and insert a semi-colon after the word "later".

Section 1, strike all of lines 29 to 37, both inclusive.

Section 1, strike all of line 38 except "(3)".

Correct the title to conform.

Mr. Lee offered the following amendment to Mr. Wilson's amendments, which was adopted.

Amend the Wilson amendment to L. B. 88 by striking all portion of said amendment seeking to strike portion of lines 28 and 38 and all of lines 29 to 37.

Mr. Wilson's amendment as amended was adopted.

Mr. Wood asked unanimous consent to have L. B. 88 laid over and made Special Order of Business on Tuesday, March 8, 1949.

Consent was granted and it was so ordered.

Visitors

Mr. W. Wilson introduced Mr. B. H. Mead, Superintendent of Gothenburg High School and 34 students of the Sociology Class.

Unanimous Consent—Excuse Budget Committee

Mr. Callan asked unanimous consent that the members of the Budget Committee be excused Friday, March 4, 1949, and that the balance of the bills on Final Reading be held over until Monday.

Consent was granted and it was so ordered.

Members Excused

Messrs. Cretsinger, Bohlke, Weborg, Vogt, W. Wilson and J. Adams were excused for Friday, March 4, 1949.

Adjournment

At 11:55 a.m., on a motion by Mr. Lillibridge, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 4, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, V. Anderson, Bohlke, Callan, Cretsinger, Lillibridge, Norman, Person, Pizer, Vogt, Weborg, Williams and Wood, who were excused.

The Journal for the Forty-third Day was approved.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 380. Placed on General File.
LEGISLATIVE BILL 373. Placed on General File.
LEGISLATIVE BILL 365. Placed on General File as amended.

Standing Committee amendments to L. B. 365:

1. Amend page 3 of the bill, section 3, line 6, by inserting after the word and punctuation *"given."* the following: *"He shall keep an accurate, detailed, and permanent list of all funds and property received by will, grant, or gift and a detailed statement showing the disposition of any of such property and the disbursement of any of such funds. A detailed report showing all funds and property received by will, grant, or gift and a detailed statement showing disbursement of all money and disposition of any of such property shall be filed with the Board of Control on June 30 of each year."*

2. Amend the title of the bill, line 12, by inserting after the word "bequest" the following: "; to provide for records to be kept by the superintendent showing funds and property received, and

for annual reports to be filed with the Board of Control".

LEGISLATIVE BILL 370. Placed on General File as amended.

Standing Committee amendment to L. B. 370:

In the bill, Section 2, page 3, line 23, after the word *"issue"* insert the words *"and sell"*.

(Signed) William Hern, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 252. Placed on General File as amended.

Standing Committee amendment to L. B. 252:

1. Amend the bill, page 2, section 1, line 24 by striking the word "include" and insert in lieu thereof the word "be".

LEGISLATIVE BILL 253. Indefinitely postponed.

(Signed) J. V. Benesch, Vice-Chairman

Judiciary

LEGISLATIVE BILL 56. Placed on General File as amended.

Mimeographed with Standing Committee amendments in lieu of printing in the Journal.

LEGISLATIVE BILL 232. Placed on General File.
LEGISLATIVE BILL 281. Placed on General File.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 150. Correctly engrossed.
LEGISLATIVE BILL 272. Correctly engrossed.
LEGISLATIVE BILL 290. Correctly engrossed.
LEGISLATIVE BILL 350. Correctly engrossed.
LEGISLATIVE BILL 371. Correctly engrossed.
LEGISLATIVE BILL 362. Placed on Select File.
LEGISLATIVE BILL 239. Replaced on Select File as amended.

E and R amendment to L. B. 239:

1. In the bill, section 1, line 8, strike the word "such".

LEGISLATIVE BILL 96. Placed on Select File as amended.

E and R amendment to L. B. 96:

1. Strike all the balance of section 1 of the bill commencing with the word "as" in line 8 and in lieu thereof insert "subject to the provisions of the Nebraska Merit System Act.".

LEGISLATIVE BILL 258. Placed on Select File as amended.

E and R amendment to L. B. 258:

1. In the bill, section 1, line 3, after "supreme" and also in line 4, after "benevolent" insert commas; line 47, before the word "Delta" insert "*and*"; and line 50, strike "and" before "Pathfinder" and show it as stricken matter; and in line 56, page 3 strike both commas and in each case insert a semicolon.

Presented to the Governor

Presented to the Governor for approval on March 3, 1949 at 10:20 a.m.

L. B. 127	L. B. 148	L. B. 175
L. B. 131	L. B. 157	L. B. 244

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 18. Re: Memorializing the Congress of the United States to Appropriate Money for the Support of Bellevue, Nebr. Public Schools

Introduced by William A. Metzger of Cass, Ed F. Lusienski of Platte and Dwight W. Burney of Cedar.

WHEREAS, on account of the recent influx of military and civilian personnel in the Bellevue, Nebraska school district which has added to an already overburdened educational program; and

WHEREAS, Bellevue Public School District No. 1 is in need of a federal appropriation of approximately $35,000.00 for the operation of the public schools in said district for the school year ending June 30, 1950.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF

THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That a federal appropriation be made of approximately $35,000.00 to alleviate the financial condition and to furnish the aid necessary for School District No. 1 of Bellevue, Nebraska, to operate for the school year ending June 30, 1950.

2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to each member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

SELECT FILE

LEGISLATIVE BILL 2. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 211. 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 235. Advanced to E and R for engrossment.

LEGISLATIVE BILL 333. 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 338. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 348. E and R amendment found in the Legislative Journal for the Forty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 361. Advanced to E and R for engrossment.

LEGISLATIVE BILL 397. E and R amendment found in the Legis-

lative Journal for the Forty-third Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Prohs introduced Mr. Roy Greenwolt, Mayor of Scottsbluff, Nebraska, who greeted the Legislature briefly.

Mr. Burney introduced Mr. John Forsyth, of Niobrara, Nebraska, who spoke briefly to the Legislature.

Unanimous Consent—Return L. B. 177

Mr. Davies asked unanimous consent to return L. B. 177 from the Governor and place it on Final Reading for further consideration.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 27. Laid over.
LEGISLATIVE BILL 368. Laid over.
LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 278. 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 376. Read and considered.

Mr. Tvrdik offered the following amendment, which was adopted.

Amend L. B. 376 by adding the emergency clause and amend the title to conform.

Advanced to E and R for review.

Mr. Ogden Presiding

LEGISLATIVE BILL 364. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 456. Considered.

Mr. Hoyt offered the following amendment, which was adopted.

1. Amend page 3 of the bill, section 1, by striking lines 49 to 59, and inserting in lieu thereof the following:

"America. *All feeds containing urea and ammonium salts must be labeled with a statement showing the maximum percentage used and a warning that it should be fed to ruminants only. The following statement of guaranty of crude protein for feeds containing these materials must be used:*

Total crude protein, not less than ..... per cent
Crude protein from plant and animal sources..... per cent
per cent urea, which supplies equivalent crude protein from non-protein nitrogen..... per cent
The statement referring to non-protein nitrogen must be adjacent to and in the same size type as the statement of crude protein percentage. If a feed contains more than three per cent of urea the label shall bear a statement of proper usage."

Mr. Tvrdik raised the question of the presence of a quorum.

The roll was called and showed 24 members present.

The Standing Committee amendment found in the Legislative Journal for the Thirty-eighth Day was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 437. Laid over.
LEGISLATIVE BILL 271. Laid over.
LEGISLATIVE BILL 158. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 147. Amendments read and considered in lieu of reading the bill.

The Standing Committee amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 329. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 392. Read and considered.

Laid over.

LEGISLATIVE BILL 432. Read.

Laid over.

LEGISLATIVE BILL 303. Considered.

Advanced to E and R for review.

Speaker Lee Presiding

LEGISLATIVE BILL 304. Considered.

Advanced to E and R for review.

Mr. C. Wilson Presiding

LEGISLATIVE BILL 316. Considered.

Advanced to E and R for review.

Mr. Ogden Presiding

LEGISLATIVE BILL 484. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fortieth Day was adopted.

Mr. Hoyt offered the following amendment, which was adopted.

Amend the title of L. B. 484 to conform with the Standing Committee amendments.

Advanced to E and R for review.

Unanimous Consent—Return L. B. 140 to Select File

Mr. Davies asked unanimous consent that L. B. 140 be returned to Select File for the following specific amendment:

1. Amend page 2 of the bill, section 1, line 5, by inserting after the word "association" the following: ", *insurance company*,".

2. Amend page 2 of the bill, section 2, lines 5 and 8, by inserting after the word "association" the following: ", *insurance company*,".

3. Amend the title of the bill, line 6, by inserting after the word "tion" the words "or insurance company".

4. Amend the title of the bill, lines 8 and 10 by inserting after the word "association" the words "or insurance company".

Consent was granted and it was so ordered.

MESSAGE FROM THE GOVERNOR

L. B. 187, Without Approval

March 4, 1949

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

Gentlemen:

L. B. 187 is being returned without my signature. The United States and state governments are engaged upon large programs to further wildlife conservation. This bill marks a step backward.

I have no objection to the portion of the bill which reduces the extent of refuges from twenty to ten rods from each bank of the designated streams. Further, it would appear that a program to rotate refuges over a reasonable period of years would be sound.

Respectfully submitted,

(Signed) Val Peterson
Governor

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 497. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 155. Correctly engrossed.
LEGISLATIVE BILL 140. Correctly engrossed.
LEGISLATIVE BILL 225. Correctly engrossed.
LEGISLATIVE BILL 256. Correctly engrossed.
LEGISLATIVE BILL 257. Correctly engrossed.
LEGISLATIVE BILL 276. Correctly engrossed.
LEGISLATIVE BILL 315. Correctly engrossed.
LEGISLATIVE BILL 360. Correctly engrossed.
LEGISLATIVE BILL 299. Correctly enrolled.
LEGISLATIVE BILL 285. Correctly enrolled.
LEGISLATIVE BILL 223. Correctly enrolled.
LEGISLATIVE BILL 141. Correctly enrolled.
LEGISLATIVE BILL 366. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 299	L. B. 223	L. B. 366
L. B. 285	L. B. 141	

Members Excused

Messrs. Lee and Lusienski were excused for Monday, March 7, 1949.

Adjournment

At 11:55 a.m., Mr. Burney moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Monday, March 7, 1949.

Mr. Ogden requested a Call of the House.

A Call of the House was ordered and the roll showed 24 members present.

After the return of the absent members, Mr. Ogden moved that the Call be raised and the motion prevailed with 22 ayes, 1 nay and 20 not voting.

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Hugo F. Srb

Clerk of the Legislature

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 7, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Davies, Lee, Lusienski and Williams, who were excused.

The Journal for the Forty-fourth Day was approved as corrected.

Communications

A letter from Mr. Sam Rayburn, Speaker of the House, acknowledging receipt of L. R. 16.

A letter from Mr. John Schmer, Clay County Board of Supervisors, regarding federal legislation on payments to local governmental units in lieu of taxes on federal owned real estate.

A letter from the Department of United Spanish War Veterans regarding L. B. 338.

Approved by the Governor

March 4, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 3, 1949, he approved L. B. 136, L. B. 122, L. B.

121, L. B. 37, L. B. 38, L. B. 135, L. B. 102, L. B. 245 and that on March 4 he approved L. B. 152.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 335	Thursday, March 17, 1949	2:00 p.m.
L. B. 377	Thursday, March 17, 1949	2:00 p.m.
L. B. 477	Thursday, March 17, 1949	2:00 p.m.
L. B. 486	Thursday, March 17, 1949	2:00 p.m.
L. B. 489	Thursday, March 17, 1949	2:00 p.m.
L. B. 382	Friday, March 18, 1949	2:00 p.m.
L. B. 386	Friday, March 18, 1949	2:00 p.m.
L. B. 466	Friday, March 18, 1949	2:00 p.m.

Labor and Public Welfare

L. B. 439	Monday, March 14, 1949	2:00 p.m.
L. B. 441	Monday, March 14, 1949	2:00 p.m.
L. B. 472	Monday, March 14, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 182. Placed on General File as amended.

Standing Committee amendments to L. B. 182:

1. Amend page 2 of the bill, section 1, line 16, by inserting after the word "congregations" the following: ", except such religious association as described in sections 21-816 to 21-830, Revised Statutes of Nebraska, 1943".

2. Amend page 5 of the bill, section 8, line 9, by striking the word "and".

3. Amend page 5 of the bill, section 8, line 10, by striking the punctuation after the word "conducted" and inserting in lieu thereof the following: ", and (6) the manner or method by which its articles of incorporation may be amended."

4. Amend page 5 of the bill, section 8, line 18, by inserting after the punctuation after the word "name" the following: "Any

corporation organized under this section shall publish notice of the incorporation as provided in section 21-1,147, Revised Statutes Supplement, 1947."

5. Amend page 7 of the bill, section 14, line 3, by inserting after the word and comma "state," the following: "to adopt articles of incorporation and".

6. Amend page 7 of the bill, section 14, line 15, by inserting after the period the following: "The articles of incorporation so adopted shall contain the items enumerated in subdivisions (1) to (6) of section 8 of this act, and shall be signed by five or more of the persons present at said meeting.".

7. Amend page 7 of the bill, section 15, line 4, by inserting after the word "assocation" the following: ", the adoption of articles of incorporation, the name adopted for such religious association,".

8. Amend page 8 of the bill, section 15, by striking lines 14 to 16 and inserting in lieu thereof the following: "Secretary of State and the county clerk, said association shall be and become a corporation invested with the powers, privi-".

9. Amend page 8 of the bill by striking section 18 and inserting in lieu thereof the following: "Sec. 18. That sections 21-801 to 21-815, and 21-831 to 21-833, Revised Statutes of Nebraska, 1943, and section 76-270.01, Revised Statutes Supplement, 1947, are repealed.".

10. Amend the title of the bill by striking lines 3 to 9 and inserting in lieu thereof the following: "certain religious associations and corporations; to provide for incorporation of certain religious associations; to provide procedure for selling and encumbering real estate acquired or held by such associations and corporations; to validate certain acts; and to repeal sections 21-801 to 21-815 and 21-831 to 21-833, Revised Statutes of Nebraska, 1943, and section 76-270.01, Revised Statutes Supplement, 1947.".

(Signed) John P. McKnight, Chairman

Public Works

LEGISLATIVE BILL 176. Indefinitely postponed.
LEGISLATIVE BILL 317. Indefinitely postponed.
LEGISLATIVE BILL 448. Placed on General File.
LEGISLATIVE BILL 111. Indefinitely postponed.
LEGISLATIVE BILL 411. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Government

LEGISLATIVE BILL 475. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 5. Correctly engrossed.
LEGISLATIVE BILL 199. Correctly engrossed.
LEGISLATIVE BILL 235. Correctly engrossed.
LEGISLATIVE BILL 351. Correctly engrossed.
LEGISLATIVE BILL 361. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval March 4, 1949 at 9:00 a.m.

L. B. 23	L. B. 133	L. B. 287
L. B. 98	L. B. 160	L. B. 311
L. B. 125	L. B. 282	L. B. 342

(Signed) Glenn Cramer, Chairman

Unanimous Consent—Committee Meeting

Mr. Hoyt asked unanimous consent for the Committee on Agriculture to hold an executive session this afternoon.

Consent was granted and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 18. Read. Laid over.

Unanimous Consent—Return L. B. 352

Mr. Cramer asked unanimous consent to have L. B. 352 returned to Select File for the following specific amendment:

Amend L. B. 352 as follows:

1. In the bill, new section 1 as inserted by Committee Amendment 1, strike "matron,", and show the same as stricken matter, in line 9 of the new section 1.

2. In the bill title, as inserted by Committee Amendment 5 after the last semicolon therein, insert: "to eliminate matron from

the officers of the penitentiary whose salaries are fixed as prescribed;".

Consent was granted and it was so ordered.

Visitor

The President introduced Mrs. Paul Marvin, Chairman and thirty ladies of the Rural Electrification Group, in Lincoln for the convention at the Lincoln Hotel.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 134. With emergency.

A bill for an act to amend sections 48-124, 48-152, 48-165, and 48-179, Revised Statutes of Nebraska, 1943, and sections 48-128, 48-177, and 48-181, Revised Statutes Supplement, 1947, relating to workmen's compensation; to clarify who is wholly dependent for support; to provide for limitation of action for claim for Second Injury Fund; to provide for refund of payment made to Second Injury Fund; to provide for a method of impleading parties where a claim is made against Second Injury Fund; to provide who is entitled to blank forms and what reports are to be furnished; to provide a procedure for dismissal of causes and applications for rehearing; to provide for the filing of an application for a rehearing before the Nebraska Workmen's Compensation Court sitting en banc from the findings, order, award, or judgment of that court on the original hearing; to provide who may serve notice and waive rehearings before the Nebraska Workmen's Compensation Court; to provide for functions of the Nebraska Workmen's Compensation Court except such as are committed to courts of appellate jurisdiction; 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, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	McKnight	Tvrdik
Anderson, V.	Cretsinger	Metzger	Vogel
Babcock	Hern	Nelson	Vogt
Benesch	Hill	Norman	Weborg

Bohlke	Holmes	Ogden	Wilson, C.
Bridenbaugh	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 6:

Burney	Hanna	Lusienski	Williams
Davies	Lee		

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 4.

A bill for an act to amend section 68-206, Revised Statutes Supplement, 1947, relating to public assistance; to increase the maximum amount that may be paid per month to any person as old age 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, 31:

Adams, J.	Callan	Holmes	Norman
Adams, T.	Carmody	Hoyt	Ogden
Anderson, V.	Carson	Larkin	Pizer
Benesch	Cramer	Lillibridge	Tvrdik
Bohlke	Cretsinger	Lindgren	Wilson, C.
Bridenbaugh	Hanna	McKnight	Wilson, W.
Burney	Hern	Metzger	Wood
Burnham	Hill	Nelson	

Voting in the negative, 5:

Anderson, L.	Schroeder	Vogt	Weborg
Babcock			

Not voting, 7:

Davies	Lusienski	Prohs	Williams
Lee	Person	Vogel	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 40.

A bill for an act to amend section 44-123, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that when the assets and resources of any domestic mutual insurance company are insufficient to meet the minimum conditions specified in section 44-219 as now existing or as hereafter amended, the Department of Insurance shall determine the amount of the deficiency and upon the prescribed notice, require such company to make good the deficiency within a reasonable time, not to exceed one hundred eighty days, from service of the prescribed notice and requisition; 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, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 65. With emergency.

A bill for an act to amend section 79-2003, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the distribution of unexpended balances of proceeds of taxes heretofore levied by a district when such district has been taken over by the United States for any defense or war project; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

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 138.

A bill for an act to amend section 39-604, Revised Statutes of Nebraska, 1943, relating to highways; to provide that the Department of Roads and Irrigation shall maintain the whole of the state highway system or any highway built for which actual physical construction costs are paid for either in whole or in part with state funds, and all highways built in whole or in part with federal funds when actual physical construction was commenced on or before the effective date of this 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, 39:

Adams, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg

Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 190.

A bill for an act to amend section 71-711, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to forbid the giving or receiving of any child under the age of sixteen years into permanent care and control of another person without the approval of the proper court for adoption; 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, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

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 81-1007 and 84-306, Revised

Statutes Supplement, 1947, relating to claims against the state; to increase the amount that may be allowed for the use of a personal motor vehicle by a state officer or employee while on state business; 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?' "

Mr. T. Adams requested a Call of the House.

A Call of the House was ordered and the roll showed 39 members present.

Mr. T. Adams moved that the Call be raised and the motion prevailed with 38 ayes, 0 nays and 5 not voting.

Voting in the affirmative, 24:

Adams, T.	Carson	Larkin	Pizer
Babcock	Cramer	Lillibridge	Prohs
Benesch	Cretsinger	Lindgren	Vogel
Bridenbaugh	Hill	McKnight	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Carmody	Hoyt	Person	Wood

Voting in the negative, 13:

Adams, J.	Burnham	Hern	Schroeder
Anderson, L.	Callan	Metzger	Vogt
Anderson, V.	Hanna	Nelson	Weborg
Bohlke			

Not voting, 6:

Davies	Lusienski	Tvrdik	Williams
Lee	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?"

Mr. Ogden requested a Call of the House.

A Call of the House was ordered and the roll showed 39 members present.

Mr. Hanna moved that the Call be raised and the motion pre-

vailed with 29 ayes, 7 nays and 7 not voting.

Voting in the affirmative, 19:

Adams, T.	Carson	Hoyt	Vogel
Anderson, L.	Cramer	Larkin	Wilson, C.
Bridenbaugh	Cretsinger	McKnight	Wilson, W.
Burney	Hanna	Ogden	Wood
Carmody	Holmes	Pizer	

Voting in the negative, 16:

Adams, J.	Burnham	Lindgren	Prohs
Anderson, V.	Callan	Metzger	Schroeder
Benesch	Hern	Nelson	Vogt
Bohlke	Hill	Person	Weborg

Not voting, 8:

Babcock	Lee	Lusienski	Tvrdik
Davies	Lillibridge	Norman	Williams

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

LEGISLATIVE BILL 319.

A bill for an act to amend section 44-334, Revised Statutes of Nebraska, 1943, relating to insurance; to eliminate the provision that when applicant for a license owes any insurance company for money advanced, the Department of Insurance shall withhold the license applied for; 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, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 356.

A bill for an act to amend section 48-146, Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to provide that a copy of form of policies of insurance issued against liability under the Workmen's Compensation Act shall be 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, 39:

Adams, J.	Callan	Larkin	Prohs
Adams, T.	Carmody	Lillibridge	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	McKnight	Vogel
Babcock	Cretsinger	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Burnham	Hoyt	Pizer	

Voting in the negative, 0.

Not voting, 4:

Davies	Lee	Lusienski	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Unanimous Consent—Postpone Final Reading

Mr. Metzger asked unanimous consent to postpone consideration of the remaining bills on Final Reading until tomorrow.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 284. Advanced to E and R for engrossment.
LEGISLATIVE BILL 140. Laid over.
LEGISLATIVE BILL 362. Advanced to E and R for engrossment.
LEGISLATIVE BILL 239. E and R amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 96. E and R amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 258. E and R amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 54.

Mr. Metzger's Specific amendments found in the Legislative Journal for the Forty-third Day were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 338. Advanced to E and R for engrossment.
LEGISLATIVE BILL 218.

Mr. Babcock made a motion to return L. B. 218 to General File for the Specific amendment found in the Legislative Journal for the Thirty-ninth Day.

The motion prevailed with 22 ayes, 11 nays and 10 not voting.

Mr. Bohlke made a motion to indefinitely postpone L. B. 218.

Visitors

Mr. Carmody introduced Mr. Leon Hines, of Benkelman, Nebraska, a former member of the Legislature.

Mr. Hern introduced Mr. Walter Raecke, of Central City, Nebraska, former Speaker of the Legislature.

Adjournment

At 12:00, noon, on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 8, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Forty-fifth Day was approved as corrected.

Communications

Letter from Albin W. Barkley acknowledging receipt of L. R. 16.

Invitation to the Members of the Legislature and their wives, the Clerk and officers of the Legislature and their wives from the National Hairdressers and Cosmotologists Association of Nebraska to a dinner on Wednesday, March 23, 1949 at 6:00 p.m. at the Hotel Cornhusker Ballroom.

Approved by the Governor

March 7, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 7 he approved L. B. 149, L. B. 128, L. B. 156, L. B. 154, and L. B. 159.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 474	Monday, March 21, 1949	2:00 p.m.
L. B. 490	Monday, March 21, 1949	2:00 p.m.
L. B. 422	Tuesday, March 22, 1949	2:00 p.m.
L. B. 427	Tuesday, March 22, 1949	2:00 p.m.
L. B. 473	Tuesday, March 22, 1949	2:00 p.m.
L. B. 209	Wednesday, March 23, 1949	2:00 p.m.
L. B. 514	Wednesday, March 23, 1949	2:00 p.m.
L. B. 515	Wednesday, March 23, 1949	2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 468	Tuesday, March 15, 1949	2:00 p.m.
L. B. 525	Thursday, March 17, 1949	2:00 p.m.
L. B. 529	Thursday, March 17, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 443. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Agriculture

LEGISLATIVE BILL 452. Placed on General File as amended.

Standing Committee amendments to L. B. 452:

1. Amend page 3 of the bill, section 1, lines 44 to 47, by striking the new matter and inserting in lieu thereof the following:

"The commission shall have authority for lakes covering more than twenty acres in area and for rivers and streams (1) to regulate the use of water craft thereon for the purpose of promoting public safety, (2) to establish regulations for boats used thereon, and (3) to fix and collect inspection fees from owners of commercial boats used thereon, but such fees shall not exceed one dollar per boat."

2. Amend the title of the bill by striking lines 5 to 7 and inserting in lieu thereof the following: "Commission for lakes covering more than twenty acres in area and for rivers and streams to regulate the use of water craft thereon for the purpose of promoting

public safety, to establish regulations for boats used thereon, and to fix and collect inspection fees from owners of commercial boats used thereon; and".

LEGISLATIVE BILL 403. Indefinitely postponed.

(Signed) Ed. Hoyt, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 527. Indefinitely postponed.
LEGISLATIVE BILL 460. Placed on General File.
LEGISLATIVE BILL 322. Indefinitely postponed.

(Signed) Karl E. Vogel, Chairman

Enrollment and Review

LEGISLATIVE BILL 95. Placed on Select File as amended.

E and R amendments to L. B. 95:

1. In lieu of the matter stricken from committee amendment 4, inserting a new section 8, by G. F. Amendment by Sen. Callan, insert "and credited to the General Fund of the state.".

2. In committee amendment 3, line 3, insert a comma after "accretions".

3. In committee amendment 7, strike "and the disbursement thereof".

4. In the bill, section 1, line 5, strike the comma before the word "may".

5. In the bill, section 3, line 4, strike the comma before the word "to"; and in line 3 strike the word "as".

6. In the bill, section 6, line 1, insert a comma before the word "or"; line 4 strike "operate" and in lieu thereof insert "perform such services".

7. In the bill, section 9, formerly 8, line 3, strike "found guilty may upon conviction" and in lieu thereof insert "violating any of the provisions of this act shall, upon conviction thereof,".

LEGISLATIVE BILL 316. Placed on Select File.
LEGISLATIVE BILL 211. Correctly engrossed.

LEGISLATIVE BILL 333. Correctly engrossed.
LEGISLATIVE BILL 348. Correctly engrossed.
LEGISLATIVE BILL 397. Correctly engrossed.
LEGISLATIVE BILL 239. Correctly engrossed.
LEGISLATIVE BILL 284. Correctly engrossed.
LEGISLATIVE BILL 349. Correctly engrossed.
LEGISLATIVE BILL 68. Correctly enrolled.
LEGISLATIVE BILL 69. Correctly enrolled.
LEGISLATIVE BILL 215. Correctly enrolled.
LEGISLATIVE BILL 312. Correctly enrolled.
LEGISLATIVE BILL 4. Correctly enrolled.
LEGISLATIVE BILL 40. Correctly enrolled.
LEGISLATIVE BILL 190. Correctly enrolled.
LEGISLATIVE BILL 319. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 7, 1949, at 12:00, noon:

L. B. 141 L. B. 285 L. B. 366
L. B. 223 L. B. 299

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 68 L. B. 215 L. B. 312
L. B. 69

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 32.

A bill for an act to amend section 44-219, Revised Statutes of Nebraska, 1943, relating to insurance; to provide additional requirements for a domestic mutual insurance company as to its surplus before it shall transact business; 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, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Davies	Lusienski	Vogt
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Norman	Wilson, C.
Burney	Hill	Ogden	Wilson, W.
Burnham	Holmes	Person	Wood

Voting in the negative, 0.

Not voting, 3:

McKnight	Nelson	Williams

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 43-605, 43-606, 43-607, 43-608, 43-609, and 43-610, Revised Statutes of Nebraska, 1943, and section 43-604, Revised Statutes Supplement, 1947, relating to handicapped children; to define terms; to provide educational opportunity for handicapped children; to provide excess cost reimbursements to local school districts for special education as specified; to provide for channelling of funds approved by the Legislature to carry out the provisions of this act through the office of the Superintendent of Public Instruction and the expending thereof; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Wilson, C.

Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, L.	McKnight	Williams

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 230. With emergency.

A bill for an act relating to agriculture; to provide the procedure for the incorporation of agricultural associations formed for the purpose of developing and improving some form of agriculture in this state; to provide for annual statements and their contents; to provide that failure to file annual statements shall cause such corporation to cease to exist; to provide that no filing fees shall be required by the Secretary of State for any filing made as required by 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, 40:

Adams, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Davies	Lusienski	Vogt
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Wilson C.
Burney	Hill	Norman	Wilson, W.
Burnham	Holmes	Person	Wood

Voting in the negative, 0.

Not voting, 3:

McKnight	Ogden	Williams

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 308. With emergency.

A bill for an act relating to taxation; to provide for exemptions from inheritance tax for certain classes of organizations, and certain bequests and devises for certain purposes and uses; to amend section 77-2007, Revised Statutes Supplement, 1947; to repeal the original section, and also sections 77-2007.01 and 77-2007.02, Revised Statutes Supplement, 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, 40:

Adams, J.	Carmody	Larkin	Pizer
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	McKnight	Williams

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 314. With emergency.

A bill for an act to amend section 29-801, Revised Statutes of Nebraska, 1943, relating to criminal procedure; to authorize issuance of search warrants to search any house or place for packages of cigarettes not having affixed thereto suitable stamps or cigarette tax meter stamp impressions denoting payment of cigarette tax; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

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 334.

A bill for an act to amend section 54-766, Revised Statutes Supplement, 1947, relating to livestock; to authorize the Director of Agriculture and Inspection to prescribe by rules and regulations in regard to the use of the prescribed vaccine for vaccination of cattle for Bang's disease; to redefine 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, 40:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Babcock	Cretsinger	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 367. With emergency.

A bill for an act to amend sections 72-710 and 72-711, Revised Statutes of Nebraska, 1943; relating to public lands and buildings; to provide for the operation of the heat and power plant at the University of Nebraska and the conduits and tunnels appurtenant thereto by the Board of Regents and the furnishing by it of heat, light, and power to the State Capitol and executive mansion; to provide for the divisions of the cost thereof and the collection of the part to be paid by the State Capitol, including the executive mansion; to authorize the Board of Regents of the University of Nebraska to furnish electric current to state institutions and buildings under jurisdiction of the Board of Control; to authorize the Board of Control to furnish electric current to the Board of Regents of the University of Nebraska for distribution to the buildings and grounds of the University of Nebraska; to provide that the Board of Regents of the University of Nebraska shall furnish electric current to the Nebraska State Fair Board for use at the State Fair Grounds only if service to the State Capitol and executive mansion is not impaired; 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, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Norman	Wilson, W.
Callan	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 3:

Bohlke	Vogel	Williams

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 379. With emergency.

A bill for an act to amend section 37-215, Revised Statutes Supplement, 1947, relating to game and fish; to authorize the Game, Forestation and Parks Commission upon the prescribed request to remove by any means at any time any deer causing damage to real or personal property; to provide for the disposition of the carcass of any deer necessarily killed for such purpose; 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, J.	Callan	Larkin	Person
Adams, T.	Carmody	Lee	Pizer
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lusienski	Schroeder
Babcock	Cretsinger	McKnight	Tvrdik
Benesch	Davies	Metzger	Vogel
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hern	Norman	Wilson, W.
Burney	Hill	Ogden	Wood
Burnham	Hoyt		

Voting in the negative, 2:

Vogt	Wilson, C.

Not voting, 3:

Holmes	Lindgren	Williams

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 496.

A bill for an act to amend section 23-357, Revised Statutes Sup-

plement, 1947, relating to counties; to include the destruction of chattel mortgages filed in the office of the county clerk for the prescribed time; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 144.

A bill for an act to amend sections 77-903, 77-904, 77-906, and 77-2106, Revised Statutes of Nebraska, 1943, and section 68-230, Revised Statutes Supplement, 1947, relating to taxation; to provide for crediting to the General Fund of the taxes therein specified; to reconcile date of exemption from head tax to agree with other legislation; to eliminate obsolete matter; to change the time for making the specified insurance reports and paying certain taxes; 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, J.	Carson	Lillibridge	Pizer
Adams, T.	Cramer	Lindgren	Prohs

Anderson, L.	Cretsinger	Lusienski	Schroeder
Anderson, V.	Davies	McKnight	Tvrdik
Bohlke	Hanna	Metzger	Vogel
Bridenbaugh	Hern	Nelson	Vogt
Burney	Holmes	Norman	Weborg
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wood
Carmody	Lee		

Voting in the negative, 3:

Benesch	Hill	Wilson, W.

Not voting, 2:

Babcock	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 355.

A bill for an act to amend section 77-902, Revised Statutes of Nebraska, 1943, relating to insurance; to provide which insurance companies shall pay the tax as provided in this 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

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 31-705, 31-709, 31-711, and 31-724, Revised Statutes Supplement, 1947, relating to sanitary and improvement districts; to provide for filing fee of candidates for election to board of trustees, printing of ballot, and writing in additional names of qualified persons; to provide for the filling of vacancies on the board of trustees; to increase the limit of general obligation bonds which such districts may issue; to provide for the issuance of warrants; to provide that the county treasurer of the county in which the greatest portion of the area of such a district is located shall be ex officio treasurer and to set out his responsibility and duties; to provide for collection of connection and service charges and other items other than taxes or funds from sale of bonds and the disbursement thereof; to provide procedure for assessment of special benefits and the levy thereof; to provide for collection of special assessments and interest on delinquent payments; to provide procedure for annexation of additional territory; to provide additional information that shall be contained in notice of plans, specifications, and cost of improvements; to provide for filing proceedings in another county when the district is located in two or more 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

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 420. With emergency.

A bill for an act to amend sections 77-2603, 77-2608, 77-2613, and 77-2615, Revised Statutes Supplement, 1947, relating to tax on cigarettes; to require execution of corporate surety bond by wholesale dealer as condition to approval of application for use of tax metering machine; to provide for audits annually or as often as the Auditor of Public Accounts deems advisable of receipts collected from the tax on cigarettes; to provide for payment of all taxes collected to the General Fund; to provide change in penalty for violation of provisions of act imposing tax on cigarettes, or any rule or regulation made in accordance therewith; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

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.

A bill for an act to amend section 23-129, Revised Statutes of Nebraska, 1943, relating to counties; to provide that if two-thirds of the total number of votes cast upon a proposition at the election in which the proposition is submitted are in favor of the proposition, and other requirements are fully complied with, the county board shall enter at large upon its records that the proposition carried; 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, J.	Callan	Larkin	Person
Adams, T.	Carmody	Lee	Pizer
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Schroeder
Babcock	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood

Voting in the negative, 2:

Hanna Wilson, C.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: I wish to vote "Yes" on L. B. 165. (Signed) John P. McKnight

MOTION—Flowers

Mr. President: I move that we send flowers to Mr. Williams, since he will be in the hospital for some time. (Signed) William Hern

The motion prevailed.

MOTION—Pass L. B. 187

Mr. President: I move that L. B. 187 be passed, notwithstanding the objection of the Governor. (Signed) Frank Nelson

Mr. Nelson requested a Call of the House.

A Call of the House was ordered and the roll showed 40 members present.

Mr. Holmes moved that the Call be raised and the motion prevailed with 37 ayes, 0 nays and 6 not voting.

Voting in the affirmative, 17:

Adams, J.	Cretsinger	Hoyt	Tvrdik
Anderson, V.	Hanna	Lee	Vogt
Burney	Hern	Nelson	Weborg
Burnham	Hill	Schroeder	Wilson, C.
Callan			

Voting in the negative, 9:

Anderson, L.	Carson	Holmes	Pizer
Babcock	Davies	Metzger	Wilson, W.
Carmody			

Not voting, 17:

Adams, T.	Larkin	McKnight	Prohs
Benesch	Lillibridge	Norman	Vogel
Bohlke	Lindgren	Ogden	Williams
Bridenbaugh	Lusienski	Person	Wood
Cramer			

The motion to take up the bill for passage did not prevail.

Visitor

Speaker Lee presented Mr. H. G. Sanders, Dean of Agriculture, Horticulture and Dairying at The University, Reading, England. Mr. Sanders briefly greeted the members.

Unanimous Consent—Return to Select File

Mr. Davies asked unanimous consent that L. B. 177 be returned to Select File for the following specific amendment:

1. Amend page 3 of the bill, section 1, line 40, by striking the words "sufficient sum" and inserting in lieu thereof the following: "sufficient sum, *not to exceed one hundred thousand dollars,*".

Consent was granted and it was so ordered.

Speaker Lee Presiding

SELECT FILE

LEGISLATIVE BILL 177.

Mr. Davies' amendment, found in this day's Journal, was adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 352.

Mr. Cramer's amendment, found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 140.

Mr. Davies' amendment, found in the Legislative Journal for the Forty-fourth Day, was adopted.

Advanced to E and R for re-engrossment.

Unanimous Consent—Bill Reference

Mr. Vogel, Chairman of the Committee on Labor and Public Welfare, asked unanimous consent to transfer L. B. 248, L. B. 513 and L. B. 415 now assigned to the Committee on Labor and Public Welfare, to the Committee on Government.

Consent was granted and it was so ordered.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 222	Monday, March 21, 1949	2:00 p.m.
L. B. 240	Monday, March 21, 1949	2:00 p.m.
L. B. 491	Monday, March 28, 1949	2:00 p.m.

Government

L. B. 248	Wednesday, March 16, 1949	2:00 p.m.
L. B. 513	Friday, March 18, 1949	2:00 p.m.
L. B. 415	Wednesday, March 23, 1949	2:00 p.m.

Speaker Signs

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

L. B. 4 L. B. 190 L. B. 319
L. B. 40

MOTION—Adjourn

At 11:45 a.m., Mr. Holmes made a motion to adjourn.

The motion did not prevail, with 14 ayes, 22 nays and 7 not voting.

Mr. Metzger Presiding

GENERAL FILE

Special Order

LEGISLATIVE BILL 88.

Mr. Holmes offered the following amendments, upon which no action was taken:

1. Amend page 3 of the bill, section 2, by striking lines 4 to 21 and inserting in lieu thereof the following: *"defendant's body fluid at the time alleged as shown by chemical analysis of the defendant's blood, spinal fluid, or urine, shall give rise to the following rebuttable presumptions:*

(1) If there was 0.05 per cent or less by weight of alcohol in the defendant's body fluid, it shall be presumed that the defendant was not under the influence of intoxicating liquor at the time the specimen was obtained.

(2) If there was at that time in excess of 0.05 per cent but less than 0.15 per cent by weight of alcohol in the defendant's body fluid, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

(3) If there was 0.15 per cent or more by weight of alcohol in the defendant's blood, spinal fluid, or urine, it shall be presumed that the defendant was under the influence of intoxicating liquor at the time the specimen was taken.

(4) Alcohol determination of the breath may be accepted in lieu of determinations on blood, spinal fluid, or urine, under the conditions

prescribed by the Department of Health as provided in section 3 of this act.".

2. Amend page 3 of the bill, section 2, line 22, by striking the figure *"(4)"* and inserting in lieu thereof the figure *"(5)"*.

3. Amend page 4 of the bill, by inserting immediately after section 2 a new section to be numbered as section 3, and to read as follows:

"Sec. 3. *Tests to be considered valid under the provisions of section 2 of this act shall have been performed according to methods approved by the Department of Health and by an individual possessing a valid permit issued by such department for this purpose. The department is hereby authorized to approve satisfactory technics or methods and to ascertain the qualifications and competence of individuals to perform such tests and to issue permits which shall be subject to termination or revocation at the discretion of the department.*"

4. Amend the bill by renumbering section 3 as section 4.

5. Amend the title of the bill by striking lines 8 to 11 and inserting in lieu thereof the following: "body fluid at the time alleged as shown by chemical analysis of the defendant's blood, spinal fluid, or urine, in a criminal prosecution; to provide when alcohol determination of the breath may be accepted in lieu of determination on blood, spinal fluid, or urine; to provide that the tests shall be performed according to methods approved by the Department of Health; to provide that the Department of Health shall issue permits to persons qualified to perform such tests; to provide that such permits may be terminated or revoked at the discretion of the Department of Health; and to repeal the original section.".

Adjournment

At 12:10, on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 9, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Forty-sixth Day was approved.

Communications

A letter from the William Lewis Camp No. 2, United Spanish War Veterans, opposing L. B. 338.

A letter from Warren R. Swigart, President of the Omaha Civic Council, regarding contributions from corporations in elections and enclosing a list of contributors in a special election in Omaha. Referred to the Committee on Government.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 426	Thursday, March 17, 1949	2:00 p.m.
L. B. 458	Thursday, March 17, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 394. Placed on General File as amended.

Standing Committee amendments to L. B. 394:

1. Amend page 2 of the bill by inserting after section 1 a new section to be known as section 2, and to read as follows:

"Sec. 2. That section 79-1008, Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1008. Students who shall desire to attend other accredited public high schools within their own county, shall have their tuition paid by the county high school district of their residence on the following conditions: On or before the second Tuesday in June of each year, students, by their parents or guardians, shall make application in writing to the county superintendent setting forth (1) that such students are proficient in the grades below the grade desired in the other accredited high school; and (2) that the student resides with his parents or guardians within the county high school district, that the distance from the residence of the pupil to the county high school is a distance of eight or more miles by the most practicable traveled road, and that he resides nearer the other high school in the county of his residence. Thereupon the county superintendent shall certify to the board of regents of the county high school the amount to be required to be paid as tuition, and the board shall cause the sum arising out of the three tenths of a *one* mill levy, included in the aggregate school tax levy for all general county high school purposes, to be used for the payment of the tuition. At the close of each semester the county superintendent shall cause the board of regents of the county high school district to issue orders against the special levy for the payment of high school tuition, which shall be paid in the order of registration as other school orders are paid; *Provided,* that if the free high school tuition fund of the county high school district shall not be sufficient to pay the full amount of the tuition, then the fund shall be paid pro rata to the district or distributed pro rata among the districts entitled to such funds, as the case may be; *and provided further,* that, in counties having three or more accredited high schools. other than the county high school, the board of regents may cause to be levied not to exceed an additional seven-tenths of one mill, to be used for tuition purposes only, and to pay the tuition of pupils living outside the eight-mile limit and nearer to any other accredited high school, whether within the boundaries or outside the boundaries of said county."

2. Amend page 2 of the bill, old section 2, by striking lines 1 and 2 and inserting in lieu thereof the following: "Sec. 3. That original sections 79-1007 and 79-1008, Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title of the bill, line 2, by striking the word

and figures "section 79-1007" and inserting in lieu thereof "sections 79-1007 and 79-1008".

4. Amend the title of the bill, line 9, by striking the word "section" and inserting in lieu thereof the word "sections".

LEGISLATIVE BILL 336. Placed on General File.
LEGISLATIVE BILL 288. Placed on General File
LEGISLATIVE BILL 264. Placed on General File.

(Signed) Dwight W. Burney, Chairman

Judiciary

LEGISLATIVE BILL 395. Placed on General File as amended.

Standing Committee amendments to L. B. 395:

1. Amend page 2 of the bill, section 1, line 10, by inserting after the word "retail" the word "at", and by inserting after the word "cost" the words "or less than replacement cost, whichever is lower".

2. Amend page 2 of the bill, section 1, line 11, by striking the word "limit" and inserting in lieu thereof the word "state".

LEGISLATIVE BILL 393. Placed on General File.
LEGISLATIVE BILL 508. Placed on General File.
LEGISLATIVE BILL 465. Placed on General File.
LEGISLATIVE BILL 481. Placed on General File.
LEGISLATIVE BILL 238. Indefinitely postponed.
LEGISLATIVE BILL 213. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 139. Indefinitely postponed.
LEGISLATIVE BILL 283. Indefinitely postponed.
LEGISLATIVE BILL 163. Placed on General File as amended.

Standing Committee amendments to L. B. 163:

1. Add a new section, to be numbered 3, reading 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 the law."

2. Amend the title, line 7, by inserting after the word "section" the following: "; and to declare an emergency."

(Signed) Ray A. Babcock, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 105. Placed on General File.
LEGISLATIVE BILL 387. Placed on General File.
LEGISLATIVE BILL 423. Placed on General File.
LEGISLATIVE BILL 440. Placed on General File.

(Signed) William Hern, Chairman

Enrollment and Review

LEGISLATIVE BILL 456. Placed on Select File as amended.

E and R amendments to L. B. 456:

1. In General File Amendment, by Mr. Hoyt, 10th line of original amendment, insert periods before the words "*per cent urea*", similar to the preceding two lines.

2. In the bill title, 6th line, insert "and certain requirements in regard thereto" before the semicolon.

LEGISLATIVE BILL 140. Replaced on Select File as amended.

E and R amendments to L. B. 140:

1. In the bill, section 1, line 7 before ", to", line 8 before "and to", line 10 before the last period, and section 2, line 10, before "and not" insert "*or insurance company*".

2. In Enrollment and Review amendment 2 to the title, line 4 before the comma near the end thereof insert "or insurance company".

LEGISLATIVE BILL 304. Placed on Select File as amended.

E and R amendment to L. B. 304:

1. In the bill title, 10th and 11th lines, strike the following: "at a specified rate" and in lieu thereof insert "as prescribed"; and in line 13, section 1, of the bill, insert a comma after "hospital" as in statutes.

LEGISLATIVE BILL 484. Placed on Select File as amended.

E and R amendments to L. B. 484:

1. In the Standing Committee Amendment, line 4, strike the word "*their*" and insert in lieu thereof the word "*his*".

2. In the Standing Committee Amendment, line 5, strike *"as the county board may determine"* and insert in lieu thereof the following: *"upon receiving the approval thereof by the county board"*.

3. In the bill title, strike the title commencing with the word "shall" in the 6th line to, but not including, the semicolon in the 8th line and insert in lieu thereof "may at his discretion appoint one additional deputy county attorney for such county upon receiving the approval thereof by the county board".

LEGISLATIVE BILL 329. Placed on Select File as amended.

E and R amendment to L. B. 329:

1. In section 1, line 11, strike ", and when" and insert in lieu thereof ". *When*"; line 14, strike ", and such" and insert ". *Such*"; strike commencing with "costs" in line 16 and ending with "heirs" in line 17, and in lieu thereof insert "legacies, devises, and *costs* due *to* heirs, *legatees*,".

LEGISLATIVE BILL 158. Placed on Select File.
LEGISLATIVE BILL 65. Correctly enrolled.
LEGISLATIVE BILL 165. Correctly enrolled.
LEGISLATIVE BILL 230. Correctly enrolled.
LEGISLATIVE BILL 314. Correctly enrolled.
LEGISLATIVE BILL 96. Correctly engrossed.
LEGISLATIVE BILL 258. Correctly engrossed.
LEGISLATIVE BILL 338. Correctly engrossed.
LEGISLATIVE BILL 352. Correctly engrossed.
LEGISLATIVE BILL 362. Correctly engrossed.
LEGISLATIVE BILL 54. Correctly re-engrossed.

(Signed) Glenn Cramer, Chairman

NOTICE OF COMMITTEE HEARING

Public Health and Miscellaneous Subjects

L. B. 526 Tuesday, March 22, 1949 2:00 p.m.

Unanimous Consent—Reset Hearing

Mr. Hern asked unanimous consent to reset the hearing on L. B. 525 from March 17 to March 24, 1949.

Consent was granted and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 150.

A bill for an act to amend section 33-126, Revised Statutes Supplement, 1947, relating to fees and salaries; to provide for specified fees in guardianship proceedings; and to repeal the original section and also section 43-114, 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, 40:

Adams, J.	Callan	Lee	Pizer
Adams, T.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lindgren	Schroeder
Anderson, V.	Cramer	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Cretsinger	Holmes	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 272.

A bill for an act to amend section 17-568, Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to increase the amount of a contract for labor, except personal services, or for materials, work, building, or improvement that may be let without an estimate by the city or village engineer or advertising for bids; 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, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Hanna	Lusienski	Vogel
Babcock	Hern	McKnight	Vogt
Benesch	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Person	Wood
Callan			

Voting in the negative, 1:

Metzger

Not voting, 5:

Bohlke	Davies	Tvrdik	Williams
Cretsinger			

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 repeal sections 77-1716.01 and 77-1716.02, Revised Statutes Supplement, 1947, relating to 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, 30:

Adams, J.	Carmody	Lillibridge	Ogden
Adams, T.	Carson	Lindgren	Pizer
Anderson, L.	Cramer	Lusienski	Schroeder
Anderson, V.	Davies	McKnight	Tvrdik
Babcock	Hanna	Metzger	Wilson, C.
Benesch	Hern	Nelson	Wilson, W.
Bohlke	Holmes	Norman	Wood
Callan	Larkin		

Voting in the negative, 9:

Bridenbaugh	Hill	Lee	Vogt
Burnham	Hoyt	Vogel	Weborg
Cretsinger			

Not voting, 4:

Burney	Person	Prohs	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 350.

A bill for an act to amend section 83-426, Revised Statutes of Nebraska, 1943, relating to state institutions; to increase the amount that shall be given to a convict upon his discharge from the state penitentiary; 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, J.	Carson	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Pizer	Wood
Carmody	Larkin		

Voting in the negative, 3:

Anderson, V.	Burnham	Nelson

Not voting, 2:

Person	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 371.

A bill for an act to amend section 42-318, Revised Statutes Supplement, 1947, relating to husband and wife; to provide that all payments of money under any decree awarding to a wife alimony or support for children shall be made to the clerk of the district court and by him disbursed to the party entitled 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. Tvrdik was excused for one hour.

LEGISLATIVE BILL 155.

A bill for an act to amend section 25-518, Revised Statutes of Nebraska, 1943; to clarify the provisions thereof with respect to contents of affidavit for service by publication; 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, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder

Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Tvrdik	Williams

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 sections 39-762 and 39-762.01, Revised Statutes Supplement, 1947, relating to operation of motor vehicles; to provide the duties of the driver of a motor vehicle involved in any collision; 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, J.	Callan	Hoyt	Ogden
Adams, T.	Carmody	Larkin	Person
Anderson, L.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Norman	Wilson, W.

Voting in the negative, 0.

Not voting, 3:

Tvrdik	Williams	Wood

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 68-215.03, Revised Statutes Supplement, 1947, relating to old age assistance; to change the method of reimbursing the county, state, and United States government with the money recovered by the state or a county with respect to money furnished for old age 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, 39:

Adams, J.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Norman	Wilson, W.
Callan	Hoyt	Ogden	Wood
Carmody	Larkin	Person	

Voting in the negative, 1:

Anderson, L.

Not voting, 3:

Adams, T.	Tvrdik	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 257.

A bill for an act relating to county warrants; to provide any such warrant issued for payment of any assistance grant which is not presented for payment within two years after the date of its issuance shall cease to be an obligation of the county; to provide for charging same off the books of the county treasurer; and to provide that such warrant may be presented to the county board for its consideration and action.

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:

Anderson, L.	Carson	Lee	Person
Anderson, V.	Cramer	Lillibridge	Pizer
Babcock	Cretsinger	Lindgren	Prohs
Bohlke	Davies	Lusienski	Schroeder
Bridenbaugh	Hanna	McKnight	Vogel
Burney	Hern	Metzger	Vogt
Burnham	Hill	Nelson	Weborg
Callan	Holmes	Norman	Wilson, C.
Carmody	Larkin	Ogden	Wilson, W.

Voting in the negative, 4:

Adams, J.	Adams, T.	Benesch	Hoyt

Not voting, 3:

Tvrdik	Williams	Wood

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 to amend section 25-530, Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for service of process upon the administrator or executor of a nonresident deceased person in any action or proceeding arising out of the use or operation of a motor vehicle over or upon the streets or highways within this state resulting in damages or loss to person or property; to provide the manner of such service; 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, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.

Burnham	Hoyt	Ogden	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Tvrdik	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 315. With emergency.

A bill for an act relating to taxation; to supplement the act imposing a tax on sale of cigarettes by imposing a use tax upon the use of cigarettes in this state upon which the sales tax has not been paid; to provide procedure for the collection of such tax; to provide for promulgation of rules and regulations by the Department of Agriculture and Inspection; to provide penalties; and to declare an emergency.

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

Voting in the affirmative, 41:

Adams, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Tvrdik	Williams

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 360. With emergency.

A bill for an act to amend section 25-21,149, Revised Statutes of Nebraska, 1943, relating to procedure in civil actions; to extend to all courts of record in the state the power to enter declaratory judgments; 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, 41:

Adams, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Tvrdik	Williams

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

SELECT FILE

Mr. Metzger Presiding

LEGISLATIVE BILL 95. 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 316. Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 88.

Mr. Holmes made a motion to adopt the amendments found in the Legislative Journal for the Forty-sixth Day.

Mr. J. Adams offered the following amendment to the Holmes' amendments:

1. Amend the Holmes' amendments to L. B. 88, amendment No. 1, by adding a new paragraph to read as follows:

(5) Nothing in this act shall be construed to create a presumption of guilt against any person refusing the test.

2. Amend the title to conform.

Mr. W. Wilson moved to return L. B. 88 to the Committee on Judiciary for further consideration.

Mr. W. Wilson requested a machine vote.

Mr. W. Wilson moved a Call of the House which did not prevail for lack of seconds.

The motion to return to committee did not prevail with 12 ayes, 21 nays and 10 not voting.

Mr. Adams' amendment to the Holmes' amendments was adopted with 22 ayes, 9 nays and 12 not voting.

Mr. Holmes' amendments as amended were adopted with 25 ayes, 6 nays and 12 not voting.

Mr. W. Wilson offered an amendment which was not adopted with 13 ayes, 20 nays and 10 not voting.

Mr. Lusienski asked unanimous consent to have L. B. 88 mimeographed as amended.

Consent was granted and it was so ordered.

Advanced to E and R for review.

Visitors

Mr. T. Adams introduced 70 students and several Sister teachers from Cathedral High School in Lincoln.

Member Excused

Mr. Wood was excused at 10:30 a.m. for the remainder of the morning.

GENERAL FILE

LEGISLATIVE BILL 218.

Mr. Bohlke renewed his motion to indefinitely postpone L. B. 218.

Mr. McKnight moved the previous question.

The President stated the question, "Shall the debate now cease?"

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Mr. Bohlke moved a Call of the House.

A Call of the House was ordered and the roll showed 39 members present.

Mr. Callan moved that the Call be raised and the motion prevailed with 28 ayes, 0 nays and 15 not voting.

Mr. Bohlke's motion to indefinitely postpone did not prevail with 13 ayes, 18 nays and 12 not voting.

Mr. Babcock asked unanimous consent to withdraw his amendments, found in the Legislative Journal for the Thirty-ninth Day.

Consent was granted and it was so ordered.

Mr. Burney offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 1, line 2, by inserting after the word "erect" the words "two sets of".

2. Amend the title of the bill, line 3, by inserting after the word "erect" the words "two sets of".

3. Amend page 2 of the bill, section 1, line 5, by adding the following: "Cost of such scales shall be paid out of the highway funds.".

Advanced to E and R for review.

LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 27. Laid over.
LEGISLATIVE BILL 368. Laid over.
LEGISLATIVE BILL 195. Laid over.

LEGISLATIVE BILL 437. Read and considered.

Mr. Pizer offered the following amendment, which was adopted.

Amend Section 2 of the bill, line 6, by inserting after the word "network" the following: "by one other than such owner, licensee or operator, or agent or employee thereof.".

Advanced to E and R for review.

Member Excused

Mr. Hern was excused for the remainder of the morning.

LEGISLATIVE BILL 271. Read and considered.

Advanced to E and R for review.

Member Excused

Mr. Babcock was excused for the remainder of the morning.

LEGISLATIVE BILL 392. Laid over.
LEGISLATIVE BILL 432. Advanced to E and R for review.
LEGISLATIVE BILL 270. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-first Day were adopted.

Mr. Bohlke offered the following amendment, which was adopted with 15 ayes, 8 nays and 20 not voting.

Amend L. B. 270, page 2, section 1, line 31, by striking the punctuation following the word "unloaded" and inserting the following: "in both barrel and magazine.".

Mr. Bohlke moved to advance L. B. 270 to E and R for review.

Mr. Bohlke moved a Call of the House which did not prevail for lack of seconds.

The motion to advance did not prevail with 14 ayes, 16 nays and 13 not voting.

Mr. Bohlke made a motion to strike the above amendment.

Mr. Carmody offered a substitute motion to indefinitely postpone L. B. 270 which prevailed.

LEGISLATIVE BILL 327. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 217. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-second Day were not adopted.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 217, section 1, line 10, by striking the words "the Aircraft Fuel Tax Fund" and inserting in lieu thereof the words "Auditor Account No. 362.".

Advanced to E and R for review.

Adjournment

At 12:07 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 10, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hern and Williams, who were excused, and Mr. Schroeder, who was excused until 10:30 a.m.

The Journal for the Forty-seventh Day was approved as corrected.

Communications

Letter from the Ft. Kearney Wildlife Club, Inc. favoring the retaining of the amendment on L. B. 184, regarding the fifty dollar leasing permit.

Letter from the Ft. Kearney Wildlife Club, Inc. opposing any diverting of game funds into the general fund of the state.

Approved by the Governor

March 9, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 7, 1949, he approved L. B. 153, that on March 8, 1949, he approved L. B. 311, L. B. 127, L. B. 282, L. B. 175, L. B.

133, L. B. 98, L. B. 148, L. B. 157 and L. B. 244, and that on March 9, 1949, he approved L. B. 125.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 511. Indefinitely postponed.
LEGISLATIVE BILL 406. Placed on General File.

(Signed) Arthur Carmody, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 210. Indefinitely postponed.
LEGISLATIVE BILL 507. Placed on General File as amended.

Standing Committee amendments to L. B. 507:

1. Amend the bill, Section 6, line 6, page 4, by inserting the word *"five"* after the word *"twenty"*, and in the same section line 20 after the word "thereof" strike the period and insert a comma.

2. Amend the bill, Section 12, line 5, page 6, after the word "title" strike the words *"and fifty cents for recording each release of lien"*.

(Signed) N. F. Schroeder, Chairman

Education

LEGISLATIVE BILL 381. Placed on General File as amended.

Standing Committee amendment to L. B. 381:

1. In the bill, amend Section 1 by striking all of the new material in lines 8 through 11 and inserting in lieu thereof ", *nor shall they admit any child into the kindergarten or beginner grade unless such child has reached the age of five years on or before October 15, unless such child has demonstrated through recognized testing procedures approved by the Superintendent of Public Instruction that he is capable of carrying the work of those grades.*"

LEGISLATIVE BILL 198. Indefinitely postponed.

(Signed) Dwight W. Burney, Chairman

Judiciary

LEGISLATIVE BILL 226. Placed on General File.
LEGISLATIVE BILL 247. Placed on General File.
LEGISLATIVE BILL 398. Placed on General File as amended.

Standing Committee amendments to L. B. 398:

1. Amend the bill, section 1, line 8, by inserting after the word "court" and the semicolon the words "in like manner".

2. Amend section 1, line 9, by inserting after the word "adoption" the word "hereafter".

3. Amend section 1, line 9, by striking the word "on".

4. Amend section 1, line 10, by striking the words "or before the effective date of this act,".

5. Amend section 1, line 12, by striking the words "one year" and inserting in lieu thereof the words "two years".

6. Amend section 1, line 12, by striking the words "effective date of this act to".

7. Amend section 1, line 12, by adding after the word "the" the words "entry of such decree of adoption, attacking its validity.".

8. Amend section 1, line 13, by striking the words "set aside or modify such decrees.".

9. Amend the title to conform.

LEGISLATIVE BILL 372. Placed on General File as amended.

Standing Committee amendments to L. B. 372:

1. Amend page 2 of the bill, line 15, by inserting after the word "may" the following: ", *after reasonable notice to the accused* and hearing pursuant thereto,".

2. Amend page 2, line 17, by inserting a period after the word "information" and striking the following words, "which the accused elected not to contest.".

LEGISLATIVE BILL 510. Placed on General File.

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 218. Replaced on Select File as amended.

E and R amendments to L. B. 218:

1. Strike the newly inserted matter in amendment 3 by Mr. Burney and in lieu thereof insert "The cost of such scales shall be paid out of the Highway Cash Fund of the Department of Roads and Irrigation.".

2. In the bill title in the 4th line after the semicolon insert "to provide that the cost of such scales shall be paid out of the Highway Cash Fund of the Department of Roads and Irrigation;".

LEGISLATIVE BILL 376. Placed on Select File as amended.

E and R amendments to L. B. 376:

1. In sections 1 and 2, lines 2 by inserting after "1947," the following: "as amended by section 2, Legislative Bill 420, Sixty-first Session, Nebraska State Legislature, 1949,".

2. In section 1, lines 11 and 12 strike the same commencing with the words "the records" in line 11 to but not including the word "for" in line 12 and in lieu thereof inserting "annually or as often as the auditor deems advisable the records of the director with respect to the money received from the sale of stamps and as revenue from tax meter impressions".

3. In section 1, line 18 strike the word "excepting" and in lieu thereof insert "except"; line 28, strike "Tobacco Tax" and in lieu thereof insert "General".

4. In the bill title, line 3 after "1947," insert "as amended by section 2, Legislative Bill 420, Sixty-first Session, Nebraska State Legislature, 1949,"; line 4 strike the word "and"; also in the same line strike the period and in lieu thereof insert "; and to declare an emergency.".

LEGISLATIVE BILL 278. Placed on Select File as amended.

E and R amendments to L. B. 278:

1. In the Standing Committee Amendment 3, new Sec. 17, line 4 of the original, after "semitrailers" insert a comma.

2. In section 2, line 14, strike "provided" and in lieu thereof insert "*Provided,*".

3. In section 6, line 9, after "possession" insert "is"; in line

22 after "instruments," insert "and"; line 39 strike "provided" and in lieu thereof insert "*Provided,*"; line 43 strike "70%" and in lieu thereof insert "seventy per cent" and line 45 strike "60%" and in lieu thereof insert "sixty per cent".

4. In the bill title, line 4, strike the period and in lieu thereof insert "; and to except from this act motor vehicles, commercial trailers, semitrailers, and cabin trailers as prescribed.".

LEGISLATIVE BILL 32. Correctly enrolled.
LEGISLATIVE BILL 67. Correctly enrolled.
LEGISLATIVE BILL 79. Correctly enrolled.
LEGISLATIVE BILL 134. Correctly enrolled.
LEGISLATIVE BILL 138. Correctly enrolled.
LEGISLATIVE BILL 144. Correctly enrolled.
LEGISLATIVE BILL 308. Correctly enrolled.
LEGISLATIVE BILL 334. Correctly enrolled.
LEGISLATIVE BILL 355. Correctly enrolled.
LEGISLATIVE BILL 356. Correctly enrolled.
LEGISLATIVE BILL 367. Correctly enrolled.
LEGISLATIVE BILL 379. Correctly enrolled.
LEGISLATIVE BILL 420. Correctly enrolled.
LEGISLATIVE BILL 496. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 9, 1949 at 11:15 a.m.

L. B. 4	L. B. 69	L. B. 312
L. B. 40	L. B. 190	L. B. 319
L. B. 68	L. B. 215	

(Signed) Glenn Cramer, Chairman

Member Excused

Mr. Pizer was excused from 9:15 a.m. to 10:00 a.m.

President Signs

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

L. B. 65	L. B. 230	L. B. 314
L. B. 165		

MOTION—Introduce Bill

Mr. President: The Committee on Judiciary on March 9, 1949, upon vote of a majority of its members, moved for the introduction of the attached bill as the Committee's bill, in compliance with Rule 11, Section 3, of the Rules of the Nebraska Legislature. It is moved that the bill be introduced in compliance with said rule. (Signed) John P. McKnight, Chairman, Judiciary Committee

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 530. By John P. McKnight, Chairman, Judiciary Committee.

A bill for an act to amend section 32-1930, Revised Statutes of Nebraska, 1943, relating to elections; to redefine, change, and clarify the penalties imposed for violation of prohibition against political campaign contributions by corporations; to provide that it shall be unlawful for any officer, agent, or servant of any corporation to participate in such violation; to provide the duty of the Attorney General with reference to prosecution of violations of said section; and to repeal the original section.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 5.

A bill for an act to amend section 68-404, Revised Statutes Supplement, 1947, relating to public assistance; to increase the maximum amount that may be paid per month to any person as blind 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, 38:

Adams, J.	Carmody	Lee	Person
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt

Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 5:

Bohlke	Pizer	Schroeder	Williams
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 199.

A bill for an act to amend sections 14-514 and 14-555, Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to remove provisions for the accounting and disbursement of school money by the city treasurer; to eliminate the provision for certification of the school levy by the board of education to the city council; 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, J.	Callan	Lee	Person
Adams, T.	Carmody	Lillibridge	Prohs
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	Lusienski	Vogel
Babcock	Cretsinger	McKnight	Vogt
Benesch	Davies	Metzger	Weborg
Bohlke	Hill	Nelson	Wilson, C.
Bridenbaugh	Holmes	Norman	Wilson, W.
Burney	Hoyt	Ogden	Wood
Burnham	Larkin		

Voting in the negative, 0.

Not voting, 5:

Hanna	Pizer	Schroeder	Williams
Hern			

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 81-884, Revised Statutes Supplement, 1947, relating to the State Real Estate Commission; to change procedure for review of an order of the commission; 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, T.	Cramer	Lee	Person
Anderson, V.	Cretsinger	Lillibridge	Prohs
Benesch	Davies	Lindgren	Tvrdik
Bohlke	Hill	Lusienski	Vogel
Bridenbaugh	Holmes	Metzger	Vogt
Burnham	Hoyt	Norman	Weborg
Callan	Larkin	Ogden	Wilson, C.
Carson			

Voting in the negative, 4:

Adams, J.	Carmody	Hanna	Wilson, W.

Not voting, 10:

Anderson, L.	Hern	Pizer	Williams
Babcock	McKnight	Schroeder	Wood
Burney	Nelson		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 351.

A bill for an act to amend section 28-735, Revised Statutes of Nebraska, 1943, relating to crimes and offenses; to prohibit and prevent the use and availability of benzedrine and marijuana in certain institutions in this state under the prescribed conditions; to make certain acts unlawful; to provide penalties; 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, J.	Callan	Larkin	Person

Adams, T.	Carmody	Lee	Prohs
Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lindgren	Vogel
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	Metzger	Weborg
Bohlke	Hanna	Nelson	Wilson, C.
Bridenbaugh	Hill	Norman	Wilson, W.
Burney	Holmes	Ogden	Wood
Burnham	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Hern	Pizer	Schroeder	Williams
McKnight			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 361.

A bill for an act concerning the enforcement of judgments obtained in another jurisdiction and to make uniform the law with reference thereto.

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, T.	Carmody	Lee	Person
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	McKnight	Vogt
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Pizer	Schroeder	Williams
Hern			

A constitutional majority having voted in the affirmative, the

bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 456. 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 140. 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 304. E and R amendment found in the Legislative Journal for the Forty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 484. E and R amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Laid over.

LEGISLATIVE BILL 329. E and R amendment found in the Legislative Journal for the Forty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 158. Advanced to E and R for engrossment.

MOTION—Place L. B. 111 on General File

Mr. President: I move that L. B. 111 be placed on General File. (Signed) Louis A. Holmes

Mr. McKnight requested a record vote.

Mr. McKnight requested a Call of the House.

A Call of the House was ordered and the roll showed 40 members present.

Mr. Ogden moved that the Call be raised and the motion prevailed with 35 ayes, 1 nay and 7 not voting.

Voting in the affirmative, 13:

Anderson, L.	Carson	Holmes	Metzger
Babcock	Cramer	Lillibridge	Vogt
Bridenbaugh	Hill	McKnight	Wood
Callan			

Voting in the negative, 23:

Adams, J.	Carmody	Lee	Tvrdik
Adams, T.	Cretsinger	Lusienski	Vogel
Anderson, V.	Davies	Norman	Weborg
Benesch	Hanna	Ogden	Wilson, C.
Burney	Hoyt	Pizer	Wilson, W.
Burnham	Larkin	Prohs	

Not voting, 7:

Bohlke	Lindgren	Person	Williams
Hern	Nelson	Schroeder	

Mr. Holmes motion to place L. B. 111 on General File did not prevail.

Visitors

Mr. Tvrdik introduced Mr. Gammon and thirty-six pupils from Omaha South High School.

GENERAL FILE

LEGISLATIVE BILL 1. Considered through Section 77.

Standing Committee Amendments 10 and 11, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Hoyt offered the following amendment to Standing Committee Amendment 12, which was adopted.

Amend Standing Committee Amendment 12 to L. B. 1 by striking the word and punctuation "*third,*" in Subsection 2, in the next to the last line of said amendment.

Standing Committee Amendment 12, as amended, was adopted.

Standing Committee Amendments 13 and 14 were adopted.

Mr. Hoyt offered the following amendment to the bill, which was adopted.

Amend Section 28 of the bill, lines 5 and 6, by striking all of the new material after the word "all" and inserting the following: "*high schools for the collection of free high school tuition money*".

Laid over.

MOTION—Place L. B. 443 on General File

Mr. President: I move that L. B. 443 be placed on General File. (Signed) N. F. Schroeder

After discussion, Mr. Carmody moved the previous question.

The President stated the question, "Shall the debate now cease?"

The motion did not prevail with 12 ayes, 18 nays and 13 not voting.

After discussion, Mr. Bolke moved the previous question.

The President stated the question, "Shall the debate now cease?"

The motion prevailed with 27 ayes, 3 nays and 13 not voting.

Mr. Schroeder requested a record vote.

Mr. Schroeder requested a Call of the House.

A Call of the House was ordered and the roll showed 37 members present.

Mr. Holmes made a motion to raise the Call and the motion did not prevail with 16 ayes, 17 nays and 10 not voting.

Mr. Davies made a motion to raise the Call and the motion did not prevail with 18 ayes, 20 nays and 5 not voting.

Mr. Lusienski made a motion to raise the Call and the motion did not prevail with 16 ayes, 20 nays and 7 not voting.

Mr. Schroeder made a motion to raise the Call and the motion prevailed with 37 ayes, 1 nay and 5 not voting.

Voting in the affirmative, 22:

Anderson, L.	Carmody	Hoyt	Schroeder
Babcock	Carson	Lillibridge	Vogt
Bridenbaugh	Cramer	Lindgren	Weborg
Burney	Cretsinger	Nelson	Wilson, W.
Burnham	Hanna	Person	Wood
Callan	Hill		

Voting in the negative, 16:

Adams, J.	Bohlke	Lee	Prohs
Adams, T.	Davies	Lusienski	Tvrdik
Anderson, V.	Holmes	Norman	Vogel
Benesch	Larkin	Ogden	Wilson, C.

Not voting, 5:

Hern	Metzger	Pizer	Williams
McKnight			

The motion to place L. B. 443 on General File prevailed with 22 ayes, 16 nays and 5 not voting.

Members Excused

Messrs. Norman, Metzger and Vogel were excused for Friday, March 11, 1949. Mr. McKnight was excused for one hour Friday morning.

Visitor

Mr. Person introduced Mr. William Putney, a former member of the Legislature.

STANDING COMMITTEE REPORT

Agriculutre

LEGISLATIVE BILL 430. Placed on General File as amended.

Standing Committee amendments to L. B. 430:

1. Amend page 4 of the bill, section 2, lines 36 to 40, by reinstating the stricken matter starting with the word "All" in line 36.

2. Amend pages 5 and 6 of the bill by striking all of section 5 and section 9; renumber the sections and amend the title to conform.

(Signed) Ed. Hoyt, Chairman

Adjournment

At 12:40 p.m., on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 11, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, Burnham, Hern, Metzger, Norman and Vogel, who were excused and Mr. McKnight, who was excused for one hour.

The Journal for the Forty-eighth Day was approved.

Communications

A letter from the Harris Fraley Post No. 131 of the Veterans of Foreign Wars, opposing L. B. 338.

Approved by the Governor

March 10, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 9, 1949, he approved L. B. 131, L. B. 319, L. B. 215, and L. B. 40.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

President Signs

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

L. B. 496	L. B. 355	L. B. 134
L. B. 420	L. B. 334	L. B. 79
L. B. 379	L. B. 308	L. B. 67
L. B. 367	L. B. 144	L. B. 32
L. B. 356	L. B. 138	

Member Excused

Mr. W. Wilson was excused for Monday and Tuesday, March 14 and 15, 1949.

Appreciation

Mr. Williams expressed his appreciation for all the kindnesses shown him during his illness. He stated that he would have to return to the hospital for further treatment.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 454. Placed on General File.

(Signed) Hugh Carson, Vice-chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 301. Placed on General File.
LEGISLATIVE BILL 119. Placed on General File.
LEGISLATIVE BILL 302. Placed on General File.

(Signed) Ray Babcock, Chairman

Revenue and Taxation

LEGISLATIVE BILL 307. Placed on General File as amended.

Standing Committee Amendments to L. B. 307:

1. Amend page 2 of the bill by adding a new section, to be numbered 3, reading as follows:

"Sec. 3. That section 77-2106, Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-2106. All the proceeds from the levy and imposition of this

estate or excise tax herein provided for shall be credited to the State Assistance Fund of the State of Nebraska. *paid to the Tax Commissioner, who shall deposit same with the State Treasurer in a separate trust fund from which refund of any overpayment thereof can be made. When the final determination of the amount of the estate tax due to the United States has been made and the amount due the State of Nebraska has been thereby finally ascertained, refund of any overpayment shall be made and the balance shall be paid and transferred to the General Fund of the State of Nebraska.*".

2. Renumber present sections 3, 4, 5, 6, and 7, as sections 4, 5, 6, 7, and 8, respectively.

3. Amend present section 6, renumbered section 7, by striking the word "section" and inserting in lieu thereof "sections 77-2106 and".

4. Amend the title of the bill, line 4, by inserting after the punctuation the following: "to provide for holding of payments of such estate taxes in a separate trust fund until the amount of tax has been finally ascertained, and after refund of any overpayment, payment and transfer of balance to the General Fund;".

5. Amend the title, line 7, by striking the word "section" and inserting in lieu thereof the following: "sections 77-2106 and".

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 432. Placed on Select File as amended.

E and R amendments to L. B. 432:

1. In the bill, section 1, line 9, strike "time" and in lieu thereof insert " *the number of days*".

2. In the bill, section 2, line 11, strike "*time*" and in lieu thereof insert "*the number of days*".

LEGISLATIVE BILL 147. Placed on Select File as amended.

E and R amendments to L. B. 147:

1. In the Standing Committee Amendment 1 to the bill, newly inserted section 1, line 10, of the original, after the word "restrictions" insert a comma; line 11 strike "however,"; line 19, strike the word "*further*"; line 26, strike "*on such occasions*" and in lieu thereof insert ", *with respect to matters he is unable to hear because of such volume of court work,*".

2. In section 2, as shown in the Standing Committee Amendment 2, line 1 insert a comma after the figures "1947"; also in line 20 thereof, as shown by original amendment, after "1602".

3. In new sections 3 and 4, line 1 insert a period after section numbers in original; new section 3, insert comma after "24-507.01".

4. In the bill, title, as amended, line 7 after "hearing;" insert "to provide for assignment of cases by the county judge for hearing by the acting county judge as prescribed;"; and line 9, after the word "inhabitants" insert a semicolon.

LEGISLATIVE BILL 271. Placed on Select File as amended.

E and R amendment to L. B. 271:

1. In the bill, section 1, line 6, after *"posting"* insert *"a notice thereof"*; strike the comma after the word "house", in line 10.

LEGISLATIVE BILL 303. Placed on Select File as amended.

E and R amendments to L. B. 303:

1. Strike the comma in section 1, line 8, after the word "building"; section 2, line 6, after the word "house"; section 2, line 8 after the word "restaurant".

2. In section 2, lines 4 and 5, strike "or restaurant, or both, a" and in lieu thereof insert ", restaurant, *hotel and restaurant*,".

3. In section 9, line 24, strike "; *Provided,* however, that the" and in lieu thereof insert ". *The*"; lines 30 and 31, strike commencing with the semicolon in line 30 to and including the word "such" in line 31 and in lieu thereof insert ". *Such*"; strike all of line 39 and in lieu thereof insert "vants. *Whenever* any person"; line 31 insert "," after the word "merchandise".

4. In section 10, line 5, strike the word "and"; line 7 strike the word "which" and in lieu thereof insert *"that"*; line 10 strike ", shall" and in lieu thereof insert "shall *(1)*"; line 11 strike "; and shall" and in lieu thereof insert ", *(2)*"; line 12 strike the word "shall" and in lieu thereof insert *"(3)"*.

5. In sections 12, 13, and 14, line 3 strike all commas in each of said lines.

6. In section 15, line 9 strike the word "and".

7. In section 17, line 15 strike "a" and in lieu thereof insert *"his"*.

8. In section 18, line 6, strike "of such" and in lieu thereof insert *"thereof"*.

9. In the bill title, line 9 strike "as amended" and in lieu thereof insert "amendments thereto".

LEGISLATIVE BILL 364. Placed on Select File as amended.

E and R amendments to L. B. 364:

1. In the bill, section 1, lines 27 and 30, after the word "game" insert a comma.

2. In the bill, section 3, line 7, after the word "state" insert *"(1)"*; line 7, strike "and shall set forth" and in lieu thereof insert *"(2)"*; line 12, after the first word "and" insert *"(3)"*; line 18, strike the comma after the word "required".

3. In the bill, section 4, line 3, strike the word "or"; and at the end of line 7, insert "permit", as in the statutes.

LEGISLATIVE BILL 95. Correctly engrossed.
LEGISLATIVE BILL 316. Correctly engrossed.
LEGISLATIVE BILL 177. Correctly re-engrossed.
LEGISLATIVE BILL 225. Correctly enrolled.
LEGISLATIVE BILL 256. Correctly enrolled.
LEGISLATIVE BILL 257. Correctly enrolled.
LEGISLATIVE BILL 276. Correctly enrolled.
LEGISLATIVE BILL 315. Correctly enrolled.
LEGISLATIVE BILL 360. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Bill Referred to Standing Committee

L. B.	Committee
530	Judiciary

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 79-2708, 79-2710, and 79-2716, Revised Statutes of Nebraska, 1943, and sections 79-2722 and 79-2743, Revised Statutes Supplement, 1947, relating to schools in metropolitan cities; to provide for filling vacancies on the board of

education; to provide for election of officers and employees prior to April 1 and for contracts with such officers and employees; to eliminate the election of superintendent of buildings; to permit the accounting and disbursement of school money in the hands of the county treasurer as ex officio treasurer of the school district, directly to the board of education; to permit certification of school taxes directly to the county clerk; to provide that the county board of equalization is authorized, directed, and required to levy and collect the number of mills of taxes as prescribed; to provide for refunding teachers' excess contributions to the pension fund to a designated beneficiary in case of death; 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, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Hern	Metzger	Vogel
Burnham	McKnight	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 333.

A bill for an act to amend section 30-807, Revised Statutes of Nebraska, 1943, relating to decedents' estates; to include guardians duly appointed in any other state or county with others who may commence and prosecute any action or suit in any court in this state except as provided in this section; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Adams, J.	Carmody	Larkin	Schroeder
Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lindgren	Vogt
Babcock	Cretsinger	Lusienski	Weborg
Benesch	Davies	Nelson	Williams
Bohlke	Hanna	Ogden	Wilson, C.
Bridenbaugh	Hill	Person	Wilson, W.
Burney	Holmes	Pizer	Wood
Callan	Hoyt	Prohs	

Voting in the negative, 0.

Not voting, 8:

Adams, T.	Hern	McKnight	Norman
Burnham	Lee	Metzger	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 348. With emergency.

A bill for an act to amend section 83-450, Revised Statutes of Nebraska, 1943; to permit the Board of Control to grant to certain prisoners a diminution of time from their sentences according to general rules to be prescribed by such board; 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, J.	Carmody	Larkin	Schroeder
Anderson, L.	Carson	Lee	Tvrdik
Anderson, V.	Cramer	Lillibridge	Vogt
Babcock	Cretsinger	Lindgren	Weborg
Benesch	Davies	Lusienski	Williams
Bohlke	Hanna	Ogden	Wilson, C.
Bridenbaugh	Hill	Person	Wilson, W.
Burney	Holmes	Pizer	Wood
Callan	Hoyt	Prohs	

Voting in the negative, 0.

Not voting, 8:

Adams, T.	Hern	Metzger	Norman
Burnham	McKnight	Nelson	Vogel

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 397.

A bill for an act to amend section 25-1635, Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to permit officials having access to records of the names of persons drawn to serve as grand or petit jurors to disclose to other officials in the performance of their duties the names so drawn; 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, J.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	Nelson	Weborg
Bohlke	Hill	Ogden	Williams
Bridenbaugh	Holmes	Person	Wilson, C.
Burney	Hoyt	Pizer	Wilson, W.
Callan	Larkin	Prohs	Wood
Carmody	Lee		

Voting in the negative, 1:

Hanna

Not voting, 8:

Adams, T.	Burnham	McKnight	Norman
Anderson, L.	Hern	Metzger	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 239. With emergency.

A bill for an act to amend section 21-1107, Revised Statutes of Nebraska, 1943, relating to Fontenelle Forest Association; to pro-

vide that such association may by a two-thirds vote of its members exchange any part of its property for any property adjacent to the land owned by it when it is deemed more advantageous to the members thereof; 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, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Hern	Metzger	Vogel
Burnham	McKnight	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 284.

A bill for an act relating to county hospitals for the mentally ill; to provide for the payment of the expense of the care of a mentally ill person in such a hospital by his estate, spouse, child, or parent 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, 36:

Adams, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt

Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Hern	Metzger	Vogel
Burnham	McKnight	Norman	

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 section 83-401, Revised Statutes of Nebraska, 1943, relating to state institutions; to restate who are officers of the state penitentiary; 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, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Hern	Metzger	Vogel
Burnham	McKnight	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 today, I would have voted

"aye" on the following bills: L. B. 211, L. B. 333, L. B. 348, L. B. 397, L. B. 239, L. B. 284, L. B. 349. (Signed) William A. Metzger

MOTION—Suspend Rules, Final Reading

Mr. President: I move that the rules be suspended and Legislative Bills 96, 258, 338, 352, 362 and 54 be considered today on Final Reading. (Signed) Charles F. Tvrdik

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

LEGISLATIVE BILL 96.

A bill for an act relating to public health and welfare; to provide for the creation in the Department of Health of a Division of Dental Health; to prescribe the powers and duties of such department in connection therewith; and to provide for a Chief of the Division of Dental Health and to prescribe his qualifications, duties and salary.

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:

Anderson, L.	Cramer	Lee	Prohs
Anderson, V.	Cretsinger	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Vogt
Bohlke	Hanna	Lusienski	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Carmody	Hoyt	Pizer	Wood
Carson	Larkin		

Voting in the negative, 4:

Adams, J.	Babcock	Schroeder	Weborg

Not voting, 9:

Adams, T.	Hern	Metzger	Norman
Burnham	McKnight	Nelson	Vogel
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 258.

A bill for an act to amend section 21-608, Revised Statutes of Nebraska, 1943, relating to charitable and fraternal societies; to include The Marine Corps League in the societies declared to be corporations; to provide such society shall be capable of suing and being sued, of pleading and being impleaded in the several courts of this state, the same as natural persons; 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, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lee	Schroeder
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogt
Benesch	Davies	Lusienski	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Hern	Metzger	Vogel
Burnham	McKnight	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 338. With emergency.

A bill for an act to amend section 28-937, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to prohibit horse racing, ball playing, or any game of sport before noon on May 30, known as Decoration Day; to provide penalties; 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, 30:

Adams, J.	Carson	Lee	Tvrdik
Anderson, L.	Cretsinger	Lillibridge	Vogt

Babcock	Davies	Lusienski	Weborg
Benesch	Hanna	Ogden	Williams
Bohlke	Hill	Pizer	Wilson, C.
Bridenbaugh	Holmes	Prohs	Wilson, W.
Burney	Hoyt	Schroeder	Wood
Callan	Larkin		

Voting in the negative, 5:

Anderson, V.	Cramer	Lindgren	Person
Carmody			

Not voting, 8:

Adams, T.	Hern	Metzger	Norman
Burnham	McKnight	Nelson	Vogel

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 352. With emergency.

A bill for an act to amend section 83-412, Revised Statutes Supplement, 1947, relating to state institutions; to remove the provision reducing the salary of the warden of the State Penitentiary commencing March 1, 1949; to eliminate matron from the officers of the penitentiary whose salaries are fixed 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, 34:

Adams, J.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogt
Benesch	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Callan	Hoyt	Pizer	Wilson, W.
Carmody	Larkin	Prohs	Wood
Carson	Lee		

Voting in the negative, 0.

Not voting, 9:

Adams, T.	Burnham	McKnight	Norman
Babcock	Hern	Metzger	Vogel
Bohlke			

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 362.

A bill for an act concerning the recognition of a divorce obtained in another jurisdiction and to make uniform the law with reference thereto.

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:

Anderson, L.	Carmody	Lillibridge	Prohs
Anderson, V.	Carson	Lindgren	Vogt
Benesch	Cramer	Lusienski	Williams
Bohlke	Hanna	Nelson	Wilson, C.
Bridenbaugh	Hill	Ogden	Wilson, W.
Burney	Holmes	Person	Wood
Callan	Lee	Pizer	

Voting in the negative, 5:

Adams, J.	Hoyt	Schroeder	Weborg
Cretsinger			

Not voting, 11:

Adams, T.	Davies	McKnight	Tvrdik
Babcock	Hern	Metzger	Vogel
Burnham	Larkin	Norman	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 54. Laid over.

SELECT FILE

LEGISLATIVE BILL 218. Laid over.

LEGISLATIVE BILL 376. 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 278. 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 241. Advanced to E and R for engrossment.

Mr. Hanna Presiding

GENERAL FILE

LEGISLATIVE BILL 1. Considered through Section 94.

Standing Committee amendments 15, 16, 17, 18, 19 and 20 found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Cramer asked unanimous consent to dispense with the reading of the remainder of the bill and allow the introducer to explain the bill.

Mr. L. Anderson offered objection.

Laid over.

Visitors

Mr. Hanna introduced Mr. James C. Quigley, of Valentine, Nebraska, the Democratic National Committeeman of Nebraska, who spoke a few words to the Legislature.

Mr. Holmes introduced Mrs. Edna Basten Donald, of Grand Island, Nebraska, who is the Republican National Committeewoman.

LEGISLATIVE BILL 27. Laid over.
LEGISLATIVE BILL 368. 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.

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 392. Laid over.

Unanimous Consent—Place at Top of General File

Mr. Williams asked unanimous consent to place L. B. 380 at the top of General File for consideration today.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 380. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Lee introduced Miss Viola Marvin and thirteen students from Wabash Grade School, Wabash, Nebraska.

Mr. Callan introduced Mrs. R. W. Leach and sixteen students from Pickrell High School, Pickrell, Nebraska.

LEGISLATIVE BILL 354. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 353. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 345. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 339. Considered.

Standing Committee amendment found in the Legislative Journal for the Forty-second Day was not adopted.

Mr. Wood offered the following amendments, which were adopted.

1. In the bill, section 1, strike commencing with the comma in line 31 to and including the word "shall" in line 40 and in lieu thereof insert the following: *"; Provided, that on Sundays, holidays, or if the physician who last attended the deceased be absent from his office and for other reasons over which the undertaker seeking removal of the body has no control, twenty-four hours of grace will be granted and the body may be temporarily removed for the period mentioned above pending the completion of the death certificate. If it is impossible to complete the certificate of death and secure a removal permit within the period of time prescribed above, the funeral director shall notify the coroner and registrar in the county where death oc-*

curred and obtain their written approval before any disposal of the remains can be made. Except as otherwise provided, the county registrar shall, upon receipt of a *death* certificate properly and completely filled out,".

2. In section 1, line 30, and in the title line 7, strike "locality" and insert "county".

3. Amend the title to conform.

Advanced to E and R for review.

Invitation

An invitation was extended to the members from the Milford Business Men to a dinner on March 17, 1949 at 6:30 p.m. in Milford. Transportation will be provided.

Members Excused

Messrs. Bohlke and Cretsinger were excused for Monday, March 14.

Adjournment

At 11:55 a.m., Mr. Vogt moved to suspend the rules and adjourn until 10:00 a.m., Monday, March 14, 1949.

The motion prevailed with 31 ayes, 1 nay and 11 not voting.

Hugo F. Srb

Clerk of the Legislature

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 14, 1949

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

Prayer was offered by Rabbi Kestenbaum of Lincoln, Nebraska.

The roll was called and all members were present except Messrs. Bohlke, Vogt and W. Wilson, who were excused.

The Journal for the Forty-ninth Day was approved.

Communications

Petition bearing twelve signatures from the members of the Atkinson Iris Society requesting support of the resolution designating Route 75 through Nebraska as part of the Blue Star Memorial Highway.

Approved by the Governor

March 12, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 9, 1949, he approved L. B. 287, and that on March 10, 1949, he approved L. B. 190, L. B. 23, L. B. 342, L. B.160, L. B. 366, L. B. 299, L. B. 141, L. B. 223 and L. B. 312.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 530	Monday, March 21, 1949	2:00 p.m.

Education

L. B. 405	Monday, March 28, 1949	2:00 p.m.
L. B. 504	Monday, March 28, 1949	2:00 p.m.
L. B. 413	Tuesday, March 29, 1949	2:00 p.m.
L. B. 414	Tuesday, March 29, 1949	2:00 p.m.
L. B. 363	Tuesday, March 29, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 267. Placed on General File as amended.

Standing Committee amendments to L. B. 267:

1. Amend the bill, Page 4, Section 4, Line 16, by adding a new sentence to read as follows: "No lands included within any municipal corporation shall be included in any sanitary and improvement district, and no tract of twenty acres or more which is outside any municipal corporation and is used primarily for industrial purposes shall be included in any sanitary and improvement district organized under this act without the written consent of the owner of such tract.".

2. Amend page 19 of the bill, Section 35, by inserting immediately after Line 40 a new paragraph to read as follows: "No lands included within any municipal corporation shall be included in any sanitary and improvement district, and no tract of twenty acres or more which is outside any municipal corporation and is used primarily for industrial purposes shall be included in any sanitary and improvement district organized under this act without the written consent of the owner of such tract."

LEGISLATIVE BILL 310. Placed on General File.
LEGISLATIVE BILL 268. Placed on General File.
LEGISLATIVE BILL 255. Indefinitely postponed.

(Signed) Otto J. Prohs, Chairman

Government

LEGISLATIVE BILL 320. Placed on General File as amended.

Standing Committee Amendments to L. B. 320:

Amend page 4 of the bill, by striking section 3 and inserting in lieu thereof the following:

Sec. 3. *All County officers and county employees shall be selected and hold their positions as provided in sections 1 to 7 of this act with the following exceptions: (1) All officers elected by the people; (2) Incumbents of positions which by law are required to be filled by appointment by the county board; (3) Courts, election and jury commissioners and their staffs; (4) One deputy or assistant for each elective executive officer; (5) One deputy or assistant for each judge of a court of record and the county probate court; (6) Temporary assistant assessors; (7) Juvenile officers who are appointed by the court; (8) Probation officers who are appointed by the court; (9) Coroner's physician; (10) Coroner; (11) County social worker and staff; (12) All deputy county attorneys and the chief clerk in the county attorney's office; and (13) Such positions in addition to those named herein as may be excepted from the provisions of this act by rules and regulations of the personnel board adopted by unanimous vote of the members and with approval of the same by the county board.*

Amend page 8 of the bill by striking section 8 therefrom and inserting in lieu thereof ten new sections to be known as sections 8 to 17 and to read as follows:

Sec. 8. That section 23-1308, Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1308. In all counties in the State of Nebraska having twenty-five thousand inhabitants or over, the county clerk shall be supplied by the county board, *subject to the provisions of the merit system law in effect in such county*, with the help necessary for the use of such office, said clerks or help to be paid in the manner hereinafter provided.

Sec. 9. That section 23-1403, Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1403. The county comptroller shall perform such other duties as may be required by law. The comptroller shall keep a record of all claims filed against the county, and the claims themselves he shall keep on file in his office. The county comptroller is hereby authorized and empowered to appoint, *subject to the provisions of the merit system law in effect in such county*, the necessary help to be paid by the county, but for whose acts and doings said comptroller shall be responsible. During his absence or disability to act as said comptroller, his deputy is hereby authorized to do and perform any and all acts that might be *done and performed* by such comptroller himself be done and performed if present.

Sec. 10. That section 23-1901, Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1901. It shall be the duty of the county surveyor to make all surveys within his county that he may be called upon to make and record the same as hereinafter provided. In all surveys made by him, the county surveyor must distinguish between original, subdivision, and retracement work. In all retracement and subdivision surveys, the unit of measure must be that adopted in the original work. In all counties having a population of fifty thousand inhabitants or more, the county surveyor shall be ex officio county engineer and it shall be his duty to prepare all plans, specifications, and detail drawings for the use of the county in advertising and letting all contracts for the building and reparation of bridges, culverts, and all public improvements upon the roads. It shall be his duty to make estimates of the cost of all such contemplated public improvements, and to make estimates of all material required for such public improvements, and to inspect the material and to have the same measured and ascertained, and report to the county board whether the same is in accordance with their requirements. It shall be his duty to superintend the construction of all such public improvements, and inspect and require that the same shall be done according to contract. It shall be his duty to make estimates of the cost of all labor and material which shall be necessary for the construction of all bridges and improvements upon public highways, to inspect all of the work and materials placed in any such public improvements and to make a report in writing to the county board with his statement in regard to whether the same comply with the plans, specifications, and detail drawings of the county board prepared for such work or improvements and under which the contract was let. Where the county board proceeds to purchase materials and hire the labor to construct or repair bridges and culverts and approaches thereto or to make improvements upon the public roads, he shall have charge and general supervision of such work or improvements, and shall inspect all materials, and direct the work, and make a report of each several piece of work to the county board. The county engineer or surveyor shall also have such other and further powers as are necessarily incident to the general powers herein granted, *subject to the provisions of the merit system law in effect in such county.* The county surveyor shall prepare and file the required annual inventory statement of county personal property in his custody or possession, as provided in sections 23-346 to 23-350.

Sec. 11. That section 33-115, Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-115. All deputies, clerks, and assistants provided for in this

act shall in all cases be appointed, *subject to the provisions of the merit system law in effect in such county,* by the incumbent of the office in which the service of such deputies, clerks, and assistants, respectively, shall be rendered.

Sec. 12. That section 33-118, Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-118. The county board shall furnish the sheriff with such deputies as it shall deem necessary, *subject to the provisions of the merit system law in effect in such county,* and fix the compensation of such deputy, *or deputies,* who shall be paid by warrant drawn on the general fund.

Sec. 13. That section 33-127, Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-127. Every county judge shall have a clerk and such assistants to be appointed by him, *subject to the provisions of the merit system law in effect in such county,* as the county board shall deem necessary.

Sec. 14. That section 84-804, Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-804. The sheriff may appoint, *subject to the provisions of the merit system law in effect in such county,* such number of deputies as he sees fit; *Provided,* that no deputy shall act as constable while deputy sheriff.

Sec. 15. *This act shall not become operative in any county, until it has been determined by the county board, by resolution in the exercise of its discretion, that it is expedient and that the efficiency of the county government would be improved thereby; Provided, in the event the county board fails to adopt such resolution, then upon presentation of a petition to the county board, not less than sixty days before any general election, signed by at least five per cent of the electors of the county, and praying that the question of having a county employees merit system in said county be submitted to the electors therein, the county board shall order the submission of the question to the qualified voters of the county at the next general election. The form of submission upon the ballot shall be as follows: "For a county employees merit system," "Against a county employees merit system." If a majority of the votes cast on the question shall be for a county employees merit system, the county board shall, within thirty days following the date of such election, take action as herein provided.*

Sec. 16. If any section, sentence, clause, phrase, or require-

ment of this act is held unconstitutional, such decision will not effect the validity of the remaining portions.

Sec. 17. That original sections 23-1308, 23-1403, 33-115, 33-118, 33-127, 84-804, and 23-1901, Revised Statutes of Nebraska, 1943, are repealed.

Amend the title to read as follows:

A BILL FOR AN ACT to provide that counties having a population of two hundred thousand inhabitants or more shall at their option as prescribed have a county employees merit system as in this act provided; to define terms; to provide for the creation of a county personnel board; to provide for the appointment of a county personnel director; to prescribe what employees are or will be subject to this act; to authorize the county board to make rules and regulations to classify positions; to study and prepare compensation schedules, conduct examinations, prepare original entrance and promotion lists and to make certification therefrom, hold hearings, and make reinstatements; 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 for a levy to administer this act; to amend sections 23-1308, 23-1403, 23-1901, 33-115, 33-118, 33-127, and 84-804, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 499. Placed on General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 327. Placed on Select File as amended.

E and R amendments to L. B. 327:

1. In section 2, line 20, strike the word "for"; strike commencing with the comma before the word "and" in line 22 and all of line 23 and in lieu thereof insert "and *reported* by the commissioners to the county judge within sixty days".

2. In section 3, line 5, strike the word "*as*" and in lieu thereof insert "*to be*".

LEGISLATIVE BILL 217. Placed on Select File as amended.

E and R amendment to L. B. 217:

1. In General File Amendment to the bill, section 1, line 3, strike the period before the quotes.

LEGISLATIVE BILL 101. Placed on Select File as amended.

E and R amendments to substitute bill 101:

1. In the bill, section 2, line 6, after the word "except" insert *"(1)"*; line 7 strike "except" and in lieu thereof insert *"(2)"*.

2. In the bill, section 3, line 6, after the word "transmitted" and "prepaid" insert commas; line 19 strike "and"; lines 20 and 21, strike "attorneys statements and affidavits" and in lieu thereof insert *"attorney, statement, or affidavit"*; and line 31, after the word "title" insert a comma.

3. Strike the quotation marks and show as stricken matter in lines 6, 11, 13, 15, 19 and 21, section 4; and lines 15 and 16 in section 9 and lines 6, 13, 14, 16, 24, 25, 31 and 41 in section 10.

4. In the bill, section 4, line 8, strike "excepting, however," and in lieu thereof insert *"except"*; line 21, after the semicolon insert *"and"*.

5. In the bill, section 5, line 2, after "Nebraska" insert a comma; line 7, strike ", or" and in lieu thereof insert "or,"; line 19, after the word "body" insert a comma; line 26, strike *"such"* and in lieu thereof insert *"the same"*.

6. In the bill, section 9, line 6, after the word "trailers" insert *"(1)"*; line 8, strike "and that trailers" and in lieu thereof insert *"(2)"*; lines 12 and 13, strike *"that trailers"* and in lieu thereof insert *"(3)"*; line 15, strike ", *and* that such" and in lieu thereof insert ". *Such*".

7. In the bill, section 10, lines 7 and 8, strike "excepting, however," and in lieu thereof insert *"except"*; line 17 strike "or"; line 18 strike "and" and in lieu thereof insert *"or"*; line 40 after "communications;" insert *"and"*.

8. In the bill, section 11, line 8, strike "or her"; line 27 strike "and if" and in lieu thereof insert ". *If*" and line 30 strike "however".

9. In the bill, section 12, line 2 after "1947" insert a comma; line 11, after *"request"* insert a comma.

10. In the bill title, 6th line, insert a semicolon after "vehicles"; 15th line, insert the word "and" after the semicolon; and the last line, strike "1497" and in lieu thereof insert "1947".

11. In the bill, section 11, line 29, strike the comma at the end of the line.

LEGISLATIVE BILL 158. Correctly engrossed.
LEGISLATIVE BILL 304. Correctly engrossed.
LEGISLATIVE BILL 329. Correctly engrossed.
LEGISLATIVE BILL 140. Correctly re-engrossed.
LEGISLATIVE BILL 5. Correctly enrolled.
LEGISLATIVE BILL 96. Correctly enrolled.
LEGISLATIVE BILL 150. Correctly enrolled.
LEGISLATIVE BILL 155. Correctly enrolled.
LEGISLATIVE BILL 199. Correctly enrolled.
LEGISLATIVE BILL 211. Correctly enrolled.
LEGISLATIVE BILL 235. Correctly enrolled.
LEGISLATIVE BILL 239. Correctly enrolled.
LEGISLATIVE BILL 258. Correctly enrolled.
LEGISLATIVE BILL 272. Correctly enrolled.
LEGISLATIVE BILL 284. Correctly enrolled.
LEGISLATIVE BILL 290. Correctly enrolled.
LEGISLATIVE BILL 333. Correctly enrolled.
LEGISLATIVE BILL 338. Correctly enrolled.
LEGISLATIVE BILL 348. Correctly enrolled.
LEGISLATIVE BILL 349. Correctly enrolled.
LEGISLATIVE BILL 350. Correctly enrolled.
LEGISLATIVE BILL 351. Correctly enrolled.
LEGISLATIVE BILL 352. Correctly enrolled.
LEGISLATIVE BILL 361. Correctly enrolled.
LEGISLATIVE BILL 362. Correctly enrolled.
LEGISLATIVE BILL 371. Correctly enrolled.
LEGISLATIVE BILL 397. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 11, 1949, at 3:00 p.m.

L. B. 32	L. B. 308	L. B. 420
L. B. 67	L. B. 334	L. B. 496
L. B. 79	L. B. 355	L. B. 314
L. B. 134	L. B. 356	L. B. 65
L. B. 138	L. B. 367	L. B. 165
L. B. 144	L. B. 379	L. B. 230

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 5	L. B. 257	L. B. 349
L. B. 96	L. B. 258	L. B. 350
L. B. 150	L. B. 272	L. B. 351
L. B. 155	L. B. 276	L. B. 352
L. B. 199	L. B. 284	L. B. 360
L. B. 211	L. B. 290	L. B. 361
L. B. 225	L. B. 315	L. B. 362
L. B. 235	L. B. 333	L. B. 371
L. B. 239	L. B. 338	L. B. 397
L. B. 256	L. B. 348	

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 54. With emergency.

A bill for an act relating to withholding money from wages and salaries of public employees; to provide for the payment of premiums or the payment of dues to an employees' association for the prescribed insurance by deduction from wages or salaries of such employees; to prescribe the manner of making an order for such withholding and revocation thereof; to authorize payment of amounts withheld to insurance companies issuing such group, franchise, or wholesale insurance policies, or to an employees' association; to provide that the employer shall not contribute any money thereto except as prescribed; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 3:

Bohlke Vogt Wilson, W.

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 218. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Cramer offered the following amendments, which were adopted by unanimous consent.

1. Section 1, line 2, strike "along any" and in lieu thereof insert: ". Each of the same shall be located near or adjacent to a".

2. In the bill title, line 3 strike "along any", and in lieu thereof insert "; to provide that each of the same shall be located near or adjacent to a".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 432. 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 147. 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 271. E and R amendment found in the Legislative Journal for the Forty-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 303. 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 364. 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 39.

Mr. Victor Anderson asked unanimous consent to strike the Lester H. Anderson amendment found in the Legislative Journal for the Thirty-sixth Day.

Mr. L. Anderson offered objection and consent was not granted.

Mr. V. Anderson moved to return L. B. 39 to General File for the purpose of striking the L. Anderson amendment.

The motion prevailed with 25 ayes, 0 nays and 18 not voting.

MOTION—Place L. B. 213 on General File

Mr. President: I move that L. B. 213 be placed on General File. (Signed) Hugh Carson

The motion prevailed with 26 ayes, 8 nays and 9 not voting.

Speaker Lee Presiding

MOTION—Place L. B. 210 on General File

Mr. President: I move that L. B. 210 be placed on General File. (Signed) John Adams, Sr.

The motion did not prevail with 12 ayes, 16 nays and 15 not voting.

Unanimous Consent—L. B. 456 to Select File

Mr. Hoyt asked unanimous consent to return L. B. 456 to Select File for the following specific amendment:

Amend the Hoyt amendment, adopted on March 4, 1949, to L. B. 456 by inserting in Line 5 the words "and equivalent" between the words "Protein" and "not" and strike the words "which supplies" in Line 7.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 456.

Mr. Hoyt's amendment to the Hoyt amendment of March 4, 1949 was adopted by unanimous consent.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 374. Considered.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 374, Section 2, lines 23 and 24 by striking the following new matter: *"except that there shall be no tolerance provided for primary noxious weed seed,".*

Amend the title to conform.

Advanced to E and R for review.

Adjournment

At 12:05 p.m., on a motion by Mr. Hern, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 15, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hill, Williams and W. Wilson, who were excused.

The Journal for the Fiftieth Day was approved as corrected.

Communication

A letter from Mr. R. G. Gustavson, Chancellor of the University of Nebraska, inviting the members to attend the Nebraska High School basketball tournament, which opens Wednesday afternoon and lasts through Saturday of this week.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 183. Indefinitely postponed.
LEGISLATIVE BILL 236. Indefinitely postponed.

(Signed) Dwight W. Burney, Chairman

Enrollment and Review

LEGISLATIVE BILL 353. Placed on Select File as amended.

E and R amendment to L. B. 353:

1. In the bill, section 1, line 16, strike the word "and" and in lieu thereof insert ", *such*".

LEGISLATIVE BILL 354. Placed on Select File as amended.

E and R amendment to L. B. 354:

1. In the bill, section 1, line 4, strike the comma.

LEGISLATIVE BILL 368. Placed on Select File as amended.

E and R amendment to L. B. 368:

1. In the bill, section 1, line 9, after the word "for" insert "*the*".

LEGISLATIVE BILL 437. Placed on Select File as amended.

E and R amendments to L. B. 437:

1. In General File Amendment, to the bill, line 2, after the word "licensee" insert a comma; line 3, before the word "agent" insert "an"; and strike the period in line 3.

2. In section 1, line 7, before the word "agent" insert "an".

3. In section 2, strike, ", however," in line 1.

4. In the bill title, line 3, after the word "of" insert "the", and also in line 10, after "and"; line 9, after the word "broadcast", and also in line 15 after the word "office" insert "except as prescribed".

5. In the bill title, line 14; and also section 2, line 6, strike "or on behalf of" and in lieu thereof insert ", on behalf of, or against".

LEGISLATIVE BILL 241. Correctly engrossed.
LEGISLATIVE BILL 376. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Speaker Lee Presiding

SELECT FILE

LEGISLATIVE BILL 327. E and R amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 217. E and R amendment found in the Legislative Journal for the Fiftieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 101. E and R amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 39.

Mr. V. Anderson's motion to strike the L. Anderson amendment, found in the Legislative Journal for the Thirty-sixth Day, prevailed with 29 ayes, 0 nays and 14 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 27. Laid over.
LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 392.

Mr. Hern offered an amendment to L. B. 392.

Mr. Prohs moved that L. B. 392 be indefinitely postponed and the motion prevailed.

LEGISLATIVE BILL 332. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 384. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 172. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 173. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 171. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 389. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-third Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 13. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-third Day were adopted.

Mr. Tvrdik asked unanimous consent to have the name of Mr. L. Anderson added as co-introducer to L. B. 13.

Consent was granted and it was so ordered.

Laid over.

LEGISLATIVE BILL 24. 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.

Mr. Hoyt Presiding

Speaker Lee Presiding

LEGISLATIVE BILL 373. Read and considered.

Advanced to E and R for review.

Visitors

Mr. McKnight introduced ten members of the Social Science Class of Peru State Teachers College.

LEGISLATIVE BILL 1. Considered from Section 95 through Section 156.

Standing Committee amendments 21, 22, 23, 24 and 25, found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 1 by striking section 113 and renumbering subsequent sections accordingly.

Laid over.

Approved by the Governor

March 15, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 12, 1949, he approved L. B. 285, on March 14, 1949, he approved L. B. 68, L. B. 69, and on March 15, 1949, he approved L. B. 32, L. B. 355, and L. B. 4.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

Adjournment

At 11:55 a.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 16, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fifty-first Day was approved as corrected.

Communications

Letter from Howard Newkirk, of Lewellen, Nebraska, regarding selling of school land. Referred to Committee on Education.

Resolution from the Nebraska Good Roads Association urging consideration of the Governor's Highway Advisory Committee Report.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 451. Indefinitely postponed.
LEGISLATIVE BILL 431. Placed on General File as amended.

Standing Committee amendment to L. B. 431:

1. Amend page 2 of the bill, section 1, by striking lines 24 and 25 and inserting in lieu thereof the following: "Construed to include beans *and all grain which has not been processed or packaged for the purpose of distribution as seed.*"

(Signed) Ed. Hoyt, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 441. Indefinitely postponed.
LEGISLATIVE BILL 472. Placed on General File as amended.

Standing Committee amendments to L. B. 472:

1. Section 1, line 6, immediately after the word "construction" insert the words *"either permanent or portable"*.

2. Strike section 2 and section 3. Renumber present section 4 as section 2 and amend the title to conform.

LEGISLATIVE BILL 439. Placed on General File as amended.

Standing Committee amendment to L. B. 439:

Section 1, line 26, strike the words "or of any of its counties or cities" and amend the title to conform.

(Signed) Karl E. Vogel, Chairman

Education

LEGISLATIVE BILL 400. Placed on General File.

(Signed) Dwight W. Burney, Chairman

Revenue and Taxation

LEGISLATIVE BILL 435. Indefinitely postponed.
LEGISLATIVE BILL 220. Placed on General File as amended.

Standing Committee amendment to L. B. 220:

Amend Section 1, Line 6, Page 2, by striking the word *"four"* and inserting in lieu thereof the word *"twelve"*.

LEGISLATIVE BILL 297. Indefinitely postponed.
LEGISLATIVE BILL 328. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 462. Indefinitely postponed.
LEGISLATIVE BILL 251. Placed on General File as amended.

Standing Committee amendments to L. B. 251:

1. Amend page 3 of the bill, section 1, line 56, by striking the

word "twenty" and inserting in lieu thereof the word *"ten"*.

2. Amend page 5 of the bill, section 1, line 135, by striking the word "twenty" and inserting in lieu thereof the word *"ten"*.

3. Amend page 6 of the bill, section 1, line 148, by inserting after the word "employees" the following: *", and the individual proprietor or partners if an employer is an individual proprietor or a partnership"*.

4. Amend page 7 of the bill, section 1, line 173, by inserting after the word "if" the following: *"(i)"*.

5. Amend page 7 of the bill, section 1, line 177, by inserting after the word "and" the following: *"(ii)"*.

6. Amend page 7 of the bill, section 1, line 189, by striking the word "twenty" and inserting in lieu thereof the word *"ten"*.

7. Amend page 7 of the bill, section 1, line 189, by inserting after the word and punctuation "dollars." the following:

"(5) A policy issued to an association of public employees having, when the policy is placed in force, a membership in the classes eligible for insurance of not less than seventy-five per cent of the number of employees eligible for membership in such classes, which association shall be deemed the policyholder, to insure members of such association for the benefit of persons other than the association or any of its officials, subject to the following requirements:

(a) The persons eligible for insurance under the policy shall be all of the members of the association, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the association, or both.

(b) The premium for the policy shall be paid by the policyholder, either from the association's own funds, or from charges collected from the insured members specifically for the insurance, or from both. Any charges collected from the insured members specifically for the insurance, and the dues of the association if they include the cost of the insurance, shall be collected through deductions by the employer from the salaries of the members. Such deductions from salary may be paid by the employer to the association or directly to the insurer. No policy may be placed in force unless and until at least seventy-five per cent of the then eligible members of the association, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, have elected to be covered and have authorized their employer to make the required deductions from salary.

(c) Charges collected from the insured members specifically for the insurance, and the dues of the association if they include the cost of insurance, shall be determined according to each attained age or in not less than four reasonably spaced attained age groups. In no event shall the rate of such dues or charges be level for all members regardless of attained age.

(d) The policy must cover at least twenty-five persons at date of issue.

(e) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or by the association. Such amounts shall in no event exceed five thousand dollars in the case of any member, and shall not exceed five hundred dollars in the case of retired members and members over age sixty-five.

(f) As used in this subsection, public employees mean employees of the United States government, or of any state, county, city, village, or political subdivision thereof.".

8. Amend page 8 of the bill, section 2, line 21, by striking the word "the" after the word "which".

9. Amend page 12 of the bill by inserting immediately after section 3 a new section to be known as section 4, and to read as follows:

"Sec. 4. That section 44-702, Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-702. Any life insurance company organized under the laws of, or doing business in this state, may enter into any contract of insurance upon lives within this state, not in excess of five thousand dollars, without having previously made, or caused to be made, a prescribed medical examination of the insured by a legally qualified practicing physician; *Provided,* however, nothing contained in this section shall be construed to permit the entering into any contract of life insurance upon groups taken from any fraternal beneficiary society doing business in this state. *; and provided further, that the entering into a contract of group insurance as provided in sections 1 and 2 of this act, without a prescribed medical examination, shall not be construed as a violation of this section.*"

10. Amend page 12 of the bill, section 4, by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 5. That original sections 44-363 and 44-702, Revised Statutes of Nebraska, 1943, are repealed."

11. Amend the title of the bill by striking lines 4 to 6, and inserting in lieu thereof the following: "group life insurance policies; to provide that the entering into a contract of group insurance as provided in this act without a prescribed medical examination shall not be construed as a violation of section 44-702, Revised Statutes of Nebraska, 1943; to amend sections 44-363 and 44-702, Revised Statutes of Nebraska, 1943; and to repeal the original sections.

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 39. Replaced on Select File.
LEGISLATIVE BILL 345. Placed on Select File as amended.

E and R amendments to L. B. 345:

1. In the bill, sections 2 and 4, lines 2, and in the title, line 4, after "1947," insert "as amended by section 1, Legislative Bill 148, Sixty-first Session, Nebraska State Legislature, 1949,".

2. In section 1, line 10, strike the word "cause" and in lieu thereof insert "*application*".

3. In section 2, line 4, in the original bill, after "of" insert the word "*a*"; and after "38-201," insert "or pending an appeal from the appointment of a guardian,"; line 7, strike the period and in lieu thereof insert ", and the appeal proceedings terminated."

4. In section 3, line 8, strike "; *Provided,* when" and in lieu thereof insert ", *When*" and in line 10 strike the comma.

5. In section 4, line 2, strike "and original sections 38-201 and" and in lieu thereof insert "original section 38-201, Revised Statutes Supplement, 1947, and original section".

6. In the bill title, line 3 strike "and sections 38-201 and" and in lieu thereof insert "section 38-201, Revised Statutes Supplement, 1947, and section".

LEGISLATIVE BILL 374. Placed on Select File as amended.

E and R amendments to L. B. 374:

1. Strike section 2 and renumber subsequent sections.

2. In the bill, original section 3, lines 11, 12 and 16, strike the quotation marks around "stop-sale" and show as stricken matter; line 34, after the word "examinations" insert a comma.

3. In original section 4, lines 1 and 2, strike "81-2,142.01,".

4. In the bill title, line 2, strike "81-2,142.01,"; strike beginning with the second word "to" in line 4, to and including the word "include" in line 7, and in lieu thereof insert "to change certain of the requirements with reference to the sale of agricultural or vegetable seed within this state; to provide that a stop-sale order, with reference to agricultural or vegetable seed issued by the Director of the Department of Agriculture and Inspection shall include the".

LEGISLATIVE BILL 380. Placed on Select File as amended.

E and R amendments to L. B. 380:

1. In the bill, section 1, line 20, strike the comma after the words "Vienna rolls" and in lieu thereof insert "and".

2. In section 2, line 8, after the semicolon insert "and"; line 14 strike the comma after the word "processors"; line 15, after the word "certificate" insert a comma; strike beginning with the word "shall" in line 16 to and including the word "certifying" in line 17 and in lieu thereof insert "prescribed by regulation,".

3. In section 3, line 9, after the semicolon insert "and".

4. In section 4, line 9 strike the word "and" and in lieu thereof insert a comma; line 10, after the word "bread" insert a comma; line 19, strike "or white bread" and in lieu thereof insert ", white bread,"; line 23, strike "or rolls; and" and in lieu thereof insert ", white bread, or rolls and,"; line 33, after "shall," insert "(a)"; line 35, strike "; and shall" and in lieu thereof insert "and (b)"; strike the comma in line 49 after the word "date", line 50 after the words "or" and "date" and line 55 after the word "prescribed"; line 65, after the word "authorized" insert "(a)"; line 66 strike the first "and" and in lieu thereof insert ", (b)", also strike the last word "and" and in lieu thereof insert "(c)"; and in line 71, after the first word "and" insert "(d)".

5. In line 3, of section 5, insert "the" after "under" as in printed bill and in the same line strike ", shall" and in lieu thereof insert "shall,".

6. In the bill title, line 5, before the word "and" insert "to prescribe certain duties and powers of the Director of the Department of Agriculture and Inspection and designated officers and employees; to provide certain procedure;".

LEGISLATIVE BILL 456. Replaced on Select File as amended.

E and R amendment to L. B. 456:

1. Strike specific amendment of March 14, 1949, by Senator Hoyt and in lieu thereof in General File Amendment by Mr. Hoyt, adopted March 4, 1949, 6th line of newly inserted matter, as shown on the original Hoyt amendment, insert *"and equivalent"* after *"protein"* and before the comma; and in the 8th line thereof strike *"which supplies"*.

LEGISLATIVE BILL 278. Correctly engrossed.
LEGISLATIVE BILL 54. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 15, 1949, at 10:10 a.m.

L. B. 5	L. B. 225	L. B. 258
L. B. 96	L. B. 235	L. B. 272
L. B. 150	L. B. 239	L. B. 276
L. B. 155	L. B. 256	L. B. 284
L. B. 199	L. B. 257	L. B. 290
L. B. 211		

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 54

Visitors

Mr. Davies introduced Miss Carrie Roberts and twenty-five students of the American History Class from Lincoln High School.

RESOLUTION

LEGISLATIVE RESOLUTION 19. Memorializing the Congress of the United States to Continue the Light Horse Breeding Program at Fort Robinson Military Reservation.

Introduced by William Hern of Dawes, Don E. Hanna of Cherry and Harry F. Burnham of Custer.

WHEREAS, the United States Army in July 1947 discontinued the Army Remount and use of Fort Robinson Military Reservation and turned Fort Robinson along with the light horse breeding program over to the Department of Agriculture of the United States government; and

WHEREAS, since the Bureau of Animal Industry of the Department of Agriculture of the United States government has been operating the Fort Robinson Military Reservation for the purpose of continuation of the light horse breeding program, it has cooperated with the College of Agriculture of the University of Nebraska for continued experimental work with both light horse and cattle breeding.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Congress of the United States continue to make provision for the continuation of the Department of Agriculture light horse breeding program at Fort Robinson Military Reservation in order that the splendid equipment and facilities which include extensive pastures, adequate barns, and a modern animal laboratory may be utilized for research for the benefit of the livestock industry.

2. That copies 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 Secretary of the Department of Agriculture of the United States.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 95.

A bill for an act relating to public health and welfare; to provide for licensing dental hygienists; to prescribe the qualifications thereof; to provide for examinations to be conducted by Board of Examiners in Dentistry; to provide for issuing, renewal and revocation of licenses; to provide for examination and license fees; to provide for reciprocity of license with other states; to provide for disposition of fees; 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, 34:

Adams, T.	Carmody	Larkin	Ogden
Anderson, L.	Cramer	Lee	Person
Anderson, V.	Cretsinger	Lillibridge	Prohs
Benesch	Davies	Lindgren	Tvrdik
Bohlke	Hanna	Lusienski	Vogel
Bridenbaugh	Hern	McKnight	Vogt
Burney	Hill	Nelson	Wilson, C.
Burnham	Holmes	Norman	Wilson, W.
Callan	Hoyt		

Voting in the negative, 5:

Babcock	Pizer	Schroeder	Weborg
Metzger			

Not voting, 4:

Adams, J.	Carson	Williams	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 316.

A bill for an act to amend sections 81-2,189 and 81-2,192, Revised Statutes Supplement, 1947, relating to anti-freeze; to provide that a permit shall be valid from May 1 to April 30 instead of for a calendar year; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 177. With emergency.

A bill for an act to amend section 85-125, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to prescribe the source and use of the University Cash Fund; to provide what funds shall be deposited with the State Treasurer; to provide for retention of prescribed funds; 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, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bohlke	Hill	Nelson	Wilson, C.
Bridenbaugh	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin	Person	

Voting in the negative, 3:

Burney	Hanna	Weborg

Not voting, 1:

Williams

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 353. E and R amendment found in the Legislative Journal for the Fifty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 354. E and R amendment found in the Legislative Journal for the Fifty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 437. 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 368. E and R amendment found in the Legislative Journal for the Fifty-first Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Person introduced Superintendent Paul E. Siedal, Superintendent of the Wahoo High School and fourteen of his students.

Mr. Bridenbaugh introduced his daughter, Mrs. Campbell.

Speaker Lee Presiding

GENERAL FILE

Mr. Schroeder Presiding

LEGISLATIVE BILL 13.

Advanced to E and R for review.

Member Excused

Mr. Hern was excused for one hour.

LEGISLATIVE BILL 365. 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 27. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Mr. Bridenbaugh offered the following amendments:

1. Amend page 3 of the bill, section 5, line 1, by striking the word "is" and substituting in lieu thereof the words "may be".

2. Amend page 3 of the bill, section 5, line 3, by inserting after the punctuation following the word "committee" the following: "Such committee shall be created whenever a petition for that purpose is filed in the office of the county superintendent signed by legal electors of the county in number equaling not less than twenty per cent of legal rural voters of the total vote cast for Governor in the county at the last preceding general election."

3. Amend page 3 of the bill, section 5, lines 10 and 11, by striking the words "from the effective date of this act" and substituting in lieu thereof the following: "after filing of petition asking for creation of a county committee as above set forth in this section".

Mr. Carmody requested a record vote.

Voting in the affirmative, 13:

Adams, J.	Callan	Lindgren	Pizer
Bohlke	Cramer	McKnight	Vogt
Bridenbaugh	Lillibridge	Nelson	Weborg
Burney			

Voting in the negative, 22:

Anderson, L.	Davies	Lusienski	Schroeder
Babcock	Hanna	Metzger	Tvrdik
Benesch	Hill	Ogden	Wilson, C.
Carmody	Holmes	Person	Wilson, W.
Carson	Hoyt	Prohs	Wood
Cretsinger	Lee		

Not voting, 8:

Adams, T.	Burnham	Larkin	Vogel
Anderson, V.	Hern	Norman	Williams

Mr. Bridenbaugh's amendment was not adopted.

Mr. McKnight offered an amendment, which was not adopted with 4 ayes, 21 nays and 18 not voting.

Mr. Pizer offered an amendment, which was not adopted.

Advanced to E and R for review.

Visitors

Mr. T. Adams introduced Mr. John Bruce and a class of twenty pupils from the Lincoln High School American History class.

Unanimous Consent—L. B. 448

Mr. J. Adams asked unanimous consent to move L. B. 448 to the top of General File.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 448. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 370. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Mr. Vogt offered the following amendment, upon which no action was taken.

Strike the term "a majority" in line 22 of Sec. 2, of L. B. 370 and insert the term "two-thirds vote" in lieu thereof.

Instruct E and R to amend the title to conform.

Laid over.

Explanation of Vote

Mr. President: I voted for L. B. 54 the first time it was passed on February 15, 1949. I would have voted for this bill, as later amended, the second time it was passed, had I been present on March 14, 1949. (Signed) Charles Vogt, Jr.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 450	Tuesday, March 22, 1949	2:00 p.m.
L. B. 375	Tuesday, March 22, 1949	2:00 p.m.
L. B. 463	Tuesday, March 22, 1949	2:00 p.m.
L. B. 412	Thursday, March 24, 1949	2:00 p.m.
L. B. 457	Thursday, March 24, 1949	2:00 p.m.

L. B. 509	Thursday, March 24, 1949	2:00 p.m.
L. B. 305	Tuesday, March 29, 1949	2:00 p.m.
L. B. 501	Tuesday, March 29, 1949	2:00 p.m.
L. B. 502	Tuesday, March 29, 1949	2:00 p.m.

Adjournment

At 12:05 p.m., on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 17, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Williams, who was excused until 9:30 a.m.

The Journal for the Fifty-second Day was approved.

Communication

A petition from Ernest Van Buskirk and other taxpayers addressed to Mr. Pizer, opposing any additional property taxes and favoring the passage of the sales tax.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 408	Thursday, March 24, 1949	2:00 p.m.
L. B. 274	Thursday, March 24, 1949	2:00 p.m.
L. B. 500	Thursday, March 24, 1949	2:00 p.m.
L. B. 58	Thursday, March 24, 1949	2:00 p.m.
L. B. 250	Friday, March 25, 1949	2:00 p.m.
L. B. 478	Friday, March 25, 1949	2:00 p.m.
L. B. 275	Friday, March 25, 1949	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 480. Indefinitely postponed.
LEGISLATIVE BILL 517. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Education

LEGISLATIVE BILL 410. Placed on General File.
LEGISLATIVE BILL 409. Placed on General File.
LEGISLATIVE BILL 469. Placed on General File as amended.

Standing Committee amendments to L. B. 469:

1. Amend page 2 of the bill, section 1 by striking lines 1 to 5, and inserting in lieu thereof the following:

"Section 1. The Superintendent of Public Instruction may issue a temporary certificate for an alien to teach in any public, private, or parochial school in the State of Nebraska; *Provided,* no such certificate shall be issued to any person who is an alien whose residence in the United States has been of a duration sufficient to permit him to have become a citizen of the United States."

2. In the bill, add a new section as follows:

"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 bill by striking lines 2 to 4 and inserting in lieu thereof the following: "FOR AN ACT relating to schools; to authorize the Superintendent of Public Instruction to issue a temporary certificate to an alien to teach in any public, private, or parochial school in the State of Nebraska unless such alien shall have lived in the United States of a duration sufficient to permit him to have become a citizen of the United States; and to declare an emergency."

(Signed) Dwight W. Burney, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 151. Indefinitely postponed.
LEGISLATIVE BILL 164. Indefinitely postponed.
LEGISLATIVE BILL 359. Indefinitely postponed.
LEGISLATIVE BILL 503. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Government

LEGISLATIVE BILL 186. Indefinitely postponed.
LEGISLATIVE BILL 248. Advanced to General File.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 339. Placed on Select File as amended.

E and R amendments to L. B. 339:

1. In the bill, section 1, lines 13 and 14 strike the quotation marks and show as stricken matter; lines 16 and 17 strike "; but if" and in lieu thereof insert ". *If*"; line 23 strike "of disease" and in lieu thereof insert ", disease,"; lines 40 and 41 strike ", and no" and in lieu thereof insert ". *No*"; line 43 strike "; and no" and in lieu thereof insert ". *No*"; line 45 strike the comma after the word "permit"; line 54 strike the word "place" and in lieu hereof insert "*county*"; line 56, strike ", and in" and in lieu thereof insert ". *In*".

2. In the bill title, line 8, after the word "specified" insert "; to provide for a period of grace in regard thereto; to provide certain procedure in the event it is impossible to complete the death certificate and secure a removal permit within the time specified".

LEGISLATIVE BILL 172. Placed on Select File as amended.

E and R amendments to L. B. 172:

1. In the bill, section 1, lines 4 and 9, strike the quotation marks; line 12, strike "*same, if*" and in lieu thereof insert "*the same if the*".

2. In the bill title, line 6, before the semicolon insert "except as prescribed".

LEGISLATIVE BILL 332. Placed on Select File as amended.

E and R amendments to L. B. 332:

1. In the bill, section 1, line 15, strike the quotation marks.

2. In the bill title, line 9, after the word "state" insert "and to the laboratories in this state approved by the department".

LEGISLATIVE BILL 373. Placed on Select File.
LEGISLATIVE BILL 217. Correctly engrossed.
LEGISLATIVE BILL 218. Correctly engrossed.
LEGISLATIVE BILL 327. Correctly engrossed.
LEGISLATIVE BILL 432. Correctly engrossed.
LEGISLATIVE BILL 95. Correctly enrolled.
LEGISLATIVE BILL 177. Correctly enrolled.
LEGISLATIVE BILL 316. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 16, 1949, at 11:00 a.m.

L. B. 315	L. B. 350	L. B. 361
L. B. 333	L. B. 351	L. B. 362
L. B. 338	L. B. 352	L. B. 371
L. B. 348	L. B. 360	L. B. 397
L. B. 349		

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

Member Excused

Mr. Davies was excused for one hour.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 158. With emergency.

A bill for an act relating to estate taxes; to provide for the apportionment of and contribution to the payment of estate taxes levied and assessed by this state or by the United States; to provide the basis for such apportionment and contribution; to provide procedure for the determination and enforcement of such apportionment and contribution; to provide a construction clause; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Callan	Larkin	Pizer
Adams, T.	Carmody	Lee	Prohs
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Davies	Norman	Williams

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 304.

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 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, 31:

Adams, J.	Carmody	Lee	Tvrdik
Adams, T.	Carson	Lindgren	Vogel
Anderson, V.	Cramer	Lusienski	Vogt
Babcock	Cretsinger	McKnight	Weborg
Benesch	Hill	Nelson	Wilson, C.
Bohlke	Holmes	Ogden	Wilson, W.
Bridenbaugh	Hoyt	Pizer	Wood
Burnham	Larkin	Schroeder	

Voting in the negative, 6:

Anderson, L.	Callan	Hern	Metzger
Burney	Hanna		

Vot voting, 6:

Davies	Norman	Prohs	Williams
Lillibridge	Person		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 329.

A bill for an act to amend section 24-553, Revised Statutes of Nebraska, 1943, relating to county courts; to provide that when the county judge notifies the county board of the fees, money, legacies,

devises, and costs remaining in his hands, he shall include funds of condemnation awards, and shall pay same into the general fund of the county when directed by resolution of the county board, and such payment shall release him from all liability on his bond; 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, J.	Callan	Larkin	Pizer
Adams, T.	Carmody	Lee	Prohs
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Davies	Norman	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 140. With emergency.

A bill for an act to amend sections 76-217.02 and 76-217.03, Revised Statutes Supplement, 1947, relating to notaries public; to make it lawful for a shareholder, appointive officer, or employee of a cooperative credit association or insurance company, who is a notary public and is not a director or elected officer of such association or insurance company, to take the acknowledgment of any person to any written instrument executed to or by said association or insurance company and to administer an oath to any shareholder, director, elected or appointive officer, employee, or agent of such association or insurance company; 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, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Davies	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.

Member Excused

Mr. McKnight was excused for a short time.

SELECT FILE

LEGISLATIVE BILL 39. Advanced to E and R for engrossment.

LEGISLATIVE BILL 345. 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 374. 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 380. 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 456. E and R amendment found in the Legislative Journal for the Fifty-second Day was adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Hold on Final Reading

Mr. Vogt asked unanimous consent to have L. B. 376 held on Final Reading until March 25, 1949.

Consent was granted and it was so ordered.

To Record Vote

Mr. President: Had I been present, I would have voted for L. B. 158, L. B. 304 and L. B. 329. (Signed) W. J. Norman

Mr. Pizer Presiding

GENERAL FILE

LEGISLATIVE BILL 370.

Mr. Vogt's amendment found in the Legislative Journal for the Fifty-second Day was not adopted.

Mr. Bohlke offered the following amendment, which was adopted.

Amend L. B. 370, page 3, section 2, by striking the new matter in lines 6 and 7, and in subsection 3, lines 29 and 30, strike the following: *"Whether issued with or without a vote of the electors, such"* and insert in lieu thereof the word "Such".

Advanced to E and R for review.

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 252. 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.

Member Excused

Mr. Weborg was excused for the remainder of the morning.

LEGISLATIVE BILL 56.

Mr. Davies asked unanimous consent to have L. B. 56 laid over until Wednesday, March 23, 1949.

Consent was granted and it was so ordered.

Member Excused

Mr. Wood was excused for the remainder of the morning.

LEGISLATIVE BILL 232. Read and considered.

Mr. Ogden offered the following amendment, which was adopted.

Amend L. B. 232, Sec. 13, Line 6, after the figures "24-601" insert "or 8-318".

Advanced to E and R for review.

Unanimous Consent—Resolution

Mr. Hern asked unanimous consent to revert back to Resolutions.

Consent was granted and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 19.

A letter was read from Chancellor Gustavson of the University of Nebraska favoring this Resolution.

Messrs. Williams, Nelson and Lindgren asked unanimous consent to have their names added as co-introducers of L. R. 19.

Consent was granted and it was so ordered.

L. R. 19 was adopted with 26 ayes, 10 nays and 7 not voting.

Visitors

Mr. Lusienski introduced his grandson, Dale Hittner, of Columbus.

Mr. Hill introduced his brother, Mr. Wm. Hill, of Hebron, Nebraska, and five members of the Hebron High School basketball team.

GENERAL FILE

LEGISLATIVE BILL 281. Considered.

Mr. W. Wilson moved to indefinitely postpone L. B. 281.

Mr. Davies requested a machine vote.

Mr. Wilson's motion did not prevail with 14 ayes, 15 nays and 14 not voting.

Advanced to E and R for review.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action on L. B. 259 when on third reading it failed to receive the necessary vote for passage, as per pages 646 and 647 of the Legislative Journal under date of March 7, 1949. (Signed) Ed F. Lusienski

The motion prevailed with 29 ayes, 3 nays and 11 not voting.

Unanimous Consent—Final Reading

Mr. Lusienski asked unanimous consent to revert back to Final Reading for the consideration of L. B. 259.

Mr. Schroeder offered objection.

Mr. Lusienski moved to revert back to Final Reading for the consideration of L. B. 259.

The motion prevailed with 29 ayes, 5 nays and 9 not voting.

President Warner Presiding

FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 259. With emergency.

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

Voting in the affirmative, 30:

Adams, J.	Cramer	Lillibridge	Pizer
Adams, T.	Cretsinger	Lindgren	Prohs
Anderson, V.	Davies	Lusienski	Tvrdik
Babcock	Hanna	McKnight	Vogel

Benesch	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.
Carson	Lee		

Voting in the negative, 10:

Bohlke	Callan	Metzger	Schroeder
Bridenbaugh	Hern	Nelson	Vogt
Burnham	Hill		

Not voting, 3:

Anderson, L.	Weborg	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.

Speaker Lee Presiding

Visitors

Mr. Callan introduced Miss Winkle and twelve students from Pickrell Grade School, Pickrell, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 1. Considered from Section 157 through Section 203.

Standing Committee amendments 26, 27, 28, 29, 30, 31, 32, 33 and 34 found in the Legislative Journal for the Thirty-fifth Day were adopted.

Laid over.

Unanimous Consent—Return from Governor

Mr. Metzger asked unanimous consent to have L. B. 67 returned from the Governor and placed on Final Reading for further consideration.

Consent was granted and it was so ordered.

Member Excused

Mr. Hanna was excused for Friday, March 18, 1949.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 313. Indefinitely postponed.
LEGISLATIVE BILL 346. Indefinitely postponed.
LEGISLATIVE BILL 407. Placed on General File as amended.

Standing Committee amendments to L. B. 407:

1. Amend section 1, lines 41 to 52 inclusive, by striking same.

2. Amend section 1, line 53, by striking the words "two dollars;".

LEGISLATIVE BILL 428. Indefinitely postponed.
LEGISLATIVE BILL 498. Indefinitely postponed.
LEGISLATIVE BILL 518. Indefinitely postponed.
LEGISLATIVE BILL 521. Indefinitely postponed.
LEGISLATIVE BILL 385. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Approved by the Governor

March 17, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 16, 1949, he approved L. B. 420, L. B. 367, L. B. 496, L. B. 334, L. B. 230, L. B. 144, L. B. 79, L. B. 134, L. B. 138, L. B. 165, L. B. 256, L. B. 314, L. B. 379, L. B. 65, L. B. 308, and that on March 17, 1949, he approved L. B. 5.

Respectfully submitted,

(Signed Christ J. Petrow
Secretary to the Governor

Speaker Signs

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

L. B. 95 L. B. 177 L. B. 316

Adjournment

At 11:55 a.m., on a motion by Mr. McKnight, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 18, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Hanna and C. Wilson, who were excused.

The Journal for the Fifty-third Day was approved as corrected.

Communications

Letter from Mr. Tracy Knutson enclosing copy of the song "Lonesome for Nebraska" asking the Legislature to recognize this song as the state song for Nebraska.

Approved by the Governor

March 17, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 17, 1949, he approved L. B. 96, and L. B. 356.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 477. Indefinitely postponed.
LEGISLATIVE BILL 377. Indefinitely postponed.
LEGISLATIVE BILL 486. Indefinitely postponed.
LEGISLATIVE BILL 489. Indefinitely postponed.

(Signed) Otto J. Prohs, Chairman

Judiciary

LEGISLATIVE BILL 309. Placed on General File.

(Signed) John P. McKnight, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 529. Placed on General File as amended.

Standing Committee amendments to L. B. 529:

1. Page 2 of the bill, Section 1, lines 23 through 32, strike the new material and insert in lieu thereof the following: "The County Board of Mental Health shall issue its warrants on public patients to the County Board for it to restrain, protect and care for such patients in such facilities, either public or private as shall be deemed appropriate by such county board. The county board shall avail itself of and take into consideration the best obtainable professional advice including that of the county board of mental health in determining the most suitable type of care and facility available for such patients. If there is no nursing home or hospital for the reception of such patients and no more suitable place can be found, the patients may be confined in the county jail in charge of the sheriff.".

2. Page 3, Section 1, strike the last two words in line 59 and lines 60 to 67 inclusive.

(Signed) William Hern, Chairman

Enrollment and Review

LEGISLATIVE BILL 147. Replaced on Select File as amended.

E and R amendments to L. B. 147:

1. In Standing Committee Amendment 1, line 20, strike *"60,-*

000" and in lieu thereof insert *"sixty thousand inhabitants"*; line 4 of the original amendment, at the end of the line insert a comma after "county".

2. In Standing Committee Amendment 4 to the title, in 3rd line of newly inserted matter, strike "60,000" and in lieu thereof insert "sixty thousand inhabitants"; and in the last line thereof, strike the word "and"; in the same line strike the period at the end of the line and in lieu thereof insert "; and to declare an emergency.".

LEGISLATIVE BILL 173. Placed on Select File as amended.

E and R amendment to L. B. 173:

1. In the bill, section 1, line 4, strike the comma after "selves" and the commas in lines 7 and 33; line 6, strike ", or" and in lieu thereof insert "or,"; line 16 strike *"and such"* and in lieu thereof insert *"which"*; line 27 strike the semicolon; line 34 strike the word *"for"*.

LEGISLATIVE BILL 364. Replaced on Select File as amended.

E and R amendments to L. B. 364:

1. In E and R Amendment 2, line 2, strike the figure "7" and in lieu thereof insert "8".

2. In section 5, line 1, insert "and" at the end of the line.

LEGISLATIVE BILL 384. Placed on Select File as amended.

E and R amendments to L. B. 384:

1. In Standing Committee Amendment 1, line 3, after "44-1206." insert *"(1)"*; in amendment 2, line 5, strike the comma after the word *"reputable"*; in amendment 3, line 1, strike "lines 17 to" and in lieu thereof insert "commencing with the word "Said" in line 17 to and including the period in line"; line 11 of original amendment, strike the word *"described"* and in lieu thereof insert *"provided"*; and line 12, strike the word *"then"*; in amendment 4, line 3, before *"Whenever"* insert *"(2)"*; and in lines 9 and 16 of original amendment, strike the commas.

2. In the bill title, at the end of line 5, insert "to provide that if such reserve does not equal such requirements that the said subscribers or their attorney shall make up the deficiency; to provide for a notice and requisition by the Department of Insurance to remove such deficiency within the time specified; to provide the ef-

fect of a failure to make good the same as specified and the precedure in such event;".

LEGISLATIVE BILL 389. Placed on Select File as amended.

E and R amendments to L. B. 389:

1. In the bill, section 1, strike the commas in lines 7 and 8, except the first one in line 7; line 17, strike the word "all".

2. In section 2, line 13, after the word "*to*" insert "*(1)*"; line 14, strike the word "*to*" and in lieu thereof insert "*(2)*"; line 16, strike the word "*to*" and in lieu thereof insert "*(3)*"; line 19, strike the word "*to*" and in lieu thereof insert "*(4)*".

3. In section 3, line 5, after the word "give" insert "*a*".

4. In section 4, line 5, before the word "attend" insert "*(1)*"; lines 5 and 6, strike beginning with the word "so" in line 5, to and including the word "shall" in line 6, and in lieu thereof insert "to do *so, (2)*"; line 7 strike ". He shall" and in lieu thereof insert ", *(3)*"; line 10, strike ". He shall" and in lieu thereof insert ", *and (4)*".

5. In section 6, line 7, strike "The" and in lieu thereof insert "*In June of each year the*"; line 10, strike "in June of each year"; line 13 strike "to be taken"; lines 13 and 14, strike ", if it desires," and in lieu thereof insert "*years to be taken*".

6. In the bill title, line 8, after the word "bond" insert "by such officer as prescribed".

7. In section 3, line 5, strike "in a sum of" and in lieu thereof insert "*payable to the school district* in *such* sum *as the board may fix but*".

LEGISLATIVE BILL 271. Correctly engrossed.
LEGISLATIVE BILL 353. Correctly engrossed.
LEGISLATIVE BILL 354. Correctly engrossed.
LEGISLATIVE BILL 368. Correctly engrossed.
LEGISLATIVE BILL 437. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on March 17, 1949, at 9:45 a.m.

L. B. 54

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 19

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 241.

A bill for an act to amend section 70-610, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that vacancies on the ballot occurring after the primary election for the office of director of a public power district, or a public power and irrigation district shall be filled in the same manner as is provided by law for filling of vacancies on the ballot for members of the Legislature; 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, J.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Schroeder
Babcock	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	Metzger	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Holmes	Norman	Weborg
Burney	Hoyt	Ogden	Williams
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Hanna	McKnight	Wilson, C.
Anderson, L.	Hill		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 339. E and R amendments found in the Legislative Journal for the Fifty-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 Fifty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 332. E and R amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 373. Advanced to E and R for engrossment.

Speaker Lee Presiding

GENERAL FILE

LEGISLATIVE BILL 1. Laid over.
LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 411. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 452. Considered.

Standing Committee amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 460. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 394. 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 336. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 288. Read and considered.

Advanced to E and R for review with 26 ayes, 0 nays and 17 not voting.

LEGISLATIVE BILL 264. Read and considered.

Advanced to E and R for review.

Member Excused

Mr. Cramer was excused for the remainder of the morning.

LEGISLATIVE BILL 395. 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 393. Read and considered.

Advanced to E and R for review.

Unanimous Consent—Amend Report

Mr. Hern asked unanimous consent to be permitted to amend the report of the Public Health and Miscellaneous Subjects Committee, found in the Legislative Journal for the Forty-seventh Day, to show L. B. 423 indefinitely postponed to correctly reflect the action taken by said Committee.

Mr. Ogden offered objection.

Mr. Hern moved to be permitted to amend the report of the Public Health and Miscellaneous Subjects Committee on L. B. 423 to show as indefinitely postponed.

The motion prevailed.

LEGISLATIVE BILL 508. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 465. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 481. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 163. 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 105. Laid over.
LEGISLATIVE BILL 387. Considered.

Laid over.

LEGISLATIVE BILL 440. Laid over.
LEGISLATIVE BILL 406. Laid over.
LEGISLATIVE BILL 507. Considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for review.

Visitors

Mr. Holmes introduced Mr. Gordon Quiller, Superintendent, Miss Dorothy Dunn, Principal, Miss Freda Watson, Teacher, and thirty-six pupils from Brunswick High School, Brunswick, Nebraska.

LEGISLATIVE BILL 381. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-eighth Day was adopted with 23 ayes, 5 nays and 15 not voting.

Advanced to E and R for review.

Mr. Tvrdik Presiding

LEGISLATIVE BILL 226. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 247. Read and considered.

Advanced to E and R for review.

Unanimous Consent—Return L. B. 448

Mr. Schroeder asked unanimous consent to return L. B. 448 to General File for the following specific amendment:

1. Amend page 2 of the bill, section 2, line 3, by striking the words "such street" and inserting in lieu thereof the following: "the street described in section 1 of this act".

2. Amend page 2 of the bill, section 3, line 3, by striking the words "such street" and inserting in lieu thereof the following: "the street described in section 1 of this act".

3. Amend page 2 of the bill, section 4, line 5, by striking the words "such improvement" and inserting in lieu thereof the following: "the improvement provided for in sections 2 and 3 of this act".

4. Amend page 3 of the bill by adding a new section immediately after section 4 to be known as section 5, and to read as follows:

"Sec. 5. The Legislature hereby grants consent on the part of the State of Nebraska to the use by the public for street purposes of the following described property situated in the City of Wayne, Wayne County, Nebraska:

"A strip of land described as, commencing at a point on the west line of Main Street in the City of Wayne, Nebraska, thirty feet north of the northwest corner of Block One, Spahr's Addition to the City of Wayne, Nebraska, thence due east along the north line of Tenth Street, one thousand three hundred thirty-eight feet, thence due north twelve feet, thence due west one thousand three hundred thirty-eight feet to the west line of said Main Street, thence due south twelve feet to place of beginning, said land being the south twelve feet of the tract of land owned by the State of Nebraska in the City of Wayne, Wayne County, Nebraska, and known as the property of the Wayne Normal School."

The consent of the Legislature is granted upon condition that such property shall be regularly incorporated as a part of a street to be regularly laid out, established, and opened up as provided by general law."

5. Renumber section 5 as section 6.

6. Amend the title of the bill, line 11, by inserting after the

word "purpose" the following: "; to consent to the use of the public for street purposes of a strip of ground twelve feet wide off of the property owned by Wayne Normal School in the City of Wayne, Wayne County, Nebraska".

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 448.

Mr. Schroeder's amendments, found in this day's Journal were adopted.

Advanced to E and R for review.

Visitors

Mr. Davies introduced a group of students from Hickman High School.

LEGISLATIVE BILL 398. 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 372. 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 510. Read and considered.

Advanced to E and R for review.

Speaker Lee Presiding

Visitors

Mr. Prohs introduced four seniors from Scottsbluff High School.

NOTICE OF COMMITTEE HEARINGS

Revenue and Taxation

L. B. 234	Thursday, March 31, 1949	2:00 p.m.
L. B. 300	Thursday, March 31, 1949	2:00 p.m.
L. B. 399	Tuesday, April 5, 1949	2:00 p.m.
L. B. 401	Tuesday, April 5, 1949	2:00 p.m.
L. B. 492	Tuesday, April 5, 1949	2:00 p.m.

Banking, Commerce and Insurance

Cancel Hearing Set

L. B. 502	Tuesday, March 29, 1949	2:00 p.m.

To Record Vote

Mr. Speaker: Had I been present on Final Reading when L. B. 79 was heard, I would have voted "yes". (Signed) W. J. Williams and John P. McKnight.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 502. Indefinitely postponed.
LEGISLATIVE BILL 426. Indefinitely postponed.
LEGISLATIVE BILL 458. Indefinitely postponed.

(Signed) Ray Babcock, Chairman

Judiciary

LEGISLATIVE BILL 512. Indefinitely postponed.
LEGISLATIVE BILL 520. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Burnham, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 21, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fifty-fourth Day was approved as corrected.

Communication

A letter from Cecil B. deMille of the DeMille Foundation for Political Freedom, opposing the Thomas Bill and asking the State of Nebraska to memorialize both Houses against the Thomas Bill.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 330. Indefinitely postponed.
LEGISLATIVE BILL 382. Indefinitely postponed.

(Signed) Otto J. Prohs, Chairman

Enrollment and Review

LEGISLATIVE BILL 171. Placed on Select File as amended.

E and R amendments to L. B. 171:

1. In Standing Committee Amendment 1, strike the comma at the end of line 7, and in lieu thereof insert a stricken period; lines 15 and 16 strike the quotation marks; and line 18 after the number "14" insert a comma.

2. In Standing Committee amendment 2, line 10, insert a comma after the number "14"; line 11 strike "and as" and in lieu thereof insert "as now existing or as hereafter"; line 12, strike "to" and in lieu thereof insert "shall" and after "applicable" insert "but that"; and line 13, after "of" insert "the prescribed".

3. Strike the extra enacting clause inserted in the last line of Standing Committee amendment 2.

LEGISLATIVE BILL 288. Placed on Select File.
LEGISLATIVE BILL 374. Replaced on Select File as amended.

E and R amendment to L. B. 374:

1. In the bill, section 4 now section 3, line 1 and in the bill title, line 2, strike the comma after "81-2,138.01".

LEGISLATIVE BILL 172. Correctly engrossed.
LEGISLATIVE BILL 332. Correctly engrossed.
LEGISLATIVE BILL 373. Correctly engrossed.
LEGISLATIVE BILL 456. Correctly engrossed.
LEGISLATIVE BILL 140. Correctly enrolled.
LEGISLATIVE BILL 158. Correctly enrolled.
LEGISLATIVE BILL 259. Correctly enrolled.
LEGISLATIVE BILL 304. Correctly enrolled.
LEGISLATIVE BILL 329. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 18, 1949, at 9:45 a.m.

L. B. 95 L. B. 177 L. B. 316

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 140 L. B. 259 L. B. 329
L. B. 158 L. B. 304

SELECT FILE

LEGISLATIVE BILL 147. 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 173. E and R amendment found in the Legislative Journal for the Fifty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 364. 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 384. 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 389. E and R amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 1. Considered from Section 204 through Section 245.

Standing Committee amendments 35 through 54 were adopted. Laid over.

Visitor

Mr. Prohs introduced his son, Mr. Richard Prohs.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 278.

A bill for an act to make uniform the law with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee; and to except from this act motor ve-

hicles, commercial trailers, semitrailers, and cabin trailers 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, 40:

Adams, J.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Babcock	Cretsinger	Lindgren	Schroeder
Benesch	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Anderson, V.	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place on General File

Mr. President: I move that L. B. 435 be placed on General File. (Signed) John S. Callan

Mr. Callan moved a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Larkin moved that the Call be raised and the motion prevailed with 21 ayes, 15 nays and 7 not voting.

Mr. Callan requested a record vote.

Voting in the affirmative, 15:

Babcock	Carmody	Davies	Weborg
Bridenbaugh	Carson	Hoyt	Williams
Burney	Cramer	Lillibridge	Wilson, W.
Callan	Cretsinger	Schroeder	

Voting in the negative, 16:

Adams, J.	Hanna	McKnight	Tvrdik
Anderson, L.	Hern	Metzger	Vogel
Benesch	Larkin	Norman	Vogt
Burnham	Lusienski	Pizer	Wilson, C.

Not voting, 12:

Adams, T.	Hill	Lindgren	Person
Anderson, V.	Holmes	Nelson	Prohs
Bohlke	Lee	Ogden	Wood

Mr. Callan's motion did not prevail with 15 ayes, 16 nays and 12 not voting.

Approved by the Governor

March 21, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 19, 1949, he approved L. B. 235, L. B. 338, L. B. 290, L. B. 95, L. B. 225, L. B. 211, L. B. 199, L. B. 155, L. B. 150, L. B. 397, L. B. 316, L. B. 284, L. B. 276, L. B. 272, L. B. 258, L. B. 350, L. B. 351, L. B. 177, L. B. 349, L. B. 333, L. B. 315, L. B. 352, L. B. 360, L. B. 361, L. B. 362, L. B. 371, L. B. 348, L. B. 257, L. B. 239.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

GENERAL FILE

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 105. Read and considered.

Mr. L. Anderson offered the following amendment, which was adopted.

1. Amend page 2 of the bill, section 4, by striking lines 5 and 6 and inserting in lieu thereof the following: "one dollar per annum and the license shall expire one year from the date of issuance. Any license may be".

Laid over.

Visitors

Mr. Person introduced Mr. Martin Carlson, Principal, and 5 students from Luther Academy of Wahoo, Nebraska.

LEGISLATIVE BILL 387. Laid over.
LEGISLATIVE BILL 440. Laid over.
LEGISLATIVE BILL 406. Read and considered.

Mr. L. Anderson moved to indefinitely postpone L. B. 406.

The motion did not prevail.

Messrs. Metzger and Tvrdik asked unanimous consent to have their names added as co-introducers of L. B. 406.

Consent was granted and it was so ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 430. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Hoyt moved that Standing Committee amendment 1 be placed after the word "act" in line 51 of Section 2.

The motion prevailed.

Mr. Hoyt offered the following amendment, which was adopted.

Amend L. B. 430, section 4, line 8, by striking the word "may" and inserting in lieu thereof the word "shall".

Mr. Hoyt offered the following amendment, which was adopted.

Amend the title of L. B. 430 to conform to Standing Committee amendments.

Laid over for one week.

Member Excused

Mr. Larkin was excused for Tuesday, March 22, 1949.

Adjournment

At 12:00, noon, on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 22, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Larkin, who was excused, and Mr. Schroeder, who was excused until 10:00 a.m.

The Journal for the Fifty-fifth Day was approved.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 217. Laid over.
LEGISLATIVE BILL 327.

A bill for an act to amend sections 74-319, 75-603, and 79-1707, Revised Statutes of Nebraska, 1943, relating to eminent domain proceedings; to provide that fees of appraisers or commissioners shall be fixed by the county judge and taxed as costs in the proceedings; 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, T.	Carmody	Lindgren	Pizer
Anderson, L.	Cramer	Lusienski	Prohs
Anderson, V.	Cretsinger	McKnight	Tvrdik
Benesch	Davies	Metzger	Vogel

Bohlke	Hill	Nelson	Vogt
Bridenbaugh	Holmes	Norman	Weborg
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Lee	Person	Wood
Callan	Lillibridge		

Voting in the negative, 3:

Hern	Williams	Wilson, W.

Not voting, 6:

Adams, J.	Carson	Larkin	Schroeder
Babcock	Hanna		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 432.

A bill for an act to amend sections 32-1407 and 32-1409, Revised Statutes of Nebraska, 1943, relating to elections; to provide compensation to city clerk for his services as supervisor of registration or as clerk of board; to increase the maximum amount that may be paid to supervisors of registration; 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, 39:

Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Lee	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Bohlke	Larkin	Schroeder

A constitutional majority having voted in the affirmative, the

bill was declared passed and the title agreed to.

LEGISLATIVE BILL 218.

A bill for an act relating to highways; to authorize the Department of Roads and Irrigation to erect two sets of scales; to provide that each of the same shall be located near or adjacent to a state highway; to provide that the cost of such scales shall be paid out of the Highway Cash Fund of the Department of Roads and Irrigation; and to provide for acquiring of real estate for such purpose.

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:

Anderson, L.	Carson	Lillibridge	Vogel
Anderson, V.	Cramer	Lindgren	Vogt
Bridenbaugh	Cretsinger	Lusienski	Williams
Burney	Davies	Metzger	Wilson, C.
Callan	Hanna	Prohs	Wilson, W.
Carmody	Hoyt	Tvrdik	Wood

Voting in the negative, 16:

Adams, T.	Burnham	Lee	Ogden
Babcock	Hern	McKnight	Person
Benesch	Hill	Nelson	Pizer
Bohlke	Holmes	Norman	Weborg

Not voting, 3:

Adams, J.	Larkin	Schroeder

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 171. E and R amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 374. E and R amendment found in the Legislative Journal for the Fifty-fifth Day was adopted.

Advanced to E and R for engrossment.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 483. Placed on General File.
LEGISLATIVE BILL 530. Placed on General File.
LEGISLATIVE BILL 516. Indefinitely postponed.
LEGISLATIVE BILL 493. Placed on General File.
LEGISLATIVE BILL 476. Indefinitely postponed.

(Signed) John P. McKnight, Chairman.

Enrollment and Review

LEGISLATIVE BILL 365. Placed on Select File as amended.

E and R amendments to L. B. 365:

1. In Standing Committee Amendment 1, insert "*the*" after "*showing*" in line 8 and after "*and*" in line 9.

2. In the bill, section 1, line 8, insert "*other*" after the word "any" and in line 10, before the comma insert "*thereof*".

3. In the bill title, line 12, after "bequest" and before the new matter inserted by Standing Committee Amendment 2, insert "as prescribed".

4. In Standing Committee Amendment 2 to the title, lines 4 and 5, strike "and for annual reports" and in lieu thereof insert "disposed of, or disbursed; to provide for annual reports thereof".

LEGISLATIVE BILL 411. Placed on Select File as amended.

E and R amendment to L. B. 411:

1. In the bill, section 1, strike lines 7 to 17 inclusive, commencing after the comma in line 7 and in lieu thereof insert "*in such manner* as may be deemed expedient by the Department of Roads and Irrigation *(1)* in order to shorten distances, *(2)* to eliminate steep grades or sharp turns, *(3)* to widen or narrow the highway, or *(4) to* otherwise promote public convenience and safety. Such portions of a state highway as may be abandoned, because of the *deviations* described *in this section,* shall no longer be considered *to be* a state highway or *parts thereof* but shall be abandoned as a public highway, unless *a* petition of the county board of the county in which such abandoned

sections *of such a state highway are* located *is filed with* the department *setting forth* that"; and strike the comma in line 20.

LEGISLATIVE BILL 372. Placed on Select File as amended.

E and R amendments to L. B. 372:

1. In the bill, section 1, in lines 6 and 10, after the word "to" insert "the", also in line 11 after the word "for"; in line 6, before the word "child" insert "his"; and in line 10, before the word "child" insert "such".

2. In the bill title, insert the word "the" after "for" in line 5, also at the end of line 7 and before the word "discharge" in line 8; line 7, strike the word "and"; strike the period in line 10 and in lieu thereof insert "; and to provide the procedure if the accused shall fail to comply with such order.".

LEGISLATIVE BILL 510. Placed on Select File as amended.

E and R amendments to L. B. 510:

1. In the bill, section 1, line 4, after the word "be" insert "(1)"; line 5, strike the word "or" and in lieu thereof insert "(2)" and also in the same line after the word "jail" insert "for"; line 6 strike the word "or" and insert "(3)"; and in line 7 after the word "or" insert "(4)".

2. In the bill title, strike the last line and in lieu thereof insert "penalties.".

LEGISLATIVE BILL 448. Placed on Select File.
LEGISLATIVE BILL 39. Correctly engrossed.
LEGISLATIVE BILL 147. Correctly engrossed.
LEGISLATIVE BILL 339. Correctly engrossed.
LEGISLATIVE BILL 364. Correctly engrossed.
LEGISLATIVE BILL 241. Correctly enrolled.
LEGISLATIVE BILL 278. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 241 L. B. 278

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 296. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 222. Placed on General File as amended.

Standing Committee amendments to L. B. 222:

1. Amend section 2, line 26, by inserting after the word "time" the following: *"; Provided, that for the purpose of this subsection, the wages shall not in any case be taken to exceed thirty-three dollars per week"*.

2. Amend the title of the bill, line 4, by inserting after the word "benefits" the following: "; to provide that for the purpose of determining the benefits to persons partially dependent upon the earnings of a deceased person, the wages shall not in any case be taken to exceed thirty-three dollars per week".

LEGISLATIVE BILL 240. Placed on General File as amended.

Standing Committee amendments to L. B. 240:

1. Section 1, lines 6 to 10 inclusive, strike the new matter and reinstate the repealed matter.

2. Section 1, line 7, after the word "others" insert the following: *"except as hereinafter provided."*

3. Section 1, line 48, immediately following the word: "week." insert the following: *"In connection with employment where tips paid by employer's patrons to the employee are a part of the wages or earnings the employer shall advise each employee to report weekly the amount of such tips, and thereafter the employee shall be responsible for the regular reporting of such tips, and if the employee should fail to do so, then the total earnings of such employee shall be deemed to be $25.00 per week."*

4. Amend the title to conform.

(Signed) Karl E. Vogel, Chairman

GENERAL FILE

LEGISLATIVE BILL 277.

Standing Committee amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Mr. Babcock offered the following amendment to the Standing Committee amendments, which was adopted.

Amend the Standing Committee amendments to L. B. 277 by striking the period at the end of Amendment No. 1 and inserting in lieu thereof a semicolon and insert the following new matter: "nor amounts payable or to become payable as the purchase price of any farm crops sold on contract before harvest by the grower thereof or the owner of the land on which said crop is grown.".

Advanced to E and R for review.

Speaker Lee Presiding

LEGISLATIVE BILL 1. Considered.

Standing Committee amendments 55 through 67 found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Hoyt offered the following amendment in lieu of Standing Committee amendment 68, which was adopted.

Amend page 123 of the bill, renumbered Section 357, line 16, by adding the following: *"Any such probationary teacher whose contract is automatically renewed according to the aforesaid provision shall file written notice with the secretary of the board within fifteen days thereafter of his acceptance of the renewed contract, and failure to file such notice shall be regarded as conclusive evidence of his non-acceptance of the contract."*

Standing Committee amendments 68 and 69, found in the Legislative Journal for the Thirty-fifth Day were not adopted.

Standing Committee amendments 70 through 78 found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Weborg offered the following amendment, which was adopted.

1. Amend page 39 of the bill, section 98, line 6, by inserting after the stricken word "sufficient" the words *"either a personal or"*.

Laid over until Friday, March 25, 1949.

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 105. Considered.

Mr. L. Anderson offered the following amendment, which was adopted with 29 ayes, 0 nays and 14 not voting.

1. Amend page 3 of the bill, section 7, line 3, by striking the figure "8" and inserting in lieu thereof the figure "6".

2. Amend page 3 of the bill, section 8, line 3, by striking the figure "7" and inserting in lieu thereof the figure "6".

Advanced to E and R for review.

Visitors

Mr. Hern introduced Mr. and Mrs. George Taylor, of Glen, Nebraska.

LEGISLATIVE BILL 387. Considered.

Mr. Ogden Presiding

Mr. Tvrdik offered the following amendments, which were adopted.

1. Amend page 3 of the bill by adding immediately after section 1 a new section to be known as section 2, and to read as follows:

"Sec. 2. That section 71-1629, Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1629. (1) Any county board of such a county shall be authorized to (a) incur the expenses necessary for the establishment and maintenance of such county health department, (b) levy and collect an annual tax of not to exceed one-fourth mill on the dollar on all taxable property within the county, *except in counties having a population of more than two hundred thousand inhabitants,* to meet and pay the same, and (c) to appropriate and use any unused funds in the general fund belonging to the county for the purposes set forth in sections 71-1626 to 71-1636.

(2) In counties where a district health department is established, county boards of such counties are authorized and empowered to levy and collect an annual tax of not to exceed one-fourth mill on the dollar on all taxable property within the county, as may be necessary to meet the expenditures of such district health department in proportion to which the population of such county bears to the entire population of such district.

(3) Municipalities, located within such counties which have established departments of health, are authorized to (a) cooperate

in the maintenance of such county health departments as health departments for such municipalities, (b) incur the necessary expenses for their proportionate share in the establishment and maintenance of such county health departments;, and (c) levy and collect an annual tax, in addition to any funds raised by taxation which are now being appropriated and used by any municipality for health purposes, of not to exceed one-fourth mill on the dollar on all taxable property within the jurisdiction of such municipality to meet and pay the same."

2. Amend page 3 of the bill by striking old numbered section 2 and inserting in lieu thereof the following:

"Sec. 3. That original sections 71-1628 and 71-1629, Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title of the bill, line 2, by inserting after the figure "71-1628" the following: "and 71-1629".

4. Amend the title of the bill, line 5, by inserting after the word "state" the following: "; to provide that the provisions for an annual tax of not to exceed one-fourth mill on the dollar on all taxable property within the county shall not apply to counties having a population of more than two hundred thousand inhabitants".

5. Amend the title of the bill, line 6, by striking the word "section" and inserting in lieu thereof the word "sections".

Advanced to E and R for review.

Speaker Lee Presiding

LEGISLATIVE BILL 440. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 443.

Mr. Schroeder moved that L. B. 443 be laid over to wait action on the Governor's highway program bills.

Mr. Williams offered a substitute motion that L. B. 443 be indefinitely postponed.

Mr. Burnham requested a record vote.

Mr. Williams requested a Call of the House.

A Call of the House was ordered and the roll showed 42 members present.

Mr. Babcock moved that the Call be raised and the motion prevailed with 23 ayes, 9 nays and 11 not voting.

Voting in the affirmative, 20:

Adams, J.	Davies	Lusienski	Prohs
Adams, T.	Hern	Metzger	Tvrdik
Anderson, V.	Holmes	Norman	Vogel
Benesch	Hoyt	Ogden	Williams
Bohlke	Lee	Pizer	Wilson, C.

Voting in the negative, 20:

Anderson, L.	Callan	Hanna	Person
Babcock	Carmody	Hill	Schroeder
Bridenbaugh	Carson	Lillibridge	Vogt
Burney	Cramer	Lindgren	Weborg
Burnham	Cretsinger	Nelson	Wilson, W.

Not voting, 3:

Larkin	McKnight	Wood

The motion to indefinitely postpone did not prevail.

President Warner Presiding

Mr. Schroeder reoffered his motion that L. B. 443 be laid over to be made Special Order on April 22.

The motion did not prevail with 18 ayes, 20 nays and 5 not voting.

Mr. Vogel made a motion that L. B. 443 be referred back to the Revenue Committee for a public hearing.

Mr. Carmody requested a record vote.

Voting in the affirmative, 21:

Adams, T.	Davies	Lusienski	Prohs
Anderson, V.	Hern	McKnight	Tvrdik
Babcock	Holmes	Metzger	Vogel
Benesch	Hoyt	Norman	Williams
Bohlke	Lee	Pizer	Wood
Callan			

Voting in the negative, 20:

Adams, J.	Carmody	Hill	Schroeder
Anderson, L.	Carson	Lillibridge	Vogt

Bridenbaugh	Cramer	Lindgren	Weborg
Burney	Cretsinger	Nelson	Wilson, C.
Burnham	Hanna	Person	Wilson, W.

Not voting, 2:

Larkin	Ogden

The motion to return to committee prevailed.

Visitors

Mr. Warner presented the basketball team from Waverly, which won the tournament in Class C. The coach, Mr. Bowmaster, presented the individual members of the team and also the class in American Democracy from Waverly High School.

GENERAL FILE

LEGISLATIVE BILL 454. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 301. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 302. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 307. 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.

Adjournment

At 12:00, noon, on a motion by Mr. Schroeder, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 23, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner 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.

Communications

A letter from the Nebraska Taxpayers, opposing increased taxation.

A letter from Mrs. Etta M. Serck opposing the placing of a tax on home permanents.

Approved by the Governor

March 23, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 22, 1949, he approved L. B. 54.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

NOTICE OF COMMITTEE HEARING

Budget

L. B. 404 Tuesday, March 29, 1949 2:00 p.m.

STANDING COMMITTEE REPORT

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 468. Indefinitely postponed.
LEGISLATIVE BILL 494. Indefinitely postponed.
LEGISLATIVE BILL 417. Indefinitely postponed.
LEGISLATIVE BILL 418. Indefinitely postponed.

(Signed) William Hern, Chairman

Revenue and Taxation

LEGISLATIVE BILL 524. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Education

LEGISLATIVE BILL 294. Placed on General File as amended by Substitute Bill 294.

Mimeographed in lieu of printing in the Journal.

(Signed) Dwight W. Burney, Chairman

Enrollment and Review

LEGISLATIVE BILL 395. Placed on Select File as amended.

E and R amendments to L. B. 395:

1. In Standing Committee Amendment 1, insert a comma after the word "lower" in line 3.

2. In the bill, section 1, line 3, after the word "association" insert "shall be deemed guilty of deceptive or misleading advertising"; in line 11, strike the words "by its terms" and in lieu thereof insert "therein"; and strike lines 13 and 14, commencing with ", such" in line 13 and all of line 14 and in lieu thereof insert a period.

3. In the bill title, strike the period in line 4 and in lieu thereof insert "; and to provide that, for the purpose of said section, any person, firm, corporation, or association shall be guilty of deceptive and misleading advertising that does the acts provided for with refer-

ence to advertising merchandise for sale at retail as prescribed.".

LEGISLATIVE BILL 226. Placed on Select File.
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, before the word "The" insert "*(1)*"; line 13, before the word "When" insert "*(2)*"; insert stricken word "by" in line 15 after the word "examined"; line 20 before the word "*The*" insert "*(3)*"; in line 21 before the word "*shall*" insert "*of a company referred to in subsection (2) of this section*"; line 22, strike "*and he shall collect them*" and in lieu thereof insert "*who shall collect the same*"; line 23, strike "*them on*" and in lieu thereof insert "*the amount thereof upon*"; also in same line strike commencing with "*On*" and including all of line 24 and amendment thereto, and in lieu thereof insert "*(4) The expense for the examination of the companies referred to in subsection (1) hereof shall be*", and line 26, after the word "expenses" insert "*to be collected from and paid by such domestic companies as is provided in subsection (3) hereof*".

2. In the bill title, line 4, after the word "companies" insert "incorporated or organized in any other state or country"; line 6, strike "the method of" and in lieu thereof insert "for the collection and"; line 8, strike "include" and in lieu thereof insert "be"; and line 9 after "examiner" insert "for each examiner plus the actual expenses to be collected and paid as prescribed".

LEGISLATIVE BILL 460. Placed on Select File as amended.

E and R amendments to L. B. 460:

1. In the bill, section 1, line 11, strike the word "*provided*" and in lieu thereof insert "*if*"; line 20, after the word "shall" insert "*(1)*"; line 25, strike "; and shall further" and in lieu thereof insert "and *(2)*"; strike the commas in line 26 after the words "misdemeanor" and "shall" and in line 27 after the word "offense"; and in lines 27 and 28 strike ", and shall" and in lieu thereof insert the word "and".

2. In the bill title lines 4 and 5 strike "deductions are deducted and" and in lieu thereof insert "payroll deductions so taken are".

LEGISLATIVE BILL 380. Replaced on Select File as amended.

E and R amendments to L. B. 380:

1. In the bill, section 2, line 16, reinsert the word "shall" after "director".

2. Section 4, lines 22 and 23, strike "or white bread" to avoid duplication.

3. In the bill, section 4, line 50, in lieu of striking the comma after the word "or" which comma appears on the printed bill, but not on the original bill, strike the comma after the word "order" in the original bill, which comma does not appear in the printed bill.

LEGISLATIVE BILL 101. Replaced on Select File as amended.

E and R amendments to L. B. 101:

1. In the substitute bill, section 8, line 26, strike *"year"* and in lieu thereof insert *"year's fees"*.

2. Section 11, line 30, strike the comma before the word "at".

LEGISLATIVE BILL 345. Correctly engrossed.
LEGISLATIVE BILL 374. Correctly engrossed.
LEGISLATIVE BILL 303. Correctly engrossed.
LEGISLATIVE BILL 389. Correctly engrossed.
LEGISLATIVE BILL 218. Correctly enrolled.
LEGISLATIVE BILL 327. Correctly enrolled.
LEGISLATIVE BILL 432. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 22, 1949 at 10:30 a.m.

L. B. 140 L. B. 259 L. B. 304
L. B. 329 L. B. 158

Presented to the Governor for approval on March 23, 1949 at 10:00 a.m.

L. B. 278 L. B. 241

(Signed) Glenn Cramer, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 375. Indefinitely postponed.
LEGISLATIVE BILL 450. Indefinitely postponed.
LEGISLATIVE BILL 463. Indefinitely postponed.

(Signed) Ray A. Babcock, Chairman

Revenue and Taxation

LEGISLATIVE BILL 424. Placed on General File as amended.

Standing Committee amendments to L. B. 424:

1. Amend page 2 of the bill, section 1, line 7, by striking the new matter and reinstating the old matter.

2. Amend page 2 of the bill, section 1, line 8, by inserting after the word "fund" and punctuation, the following: *"There is hereby appropriated from the General Fund of the state, not otherwise appropriated, an additional sum of fifty thousand dollars, and the same shall be credited to such revolving fund until June 30, 1953, when such sum shall thereafter revert into the General Fund."*

3. Amend page 2 of the bill, section 1, line 20, by inserting after the word and punctuation "board." the following: *"The tax appraisal board shall file a detailed report with the Clerk of the Legislature during the month of January of each odd-numbered year, summarizing its activities for the past two-year period."*

4. Amend the title of the bill by striking lines 3 to 7 and inserting in lieu thereof the following: "1947, relating to taxation; to appropriate an additional sum of fifty thousand dollars from the General Fund to the Tax Appraisal Board Revolving Fund to be used in such fund until June 30, 1953, when such sum so appropriated shall revert to the General Fund of the state; to provide for filing of reports by tax appraisal board with the Clerk of the Legislature summarizing its activities; to repeal the original section; and to declare an emergency.".

(Signed) Charles F. Tvrdik, Chairman

President Signs

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

L. B. 218 L. B. 327 L. B. 432

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 217.

A bill for an act relating to schools; to provide that the tuition of children of parents residing on tax exempt state-owned air fields shall be paid by the Department of Aeronautics as prescribed.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Adams, J.	Carson	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Williams
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	Wood

Voting in the negative, 1:

Callan

Not voting, 2:

Babcock Ogden

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 271.

A bill for an act to amend section 27-1617, Revised Statutes of Nebraska, 1943, relating to civil procedure in justice of the peace courts; to authorize giving of notice of sale of property taken in execution by publication in a legal newspaper or by posting of notice; to provide where such sale may be held; 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, 42:

Adams, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.

Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 1:

Holmes

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 amend section 83-210.01, Revised Statutes Supplement, 1947, relating to state institutions; to increase the amount of the revolving fund used for the purchase of equipment and initial stock for vending stands or business enterprises to be operated by blind persons; to appropriate the sum of ten thousand dollars additional for such revolving fund; 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, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Williams
Burney	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Bohlke	Burnham	Schroeder

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 354.

A bill for an act to amend section 71-1902, Revised Statutes Supplement, 1947, relating to board and care of children; to change the date of expiration of license for homes furnishing care to 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, 43:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin	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 368.

A bill for an act to amend section 77-1502, Revised Statutes Supplement, 1947, relating to taxation; to provide that the county board of equalization shall be authorized and empowered to meet at any time upon the call of the chairman or any three members of the board only for purpose of equalizing assessments of omitted or undervalued property; 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, 42:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel

Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Burney

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 437.

A bill for an act relating to radio broadcasting; to limit the liability for damages of the owners, licensees, or operators of visual or sound radio broadcasting stations or networks of such stations, and the agents or employees of any such owners, licensees, or operators, with respect to defamatory statements published or uttered in or as a part of a visual or sound radio broadcast except as prescribed; to relieve any such owner, licensee, or operator and the agents or employees of any such owner, licensee, or operator, from liability for damages for any defamatory statement published or uttered over the facilities of any such station or network by, on behalf of, or against any candidate for public office except as prescribed; and to limit the amount of recoverable damages for any defamatory statement published or uttered in or as a part of any such visual or sound radio broadcast.

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, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.

Burney	Holmes	Person	Wilson, W.
Burnham	Hoyt	Pizer	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Lusienski

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 288. Advanced to E and R for engrossment.
LEGISLATIVE BILL 365. E and R amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 372. E and R amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 411. E and R amendment found in the Legislative Journal for the Fifty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 510. E and R amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 448. Advanced to E and R for engrossment.
LEGISLATIVE BILL 100.

Mr. T. Adams offered the following amendments, which were adopted by unanimous consent.

1. Amend page 2 of the bill, section 1, line 3, by inserting after the word "health" the following: *"in counties having a population of not more than two hundred thousand inhabitants,"*.

2. Amend page 2 of the bill, section 1, line 7, by inserting after the word "case" the following: ", *and the members of the county board of mental health in counties having a population of two hundred thousand or more inhabitants, shall be allowed compensation at the rate of three dollars per day each for the time actually employed in the duties of their office*".

3. Amend the title of the bill, line 5, by inserting after the word "health" the following: "in counties having a population of not more than two hundred thousand inhabitants".

Laid over.

GENERAL FILE

Special Order

LEGISLATIVE BILL 56.

Mr. Metzger asked unanimous consent to have the committee amendments read in lieu of reading the bill.

Consent was granted and it was so ordered.

Standing Committee amendments included in mimeographed bill reported to the Legislature on March 4, 1949 were adopted.

Mr. Holmes moved to indefinitely postpone L. B. 56.

Mr. Holmes requested a record vote.

Voting in the affirmative, 13:

Anderson, L.	Cramer	Holmes	Weborg
Bridenbaugh	Davies	Lusienski	Williams
Carmody	Hanna	Prohs	Wilson, W.
Carson			

Voting in the negative, 21:

Adams, J.	Callan	Lee	Schroeder
Adams, T.	Cretsinger	McKnight	Tvrdik
Anderson, V.	Hern	Metzger	Vogel
Benesch	Hoyt	Norman	Vogt
Burney	Larkin	Pizer	Wilson, C.
Burnham			

Not voting, 9:

Babcock	Lillibridge	Nelson	Person
Bohlke	Lindgren	Ogden	Wood
Hill			

Mr. Holmes' motion to indefinitely postpone did not prevail.

Mr. Lee Presiding

Mr. W. Wilson made a motion to have L. B. 56 laid over and made Special Order of Business on Monday, March 28, 1949.

The motion prevailed with 21 ayes, 16 nays and 6 not voting.

Visitors

Mr. Callan introduced the members of the Woman's Club of Odell, Nebraska.

Member Excused

Mr. Lusienski was excused for the remainder of the morning.

Unanimous Consent—Special Order

Mr. Williams asked unanimous consent to have L. B. 167 made Special Order of Business at 10:00 a.m. on Tuesday, March 29, 1949.

Consent was granted and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 20. Re: Memorializing the Senate of the United States to Ratify the Proposed North Atlantic Treaty

Introduced by Thomas M. Davies of Lancaster.

WHEREAS, the U.S.S.R. has imposed communist dictatorships upon country after country by force, fear, threats, and internal revolution; and

WHEREAS, our Secretary of State of the United States has stated "that the control of Europe by a single aggressive, unfriendly power would constitute an intolerable threat to the national security of the United States; and

WHEREAS, the North Atlantic Treaty has been proposed " to safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law"; and

WHEREAS, such treaty is designed to reduce the possibility of

war by making it clear to Russia that any armed attack upon any signer nation shall be considered an attack against them all; and

WHEREAS, such treaty should be quickly and unanimously ratified by the Senate of the United States as a warning that the United States will resist with force any armed attack by Soviet Russia upon any of the nations signing such pact.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Senate of the United States be memorialized to promptly ratify the proposed North Atlantic Treaty.

2. That copies 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, and to each member from Nebraska in the Senate of the United States.

Adjournment

At 11:50 a.m., on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 24, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fifty-seventh Day was approved as corrected.

Communications

Letters acknowledging receipt of L. R. 19 from Carl T. Curtis, M.C., A. L. Miller, M.C., Sam Rayburn, Speaker of the House of Representatives, and Albin W. Barkley, Vice President of the United States.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 132. Indefinitely postponed.
LEGISLATIVE BILL 449. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Education

LEGISLATIVE BILL 209. Placed on General File.
LEGISLATIVE BILL 427. Placed on General File.

(Signed) Dwight W. Burney, Chairman

Government

LEGISLATIVE BILL 415. Placed on General File.

LEGISLATIVE BILL 513. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 88. Placed on Select File as amended.

E and R amendments to L. B. 88:

1. In General File Amendment, by Mr. John Adams to Holmes Amendment 1 in original, line 4, strike the words "the test" and in lieu thereof insert *"to take any test provided for in said act"*; and in said amendment strike "(5)".

2. In original General File Amendment 1 by Mr. Holmes, line 3, insert a comma after the word *"alleged"*; line 9 strike the period and in lieu thereof insert a semicolon; line 15, strike the period and in lieu thereof insert *"; and"*; line 20, strike *"(4)"*.

3. In the original General File Amendment 5 to the title, lines 4 and 5, strike ", in a criminal prosecution" and in lieu thereof insert "shall give rise to the prescribed presumptions in a criminal prosecution for violation of the section of the statutes set forth; to limit the effect and use of such a presumption;"; and in line 10, after the semicolon following the word "tests" insert "to provide that if a person refuses to take any test prescribed it shall not create any presumption of guilt against such person; to provide and change penalties; to provide a construction clause;".

4. In the bill section 1, line 4, after the word *"in"* insert *"the"*; line 29, after the word "operating" insert *"or was actually physically controlling,"*; line 30 insert a comma after the word "drug", and line 42 strike the comma after the word "years".

5. In the bill title, line 4, after the word "in" insert "the"; in lines 6 and 7, strike "for the presumptions" and in lieu thereof insert "that".

LEGISLATIVE BILL 163. Placed on Select File as amended.

E and R amendments to L. B. 163:

1. In Standing Committee Amendment 2, to the title, line 2, strike the period.

2. In the bill, section 1, line 11, insert a comma after the word *"company"*, and line 13, strike the comma after the word *"holders"*.

3. In the bill title, line 5, after the word "and" insert "either

a", and in the same line after the word "fund" insert "as prescribed".

LEGISLATIVE BILL 393. Placed on Select File as amended.

E and R amendment to L. B. 393:

1. In the bill, section 1, line 14, strike ", and the" and in lieu thereof insert ". *The*", and line 18, strike "; *Provided,* county" and in lieu thereof insert ". *County*".

LEGISLATIVE BILL 336. Placed on Select File as amended.

E and R amendment to L. B. 336:

1. In the bill, section 1, line 12, insert a comma after the word "principles", and line 27, after the word "methods".

LEGISLATIVE BILL 398. Placed on Select File as amended.

E and R amendments to L. B. 398:

1. In Standing Committee Amendment 7, line 2, strike the comma after the word "adoption".

2. In the bill, section 1, lines 3 and 4, strike "the same" and in lieu thereof insert "it".

3. In the bill title, line 2, before the last word "to" insert "and"; strike all of lines 3, 4 and 5, beginning with the word "entered" in line 3 and in lieu thereof insert "and all instruments and proceedings in connection therewith entered in the county courts of Nebraska prior to the effective date of this act unless an action attacking the validity of such a decree is brought within two years from the entry of such decree.".

LEGISLATIVE BILL 394. Placed on Select File as amended.

E and R amendments to L. B. 394:

1. In the Standing Committee Amendment 1, line numbered 11, strike the word "and"; line 13, after the word "district," insert "*(3)*"; line 15, before the word "that" insert "*(4)*", and line 39 strike the first words "the boundaries".

2. In the bill, section 1, line 5, insert the word "*the*" at the end of the line, and line 6, after the word "levied" insert "*the amount necessary*".

LEGISLATIVE BILL 452. Placed on Select File as amended.

E and R amendments to L. B. 452:

1. In the original Standing Committee Amendment 1, line 3, strike the words "*for lakes*" and in lieu thereof insert ", *with respect to lakes,*"; line 4, strike "*and for rivers and streams*" and in lieu thereof insert ", *rivers, and streams,*", and lines 7 and 8 strike ", *but such*" and in lieu thereof insert ". *The said*".

2. In Standing Committee Amendment 2 to the title, line 3, strike the words "for lakes" and in lieu thereof insert ", with respect to lakes,"; and in line 4, strike "and for rivers and streams" and in lieu thereof insert ", rivers, and streams,".

3. In the bill, section 1, line 18, strike ", and" and in lieu thereof insert and show the same as stricken matter, and strike the quotation marks in lines 32 and 33.

LEGISLATIVE BILL 247. Placed on Select File as amended.

E and R amendment to L. B. 247:

1. In the bill, section 1, line 6, strike the words "so to do" and in lieu thereof insert "to do *so*"; line 7, after the punctuation and word "act," strike "or", and in line 9 strike the word "or".

LEGISLATIVE BILL 171. Correctly engrossed.
LEGISLATIVE BILL 173. Correctly engrossed.
LEGISLATIVE BILL 384. Correctly engrossed.
LEGISLATIVE BILL 217. Correctly enrolled.
LEGISLATIVE BILL 271. Correctly enrolled.
LEGISLATIVE BILL 353. Correctly enrolled.
LEGISLATIVE BILL 354. Correctly enrolled.
LEGISLATIVE BILL 368. Correctly enrolled.
LEGISLATIVE BILL 437. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Visitor

Mr. Babcock introduced Mr. Charles D. Green, of Sidney, Nebraska, a former member of the Legislature, who spoke a few words to the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 172.

A bill for an act to amend section 44-1202, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that sales or exchanges of reciprocal insurance shall be made only through duly licensed agents or representatives except 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, 39:

Adams, J.	Carson	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Bohlke	Burney	Norman	Williams

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 42-122, Revised Statutes of Nebraska, 1943, relating to premarital examination; to change the information to be contained in the statement accompanying the certificate; to provide that the certificate shall be on a form approved by the Department of Health, which approved forms shall be distributed to all county judges in the state and to the laboratories in this state approved by the department; 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, J.	Callan	Larkin	Pizer

Adams, T.	Carmody	Lee	Prohs
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	McKnight	Vogt
Bohlke	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Hanna	Norman	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 373.

A bill for an act to amend section 71-605.01, Revised Statutes Supplement, 1947, relating to public health and welfare; to provide that death certificates issued by and under authority of the United States for persons who were residents of Nebraska at the time they entered the military or armed forces of the United States, and died while in the service of their country while outside the continental limits of the United States may be recorded with the Department of Health; 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 456.

A bill for an act to amend section 54-803, Revised Statutes Supplement, 1947, relating to commercial feeding stuffs; to provide for additional statements on labels of commercial feeding stuffs sold, offered, or exposed for sale, or distributed within this state at retail and certain requirements 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, 42:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

To Record Vote

Mr. President: If present, I would have voted "aye" on L. B. 437 on third reading yesterday. (Signed) Ed. F. Lusienski

Mr. President: Had I been present, I would have voted for L. B. 172 and L. B. 373 on Final Reading today. (Signed) W. J. Norman

SELECT FILE

LEGISLATIVE BILL 395. 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 226. Advanced to E and R for engrossment.
LEGISLATIVE BILL 252. 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 460. 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 380. 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 101. 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 484. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 195. Laid over.
LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 119. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 267. Laid over.
LEGISLATIVE BILL 310. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 268. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 320. Read and considered.

Standing Committee amendment to Section 3 found in the Legislative Journal for the Fiftieth Day was adopted.

Mr. Tvrdik asked that the bill be laid over.

Mr. Hanna moved to indefinitely postpone L. B. 320.

The motion prevailed with 19 ayes, 14 nays and 10 not voting.

LEGISLATIVE BILL 499. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Hoyt introduced Dr. Glen Callan and fifty students of Wesleyan University.

LEGISLATIVE BILL 213. Read and considered.

Mr. Bohlke moved to indefinitely postpone L. B. 213.

Mr. Carmody requested a record vote.

Voting in the affirmative, 26:

Anderson, L.	Cretsinger	Lindgren	Prohs
Babcock	Hanna	McKnight	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Hill	Ogden	Weborg
Burney	Holmes	Person	Wilson, W.
Burnham	Lee	Pizer	Wood
Callan	Lillibridge		

Voting in the negative, 13:

Adams, J.	Carson	Hoyt	Norman
Adams, T.	Cramer	Lusienski	Schroeder
Benesch	Davies	Metzger	Wilson, C.
Carmody			

Not voting, 4:

Anderson, V.	Larkin	Tvrdik	Williams

Mr. Bohlke's motion prevailed with 26 ayes, 13 nays and 4 not voting.

Visitors

Mr. Hill introduced his brother, Mr. Ben Hill, of Superior, Nebraska, and Mrs. Mary Komerek and Miss Orpha Lee McLaughlin, of Hebron, Nebraska.

LEGISLATIVE BILL 431. Laid over.
LEGISLATIVE BILL 472. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Vogel offered the following amendment, which was adopted.

Amend L. B. 472, section 4, line 4, by striking the word "sections" and inserting in lieu thereof the word "section"; line 5, strike the following: "2, and 3".

Advanced to E and R for review.

LEGISLATIVE BILL 439. Laid over.
LEGISLATIVE BILL 400. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 220. Laid over until Wednesday, March 30, 1949.
LEGISLATIVE BILL 251. Laid over.
LEGISLATIVE BILL 410. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 409. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 469. 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 248. Laid over until Monday, March 28, 1949.
LEGISLATIVE BILL 407. 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 309. Read and considered.

Advanced to E and R for review.

President Signs

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

L. B. 217	L. B. 353	L. B. 368
L. B. 271	L. B. 354	L. B. 437

Member Excused

Mr. McKnight was excused for Friday, March 25, 1949.

Adjournment

At 11:55 a.m., Mr. Norman made a motion that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Friday, March 25, 1949.

The motion did not prevail with 27 ayes, 4 nays and 12 not voting.

At 11:55 a.m., on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 25, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McKnight, who was excused, Mr. Norman, who was excused until 9:30, Mr. T. Adams, who was excused until 10:00, and Mr. J. Adams, who was excused until 10:30.

The Journal for the Fifty-eighth Day was approved.

Communication

A letter from Mr. James Pinkerton of Tryon, Nebraska, addressed to Governor Peterson, regarding the selling of school lands.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 162. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Education

LEGISLATIVE BILL 422. Placed on General File as amended.

Standing Committee amendments to L. B. 422:

1. In the bill, amend Section 1, Line 4 by striking "as helping teachers".

2. In the bill, amend Section 1, Line 6 by striking "the same qualifications as the county superintendent" and inserting in lieu thereof the following "at least a Nebraska Professional Junior Elementary Certificate or equivalent which shall be in force at the time of appointment".

3. In the bill, amend Section 1, Line 8 by inserting a (.) after the word "superintendent" and striking all of Line 9.

LEGISLATIVE BILL 474. Placed on General File as amended.

Standing Committee amendments to L. B. 474:

1. Amend pages 4 and 5 of the bill by striking sections 3 and 4 and inserting in lieu thereof the following:

"Sec. 3. That section 72-212, Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-212. No lands now owned or hereafter acquired by the State for educational purposes shall be sold except at public auction. *Prior to such sale, the land shall be appraised by a representative appointed by the Board of Educational Lands and Funds. After the effective date of this act, upon the expiration of the term or surrender of any school land lease, the land, exclusive of improvements, shall be offered for sale at public auction between the dates August 1 and December 31 of each year and sold to the highest bidder for cash. The highest bidder shall deposit with the county treasurer of the county in which the land is located a sum equal to twenty-five per cent of his bid immediately after the sale, and the balance of the purchase price shall be paid to the county treasurer within thirty days from date of sale. In the event the purchaser fails to pay the remaining seventy-five per cent of his bid within the time provided, he shall forfeit the money deposited with the county treasurer on the date of sale. If no bid is received or the highest bid is less than the appraised value for sale purposes, the land shall be leased by the Board of Educational Lands and Funds, as provided in sections 72-240.01 and 72-240.02, for a period of not to exceed two years. At the expiration of any two-year lease, the land shall again be offered for sale at public auction.*

Sec. 4. *If the highest bid received shall be made by a person other than the lessee, the improvements, if any, placed upon the land by the tenant whose term has expired or who has surrendered his lease, shall be appraised by the board of county commissioners or supervisors, as the case may be, at the expense of the Board of Educational Lands and Funds. Except as otherwise provided in this section, such appraisement shall be had and conducted in the manner*

provided in section 72-240.06. Such appraisers shall determine the fair and reasonable value of the permanent improvements, which value shall determine the price to be paid by the purchaser. Improvements to be included in such appraisement shall be all buildings, fencing, wells, windmills, pumps, tanks, irrigation improvements, dams, drainage ditches, and they shall also determine the cost of labor expended for breaking sod on such tract of land and reducing it to cultivation, plowing for future crops, and for alfalfa or other crops growing thereon except wheat sown on summer tilled land. Wheat sown on summer tilled land shall be divided by the lessee retaining two-thirds of the crop and the purchaser receiving one-third of the crop and the lessee to harvest and deliver the crop to market at his expense. The lessee, after such appraisement is made, shall have the option of being paid by the purchaser within thirty days or of removing such improvements. Such option shall be exercised by filing with the Secretary of the Board of Educational Lands and Funds, within ten days after the making of the appraisement, an acceptance of the award. If such acceptance is not filed, the lessee shall be deemed to have elected to remove such improvements. Either the lessee or the purchaser may appeal to the district court for the county in which the land is situated in the manner and time provided by law for appeals from a judgment entered by a justice of the peace."

2. Amend page 6 of the bill by adding immediately after section 6 two new sections to be known as sections 7 and 8, and to read as follows:

"Sec. 7. That section 72-258, Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-258. Such land shall be sold, at public auction, by a representative of the Board of Educational Lands and Funds or by the county treasurer of the county in which the land is located, to the highest cash bidder, but for not less than ninety per cent of the appraised value *for sale purposes.* Notice of such sale and the time and place where the same will be held shall be given by publication three consecutive weeks in some legal newspaper published in the county where the tracts of land or the lots are located or, in case no legal newspaper is published in said county, then in some legal newspaper of general circulation therein. The proof of such publication shall be made by the affidavit of the publisher, foreman or principal clerk of such newspaper or by some other person knowing about the same, and shall be filed in the office of the Board of Educational Lands and Funds; *Provided,* when the land consists of an undivided interest in realty, an action to partition may be maintained in the same manner as provided by law for the partition of real property among several joint owners.

Sec. 8. That section 72-259, Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-259. The proceeds of such sales shall be deposited by the Board of Educational Lands and Funds with the State Treasurer for the benefit of the permanent school fund of the state *and shall be invested in bonds of the United States as provided in section 72-202.*"

3. Amend page 6 of the bill by renumbering section 7 as section 9.

4. Amend renumbered section 9, line 1, by striking the word and figures "and 72-212" and inserting in lieu thereof ", 72-212, 72-258, and 72-259".

5. Amend page 6 of the bill, renumbered section 9, line 4, by inserting after the word "also" the following: "section 72-257, Revised Statutes of Nebraska, 1943, and".

6. Amend the title of the bill, line 2, by striking the word and figures "and 72-212" and inserting in lieu thereof ", 72-212, 72-258, and 72-259".

7. Amend the title of the bill, line 22, by inserting after the word "also" the following: "section 72-257, Revised Statutes of Nebraska, 1943, and".

(Signed) Dwight W. Burney, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 457. Placed on General File.
LEGISLATIVE BILL 509. Placed on General File.
LEGISLATIVE BILL 412. Placed on General File as amended.

Standing Committee amendments to L. B. 412:

1. Amend page 2, section 1, line 10 by inserting after the word "company" the following punctuation and words ", *other than the common or preferred stocks of an insurance company,*".

2. Amend page 2, section 1, line 13 by inserting after the word "company" and before the semicolon the following words "*other than as hereinafter set forth*".

3. Amend page 2, section 1 by striking all of line 14.

4. Amend page 2, section 1, line 15 by striking the word and punctuation "society," and by striking the words "domestic insurer".

5. Amend page 2, section 1, line 21 by striking the word "domestic".

6. Add the following section to be known as section 3: *"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."*.

7. Amend the title of the bill by striking the following punctuation and words from lines 4 and 5: "other than life insurance companies and fraternal benefit societies,".

8. Amend the title of the bill by striking the final period in the eighth line and inserting in lieu thereof the following punctuation and words: "; and to declare an emergency.".

(Signed) Ray Babcock, Chairman

Enrollment and Review

Presented to the Governor for approval on March 24, 1949 at 10:00 a.m.

L. B. 218 L. B. 327 L. B. 432

LEGISLATIVE BILL 232. Placed on Select File as amended.

E and R amendments to L. B. 232:

1. In the bill, section 1, line 3, strike the comma and in lieu thereof insert a colon.

2. Section 10, line 15, after the word *"him"* insert *"(a)"*; line 17, strike the second word *"or"* and in lieu thereof insert *", (b)"*; line 19, strike "or" at the beginning of the line and in lieu thereof insert *"(c)"*, and in line 20, insert *"(d)"* after the first word *"or"*.

3. Section 13, line 5, after the word "provided" insert *"for"*; line 6, strike the semicolon and the stricken comma and in lieu thereof insert a comma.

4. Section 15, line 7, after the word "upon" insert *"a"*; line 13, strike *"and of title and of"* and in lieu thereof insert *", title, and"*.

5. Section 16, line 9, strike the first word "or".

6. Section 14, line 6, strike the word "his" and in lieu thereof insert *"the"*.

7. In the bill title, line 12, after the semicolon insert "and".

LEGISLATIVE BILL 381. Placed on Select File as amended.

E and R amendments to L. B. 381:

1. In Standing Committee amendment 1, line 2, strike ", *nor shall they*" and in lieu thereof insert ". *(2) The board in all classes of school districts shall not*"; line 3, strike the word "*unless*" and in lieu thereof insert "*of any school of such school district unless (a)*"; and line 4, strike "*on or before October 15, unless*" and in lieu thereof insert "*or will reach such age on or before October 15 of the current year or (b)*", and in the last line strike the period.

2. In the bill, section 1, line 3, after the figures "79-414." insert "*(1)*"; strike, beginning with the word "in" in line 4 to and including "district," in line 5; line 6, strike the words "who had not" and in lieu thereof insert "*of such district unless such child has*"; line 7 after "years" insert "*or will reach such age*"; insert a comma at the end of line 3 and after "districts" in line 4.

3. In the bill title, strike commencing with the word "unless" in line 4 to but not including the semicolon in line 5 and in lieu thereof insert "of any school in all classes of school districts; to fix the age at which a child may be admitted to the kindergarten or beginner grade of any school of such a district except as prescribed".

LEGISLATIVE BILL 406. Placed on Select File as amended.

E and R amendments to L. B. 406:

1. In the bill, section 1, line 6, after the word "have" insert "*the*"; line 7, strike the comma after the word "ballot"; line 10, strike the comma; strike, beginning with the word "*persons*" in line 10 and all of line 11, and in lieu thereof insert the word "for", and line 18, insert the word "*said*" at the end of the line.

2. In section 2, line 6, strike the comma after the word "States"; line 20 before the word "*office*" insert "*the*" and line 31, after the word "canvassed" insert a comma.

3. In the bill title, strike line 4, and in lieu thereof insert "for the expression of first and second choices by the electors".

LEGISLATIVE BILL 508. Placed on Select File as amended.

E and R amendments to L. B. 508:

1. In the bill, section 1, line 7, strike the word "*then*".

2. In the bill title, strike beginning with the word "deceased"

in line 4, to and including the word "taxpayers" in line 6, and in lieu thereof insert "a deceased taxpayer after the filing of the inventory in the estate of such deceased taxpayer under the prescribed circumstances".

LEGISLATIVE BILL 101. Correctly engrossed.
LEGISLATIVE BILL 372. Correctly engrossed.
LEGISLATIVE BILL 380. Correctly engrossed.
LEGISLATIVE BILL 411. Correctly engrossed.
LEGISLATIVE BILL 510. Correctly engrossed.
LEGISLATIVE BILL 172. Correctly enrolled.
LEGISLATIVE BILL 332. Correctly enrolled.
LEGISLATIVE BILL 373. Correctly enrolled.
LEGISLATIVE BILL 456. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 20.

L. R. 20 was adopted with 28 ayes, 1 nay and 14 not voting.

LEGISLATIVE RESOLUTION 21. Re: Appreciation Extended to the Knights of Ak-Sar-Ben.

Introduced by William H. Hern.

WHEREAS, the members of the Nebraska Legislature and other state officers, together with their ladies, were the guests of the Knights of Ak-Sar-Ben in Omaha, Nebraska on the evening of Thursday, March 24, 1949; and

WHEREAS, the dinner which was served and the music which accompanied it were most excellent; and

WHEREAS, the entertainment provided by the Ice Capades was most enjoyable; and

WHEREAS, the arrangements of the evening were courteously and efficiently managed throughout;

NOW, THEREFORE, BE IT RESOLVED BY THE SIXTY-FIRST LEGISLATURE OF THE STATE OF NEBRASKA:

1. That the members of the Legislature express their warmest appreciation and their most sincere thanks for the gracious hospitality which was extended to them; and

2. That a copy of this resolution, suitably engrossed, be sent to the President of the Knights of Ak-Sar-Ben.

MOTION—Suspend Rules, Adopt Resolution

Mr. President: I move that the rules be suspended and that we adopt L. R. 21 today. (Signed) William Hern

The 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 376. Laid over until Tuesday, March 29, 1949.
LEGISLATIVE BILL 39.

A bill for an act to amend section 44-201, Revised Statutes of Nebraska, 1943, relating to insurance; to reclassify the purposes for which an insurance company may be formed in this state; 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:

Anderson, L.	Cramer	Lee	Schroeder
Anderson, V.	Cretsinger	Lillibridge	Tvrdik
Babcock	Davies	Lindgren	Vogt
Benesch	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Callan	Hoyt	Pizer	Wilson, W.
Carmody	Larkin	Prohs	Wood
Carson			

Voting in the negative, 2:

Hern	Metzger

Not voting, 8:

Adams, J.	Bohlke	Lusienski	Norman
Adams, T.	Burnham	McKnight	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 147. With emergency.

A bill for an act to amend sections 24-507 and 24-507.01, Revised Statutes Supplement, 1947, relating to county judges; to provide that in counties having a population in excess of sixty thousand inhabitants an acting county judge may sit, make findings and conclusions and recommend the same to the county judge who may enter judgment thereon when the county judge is unable to hear cases ready for hearing; to provide for assignment of cases by the county judge for hearing by the acting county judge as prescribed; to provide for salary of acting county judge in counties having a population of more than sixty thousand inhabitants; 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:

Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	Wood
Carson	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Adams, T.	Bohlke	McKnight

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 339.

A bill for an act to amend section 71-605, Revised Statutes of Nebraska, 1943, relating to public health and welfare; to provide for filing a completed death certificate with the registrar in the county in which the death occurred before the body is interred, de-

posited in a vault, or otherwise disposed of, or removed from the county in which the death occurred except as specified; to provide for a period of grace in regard thereto; to provide certain procedure in the event it is impossible to complete the death certificate and secure a removal permit within the time specified; 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:

Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	Wood
Carson	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Adams, T.	Bohlke	McKnight

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 364.

A bill for an act to amend sections 37-101, 37-701, and 37-703, Revised Statutes of Nebraska, 1943, and section 37-210, Revised Statutes Supplement, 1947, relating to game and fish; to remove mutation foxes and minks from the protection of the game laws; 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, 39:

Anderson, L.	Cramer	Lillibridge	Schroeder

Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	Wood
Carson	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Adams, T.	Bohlke	McKnight

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Babcock introduced Mr. C. S. Hetrich and thirteen students from the Elm Creek High School.

SELECT FILE

LEGISLATIVE BILL 88. E and R amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Mr. Hill moved to advance L. B. 88 for engrossment.

Mr. W. Wilson requested a record vote.

Mr. C. Wilson moved to indefinitely postpone L. B. 88.

Mr. C. Wilson requested a record vote.

Voting in the affirmative, 11:

Anderson, L.	Larkin	Ogden	Wilson, C.
Davies	Lusienski	Vogel	Wilson, W.
Hern	Metzger	Williams	

Voting in the negative, 23:

Anderson, V.	Callan	Hoyt	Schroeder
Babcock	Carmody	Lee	Tvrdik

Benesch	Cramer	Lindgren	Vogt
Bridenbaugh	Cretsinger	Nelson	Weborg
Burney	Hill	Norman	Wood
Burnham	Holmes	Prohs	

Not voting, 9:

Adams, J.	Carson	Lillibridge	Person
Adams, T.	Hanna	McKnight	Pizer
Bohlke			

The motion to indefinitely postpone did not prevail.

Mr. Hill renewed his motion to advance the bill for engrossment.

Voting in the affirmative, 23:

Anderson, V.	Carmody	Lee	Schroeder
Babcock	Cramer	Lindgren	Tvrdik
Benesch	Cretsinger	Nelson	Vogt
Bridenbaugh	Hill	Norman	Weborg
Burney	Holmes	Person	Wood
Burnham	Hoyt	Prohs	

Voting in the negative, 8:

Anderson, L.	Hern	Metzger	Wilson, C.
Davies	Larkin	Pizer	Wilson, W.

Not voting, 12:

Adams, J.	Callan	Lillibridge	Ogden
Adams, T.	Carson	Lusienski	Vogel
Bohlke	Hanna	McKnight	Williams

Advanced to E and R for engrossment.

LEGISLATIVE BILL 163. 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 393. E and R amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Schroeder introduced Mr. E. E. Peterson, Principal, Mr. Loren Page, Coach, and thirty-nine students of Pilger High School, Pilger, Nebraska.

LEGISLATIVE BILL 336. E and R amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 398. 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 394. 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 452. 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 247. E and R amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 143.

Mr. Davies offered the following amendments, which were adopted by unanimous consent.

1. Amend page 2 of the bill by inserting a new section, to be numbered section 1, reading as follows:

"Section 1. *It is recognized, found and declared: (1) That it is in the public interest to encourage residents and property owners in rural areas in the state to organize, equip, and maintain local fire fighting bodies corporate and politic for the purpose of providing the same type of protection of their lives and property against loss or*

destruction by fire as is available to residents of incorporated cities and villages; and (2) that the organization and establishment of adequately equipped and maintained local bodies corporate and politic for such purposes will promote the public health, convenience, safety and welfare through the preservation and protection of lives and resources in rural areas in the state.".

2. Renumber succeeding sections to correspond.

3. Amend page 2 of the bill, original section 2, renumbered section 3, line 16, by inserting after the word "*survey*" the words and punctuation ", *wherever possible,*".

4. Amend page 3 of the bill, original section 2, line 22, by striking same and inserting in lieu thereof the following: "*sections 3 and 4 of this act.*".

5. Amend page 4, original section 4, renumbered section 5, lines 9 and 16, by reinstating the word "*electors*" in lieu of the word "*freeholders*" and inserting after the word "*electors*" the words: "*who are owners of any interest in real or personal property assessed for taxation in the district and who are*".

6. Amend page 5, original section 5, renumbered section 6, line 6, by reinstating the word "*electors*" in lieu of the word "*freeholders*" and inserting after the word "*electors*" the words: "*who are owners of any interest in real or personal property assessed for taxation in the district and who are*".

7. Amend page 5, original section 6, renumbered section 7, line 1, by reinstating the word "*electors*" in lieu of the word "*freeholders*" and inserting after the word "*electors*" the words: "*who are owners of any interest in real or personal property assessed for taxation in the district and who are*".

8. Amend page 6 of the bill, original section 7, renumbered section 8, line 6, by striking the figures and punctuation "*35-405*" and inserting in lieu thereof the figure and words "35-405 *9 of this act*".

9. Amend page 6 of the bill, original section 7, renumbered section 8, line 13, by striking the figures and punctuation "*35-406*" and inserting in lieu thereof the figure and words "35-406 *10 of this act*".

10. Amend page 7 of the bill, original section 9, renumbered section 10, line 6, by striking the figures and punctuation "*35-405*" and inserting in lieu thereof the figure and words "35-405 *9 of this act*".

11. Amend paragraph 1 of General File Amendment to Legislative Bill 143, dated February 1, 1949, by Senator Lee (which amends

section 9 of the original bill) by inserting after the word "thereof" the words *"which shall be registered with the county treasurer"*.

12. Amend page 7 of the bill by inserting a new section, to be numbered section 11, reading as follows:

"Sec. 11. That section 35-407, Revised Statutes of Nebraska, 1943, be amended to read as follows:

35-407. All funds collected on behalf of the district through the levy of taxes, and all donations, contributions, bequests, or annuities and all borrowed money received by or on behalf of the district shall be deposited with the county treasurer to the credit of the district fund and shall be drawn out only upon proper order and warrant, or check, with voucher attached. Such warrant or check shall *be authorized by the board of directors and shall* bear the signature of the treasurer and the counter-signature of the president of such district. *The secretary-treasurer of the district shall, at each annual public meeting of the district, present a financial report concerning the affairs of the district.*".

13. Renumber succeeding sections to correspond.

14. Amend page 7 of the bill, original section 11, renumbered section 14, lines 8 and 16, by reinstating the word *"electors"* in lieu of the word *"freeholders"* and inserting after the word *"electors"* the words: *"who are owners of any interest in real or personal property assessed for taxation in the district and who are"*.

15. Amend page 8 of the bill, original section 11, renumbered secion 14, line 30, by striking the figure *"3"* and inserting in lieu thereof the figure *"4"*.

16. Amend page 9 of the bill, original section 12, renumbered section 15, line 4, by reinstating the word *"electors"* in lieu of the word *"freeholders"* and inserting after the word *"electors"* the words: *"who are owners of any interest in real or personal property assessed for taxation in the district and who are"*.

17. Amend page 9 of the bill, original section 12, renumbered section 15, line 10, as amended by Enrollment and Review amendment 10, by striking the figure *"12"* and inserting in lieu thereof the figure *"14"*.

18. Amend page 9 of the bill, original section 12, renumbered section 15, line 22, by striking the figure *"3"* and inserting in lieu thereof the figure *"4"*.

19. Amend page 10 of the bill, original section 13, renumbered section 16, line 4, as amended by Enrollment and Review amendment

11, by striking the word and figures "*12 and 13*" and inserting in lieu thereof the word and figures "*14 and 15*".

20. Amend page 10 of the bill, original section 14, renumbered section 17, by striking the entire section and substituting the following therefor:

"Sec. 17. *The county clerk of each county in which any rural fire protection district or districts have been organized under the provisions of Chapter 35, Revised Statutes of Nebraska, 1943, prior to the effective date of this act, shall forthwith designate a time and place for a hearing before the county board of such county and shall give due notice thereof in the manner prescribed by section 4 of this act. At the time and place so fixed the county board shall meet and all persons interested shall have opportunity to be heard. Thereupon, the county board shall consider the general rural fire protection policy for the county as a whole and shall determine the boundaries of said district or districts, whether as existing prior to such determination or otherwise, and shall make a written order of such determination which shall be filed in the office of the county clerk. Thereafter, such district or districts shall be deemed to be organized and operating under the provisions of this act. Nothing herein contained shall impair, affect, or discharge any previously existing contract, obligation, lien, or charge of said district or districts.*"

21. Amend page 11 of the bill, original section 16, renumbered section 19, line 2, by striking the same and inserting in lieu thereof the following: "35-404, 35-407, 35-408, and 35-409, Revised Statutes of Nebraska, 1943, and".

22. Amend the title of the bill by striking the same and inserting in lieu thereof the following: "FOR AN ACT relating to rural fire protection; to declare the necessity of creating rural fire protection districts; to prescribe the conditions under which such districts may be formed, organized and established; to provide for their organization, establishment, equipment and maintenance; to provide a procedure for the organization and formation of such districts and the determination of the boundaries thereof by county boards after a hearing by said boards; to provide for a public organization meeting; to elect officers and directors of such districts; to provide for regular annual and special public meetings of such districts; to define the powers of such districts and the boards of directors thereof; to provide a procedure for the levying of taxes to maintain and support such districts; to fix the maximum limits of indebtedness of such districts; to authorize incorporated cities and villages to contract with such districts for mutual fire protection or cooperation; to provide a procedure for the annexation to, or withdrawal from, such dis-

tricts as prescribed; to authorize such districts to borrow money and issue evidences of indebtedness therefor; to authorize such districts to determine the rate of interest on warrants not paid for want of funds within a specified limit; to fix the maximum tax levy for the support of such districts to one mill; to provide a procedure for all such districts organized prior to the effective date of this act to become established and operate under the provisions of this act; to amend sections 35-401, 35-402, 35-403, 35-404, 35-407, 35-408, and 35-409, Revised Statutes of Nebraska, 1943, and sections 35-405, 35-406, and 77-1603, Revised Statutes Supplement, 1947; to repeal the original sections; and to declare an emergency."

Advanced to E and R for re-engrossment.

Visitors

Mr. Weborg introduced Mr .Peter Mack, Principal, Miss McClung, Teacher, and forty-two seniors of Wisner High School, Wisner, Nebraska.

MOTION—Return to General File

Mr. President: I move to return L. B. 24 from E and R to General File for specific amendment. (Signed) Wm. A. Metzger

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

GENERAL FILE

LEGISLATIVE BILL 24.

Mr. Metzger offered the following specific amendments to L. B. 24, which were adopted.

1. Amend the bill by striking the standing committee amendments of March 3, 1949.

2. Amend page 2 of the bill, section 1, by striking lines 12 to 16 and inserting in lieu thereof the following:

"(2) When any person abandons and neglects or refuses to provide for his wife, wife and child, or child, such child being under the age of sixteen years, for three consecutive months or more, it shall be prima facie evidence of intent to violate the provisions of subsection (1) of this section.".

3. Amend page 2 of the bill, section 2, line 5, by striking the words

"minor child or children" and inserting in lieu thereof the following: "*wife and* minor child, or *minor child*".

4. Amend page 3 of the bill, section 2, line 23, by striking "child or children" and inserting in lieu thereof the following: "*wife and minor* child, or *minor child*".

5. Amend the title to conform.

Advanced to E and R for review.

Unanimous Consent—Return to General File

Mr. L. Anderson asked unanimous consent to have L. B. 105 returned to General File for specific amendment.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 105.

Mr. L. Anderson offered the following specific amendments, which were adopted.

1. Amend page 2 of the bill, section 3, lines 1 and 7, by striking the words "Board of Control or the".

2. Amend page 2 of the bill, section 3, line 8, by striking the words "either the Board of Control or".

3. Amend page 2 of the bill, section 4, line 7, and page 3 of the bill, section 6, line 5, by striking the word "body" and inserting in lieu thereof the words "county board".

4. Amend the title of the bill, line 4, by striking the words "Board of Control or the".

Advanced to E and R for review.

Speaker Lee Presiding

LEGISLATIVE BILL 1.

Mr. Hoyt offered the following amendments, which were adopted.

Amend Sec. 356, new Section 379, page 131, line 19 by inserting after "trict" the following words: "*and the free high school tuition levy of the county.*". In the same line, strike the semicolon after the word "located" and insert a comma. In line 20, place a period after the word "land" and strike the remaining words of that line.

Amend Sec. 355, new Sec. 378, page 130, line 9, by inserting after the colon the following new material: *"From the whole amount there shall be paid to those districts in which there are school or saline lands and to the free high school fund of the county, the amount that would be raised for school purposes if those lands were taxable;"*; in the same line, strike the words "whole amount" and insert the word *"remainder"*.

Amend Sec. 357, new Sec. 380, page 132, line 3 by inserting after the colon the following new material: *"The share which the Superintendent of Public Instruction has certified as being payment in lieu of taxes shall be distributed to the free high school tuition and to those districts in which are found school or saline lands in the amounts determined by the appraised valuation of those lands and the levies for school purposes of the respective districts."*

Mr. Hoyt offered the following amendments, which were adopted.

1. Amend renumbered section 257, line 7, by striking the word "instruction" and inserting in lieu thereof the following: "instruction *schools*".

2. Amend renumbered section 257, lines 16 to 22, by striking the last two sentences, starting on line 16, and show the same as stricken matter.

3. Amend Standing Committee amendment 50, section 255, by striking lines 2 to 7 and inserting in lieu thereof the following: "power to fill any vacancy which may occur in its body; *Provided,* any vacancy occurring more than ten days previous to the annual school *a primary* election and leaving an unexpired term for *of* more than one year shall *following the next general election, may* be filled at the first school election thereafter, and *temporarily by the board of education, but a successor shall be nominated at the next primary and elected at the next school election, to be designated on* the ballots and returns shall be designated as follows: "To fill unexpired term." ".

4. Amend page 92 of the bill, renumbered section 265, line 6, by striking the words "board of equalization" and inserting in lieu thereof the word *"clerk"*.

Advanced to E and R for review.

Visitors

Mr. Weborg introduced Mrs. Ham, Teacher, and sixteen students of Beemer High School, Beemer, Nebraska.

LEGISLATIVE BILL 195. Laid over.

LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 267. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Mr. Ogden offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 1, by striking lines 5 to 7 and inserting in lieu thereof the following: "the purpose of installing a sewer system, to contract for water for fire protection, and to contract for electricity for street lighting for the public streets and highways within said proposed dis-".

2. Amend page 2 of the bill, section 1, by striking lines 24 to 26 and inserting in lieu thereof the following: "that may be necessary to install said sewer, and the cost of water for fire protection and of electricity for street lighting for the public streets and highways within the district, as provided by law. The articles shall pro-".

3. Amend page 3 of the bill, section 2, by striking lines 20 to 22 and inserting in lieu thereof the following: "taining the district, for the furnishing of water for fire protection, for contracting for electricity for street lighting for the public streets and highways within the district, the names of the proposed".

4. Amend page 4 of the bill, section 3, lines 9 and 10, by striking the words ", a system of street lighting," and inserting in lieu thereof the following: "and electricity for street lighting for the public streets and highways within the district,".

5. Amend page 7 of the bill, section 13, by striking lines 9 and 10 and inserting in lieu thereof the following: "and for the cost of operating any street lighting system for the public streets and highways within this district, and shall be required to levy a tax to make up".

6. Amend page 8 of the bill, section 14, by striking all of lines 5 and 6 and the letters "ing." in line 7, and inserting in lieu thereof the following: "sewage of such district in a satisfactory manner, and may contract for electricity for street lighting for the public streets and highways within the district.".

7. Amend page 8 of the bill, section 14, line 15, by inserting after the word "lighting" the following: "upon the public streets and highways within the district".

8. Amend the title of the bill by striking the letter "a" in

line 7 and all of lines 8 and 9, and inserting in lieu thereof the following: "to contract for water for fire protection, and to contract for electricity for lighting for the public streets and highways within the district; to provide for borrowing money".

Advanced to E and R for review.

Member Excused

Mr. Lillibridge was excused for the remainder of the morning.

Mr. Babcock Presiding

LEGISLATIVE BILL 431. Considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-second Day was not adopted.

Mr. Prohs offered the following amendment, which was adopted.

Amend page 2 of the bill, section 1, by striking lines 24 and 25 and inserting in lieu thereof the following: "Construed to include all grain which has not been processed or packaged for the purpose of distribution of seed and provided further to include soya beans but exclude all other beans.".

Laid over to follow L. B. 430 on General File.

Speaker Lee Presiding

Members Excused

Messrs. Cretsinger and Davies were excused for Monday, March 28, 1949.

Speaker Signs

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

L. B. 172 L. B. 373 L. B. 456
L. B. 332

Adjournment

At 11:55 a.m., on a motion by Mr. Carmody, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 28, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cretsinger and Davies, who were excused.

The Journal for the Fifty-ninth Day was approved as corrected.

Communications

Letter from Sen. Kenneth S. Wherry, acknowledging receipt of L. R. 19, and enclosing copy of the Congressional Record which contains the Resolution.

Letter from Sen. Hugh Butler, acknowledging receipt of L. R. 19.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 204. Indefinitely postponed.
LEGISLATIVE BILL 145. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Public Works

LEGISLATIVE BILL 408. Placed on General File as amended.

Standing Committee amendments to L. B. 408:

1. Amend page 2 of the bill, Section 1, Line 13, by striking

the words "sections 79-2113.02 and" and inserting in lieu therefor the word "section.".

2. Amend the title to conform.

LEGISLATIVE BILL 250. Placed on General File.
LEGISLATIVE BILL 466. Placed on General File as amended.

Standing Committee amendments to L. B. 466:

1. Amend page 2 of the bill, Section 1, Line 11, by inserting after the word "watt-hour" the following: *"meter, together with such demand as may be registered or indicated by a demand meter, or as may be contracted for,"*.

2. Amend the title of the bill, Line 7, by inserting after the word "made" the following: "; to provide that charges made for electrical energy for residential, commercial, and farm purposes shall be also based on the demand as may be registered or indicated by a demand meter, or as may be contracted for".

(Signed) Otto J. Prohs, Chairman

Enrollment and Review

LEGISLATIVE BILL 268. Placed on Select File as amended.

E and R amendments to L. B. 268:

1. In the bill, section 1, line 12, strike the semicolon; and in line 20 strike *"Provided,* that in case bond is given" and in lieu thereof insert ". *In* case *the applicant furnishes a* bond".

2. In the bill title, line 3, strike the word "increase" and in lieu thereof insert "change"; and also at the end of the same line insert "and the amount of cash to be deposited".

LEGISLATIVE BILL 309. Placed on Select File as amended.

E and R amendments to L. B. 309:

1. In the bill, section 1, line 33, strike *"of every kind."* and in lieu thereof insert a period and at the end of line 32 insert *"every kind of"*.

2. In the bill title, line 6, before the semicolon insert "and as prescribed".

LEGISLATIVE BILL 288. Replaced on Select File as amended.

E and R amendments to L. B. 288:

1. In the bill, section 2, line 2, insert the word "section" after the word "also".

2. In the bill title, line 8, strike the comma.

LEGISLATIVE BILL 252. Replaced on Select File as amended.

E and R amendment to L. B. 252:

1. In the bill title, line 9, strike "plus actual expenses of each examiner" and the words inserted by E and R amendment to said line shall be inserted in lieu thereof.

LEGISLATIVE BILL 27. Placed on Select File as amended.

E and R amendments to L. B. 27:

1. In the bill, section 6, line 4, before the word "call" insert "the", and also in section 7, line 2 after "to" and line 3, after "for".

2. In new section 13, line 3, strike the figures "16" and in lieu thereof insert "15".

3. In new section 14, line 6, after each of the first two words "of" insert "the"; line 8, after the word "receives" insert "such", and in line 11, strike the figures "16" and in lieu thereof insert "15".

4. In new section 15, line 10, before the word "state" insert "(1)"; line 13, strike the words "and shall also" and in lieu thereof insert "(2)"; line 14, after the word "and" insert "(3)"; line 18, at the end of the sentence insert "the"; and insert a comma in line 14 before "and".

5. In new section 17, line 6, after the word "location" insert a comma.

LEGISLATIVE BILL 24. Placed on Select File as amended.

E and R amendments to L. B. 24:

1. In the bill, section 1, line 8, before the word "be" insert "*thereof*"; and in line 9, strike the word "a" and show as stricken matter.

2. Section 2, line 3, before the word "Whoever" insert "*(1)*", and in the same line after the word "refuses" insert a comma; line 11,

strike "*(1)*" and in lieu thereof insert "*thereof (a)*"; line 14, strike "*(2)*" and in lieu thereof insert "*(b)*"; strike all of line 18 and in lieu thereof insert "*years. (2) If* after conviction *of a violation of the provisions of subsection (1) of this section, such person* shall, before"; line 20, strike "bond with sufficient surety" and in lieu thereof insert "*a* bond"; line 21, strike the word "sureties" and in lieu thereof insert "*sufficient surety*"; line 24, strike the word "then"; strike beginning with the semicolon in line 24 to and including the word "after" in line 25, and in lieu thereof insert ". *After such*"; at the end of line 25, and also before the word "consent" in line 26, insert the word "*the*"; line 27 strike ", in the discretion of the court," and show as stricken matter; line 28 before the word "he" insert the word "*that*"; lines 29 and 30, strike "the same upon assignment" and in lieu thereof insert "*such wages so assigned*"; line 36, strike ", or" and in lieu thereof insert "or,", and in the same line before the word "modify" insert "*(a)*"; line 37, strike the word "or" and in lieu thereof insert "*(b)*"; and in line 38, strike the word "or" and in lieu thereof insert ", or *(c)*".

3. In the bill title, strike beginning with the word "failure" in line 4 to and including the word "child" in line 5 and in lieu thereof insert "when any person abandons and neglects or refuses to provide for his wife, wife and child, or child, such child being"; line 6 after the word "more" insert the word "it"; strike beginning with the word "abandonment" in line 7 to and including the word "more" in line 11 and in lieu thereof insert "intent to violate the prescribed provisions in regard to desertion; to make certain acts with reference to support of a wife, wife and minor child, or minor child illegal; to provide penalties".

LEGISLATIVE BILL 465. Placed on Select File as amended.

E and R amendment to L. B. 465:

1. In the bill, section 2, line 19, after the word "proceedings" insert "to".

LEGISLATIVE BILL 226. Correctly engrossed.
LEGISLATIVE BILL 395. Correctly engrossed.
LEGISLATIVE BILL 460. Correctly engrossed.
LEGISLATIVE BILL 448. Correctly engrossed.
LEGISLATIVE BILL 39. Correctly enrolled.
LEGISLATIVE BILL 147. Correctly enrolled.
LEGISLATIVE BILL 339. Correctly enrolled.
LEGISLATIVE BILL 364. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 25, 1949, at 10:15 a.m.

L. B. 217	L. B. 353	L. B. 368
L. B. 271	L. B. 354	L. B. 437

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Lusienski introduced Miss Dorothy Beatty, Teacher, and thirty-six students of the Modern Problems Class of Columbus High School, Columbus, Nebraska.

SELECT FILE

LEGISLATIVE BILL 232. 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 381. 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 406. 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 508. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 430. Laid over.
LEGISLATIVE BILL 431. Laid over.

LEGISLATIVE BILL 248. Laid over until April 5, 1949.
LEGISLATIVE BILL 56.

Mr. Metzger offered the following amendments, which were adopted.

1. Amend Committee Amendment by striking Section 15 and inserting in lieu thereof the following:

Section 15. When any such project has been agreed to or when the division of costs has been otherwise finally determined and when such proposal has been approved by vote all in the manner heretofor provided the railroad company or companies affected shall within 10 days notice or demand deposit with the treasurer of the governing body the amount of its proportionate share so determined and the District Court is hereby given jurisdiction upon application of the governing body of the municipality to compel such despoit by mandamus together with such penalties as may be found and deemed reasonable by the court.

2. Amend Committee Amendment by striking Section 16 and insert in lieu thereof the following:

Section 16. After such city or village has made provisions for financing its proportionate share of the costs and has complied with the provisions of this act, and the provisions of Section 15 herein have been complied with, it shall proceed to construct in accordance with plans and specifications previously approved such viaduct or subway, or such city or village is hereby authorized to contract for such construction in accordance with such plans and specifications; and any such contract shall be let as provided by law.

Mr. Holmes offered the following amendments:

1. Amend the bill by striking the Standing Committee amendments.

2. Amend the original bill by striking sections 1 to 19 and inserting in lieu thereof four new sections to be known as sections 1, 2, 3, & 4, and to read as follows:

"Section 1. That section 16-656, Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-656. Upon a majority vote of the citizens at a regular or special election of any city of the first class, *city of the second class, or village*, the mayor and council *governing board* shall have power to require any railroad company or companies, owning or operating any railroad track or tracks upon or across any public street or

streets of the city *or village*, to erect, construct, reconstruct, complete, and keep in repair any subway viaduct or viaducts, upon or along such street or streets, and over or under such track or tracks, including the approaches to such subway viaduct or viaducts, as may be deemed and declared by the mayor and council *governing board* necessary for the safety and protection of the public; *Provided,* the approaches to any such subway viaduct, which any railroad company or companies may be required to construct, reconstruct, and keep in repair, shall not exceed for each viaduct a total distance of eight hundred feet.

Sec. 2. That section 16-657, Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-657. Whenever any such subway viaduct shall be deemed and declared by ordinance necessary for the safety and protection of the public, the mayor and council *governing board* shall provide for appraising, assessing, and determining the damage, if any, which may be caused to any property by reason of the construction of any such subway viaduct and its approaches. The proceedings for such purpose shall be the same as provided herein for the purpose of determining damages to property owners by reason of the change of grade of a street, and such damage shall be paid by the city *or village*, and may be assessed by the city council *governing board* against property benefited, and the cost of approaches beyond the distance of eight hundred feet may also be assessed by the council *governing board* against property benefited by reason of the construction of any such subway viaduct and its approaches. The width, height, and strength of any such viaduct and the approaches thereto, and the material thereof, shall be as required by the board of public works, and as may be approved by the mayor and council *governing board.*

Sec. 3. That section 16-658, Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-658. When two or more railroad companies own or operate separate lines of track to be crossed by any such subway viaduct, the proportion thereof and of the approaches thereto to be constructed by each, or the cost to be borne by each, shall be determined by the mayor and council *governing board.*

Sec. 4. That original sections 16-656, 16-657, and 16-658, Revised Statutes of Nebraska, 1943, are repealed.".

3. Amend the bill by striking the title of the original bill and inserting in lieu thereof the following: "A BILL FOR AN ACT to amend sections 16-656, 16-657, and 16-658, Revised Statutes of Nebraska, 1943, relating to cities and villages, particular classes; to extend the provisions of sections 16-656 to 16-660, Revised Statutes

of Nebraska, 1943, to make them applicable to cities of the second class and villages; and to repeal the original sections.".

Mr. Holmes requested a record vote.

Voting in the affirmative, 6:

Bridenbaugh	Carson	Prohs	Weborg
Carmody	Holmes		

Voting in the negative, 23:

Adams, J.	Hern	McKnight	Vogel
Adams, T.	Hill	Metzger	Vogt
Anderson, V.	Hoyt	Norman	Williams
Benesch	Larkin	Pizer	Wilson, C.
Burney	Lee	Schroeder	Wood
Callan	Lindgren	Tvrdik	

Not voting, 14:

Anderson, L.	Cramer	Lillibridge	Ogden
Babcock	Cretsinger	Lusienski	Person
Bohlke	Davies	Nelson	Wilson, W.
Burnham	Hanna		

Mr. Holmes' amendments were not adopted with 6 ayes, 23 nays and 14 not voting.

Advanced to E and R for review.

Visitor

Mr. Hanna introduced Representative A. L. Miller, who spoke a few words to the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 345.

A bill for an act to amend section 38-202, Revised Statutes of Nebraska, 1943, section 38-201, Revised Statutes Supplement, 1947, and section 38-201.01, Revised Statutes Supplement, 1947, as amended by section 1, Legislative Bill 148, Sixty-first Session, Nebraska State Legislature, 1949, relating to guardianship; to change terminology with respect to appointment of guardians for persons who are mentally ill; 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, 39:

Adams, J.	Carmody	Lillibridge	Schroeder
Adams, T.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Cretsinger	Davies	Person

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 374.

A bill for an act to amend sections 81-2,138.01 and 81-2,143.01, Revised Statutes Supplement, 1947, relating to agriculture; to change certain of the requirements with reference to the sale of agricultural or vegetable seed within this state; to provide that a stop-sale order, with reference to agricultural or vegetable seed issued by the Director of the Department of Agriculture and Inspection shall include the movement of seed; 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, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, V.	Hanna	Lusienski	Tvrdik
Babcock	Hern	McKnight	Vogel
Benesch	Hill	Metzger	Weborg
Bridenbaugh	Holmes	Nelson	Williams

Burney	Hoyt	Norman	Wilson, C.
Burnham	Larkin	Ogden	Wilson, W.
Carmody	Lee	Pizer	

Voting in the negative, 3:

Bohlke	Callan	Vogt

Not voting, 5:

Anderson, L.	Davies	Person	Wood
Cretsinger			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 303.

A bill for an act to amend sections 41-103, 41-109, 41-112, 41-113, 41-114, 41-118, 41-119, 41-123, 41-124, 41-125, 41-126, and 41-127, Revised Statutes of Nebraska, 1943, and sections 41-110, 41-122, 41-123.01, 41-123.02, 41-123.03, and 41-123.04, Revised Statutes Supplement, 1947, relating to hotels and inns; to redefine terms; to provide that the provisions of Chapter 41, Revised Statutes of Nebraska, 1943, and amendments thereto, shall apply to tourist camps; 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, 25:

Adams, T.	Hanna	McKnight	Schroeder
Anderson, L.	Hill	Metzger	Tvrdik
Anderson, V.	Holmes	Norman	Vogel
Benesch	Hoyt	Person	Vogt
Burney	Lee	Pizer	Weborg
Carmody	Lindgren	Prohs	Wcod
Cramer			

Voting in the negative, 12:

Adams, J.	Bridenbaugh	Hern	Nelson
Babcock	Burnham	Lillibridge	Williams
Bohlke	Carson	Lusienski	Wilson, W.

Not voting, 6:

Callan	Davies	Ogden	Wilson, C.
Cretsinger	Larkin		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 389. With emergency.

A bill for an act to amend sections 79-2608, 79-2611, 79-2612, 79-2613, 79-2615, and 79-2616, Revised Statutes of Nebraska, 1943, relating to schools; to provide for an assistant superintendent in charge of business affairs in school districts embraced within cities of the primary class; to provide the duties of such person and the giving of a bond by such officer as prescribed; 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, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Babcock	Hern	Metzger	Vogt
Benesch	Hill	Nelson	Weborg
Bohlke	Holmes	Norman	Williams
Bridenbaugh	Hoyt	Ogden	Wilson, C.
Burney	Larkin	Person	Wilson, W.
Burnham	Lee	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Cretsinger	Davies

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

Visitor

Mr. McKnight introduced Major General Hershey, Director of Selective Service, who addressed the Legislature briefly.

MOTION—Place on General File

Mr. President: I move that L. B. 375 be placed on General

File. (Signed) Willard M. Wilson

Mr. W. Wilson requested a record vote.

Voting in the affirmative, 16:

Adams, T.	Callan	Larkin	Vogt
Benesch	Carson	Lindgren	Weborg
Bohlke	Hern	Lusienski	Williams
Burney	Hoyt	Tvrdik	Wilson, W.

Voting in the negative, 11:

Adams, J.	Bridenbaugh	Pizer	Wilson, C.
Anderson, V.	Burnham	Schroeder	Wood
Babcock	Ogden	Vogel	

Not voting, 16:

Anderson, L.	Davies	Lee	Nelson
Carmody	Hanna	Lillibridge	Norman
Cramer	Hill	McKnight	Person
Cretsinger	Holmes	Metzger	Prohs

The motion to place L. B. 375 on General File did not prevail.

Mr. Lee Presiding

Speaker Signs

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

L. B. 39	L. B. 339	L. R. 20
L. B. 147	L. B. 364	L. R. 21

GENERAL FILE

LEGISLATIVE BILL 195.

Mr. Metzger offered the following amendments, upon which no action was taken.

1. Amend the Standing Committee Amendment of February 23, 1949, number 1, section 1, lines 2 and 3, by striking the words "a license fee of five dollars" and inserting in lieu thereof the following: "an annual license fee of five dollars in the manner provided in sections 4 and 5 of this act".

2. Amend the Standing Committee Amendment of February 23,

1949, number 1, by inserting immediately after section 3 thereof two new sections to be known as sections 4 and 5, and to read as follows:

"Sec. 4. The Tax Commissioner shall have printed stamps with appropriate design and with the year they are effective according to rules and regulations to be adopted by him for the purpose of collecting the tax as provided in section 2 of this act. Every owner shall purchase such a stamp each calendar year for each pinball machine, shuffle board, and all other coin operated games of amusement or skill, and any coin operated radio, television, and mechanical musical device as provided in section 2 of this act, place the same thereon in a conspicuous place where such stamp may be easily seen, and fix the name of the operator on such stamp as provided by rules and regulations to be adopted by the Tax Commissioner. Such stamps shall be valid only for the year issued and as printed on the face thereof.

Sec. 5. The treasurers of the various counties shall be agents of the Tax Commissioner in such counties for the purpose of selling such stamps as provided in section 4 of this act, and in accordance with such rules and regulations to be adopted by the Tax Commissioner. The county treasurers shall remit all money received from the sale of such stamps as collected to the state treasury and placed by the State Treasurer in the General Fund."

3. Amend the Standing Committee Amendment of February 23, 1949, number 1, section 4, by striking line 1 and the word "provisions" of line 2, and inserting in lieu thereof the following:

"Sec. 6. Any person, partnership, association, or corporation failing to pay the tax and procure the stamp showing that such tax has been paid for the current calendar year as provided in sections 2 to 5".

4. Amend the Standing Committee Amendment of February 23, 1949, number 2, line 8, by inserting after the word "prescribed" the following: "; to provide for issuing of stamps for the purpose of collecting such tax; to authorize the Tax Commissioner to adopt rules and regulations; to provide that county treasurers shall be agents of the Tax Commissioner; to provide for collection and disbursement of money received from sale of such stamps".

Laid over.

LEGISLATIVE BILL 182. Laid over.
LEGISLATIVE BILL 439. Read and considered.

Mr. Schroeder Presiding

Mr. Vogel made a motion to indefinitely postpone the bill.

Mr. Williams requested a record vote.

Voting in the affirmative, 29:

Adams, J.	Hanna	Metzger	Tvrdik
Anderson, L.	Hern	Nelson	Vogel
Babcock	Larkin	Norman	Vogt
Benesch	Lee	Ogden	Weborg
Bridenbaugh	Lillibridge	Pizer	Wilson, C.
Burney	Lindgren	Prohs	Wilson, W.
Burnham	McKnight	Schroeder	Wood
Cramer			

Voting in the negative, 4:

Bohlke	Callan	Hoyt	Williams

Not voting, 10:

Adams, T.	Carson	Hill	Lusienski
Anderson, V.	Cretsinger	Holmes	Person
Carmody	Davies		

The motion to indefinitely postpone L. B. 439 prevailed.

Approved by the Governor

March 28, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on March 26, 1949, he approved L. B. 241, L. B. 304, L. B. 329. L. B. 259, L. B. 158, L. B. 140, L. B. 278, L. B. 327, L. B. 432.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

Visitor

Mr. Tvrdik introduced Mr. Charles Crowley of Omaha, Nebraska, a former member of the Legislature.

Adjournment

At 12:00, noon, on a motion by Mr. Babcock, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 29, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Carson, who was excused until 9:30 a.m.

The Journal for the Sixtieth Day was approved as corrected.

STANDING COMMITTEE REPORT

Education

LEGISLATIVE BILL 473. Placed on General File.
LEGISLATIVE BILL 504. Placed on General File.

(Signed) Dwight W. Burney, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 491. Indefinitely postponed.

(Signed) Karl E. Vogel, Chairman

Member Excused

Mr. Hill was excused for the remainder of the day.

Enrollment and Review

LEGISLATIVE BILL 310. Placed on Select File as amended.

E and R amendment to L. B. 310:

1. In the bill, section 1, line 3, after the word "for" insert "*the*"; line 7, strike ", *and the*" and in lieu thereof insert ". *The*"; line 11 strike "costs" and in lieu thereof insert "*the cost*".

LEGISLATIVE BILL 472. Placed on Select File as amended.

E and R amendments to L. B. 472:

1. In the bill, new section 2, line 5, strike the comma at the end of the line.

2. In the bill title, strike, beginning with the words "head lights" in line 2, to and including the word "tops" in line 3, and in lieu thereof insert "headlights and rear lights", and at the end of line 4, insert "as prescribed", before the semicolon.

LEGISLATIVE BILL 119. Placed on Select File.
LEGISLATIVE BILL 400. Placed on Select File as amended.

E and R amendment to L. B. 400:

1. In the bill, section 1, line 4, after the word "will" insert a comma, also in line 5, after the word "fund"; line 7, strike ", and the" and in lieu thereof insert ". *The*"; line 10, strike the quotation marks and in lieu thereof insert "*the*"; line 11, strike the word "and" and the quotation marks before and after the same, and in lieu thereof insert "and *the*", also in the same line strike the quotation marks after the word "fund"; line 13, strike "*in any one year*", and in line 15, strike "; and shall in no" and in lieu thereof insert "*in any one year. It* shall *not* in *any*".

LEGISLATIVE BILL 499. Placed on Select File as amended.

E and R amendment to L. B. 499:

1. In the bill, section 1, line 3, before the word "The" insert "*(1)*"; line 9, strike "(1)" and in lieu thereof insert "*(a)*"; line 12, strike "(2)" and in lieu thereof insert "*(b)*"; line 17, strike "(3)" and in lieu thereof insert "*(c)*"; line 21, strike "(4)" and in lieu thereof insert "*(d)*"; line 25, before the word "*As*" insert "*(2)*"; line 27, strike the word "*above*"; line 28, strike the period and in lieu thereof insert "*in subsection (1) of this section.*", and insert "*as*" in line 27 where the word "*above*" was stricken.

LEGISLATIVE BILL 454. Placed on Select File as amended.

E and R amendments to L. B. 454:

1. In the bill, section 1, line 2, strike the words "as amended" and in lieu thereof insert "amendments thereto".

2. In the bill title, line 2, after the semicolon insert "and".

LEGISLATIVE BILL 409. Placed on Select File as amended.

E and R amendments to L. B. 409:

1. In the bill, section 1, line 7, strike "; *Provided*, that for" and in lieu thereof insert ". *For*"; lines 10 and 11, strike ", and thereafter" and in lieu thereof insert ". *Thereafter*", and line 14, strike ", which" and in lieu thereof insert ". *The building*".

2. In the bill title, line 8, strike the comma before the word "and".

LEGISLATIVE BILL 469. Placed on Select File as amended.

E and R amendments to L. B. 469:

1. In Standing Committee Amendment 1, line numbered 5, before the word "whose" insert "and"; lines 6 and 7, strike the words "permit him to have" and in lieu thereof insert "have permitted him to".

2. In S.C.A. 3 to the title, line 7, of inserted matter, strike "of a duration sufficient" and in lieu thereof insert "a sufficient time", and line 8, strike "permit him to have" and in lieu thereof insert "have permitted him to".

LEGISLATIVE BILL 440. Placed on Select File as amended.

E and R amendment to L. B. 440:

1. In the bill, section 1, line 3, before the word "Whenever" insert "*(1)*"; line 23, before the word "If" insert "*(2)*"; line 50 before the word "If" insert "*(3)*", and line 51, strike "such patients" and in lieu thereof insert "*the* patients *referred to in subsection (1) of this section*".

LEGISLATIVE BILL 365. Correctly engrossed.
LEGISLATIVE BILL 303. Correctly enrolled.
LEGISLATIVE BILL 345. Correctly enrolled.
LEGISLATIVE BILL 374. Correctly enrolled.
LEGISLATIVE BILL 389. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Judiciary

LEGISLATIVE BILL 522. Placed on General File.
LEGISLATIVE BILL 506. Indefinitely postponed.
LEGISLATIVE BILL 505. Indefinitely postponed.
LEGISLATIVE BILL 269. Placed on General File as amended.

Standing Committee amendments to L. B. 269:

1. Amend page 2 of the bill, section 2, line 1, by inserting after the word "following" the words "systematic or continuous".

2. Amend page 2 of the bill, section 2, line 8, by striking the words, figures, and punctuation "or (4)" and inserting in lieu thereof the following:

"(4) the investigation or payments of claims, or (5)".

3. Amend page 4 of the bill, by striking all of section 4.

4. Renumber section 5 as section 4.

"Sec. 5. The provisions of this act shall not apply to any action, suit, or proceeding against any nonadmitted foreign or alien insurer arising out of any contract of insurance (1) effected in accordance with sections 44-139 to 44-147, Revised Statutes of Nebraska, 1943, or (2) covering reinsurance, ocean marine, aircraft, or railway insurance risks, or (3) against legal liability arising out of the ownership, operation, or maintenance of any property having a permanent situs outside this state, or (4) against loss of or damage to any property having a permanent situs outside this state, where such contract of insurance contains a provision designating the director and his successor or successors in office, or designating a Nebraska resident agent duly licensed under the provisions of sections 44-139 to 44-147, Revised Statutes of Nebraska, 1943, to be the true and lawful attorney of such nonadmitted insurer upon whom may be served all lawful process in any action, suit, or proceeding instituted by or on behalf of an insured or beneficiary arising out of any such contract of insurance, or where the insurer enters a general appearance in any action, suit, or proceeding.".

5. Amend the title, line 7, by inserting after the word "insurers" the following: "; to except from the operation of this act, actions on certain contracts of insurance wherein the policy contains a provision designating an agent in the State of Nebraska upon whom service of process can be made, or where the insurer enters a general appearance in the action".

LEGISLATIVE BILL 337. Placed on General File as amended.

Standing Committee amendments to L. B. 337:

1. Amend the bill by striking sections 1, 2, and 3, and inserting in lieu thereof the following:

"Section 1. When a stenographic reporter of the district court, in the discharge of his official duties, leaves the city or village of his residence to perform such duties, he shall be paid his actual expenses for meals and lodging as shall be incurred; *Provided*, that each such reporter shall keep an account of all money actually paid out for such expenses and shall file verified, itemized statements thereof, approved by the judge of the court in which he is officiating in such capacity with the Auditor of Public Accounts, and when allowed shall be paid as provided in section 84-309, Revised Statutes of Nebraska, 1943.".

2. Amend the title of the bill by striking lines 3 to 6 and inserting in lieu thereof the following: "courts; to provide such reporter shall be paid his actual expenses for meals and lodging when he leaves the city or village of his residence in the performance of his official duties; to provide for filing of statements with the Auditor of Public Accounts.".

(Signed) John P. McKnight, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 171.

A bill for an act to amend section 44-1214, Revised Statutes of Nebraska, 1943, relating to insurance; to restate that reciprocal and interinsurance contracts are not subject to the insurance laws except to the extent provided herein; to provide that reciprocal or interinsurance contracts shall be subject to articles 1 to 7, 12, 14, and 15, Chapter 44, Revised Statutes of Nebraska, 1943, as now existing or as hereafter amended, where applicable, but that article 12, Chapter 44 shall govern in the event of the prescribed conflict; 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, 28:

Adams, J.	Carmody	Lindgren	Vogel

Anderson, V.	Cramer	Lusienski	Vogt
Babcock	Davies	Ogden	Weborg
Benesch	Hanna	Person	Williams
Bridenbaugh	Larkin	Pizer	Wilson, C.
Burnham	Lee	Prohs	Wilson, W.
Callan	Lillibridge	Schroeder	Wood

Voting in the negative, 4:

Cretsinger	Hern	Hoyt	Nelson

Not voting, 11:

Adams, T.	Burney	Holmes	Norman
Anderson, L.	Carson	McKnight	Tvrdik
Bohlke	Hill	Metzger	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 173. With emergency.

A bill for an act to amend section 44-1203, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that the declaration filed with the Department of Insurance by the subscribers of reciprocal insurance through their attorney shall state the minimum and maximum liabiltiy of subscribers for the payment of losses occurring under its contracts; to provide for a specified fund, in cash or investments as provided by law, to be deposited with the attorney for the various classes of insurance to be sold by him; 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, J.	Cramer	Lillibridge	Schroeder
Adams, T.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Babcock	Hanna	Nelson	Vogt
Benesch	Hern	Norman	Weborg
Bridenbaugh	Holmes	Ogden	Williams
Burnham	Hoyt	Person	Wilson, C.
Callan	Larkin	Pizer	Wilson, W.
Carmody	Lee	Prohs	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Burney	Hill	Metzger
Bohlke	Carson	McKnight	

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 384.

A bill for an act to amend section 44-1206, Revised Statutes of Nebraska, 1943, relating to insurance; to provide the manner of calculating the reserve that shall be maintained by reciprocal insurance subscribers with their attorney; to provide that if such reserve does not equal such requirements that the said subscribers or their attorney shall make up the deficiency; to provide for a notice and requisition by the Department of Insurance to remove such deficiency within the time specified; to provide the effect of a failure to make good the same as specified and the procedure in such an event; and to repeal the orginal section.

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

Voting in the affirmative, 38:

Adams, J.	Cramer	Lindgren	Schroeder
Adams, T.	Cretsinger	Lusienski	Tvrdik
Anderson, L.	Davies	Metzger	Vogel
Anderson, V.	Hanna	Nelson	Vogt
Babcock	Hern	Norman	Weborg
Benesch	Holmes	Ogden	Williams
Bridenbaugh	Hoyt	Person	Wilson, C.
Burnham	Larkin	Pizer	Wilson, W.
Callan	Lee	Prohs	Wood
Carmody	Lillibridge		

Voting in the negative, 0.

Not voting, 5:

Bohlke	Carson	Hill	McKnight
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 376. With emergency.

A bill for an act to amend section 77-2608, Revised Statutes Supplement, 1947, as amended by section 2, Legislative Bill 420, Sixty-first Session, Nebraska State Legislature, 1949, relating to taxation; to increase the commission for cancelling stamps by machine; 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, J.	Burnham	Lee	Prohs
Adams, T.	Callan	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hern	Metzger	Wilson, C.
Bohlke	Holmes	Nelson	Wilson, W.
Bridenbaugh	Hoyt	Norman	Wood
Burney	Larkin	Pizer	

Voting in the negative, 8:

Anderson, L.	Cretsinger	Person	Weborg
Carmody	Hanna	Schroeder	Williams

Not voting, 4:

Carson	Hill	Lindgren	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.

Visitor

Mr. Charles Wilson introduced Congressman Karl Stefan, who spoke to the Legislature.

SELECT FILE

LEGISLATIVE BILL 268. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 309. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 288. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 252. E and R amendment found in the Legislative Journal for the Sixtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 27. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Mr. Bridenbaugh moved that L. B. 27 be indefinitely postponed.

Mr. Burnham requested a record vote.

Voting in the affirmative, 6:

Bridenbaugh	Nelson	Pizer	Weborg
Cramer	Person		

Voting in the negative, 26:

Adams, J.	Burnham	Holmes	Metzger
Adams, T.	Carmody	Hoyt	Norman
Anderson, L.	Carson	Larkin	Tvrdik
Anderson, V.	Cretsinger	Lee	Vogt
Babcock	Davies	Lusienski	Wilson, C.
Benesch	Hanna	McKnight	Wood
Bohlke	Hern		

Not voting, 11:

Burney	Lillibridge	Prohs	Williams
Callan	Lindgren	Schroeder	Wilson, W.
Hill	Ogden	Vogel	

The motion to indefinitely postpone did not prevail.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 24. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 465. E and R amendment found in the Legislative Journal for the Sixtieth Day was adopted.

Advanced to E and R for engrossment.

MOTION—Introduce Bill

Mr. President: The Miscellaneous Appropriations and Claims Committee asks leave of the Legislature to introduce a bill. The Committee is unanimous in the introduction of this legislation, L. B. 531. (Signed) N. F. Schroeder, Chairman

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 531. By Miscellaneous Appropriations and Claims Committee, N. F. Schroeder, Chairman.

A bill for an act relating to public liability of the State of Nebraska; to provide that after July 1, 1949, the State of Nebraska shall be liable for the negligence of any officer or employee of the State of Nebraska, or of any board, commission, department, division, or other administrative unit thereof, while in the performance of his duties or employment as such, in the operation of any motor vehicle, or of any tractor, trailer, road equipment, snow plow, or any other machinery used in the construction or maintenance of highways; to provide that the State of Nebraska may be sued for such acts in the courts and manner set forth; to prescribe the duties of the Board of Educational Lands and Funds in obtaining public liability insurance insuring the State of Nebraska against such negligent acts; to provide for payment of such insurance; and to declare an emergency.

GENERAL FILE

Special Order

LEGISLATIVE BILL 167. Laid over and made Special Order for Monday, April 4, 1949.

GENERAL FILE

LEGISLATIVE BILL 195.

Mr. L. Anderson withdrew his amendment found in the Legislative Journal for the Forty-second Day and in lieu thereof offered the following amendment, which was adopted.

Amend Standing Committee amendments to L. B. 195, Sec. 2, line 6, by striking the words and punctuation "radio, television, and".

Mr. McKnight's amendment found in the Legislative Journal for the Forty-second Day was adopted.

Mr. Vogt withdrew his amendment found in the Legislative Journal for the Forty-second Day.

Mr. Davies offered the following amendments to the Davies amendments found in the Legislative Journal for the Forty-second Day, which were adopted.

1. Section 1, line 9, by striking the word and punctuation "radio," and the words and punctuation "television set," in line 10.

2. Section 3, line 4, by striking the word and punctuation "radio," and in lines 4 and 5, by striking the words and punctuation "television set,".

3. Section 4, line 5, by striking the words and punctuation "television set,".

Speaker Lee Presiding

Mr. Davies' amendments as amended were adopted.

Mr. Metzger offered the following amendment to the Metzger amendments found in the Legislative Journal for the Sixtieth Day, which was adopted.

Amend the Metzger amendments, Section 2, lines 7 and 8, by striking the words and punctuation "radio, television, and".

Mr. Metzger's amendments as amended were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 182. Laid over.

LEGISLATIVE BILL 251. Laid over.

Member Excused

Mr. McKnight was excused for one-half hour.

LEGISLATIVE BILL 529. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Advanced to E and R for review.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action taken on Final Reading on L. B. 67. (Signed) Cliff N. Ogden

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

Unanimous Consent—Return to Select File

Mr. Ogden asked unanimous consent to have L. B. 67 returned to Select File for Specific Amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 67.

Mr. Ogden offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 67, Section 5, Line 20, by striking the words "under his bond".

Advanced to E and R for re-engrossment.

GENERAL FILE

LEGISLATIVE BILL 483.

Mr. W. Wilson moved to indefinitely postpone L. B. 483.

The motion prevailed.

LEGISLATIVE BILL 530. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 493.

Mr. W. Wilson asked unanimous consent to have L. B. 493 laid over and made Special Order of Business on Wednesday, April 6, 1949.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 222. 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 240. Considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Advanced to E and R for review.

Visitors

Mr. Lee introduced Mr. Wayne Tilmer, Teacher, and sixteen students of Morrowville High School, Morrowville, Kansas.

LEGISLATIVE BILL 424. Considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 294. Substitute bill read.

Mr. V. Anderson asked unanimous consent to have the bill laid over and made Special Order of Business on Thursday, April 7, 1949.

Consent was granted and it was so ordered.

Member Excused

Mr. Cramer was excused for Wednesday, March 30, 1949.

To Record Vote

Mr. President: Had I been present when the record vote on the indefinite postponement of L. B. 439 was taken, I would have voted

against indefinite postponement. (Signed) Arthur Carmody

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 247. Correctly engrossed.
LEGISLATIVE BILL 336. Correctly engrossed.
LEGISLATIVE BILL 393. Correctly engrossed.
LEGISLATIVE BILL 484. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on March 28, 1949, at 11:15 a.m.

L. B. 332 L. B. 172 L. B. 456

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 303 L. B. 374 L. B. 389
L. B. 345

Adjournment

At 11:55 a.m., on a motion by Mr. Vogt, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 30, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Sixty-first Day was approved.

Communications

Invitation to the members of the Legislature from the Nebraska Hotel Association to a dinner on Monday, April 11, at the Lincoln Hotel.

Letter addressed to Mr. Prohs from Ted E. Riddell, M. D., of Scottsbluff, Nebraska, opposing the Sales Tax and Income Tax.

NOTICE OF COMMITTEE HEARING

Banking, Commerce and Insurance

L. B. 531 Tuesday, April 5, 1949 2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 501. Indefinitely postponed.

(Signed) Ray A. Babcock, Chairman

Enrollment and Review

LEGISLATIVE BILL 302. Placed on Select File as amended.

E and R amendment to L. B. 302:

1. In the bill, section 1, line 16, strike the word *"which"* and the comma which precedes it, and in lieu thereof insert *". The"*; line 39, strike "; nor shall any" and in lieu thereof insert *". No"*; insert the word *"shall"* at the end of line 40; line 41, strike "shall have" and in lieu thereof insert *"has"*; line 42, before the word "above" insert *"is"*.

LEGISLATIVE BILL 13. Placed on Select File as amended.

E and R amendments to L. B. 13:

1. In Standing Committee Amendment 1, line 2 of newly inserted matter, insert a comma after the word "wife".

2. Strike S. C. A. 8.

3. In S. C. A. 9, line 3, insert a comma after the word *"acquired"*.

4. In S. C. A. 10, line 4 of the original, insert a comma before the word *"as"*, and after the word *"act"*; and correct the line numbers in line 2 of said amendment to read "11 and 12".

5. In S. C. A. 17, at the end of line 1 of newly inserted matter, insert "or any part thereof".

6. In the bill, new section 3, line 3, strike the commas before the word *"or"*, and after the word *"otherwise"*.

7. In new section 4, line 4, strike the word *"was"*; line 5, strike the word *"acquired"*; line 12, strike the commas after *"was"* and after *"is"*; line 17, after the word *"was"* insert *"or is"*; line 18, strike the words *"title to"*.

8. In the bill title, at the end of line 3, insert "the"; line 4, before the semicolon insert "as prescribed", and line 5, after the semicolon insert "to provide that property acquired, as defined, shall not be regarded as community property unless the contrary be satisfactorily proved; to provide certain procedure to claim that property is community property; to provide certain legislative intent as prescribed;".

LEGISLATIVE BILL 410. Placed on Select File as amended.

E and R amendments to L. B. 410:

1. In the bill, section 1, line 3, before the word "The" insert "*(1)*"; line 9, strike the comma before the word "and"; line 19, before the word "A" insert "*(2)*", also in the same line before the word "not" insert "*of*"; line 21, strike "the district" and in lieu thereof insert "*any* district *referred to in subsection (1) of this section*".

2. In the bill title, strike the comma at the end of line 7.

LEGISLATIVE BILL 394. Replaced on Select File as amended.

E and R amendment to L. B. 394:

1. In the bill, section 1, line 6, insert a comma after the word "levied" and before the new matter inserted after said word.

LEGISLATIVE BILL 381. Replaced on Select File as amended.

E and R amendment to L. B. 381:

1. In the bill, section 1, line 4, strike the comma after the word "not" in the original bill, which comma is shown as a stricken comma on the printed bill.

LEGISLATIVE BILL 407. Placed on Select File as amended.

E and R amendments to L. B. 407:

1. In the bill, section 1, line 3, before the word "The" insert "*(1)*"; line 11 before the word "receipts" insert "*and*"; at the end of line 58, insert a comma; line 59, before the word "Each" insert "*(2)*"; line 74, before the word "The" insert "*(3)*".

2. In the bill title, strike lines 4 to 9 inclusive and in lieu thereof insert "eliminate the provisions that the counties are not required to pay fees to the clerks of the district courts and the effect thereof; and to".

LEGISLATIVE BILL 481. Placed on Select File as amended.

E and R amendments to L. B. 481:

1. In the bill, strike the stricken matter from the bill in section 1, lines 6, 7, 16, and 17, and in section 2, from lines 7, 11 and 12, such words having been eliminated by L. B. 225.

2. In section 1, line 2, before the word "be" insert "as amended by section 1, Legislative Bill 225, Sixty-first Session, Nebraska State Legislature, 1949,"; line 6, insert a comma after the word "person";

line 10, strike the comma after the word "license"; line 11, strike the word "shall"; line 18, before the word "be" insert "thereof".

3. In section 2, line 2, before the word "be" insert "as amended by section 2, Legislative Bill 225, Sixty-first Session, Nebraska State Legislature, 1949,"; line 5, insert a comma before the word "shall"; lines 8 and 9, strike the commas; line 13, after the word "conviction" insert *"thereof"*.

4. In section 3, line 2, before the word "are" and in the bill title, line 3, before the word "relating" insert "as amended by sections 1 and 2, Legislative Bill 225, Sixty-first Session, Nebraska State Legislature, 1949,".

5. In the bill title, line 7, after the word "drive" insert "resulting in injury or death to any person or in damage to property".

LEGISLATIVE BILL 252. Correctly engrossed.
LEGISLATIVE BILL 288. Correctly engrossed.
LEGISLATIVE BILL 406. Correctly engrossed.
LEGISLATIVE BILL 452. Correctly engrossed.
LEGISLATIVE BILL 508. Correctly engrossed.
LEGISLATIVE BILL 171. Correctly enrolled.
LEGISLATIVE BILL 173. Correctly enrolled.
LEGISLATIVE BILL 376. Correctly enrolled.
LEGISLATIVE BILL 384. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on March 29, 1949, at 10:40 a.m.

L. B. 147	L. B. 339	L. B. 373
L. B. 364	L. B. 39	

(Signed) Glenn Cramer, Chairman

Bill Referred to Standing Committee

L. B.	Committee
531	Banking, Commerce and Insurance

Visitors

Mr. Lusienski introduced Miss Dorothy Beatty and thirty-six students of the Modern Problems Class of Kramer High School, Columbus, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 101.

A bill for an act to amend sections 39-605, 60-107, 60-302, 60-332, and 60-401, Revised Statutes of Nebraska, 1943, and sections 60-102, 60-301, 60-308, 60-310, 60-315, 60-407, and 60-502 Revised Statutes Supplement, 1947, relating to motor vehicles; to increase the amount of and change the allocation of motor vehicle registration fees; to prescribe regulations respecting the registration of motor vehicles and the issuance of certificates of title thereto; to change the definition of a motor vehicle with respect to granting of motor vehicle operators' licenses; to prescribe rules for examination for and issuance of motor vehicle operators' licenses; to provide for destruction of prescribed records; and to repeal the original sections and also section 60-328.01, Revised Statutes Supplement, 1947.

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, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Babcock	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 1:

Burnham

Not voting, 2:

Burney Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 372.

A bill for an act relating to criminal procedure; to provide that,

in prosecutions for refusal or neglect to pay child support, the accused may enter a plea of no contest; to provide the terms of such plea; to provide for the acceptance of such plea and entry of order therein by the court in which the prosecution is pending; to provide for the dismissal of the prosecution and the discharge of the accused upon full compliance with the terms of such order; and to provide the procedure if the accused shall fail to comply with such order.

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, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Burney

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 380.

A bill for an act relating to standards of pure food; to define terms; to require the enrichment of flour and bread to meet certain standards of vitamin and mineral content; to prescribe certain duties and powers of the Director of the Department of Agriculture and Inspection and designated officers and employees; to provide certain procedure; 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, 41:

Adams, J.	Cramer	Lillibridge	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Anderson, L.	Davies	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bohlke	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson			

Voting in the negative, 0.

Not voting, 2:

Babcock	Burney

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 411.

A bill for an act to amend section 39-602, Revised Statutes of Nebraska, 1943, relating to highways; to provide that the line or actual location of a state highway, whether built in whole or in part with either state or federal funds, may deviate from the location of the public highway, as actually traveled when such highway was designated a state highway; 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, J.	Carson	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Burney Ogden

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 510. Laid over.

SELECT FILE

LEGISLATIVE BILL 310. E and R amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 472. 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 119. Advanced to E and R for engrossment.

LEGISLATIVE BILL 400. E and R amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 499. E and R amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 454. 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 409. 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 469. 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 440. E and R amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Executive Session

Mr. Prohs asked unanimous consent to have an executive session of the Public Works Committee this afternoon.

Consent was granted and it was so ordered.

Unanimous Consent—Use West Chamber

Mr. Tvrdik asked unanimous consent to use the West Chamber for the hearing on the Sales Tax Bill on Thursday, March 31.

Consent was granted and it was so ordered.

GENERAL FILE

Special Order

LEGISLATIVE BILL 220. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-second Day was considered.

Mr. Hoyt offered the following amendment to the Standing Committee Amendment, which was adopted with 28 ayes, 3 nays and 12 not voting.

Amend the Standing Committee Amendment to L. B. 220 by striking the word *"twelve"* and inserting in lieu thereof the word *"eight"*.

The Standing Committee Amendment, as amended, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 182. Read and considered.

Standing Committee Amendments 1, 2 and 3, found in the Legislative Journal for the Forty-fifth Day were adopted.

Standing Committee Amendment 4 was not adopted.

Standing Committee Amendments 5, 6, 7, 8, 9 and 10 were adopted.

Mr. Lee offered the following amendments, which were adopted.

1. Amend L. B. 182, Section 10, line 11 by inserting the word "next" following the word "highest".

2. Amend page 6 of the bill, Section 13, lines 4 and 5 by striking the words "board of managers" and inserting in lieu thereof the words "governing board".

3. Amend L. B. 182, Section 14, line 15 by striking the words "of such election" and inserting in lieu thereof the words "showing the official capacity of the trustees".

Laid over.

Visitors

Mr. Holmes introduced Mrs. Ivy Priest, Republican Committeewoman from Utah, Mrs. Olive Stewart, Committeewoman from Nevada, Mrs. Edna Basten Donald of Nebraska and Mrs. Arthur Bowring, state Vice-chairman. Mrs. Priest and Mrs. Bowring spoke briefly.

Mr. Lee Presiding

LEGISLATIVE BILL 251. Read and considered.

Standing Committee Amendments 1, 2 and 6, found in the Legislative Journal for the Fifty-second Day, were not adopted.

Standing Committee Amendments 3, 4 and 5 were adopted.

Mr. Ogden offered the following amendment to Standing Committee Amendment 7, which was adopted.

Amend the Standing Committee Amendments to L. B. 251, Amendment No. 7, to Section 1, by striking subsections "c" and "e" and relettering the other subsections.

Standing Committee Amendment No. 7, as amended, was adopted.

Standing Committee Amendments 8, 9, 10 and 11 were adopted.

Mr. Lusienski offered the following amendment to the Standing Committe Amendments, which was adopted.

Amend the Standing Committee Amendment to L. B. 251, Amendment No. 3, by adding the word "last" before the word "employees".

Advanced to E and R for review.

Visitor

Mr. T. Adams presented Mr. Harry Stroh, teacher and 35 students from Lincoln High School.

Communciation

A wire from John F. Blankenship to Mr. Tvrdik, commending him on his remarks on L. B. 439.

Speaker Signs

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

L. B. 171 L. B. 376 L. B. 384
L. B. 173

Adjournment

At 11:50 a.m., on a motion by Mr. Williams, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 31, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Burney, who was excused, Mr. T. Adams, who was excused until 9:30 and Mr. Holmes, who was excused until 9:45.

The Journal for the Sixty-second Day was approved as corrected.

Communications

A letter from Mr. E. J. Overly, Assistant to the Secretary of the Department of Agriculture, acknowledging receipt of L. R. 19.

A petition addressed to Mr. Norman from Pearl Methodist Church Garden Club of Omaha, favoring L. R. 13.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 275. Placed on General File.
LEGISLATIVE BILL 306. Placed on General File.
LEGISLATIVE BILL 500. Placed on General File as amended.

Standing Committee amendments to L. B. 500:

1. Amend the bill, Page 2, Line 30, by striking the period after the word "vehicles" and inserting the following: "*; and provided further, that the red emergency reflectors referred to herein shall be of a type approved by the State Highway Department.*"

2. Amend the title to conform.

LEGISLATIVE BILL 390. Indefinitely postponed.
LEGISLATIVE BILL 442. Indefinitely postponed.
LEGISLATIVE BILL 470. Indefinitely postponed.
LEGISLATIVE BILL 464. Indefinitely postponed.
LEGISLATIVE BILL 58. Indefinitely postponed.
LEGISLATIVE BILL 478. Indefinitely postponed.
LEGISLATIVE BILL 291. Indefinitely postponed.
LEGISLATIVE BILL 335. Placed on General File.

(Signed) Otto J. Prohs, Chairman

Education

LEGISLATIVE BILL 413. Placed on General File as amended.

Standing Committee amendments to L. B. 413:

1. In the bill, amend Section 1, lines 3 and 4, by striking the new matter and restoring the original matter.

2. In the bill, amend Section 1, line 5, after the numerals 72-222 by inserting the following: *"except as set forth in section 2 of this act,"*.

3. In the bill, amend Sec. 2, Line 1, by striking the word "not".

4. In the bill, amend Sec. 2, Line 2, by striking the words *"or contract of sale,"*.

5. In the bill, amend Sec. 2, Lines 3 and 4, following the word "condemnation" by inserting the following *"of the interest of the state as trustee for the public schools,"*.

6. In the bill, add a new section, Sec. 4, to contain the emergency clause.

7. The Committee on Enrollment and Review will amend the title in accordance with the above amendments.

LEGISLATIVE BILL 414. Placed on General File.
LEGISLATIVE BILL 340. Placed on General File as amended.

Standing Committee amendment to L. B. 340:

1. In the bill, amend Section 1 by striking all of the new material beginning with Line 10 through Line 28, and insert in lieu thereof the following: *"to establish a contributory plan of retirement benefits*

to the faculty staff and other employees of the university, in which such plan each faculty staff member and each employee may voluntarily contribute, or in the discretion of the board, may be required to contribute a fixed percent of his monthly compensation to be deducted from his salary, said contributions to be used to supplement retirement benefits provided by the board for such faculty staff and employees: Provided, the retirement benefits accrued or to accrue to any member of the university faculty staff or to any other employee of the university under the retirement plan now in force shall not be abridged.".

LEGISLATIVE BILL 363. Placed on General File as amended.

Standing Committee amendments to L. B. 363:

1. In the bill, amend Section 1, Line 3 by striking the word "moderator" and inserting in lieu thereof the word "president".

2. In the bill, amend Section 1, Line 11 by striking the word "moderator" and inserting in lieu thereof the word "president".

3. In the bill, amend Section 1, Line 16 by striking the word "moderator" and inserting in lieu thereof the word "president".

LEGISLATIVE BILL 289. Indefinitely postponed.
LEGISLATIVE BILL 383. Indefinitely postponed.

(Signed) Dwight W. Burney, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 30, 1949 at 10:20 a.m.

L. B. 303 L. B. 345 L. B. 389
L. B. 374

Presented to the Governor for approval on March 30, 1949 at 4:30 p.m.

L. B. 384 L. B. 173 L. B. 376
L. B. 171

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, strike ", or" and in lieu thereof insert "or by a"; line 4, before the word "in" insert "(1)"; line 6, strike "and" and in lieu thereof insert "reside or live and (2) which".

2. Section 3, line 2, before the word "grant" insert "(1)"; line 4, before the word "inspect" insert "(2)"; line 6, strike the word "and" and in lieu thereof insert ", and (3)"; line 9, insert a comma after the word "board".

3. Section 4, line 7, strike the words "issuing it", and in the same line after the word "for" insert "the".

4. In section 5, line 2, after the word 'location" insert a comma.

5. Section 6, line 4, strike ", and" and in lieu thereof insert ". Such record shall"; line 5, strike the words "issuing the license".

6. Section 8, line 2, strike the words "or manager" and in lieu thereof insert ", manager,", and in line 4, insert the word "thereof" after the word "conviction", and also strike the comma in said line 4.

7. In the bill title, line 6, strike said line after the word "to" and in lieu thereof insert "authorize the Board of Control to make such rules, not inconsistent with law,"; line 8, strike the word "prescribed"; and in the same line before the last semicolon insert "and be open for inspection as prescribed".

LEGISLATIVE BILL 163. Replaced on Select File as amended.

E and R amendment to L. B. 163:

1. In the emergency clause inserted by S.C.A. 1, last line, strike the word "the" before "law"; and in the title, last line, strike "and" before "to repeal".

LEGISLATIVE BILL 277. Placed on Select File as amended.

E and R amendments to L. B. 277:

1. In General File Amendment by Mr. Babcock, dated March 22, 1949, line 3 of the original, strike the word "semicolon" and in lieu thereof insert "comma".

2. In Standing Committee Amendment 1, line 3, strike the words "nor shall include".

3. In the bill, section 1, strike the quotation marks in lines 20 and 21.

4. Section 3, line 15, before the word "in" insert "(a)"; line

17, strike the word "or" and in lieu thereof insert "(b)"; line 21, before the word "if" insert "(c)"; line 26, before the word "accept" insert "(a)"; line 27, strike the word "and" and in lieu thereof insert ", (b)"; line 29, strike the words "and index" and in lieu thereof insert "(c) index the same"; line 30 after the word "as" insert "is"; line 31, strike the word "shall" and in lieu thereof insert "(d)".

5. Section 4, line 3, insert a comma after the word "or".

6. Section 5, line 13, before the word "prior" insert "made", and in the same line after the word "his" insert "assignment".

7. Section 9, line 5, strike the first word "and" and in lieu thereof insert a comma; line 7, strike "; but this" and in lieu thereof insert ". This".

8. Section 11, line 8, insert a comma after the word "or"; line 10, after the word "make" insert "a"; line 11 and line 6 of section 12, after the word "If" insert "the".

9. In the bill title, line 4, after the word "to" insert "define terms; to".

LEGISLATIVE BILL 301. Placed on Select File as amended.

E and R amendments to L. B. 301:

1. In the bill, section 1, lines 5, 17, 45 and 54, strike the words "as amended" and in lieu thereof insert "amendments thereto"; strike line 26, beginning with the word "of" and all of line 27, and in lieu thereof insert "that such meeting was held and that it took the action therein set forth."; line 35, strike the first word "directors" and in lieu thereof insert "persons"; line 36, before the word "majority" insert "a"; line 51, strike the word "and"; line 62, strike ", after" and in lieu thereof insert "the director, after a"; line 63, strike the words "the director has found said association" and in lieu thereof insert "has found said association (a)"; line 64, strike the word "and" and in lieu thereof insert ", (b)"; line 66, strike the words "and that it" and in lieu thereof insert "(c)"; line 69, strike the words "that it" and in lieu thereof insert "(d)"; and strike the comma in line 70.

2. Section 2, line 1, strike the word "Upon" and in lieu thereof insert "(1) Upon the", and at the end of the line insert the word "of"; line 8, strike "as amended." and in lieu thereof insert "amendments thereto. (2)"; insert a comma at the end of line 11 and after the word "whatsoever" in line 13; line 12, strike the word "and" and in lieu thereof insert a comma; line 19, strike ", and" and in

lieu thereof insert ". The"; at the end of line 20 insert the words "to be"; line 24, before the word "It" insert "(3)".

3. In the bill title, insert "the" in line 3 of the original title, after "for" as in the printed bill; line 6, strike "as amended." and in lieu thereof insert "amendments thereto."; and line 2 of the title, insert the word "and" after the semicolon.

LEGISLATIVE BILL 387. Placed on Select File as amended.

E and R amendments to L. B. 387:

1. In General File Amendment 1, line numbered 31, strike the words "the jurisdiction of".

2. In General File Amendment 4, to the title, line 5 of the original, before the word "shall" insert "for the specified county health department purposes".

3. In the bill, section 1, line 3, before the word "The" insert *"(1)"*; line 4 strike "(1)" and in lieu thereof insert *"(a)"*; line 8, strike "(2)" and in lieu thereof insert *"(b)"*; line 14, strike ". The" and in lieu thereof insert *"; the"*; line 15, after the word "by" insert *"the"*; line 18, strike "(3)" and in lieu thereof insert *"and (c)"*; line 21, insert *"an"* after the word "such"; at the end of line 42, insert the word *"the"*; at the beginning of line 53, insert *"(2)"*; line 64 insert a comma before the word "if".

4. In the bill title, line 5, before the word "shall" insert "said section 71-1628, Revised Statutes of Nebraska, 1943,"; strike the period at the end of line 6 and in lieu thereof insert "; and to declare an emergency"; and in line 5, strike the word "and".

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 13.

L. R. 13 was adopted 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 510. Laid over.
LEGISLATIVE BILL 226.

A bill for an act to amend section 29-2306, Revised Statutes of Nebraska, 1943; to provide for payment to the Clerk of the Supreme Court of a docket fee in all criminal cases, except where an affidavit of poverty is filed; 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, J.	Cretsinger	Lusienski	Schroeder
Babcock	Davies	McKnight	Tvrdik
Benesch	Hanna	Metzger	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Hoyt	Norman	Weborg
Burnham	Larkin	Ogden	Williams
Callan	Lee	Person	Wilson, C.
Carmody	Lillibridge	Pizer	Wilson, W.
Carson	Lindgren	Prohs	Wood
Cramer			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Anderson, V.	Hill	Holmes
Anderson, L.	Burney		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 395.

A bill for an act relating to crimes and punishments; to define deceptive and misleading advertising for the purpose of section 28-1235, Revised Statutes of Nebraska, 1943; and to provide that, for the purpose of said section, any person, firm, corporation, or association shall be guilty of deceptive and misleading advertising that does the acts provided for with reference to advertising merchandise for sale at retail as prescribed.

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

Mr. Tvrdik requested a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Tvrdik moved to raise the Call and the motion prevailed.

Voting in the affirmative, 25:

Adams, J.	Cretsinger	McKnight	Prohs
Anderson, L.	Davies	Metzger	Tvrdik
Babcock	Hern	Nelson	Vogel
Benesch	Larkin	Norman	Weborg
Bohlke	Lillibridge	Ogden	Wilson, C.
Bridenbaugh	Lusienski	Person	Wood
Burnham			

Voting in the negative, 10:

Callan	Hoyt	Schroeder	Williams
Carmody	Lindgren	Vogt	Wilson, W.
Cramer	Pizer		

Not voting, 8:

Adams, T.	Burney	Hanna	Holmes
Anderson, V.	Carson	Hill	Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 460.

A bill for an act to amend section 36-213, Revised Statutes of Nebraska, 1943, relating to assignment of wages; to provide for deductions of wages or earnings when the payroll deductions so taken are dispersed in accordance with a written order of an employee which has been accepted by the employer; 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, J.	Cramer	Lindgren	Prohs
Anderson, L.	Cretsinger	Lusienski	Schroeder
Babcock	Davies	McKnight	Tvrdik
Benesch	Hanna	Metzger	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Hill	Norman	Weborg
Burnham	Hoyt	Ogden	Williams
Callan	Larkin	Person	Wilson, W.

Carmody	Lee	Pizer	Wood
Carson	Lillibridge		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Burney	Holmes	Wilson, C.
Anderson, V.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 448. With emergency.

A bill for an act to consent to the use by the public for street purposes of a strip of ground twenty-five feet wide off of property owned by the State of Nebraska in Douglas County, Nebraska; to authorize the Board of Control to sign petition for improvement of such strip of ground with other property as a street; to authorize the Board of Control to pay a part of the cost of such street improvement; to appropriate to the Board of Control the sum of three thousand seven hundred fifty dollars for such purpose; to consent to the use by the public for street purposes of a strip of ground twelve feet wide off of the property owned by Wayne Normal School in the City of Wayne, Wayne County, Nebraska; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, V.	Burney	Holmes

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

Visitors

Mr. Person introduced Mr. John Peterson, a former member of the Legislature, Mr. P. D. Pyle, Superintendent, and forty-five students of the American Government Class of Ashland High School, Ashland, Nebraska.

SELECT FILE

LEGISLATIVE BILL 302. E and R amendment found in the Legislative Journal for the Sixty-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 13. 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 410. 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 394. E and R amendment found in the Legislative Journal for the Sixty-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 381. E and R amendment found in the Legislative Journal for the Sixty-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 407. 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 481. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

Reporting of Committee Action

Mr. Schroeder brought up the subject of the reporting of the action of the Committee on Miscellaneous Appropriations and Claims in Executive Session, on radio station KOLN on March 30, at 6:15, p.m. He said that he had been requested by other members of the Committee to present the matter to the Legislature.

MOTION—Investigate Broadcast

Mr. President: I move that the Committee on Committees investigate the broadcast conducted over radio station KOLN on March 30, 1949 at 6:15 p.m. and report back to the Legislature. (Signed) Earl J. Lee

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 182. Advanced to E and R for review.
LEGISLATIVE BILL 415. Laid over.
LEGISLATIVE BILL 209. Considered.

Advanced to E and R for review.

Visitors

Mr. Davies introduced Mr. W. H. Bevan, Head of the Speech Department, and 8 students from Union College, Lincoln, Nebraska.

LEGISLATIVE BILL 427. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 422. 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 474. Read and considered.

Mr. Hoyt offered the following amendments to the Standing Committee amendments, which were adopted.

1. Amend the Standing Committee Amendment No. 1, Section 3, by striking line 7 and inserting in lieu thereof the following: *"and Funds. During the year of the ex-"*.

2. Amend Standing Committee Amendment No. 1, Section 3, line 7, by striking the punctuation after the word "Funds", and inserting in lieu thereof the following: *", the chairman of the county board of the county in which the land is situated, and a third person to be appointed by the representative of the Board of Educational Lands and Funds and the chairman of the county board."*

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day, as amended, were adopted.

Mr. Babcock moved to indefinitely postpone L. B. 474.

Laid over.

Visitors

Mr. Lee introduced Mr. W. M. Lingo, a member of the House of Representatives of the South Dakota Legislature, and Mr. Thos. Hendricks, of Chicago, Illinois, a former Senator from Indiana who is now the Secretary of the Council on Medical Service, who spoke briefly to the Legislature.

Mr. Bridenbaugh introduced Mr. Allen Kline, the National President of the American Farm Bureau, who greeted the members of the Legislature briefly.

Mr. Lee introduced Mr. Don Farmer, of Florence, Kansas, Mr. M. E. Greer, of Moundridge, Kansas, and Mr. Adrian Shull, of Marian, Kansas.

Mr. V. Anderson introduced Miss Goldie Price and Mrs. Wessell, Teachers, and fifty-five students of Havelock Grade School.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 101. Correctly enrolled.
LEGISLATIVE BILL 372. Correctly enrolled.
LEGISLATIVE BILL 380. Correctly enrolled.

LEGISLATIVE BILL 411. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 101 L. B. 380 L. B. 411
L. B. 372

Adjournment

At 12:05 p.m., on a motion by Mr. Hern, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 1, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McKnight, who was excused for one half hour, and Mr. Wood, who was excused.

The Journal for the Sixty-third Day was approved as corrected.

Communications

Letter from W. B. Millard, Jr., President of Ak-Sar-Ben, acknowledging receipt of L. R. 21.

Resolution from the American Pioneer Trails Association favoring L. B. 369.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 281. Placed on Select File as amended.

E and R amendment to L. B. 281:

1. In the bill, section 1, line 6, strike the word "of" and in lieu thereof insert "*upon*"; line 12, strike "; and the" and in lieu thereof insert ". *The*".

LEGISLATIVE BILL 499. .Replaced on Select File as amended.

E and R amendment to L. B. 499:

In the bill, section 1, line 3, strike all of said line after the word "governing" and in lieu thereof insert *"body of any city or village"*; and lines 10 and 11, strike "their respective jurisdictions" and in lieu thereof insert *"its jurisdiction"*.

LEGISLATIVE BILL 370. Placed on Select File as amended.

E and R amendments to L. B. 370:

1. In the bill, section 1, strike, beginning with the comma in line 15 to and including the word "thereto" in line 16, and in lieu thereof insert ". *No* such improvement, addition thereto,".

2. Section 2, line 26, before the word *"limitation"* insert *"the"*.

3. In the bill title, line 4, before the word "to" insert "to require ratification by the county board of the prescribed actions of the board of trustees of such a hospital;".

LEGISLATIVE BILL 381. Correctly engrossed.
LEGISLATIVE BILL 394. Correctly engrossed.
LEGISLATIVE BILL 400. Correctly engrossed.
LEGISLATIVE BILL 409. Correctly engrossed.
LEGISLATIVE BILL 440. Correctly engrossed.
LEGISLATIVE BILL 454. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 13

Unanimous Consent—Return L. B. 510 to Select File

Mr. Holmes asked unanimous consent to return L. B. 510 to Select File for the following specific amendments:

1. Amend page 2 of the bill, section 1, line 3 by inserting after the word "crime" the following: "to be known as motor vehicle homicide".

2. Amend the title of the bill, line 5, by inserting after the word "crime" the following: "to be known as motor vehicle homicide".

Consent was granted and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 365.

A bill for an act to amend sections 83-303 and 83-304, Revised Statutes of Nebraska, 1943, relating to state institutions; to provide that any funds made available to the Nebraska Orthopedic Hospital by devise, gift, or bequest, as to which specific direction is given by will or grant as to the use or disposition thereof, shall not form a part of the hospital fund; to provide that the Superintendent of the Nebraska Orthopedic Hospital shall be empowered to take, manage, use, and dispose of any property or funds described in any such devise, gift, or bequest as prescribed; to provide for records to be kept by the superintendent showing funds and property received, disposed of, or disbursed; to provide for annual reports thereof to be filed with the Board of Control; 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, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	Metzger	Vogel
Benesch	Hanna	Nelson	Vogt
Bohlke	Hern	Norman	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burnham	Holmes	Person	Wilson, C.
Callan	Hoyt	Pizer	Wilson, W.
Carmody	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Larkin	McKnight	Wood
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. Victor Anderson was excused for one hour.

LEGISLATIVE BILL 247.

A bill for an act to amend section 53-1,100, Revised Statutes Supplement, 1947, relating to liquors; to provide that, where a person is charged with an offense under the Liquor Control Act arising out of the failure to have a license, evidence of the failure to produce such license upon demand shall be prima facie proof that a license has not been issued by the Nebraska Liquor Control Commission to such person; 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, T.	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	Metzger	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Hill	Norman	Weborg
Burnham	Hoyt	Ogden	Williams
Callan	Larkin	Person	Wilson, C.
Carmody	Lee	Pizer	Wilson, W.
Carson			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Burney	McKnight	Wood
Anderson, V.	Holmes		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 336.

A bill for an act to amend section 79-1105, Revised Statutes of Nebraska, 1943, relating to schools; to eliminate the provision that every high school approved for normal training shall instruct a class of not less than ten pupils; 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, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Anderson, V.	McKnight	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 393.

A bill for an act to amend section 24-502, Revised Statutes of Nebraska, 1943, relating to county judges; to confer upon county judges the powers and jurisdiction of justices of the peace in all matters except acting as a member of a township board in a county under township organization; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.

Voting in the negative, 0.

Not voting, 3:

Anderson, V.	McKnight	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 484.

Mr. T. Adams asked unanimous consent to return L. B. 484 to Select File for the following Specific amendment:

Amend L. B. 484 by adding to section 1, line 37, the following sentence: "The salary of the deputy county attorney referred to under this section shall be fixed by the county board, but shall not exceed twenty-seven hundred dollars.".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 484.

Mr. T. Adams' amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 510.

Mr. Holmes' amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 277. 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 301. 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 105. Laid over until Tuesday, April 5, 1949.

LEGISLATIVE BILL 163. E and R amendment found in the Legislative Journal for the Sixty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 387. E and R amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Burnham introduced Mr. Gairra, Superintendent, and twenty-four students of Anselmo High School, Anselmo, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 474.

Mr. Ogden offered a substitute motion that L. B. 474 be laid over on General File until April 15, 1949, for the purpose of giving the opposition the opportunity to present a bill to cover the abuses mentioned.

The motion prevailed with 37 ayes, 1 nay and 5 not voting.

LEGISLATIVE BILL 415. Laid over.
LEGISLATIVE BILL 457. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 509. Read and considered.

Advanced to E and R for review.

Visitors

Mr. W. Wilson introduced his wife and two children.

LEGISLATIVE BILL 412. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Mr. Babcock offered the following amendment, which was adopted.

1. Amend Section 1, Line 21, of the printed bill, by adding the following words and punctuation after the comma following the word "corporations", *"including newly organized insurance corporations,"*.

Advanced to E and R for review.

LEGISLATIVE BILL 408. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 250. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 466. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Laid over.

To Record Vote

Mr. President: Had I been present earlier this morning at Final Reading of L. B. 365, L. B. 247, L. B. 336 and L. B. 393, I would have voted "yes". (Signed) John P. McKnight

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 429. Indefinitely postponed.
LEGISLATIVE BILL 421. Indefinitely postponed.
LEGISLATIVE BILL 358. Indefinitely postponed.
LEGISLATIVE BILL 343. Indefinitely postponed.
LEGISLATIVE BILL 331. Indefinitely postponed.
LEGISLATIVE BILL 323. Indefinitely postponed.
LEGISLATIVE BILL 298. Indefinitely postponed.
LEGISLATIVE BILL 293. Indefinitely postponed.
LEGISLATIVE BILL 286. Indefinitely postponed.
LEGISLATIVE BILL 279. Indefinitely postponed.
LEGISLATIVE BILL 263. Indefinitely postponed.
LEGISLATIVE BILL 254. Indefinitely postponed.
LEGISLATIVE BILL 249. Indefinitely postponed.
LEGISLATIVE BILL 219. Indefinitely postponed.
LEGISLATIVE BILL 197. Indefinitely postponed.
LEGISLATIVE BILL 170. Indefinitely postponed.
LEGISLATIVE BILL 212. Indefinitely postponed.
LEGISLATIVE BILL 196. Indefinitely postponed.
LEGISLATIVE BILL 445. Indefinitely postponed.

LEGISLATIVE BILL 446. Indefinitely postponed.
LEGISLATIVE BILL 488. Indefinitely postponed.

(Signed) N. F. Schroeder, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 1, 1949 at 10:10 a.m.

L. B. 101 L. B. 380 L. B. 411
L. B. 372

LEGISLATIVE BILL 460. Correctly enrolled.
LEGISLATIVE BILL 448. Correctly enrolled.
LEGISLATIVE BILL 395. Correctly enrolled.
LEGISLATIVE BILL 226. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 460 L. B. 395 L. B. 226
L. B. 448

Member Excused

Mr. Lillibridge was excused for Monday and Tuesday, April 4 and 5.

Adjournment

At 11:55 a.m., on a motion by Mr. Hill the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 4, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Chancellor Knight of Wesleyan University.

The roll was called and all members were present except Mr. Lillibridge, who was excused, Mr. Wood, who was excused until 9:45, Mr. T. Adams, who was excused until 10:00, Mr. J. Adams, who was excused until 10:15, and Mr. McKnight, who was excused until 11:30.

The Journal for the Sixty-fourth Day was approved.

Communications

Resolution from the Republican Valley Conservation Association favoring L. B. 470.

Letters acknowledging receipt of L. R. 20 from Albin W. Barkley, Vice President of the United States, and Hugh Butler, U.S.S.

Approved by the Governor

April 1, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform you that on March 30, 1949, he approved L. B. 218, on March 31, 1949, he approved L. B. 437, L. B. 368, L. B. 354, L. B. 217, L. B. 271, L. B. 353, and that on April 1, 1949, he approved L. B. 172, L. B. 332, L. B. 456, L. B. 373, L. B. 384, L. B. 376, L. B. 171, L. B. 173, L. B. 39, L.

B. 147, L. B. 339, L. B. 364, L. B. 389, L. B. 374, L. B. 345 and L. B. 303.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 307. Placed on Select File as amended.

E and R amendments to L. B. 307:

1. In Standing Committee Amendment 1, new section 3, line 2, before the word "be" insert "as amended by section 5, Legislative Bill 144, Sixty-first Session, Nebraska State Legislature, 1949,"; line numbered 7, before the word "refund" insert "*a*"; and line 12, after the word "made" insert "*as provided in this act*".

2. In the bill, section 2, line 4, before the word "*refund*", and at the end of line 6, insert "*a*"; line 5 strike ", *which*" and in lieu thereof insert ". *Such*".

3. In section now numbered 4, line 2, before the word "be" insert "as amended by section 2, Legislative Bill, 259, Sixty-first Session, Nebraska State Legislature, 1949,"; line 8, before the word "*overpayment*" insert "*the*"; line 10, strike the word "*claim*" and in lieu thereof insert "*a claim for the amount of such overpayment*"; lines 24 and 25, strike "; *Provided,* that no" and in lieu thereof insert ". *No*"; line 27, strike "; and no" and in lieu thereof insert ". *No*"; line 30 before the word "In" insert "*(3)*"; line 31, strike the word "aforesaid" and in lieu thereof insert "*provided for in subsection (2) of this section*"; line 43, strike "; but" and in lieu thereof insert ", *except that*"; line 44, before the word "If" insert "*(4)*"; and in the same line strike the word "be" and in lieu thereof insert ", *included in an expense claim filed under subsections (2) and (3) of this section, are*"; line 46, strike the word "five" and in lieu thereof insert "six"; line 47, strike the comma at the end of the line and in lieu thereof insert "in each calendar month"; line 50, after the word "requisition" insert ", *provided for in subsection 3 of this section,*"; line 57, before the word "In" insert "*(5)*"; line 67, before the word "The" insert "*(6)*".

4. In section now numbered 5, line 7, strike "; but in" and in lieu thereof insert ". *In*".

5. In the bill title, strike, beginning with the word "procedure" in line 3, to and including all of line 8, and in lieu thereof insert "for holding the payment of such estate tax in a separate trust fund in the office of the State Treasurer until the amount of tax due has been finally ascertained; to provide for the refund of any overpayment and the transfer of the balance to the General Fund; to provide the procedure for filing claims and suits to obtain such refunds; to provide for jurisdiction of such actions and a period of limitations therefor; to amend section 84-309, Revised Statutes of Nebraska, 1943, section 77-2106, Revised Statutes of Nebraska, 1943, as amended by section 5, Legislative Bill 144, Sixty-first Session, Nebraska State Legislature, 1949, and section 84-306, Revised Statutes Supplement, 1947, as amended by section 2, Legislative Bill 259, Sixty-first Session, Nebraska State Legislature, 1949;".

6. Strike Standing Committee Amendments 3, 4, and 5.

7. In section now numbered 7, strike all the section beginning with the word "and" in line 2, and in lieu thereof insert "original section 77-2106, Revised Statutes of Nebraska, 1943, as amended by section 5, Legislative Bill 144, Sixty-first Session, Nebraska State Legislature, 1949, and original section 84-306, Revised Statutes Supplement, 1947, as amended by section 2, Legislative Bill 259, Sixty-first Session, Nebraska State Legislature, 1949, are repealed.".

LEGISLATIVE BILL 88. Replaced on Select File as amended.

E and R amendments to L. B. 88:

1. Strike the semicolon in line 5 of the original Holmes amendment 5 to the title to avoid double punctuation; in the title line 7 strike the first word "of" before "the amount".

2. Strike the second General File amendment by Mr. Holmes since line 22 of section 2 was eliminated by Standing Committee amendment.

LEGISLATIVE BILL 507. Placed on Select File as amended.

E and R amendments to L. B. 507:

1. Strike the last part of Standing Committee Amendment 1 in regard to inserting a comma in line 20 as the original bill already shows a comma.

2. In the bill, page 2, strike section 1 and renumber subsequent sections, since the section was repealed by L. B. 113.

3. Strike the commas in section now numbered 2, lines 30 and

31; also section now numbered 8, line 4; section now numbered 9, line 9, after "county"; and section now numbered 12, line 4, after "state"; line 7 after "date"; and line 50 before "and".

4. In section now numbered 2, line 8, before the word "clerk" insert "*county*"; line 16, strike the word "may" and in lieu thereof insert "*shall*"; line 28, strike "; and a" and in lieu thereof insert ". *A*".

5. In section now numbered 5, line 20, strike "therein, if any, or a copy" and in lieu thereof insert ", copy,".

6. In section now numbered 8, line 6, strike ", and he" and in lieu thereof insert ". *He*"; strike the semicolon in line 7.

7. In section now numbered 11, line 18, strike ", and" and in lieu thereof insert "*which*".

8. In section now numbered 12, line 6, insert a comma after the word "county"; line 7, before the word "the" insert "*and*"; line 10, strike the comma after the word "license"; and in the same line after the word "stating" insert "*(1)*"; and at the end of the line insert "*and*"; at the end of line 9, strike "(1)"; line 18, strike "in material regard" and in lieu thereof insert "*of a* material *nature*".

9. In section now numbered 13, line 1, strike "10-125,".

10. In the bill title, line 2, strike "10-125,"; line 8, strike the word "therein".

LEGISLATIVE BILL 24. Replaced on Select File as amended.

E and R amendment to L. B. 24:

1. In the bill, section 3, line 1, strike the commas before and after "28-446".

LEGISLATIVE BILL 56. Placed on Select File as amended.

E and R amendments to L. B. 56:

1. In General File Amendments 1 and 2, by Mr. Metzger, line 3, the word "Section" should be "Sec."; in amendment 1, line 5, of the original, before the word "vote" insert "a", also insert a comma after the word "provided"; line 8, strike "and the" and in lieu thereof insert ". The"; line 9, insert "the" after "upon".

2. In General File Amendment 2, line 6 of the original, after the word "construct", and line 7, after the word "approved" insert a comma; line 9, strike "; and any" and in lieu thereof insert ". Any".

(The following amendments, while made to the original amendments by the Standing Committee, are written and located as they appear upon the mimeographed copy thereof.)

3. In the bill, section 1, line 5, strike "and thereafter" and in lieu thereof insert ". Thereafter"; line 6, strike the word "for"; line 7, strike the first word "in" and in lieu thereof insert "of", and in the same line strike ", or if no" and in lieu thereof insert "or, if there be no such"; line 8, strike the word "for" and in lieu thereof insert "then", and in the same line strike the last word "in" and in lieu thereof insert "of"; line 9, strike the word "Such" and in lieu thereof insert "The"; lines 9 and 10, insert a comma before and after "published as aforesaid".

4. Section 3, at the end of lines 2, 3, and 5, and also line 2 before "division" insert the word "the"; line 3, insert a comma after "thereof"; line 4, strike "alleging therein" and in lieu insert ". It shall allege therein (1)"; line 5, before the words "the location" insert "(2)"; line 6, strike the word "and" and in lieu thereof insert "(3)"; line 8, strike the first word "and" and in lieu thereof insert "(4)"; line 10, before the word "asking" insert "(5)"; line 12, strike the word "Copy" and in lieu thereof insert "A copy"; line 14, strike "and thereafter in a reasonable time," and in lieu thereof insert ". Thereafter, within a reasonable time".

5. Section 4, line 1, before the word "Upon" insert "(1)"; line 8, strike the word "and" and insert a comma; line 9, insert a comma before "and evidence"; line 11, strike "and upon" and in lieu thereof insert ". (2) Upon", and at the end of the same line insert "provided for in subsection 1 of this section,"; line 14, insert a comma after the word "convenience"; and strike the comma at the end of the line and in lieu thereof insert a semicolon; line 16, strike "and," and in lieu thereof insert "; and "; line 25, after the word "include", and after the word "with" in line 28, insert "the"; line 27, strike the word "Copy" and in lieu thereof insert "A copy"; line 28, insert a comma after the word "specifications"; line 33, insert a comma after the word "convenience"; line 35 at the beginning of the line insert "(3)"; line 38, after the word "filing" and line 39, after the word "it" insert a comma; line 44, strike ", the" and in lieu thereof insert ". The"; line 45, strike "costs" and in lieu thereof insert "the cost"; line 49, before the word "appeal" insert "such an"; line 50, strike "and its" and in lieu thereof insert ". Its".

6. Section 5, line 3, strike "order" and in lieu thereof insert "an order," also after the word "dismissal" insert a comma; line 6, strike "of submitting" and in lieu thereof insert ", submit"; also before the word "question", and in line 10 before the word "power".

line 17, before the word "governing", line 18, before the word "costs" and line 19 before the word "cost" insert "the"; line 16, strike ", or if" and in lieu thereof insert "or, if it is"; line 17, after the word "body" insert a comma, and also at the ends of lines 14 and 15.

7. Section 6, line 1, strike ", by an affirmative vote of"; line 2, after the word "proposition" insert "of", and also strike "is approved" and in lieu thereof insert "approve the same by their vote"; line 3, before the word "power" insert "the"; line 4, strike "and borrow money" and in lieu thereof insert ", borrow money,"; line 7, after "for" insert "the".

8. Section 7, line 2, after the word "shall" insert "(1)"; line 3, after the word "approve", also line 7, after the word "and" insert "the"; line 5, strike the first word "and" and in lieu thereof insert "(2)"; also strike the word "shall" and strike the last word "and" and in lieu thereof insert ", the"; strike lines 8 and 9 to and including the first word "to" in line 9, and in lieu thereof insert "and (3)".

9. Section 8, line 2, after the word "widen" insert a comma.

10. Section 10, lines 5 and 6, strike ", and after" and in lieu thereof insert ". After", also at the end of line 6 insert "they"; line 8, strike "; and as" and in lieu thereof insert ". As"; line 9, after the word "practicable" and line 15, after the word "otherwise" insert a comma; at the end of line 12, insert "an"; and strike the comma at the end of line 14.

11. Section 12, line 3, before the word "appraisers" insert "the".

12. Section 13, line 4, strike "; and, if" and in lieu thereof insert ". If".

13. Section 14, line 3, strike ", by" and in lieu thereof insert "by (1)"; line 4, before the word "within" insert "(2)"; line 5, after the first word "of" insert "(a)"; also before the second word "the" insert "(b)"; line 6, strike "and of" and in lieu thereof insert "(c)", also before the second word "the" insert "(d)"; line 7, strike "; and thereupon" and in lieu thereof insert ". Thereupon"; line 8, strike ", and the" and in lieu thereof insert ". The".

14. Section 17, line 1, insert a comma before the word "or" also at the end of line 2.

15. Section 21, line 1, strike "this law shall become" and in lieu thereof insert ", this act shall be"; line 2, strike "effect after" and in lieu thereof insert "take effect, from and after its"; also insert a comma after the word "approval".

16. In the bill title, line 14, strike "and" and in lieu thereof

insert a semicolon; line 15, strike the word "and"; line 18, before the word "cost" insert "the"; and at the end of line 19, insert "to provide a savings clause;".

17. In the bill, section 14, line 8, strike the comma after the first word "court".

LEGISLATIVE BILL 119. Correctly engrossed.
LEGISLATIVE BILL 163. Correctly engrossed.
LEGISLATIVE BILL 268. Correctly engrossed.
LEGISLATIVE BILL 310. Correctly engrossed.
LEGISLATIVE BILL 469. Correctly engrossed.
LEGISLATIVE BILL 472. Correctly engrossed.
LEGISLATIVE BILL 247. Correctly enrolled.
LEGISLATIVE BILL 336. Correctly enrolled.
LEGISLATIVE BILL 365. Correctly enrolled.
LEGISLATIVE BILL 393. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 247 L. B. 365 L. B. 393
L. B. 336

RESOLUTION

LEGISLATIVE RESOLUTION 22.

Introduced by W. Halsey Bohlke of Adams.

WHEREAS, these are times of public danger. Communists and subversive persons and groups are endangering our domestic unity so as to leave us unprepared to resist aggression. Under color of the protection afforded by the Bill of Rights, these persons and groups seek to destroy our liberties and freedom by force, threats, and sabotage and to subject us to the domination of foreign powers; and

WHEREAS, many communists and subversive persons and groups work through our elementary and high schools, junior colleges, normal schools, teachers' colleges, and the University of Nebraska; and

WHEREAS, in order to prevent any communist or any subversive person or group from infiltrating our school system in Nebraska, inquiry should be made as to any activity of such persons or groups

in our elementary and high schools, junior colleges, normal schools, teachers' colleges, and the University of Nebraska; and

WHEREAS, state legislation to meet the problem and to assist law enforcement officers can best be based on a thorough and impartial investigation by a competent and active legislative committee.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Committee on Committees of the Legislature appoint an interim committee consisting of two members of the Legislature from each Congressional district and one member from the state at large who shall be chairman of the committee.

2. That the committee appointed make a thorough investigation of the activities of groups and organizations whose membership includes persons who are members of the Communist Party, the Fascist, or any other unamerican or subversive group known or suspected to be dominated or controlled by a foreign power, whose activities affect the educational institutions of this state supported in whole or in part by state funds.

3. That the committee hereby created may, for the purpose of carrying out the provisions of this resolution, hold such hearings and sit and act at such times and places, and take such testimony as the committee or a member thereof may deem advisable. The committee shall have power, through the chairman or any member of the committee, to examine and to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony. Any member of the committee may administer oaths or affirmations to witnesses appearing before the committee or before such member.

4. That the committee shall employ such technical, clerical, stenographic, and other assistants as may be necessary and fix their compensation. The chairman shall make such expenditures as may be necessary to carry out the provisions of this resolution within such appropriations as the Legislature may provide.

5. That the Sergeant-at-Arms, or other officers designated by the committee, are hereby directed to serve any and all subpoenas, orders, or other process issued by the committee when directed to do so by the chairman or by a majority of the membership of the committee.

6. That the committee shall, after making a complete study, survey, and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing upon or relating to the subject of this resolution, make a report and file the same within twenty legislative days of the next regular session of the Nebraska State Legislature.

7. That the Budget Committee provide in its appropriations for the state for the next biennium a fund of $10,000.00 for the purpose of carrying out the provisions of this resolution.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 252.

A bill for an act to amend section 44-107, Revised Statutes Supplement, 1947, relating to insurance; to provide that the expense of examination of insurance companies incorporated or organized in any other state or country shall be fixed and determined by the Director of Insurance; to provide for the collection and payment of such expense; to provide that the expense of examination of domestic companies shall be a charge of fifteen dollars per day for each examiner plus the actual expenses to be collected and paid 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, 35:

Anderson, L.	Carson	Larkin	Schroeder
Babcock	Cramer	Lindgren	Tvrdik
Benesch	Cretsinger	Lusienski	Vogel
Bohlke	Davies	Metzger	Vogt
Bridenbaugh	Hanna	Nelson	Weborg
Burney	Hern	Ogden	Williams
Burnham	Hill	Person	Wilson, C.
Callan	Holmes	Pizer	Wilson, W.
Carmody	Hoyt	Prohs	

Voting in the negative, 0.

Not voting, 8:

Adams, J.	Anderson, V.	Lillibridge	Norman

Adams, T.	Lee	McKnight	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 288. With emergency.

A bill for an act to amend section 79-2014, Revised Statutes Supplement, 1947, relating to schools; to provide that the money received by the county superintendent from the apportionment of the Grazing Land Fund shall be used by the county superintendent to help support and maintain a county school library; to repeal the original section and also section 79-2015, Revised Statutes Supplement, 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, 36:

Anderson, L.	Carson	Larkin	Prohs
Babcock	Cramer	Lindgren	Schroeder
Benesch	Cretsinger	Lusienski	Tvrdik
Bohlke	Davies	Metzger	Vogel
Bridenbaugh	Hanna	Nelson	Vogt
Burney	Hern	Norman	Weborg
Burnham	Hill	Ogden	Williams
Callan	Holmes	Person	Wilson, C.
Carmody	Hoyt	Pizer	Wilson, W.

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Anderson, V.	Lillibridge	Wood
Adams, T.	Lee	McKnight	

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 406.

A bill for an act to amend sections 32-1112 and 32-1114, Revised Statutes of Nebraska, 1943, relating to elections; to provide for the expression of first and second choices by the electors with respect to preference on candidates for President and Vice President of the United States; to provide the form of ballot and the manner

of counting and tabulating votes for such purpose; 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:

Anderson, L.	Cretsinger	Larkin	Prohs
Babcock	Davies	Lindgren	Schroeder
Benesch	Hanna	Metzger	Tvrdik
Burney	Hern	Norman	Vogel
Callan	Hill	Ogden	Vogt
Carmody	Holmes	Person	Wilson, C.
Cramer	Hoyt	Pizer	

Voting in the negative, 7:

Bohlke	Carson	Weborg	Wilson, W.
Bridenbaugh	Nelson	Williams	

Not voting, 9:

Adams, J.	Burnham	Lillibridge	McKnight
Adams, T.	Lee	Lusienski	Wood
Anderson, V.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 452.

A bill for an act to amend section 81-805, Revised Statutes of Nebraska, 1943, relating to Game, Forestation and Parks Commission; to authorize the Game, Forestation and Parks Commission, with respect to lakes, covering more than twenty acres in area, rivers, and streams, to regulate the use of water craft thereon for the purpose of promoting public safety, to establish regulations for boats used thereon, and to fix and collect inspection fees from owners of commercial boats used thereon; 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:

Anderson, L.	Carson	Larkin	Prohs
Babcock	Cramer	Lindgren	Schroeder

Benesch	Cretsinger	Lusienski	Tvrdik
Bohlke	Davies	Metzger	Vogel
Bridenbaugh	Hanna	Nelson	Vogt
Burney	Hern	Norman	Weborg
Burnham	Hill	Ogden	Williams
Callan	Holmes	Person	Wilson, C.
Carmody	Hoyt	Pizer	Wilson, W.

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Anderson, V.	Lillibridge	Wood
Adams, T.	Lee	McKnight	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 508.

A bill for an act to amend section 77-518, Revised Statutes Supplement, 1947, relating to taxation; to provide for the assessment of property of a deceased taxpayer after the filing of the inventory in the estate of such deceased taxpayer under the prescribed circumstances; 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:

Anderson, L.	Carson	Larkin	Prohs
Babcock	Cramer	Lindgren	Schroeder
Benesch	Cretsinger	Lusienski	Tvrdik
Bohlke	Davies	Metzger	Vogel
Bridenbaugh	Hanna	Nelson	Vogt
Burney	Hern	Norman	Weborg
Burnham	Hill	Ogden	Williams
Callan	Holmes	Person	Wilson, C.
Carmody	Hoyt	Pizer	Wilson, W.

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Anderson, V.	Lillibridge	Wood
Adams, T.	Lee	McKnight	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 281. E and R amendment found in the Legislative Journal for the Sixty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 499. E and R amendment found in the Legislative Journal for the Sixty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 370. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. L. Anderson introduced Mrs. Lloyd Holm of Polk, Mrs. Inez Andersen of Stromsburg and Mrs. Glen Hill of Polk, who are in Lincoln to attend the Gold Huskers Convention.

GENERAL FILE

Special Order

LEGISLATIVE BILL 167. Read and considered.

Mr. Metzger Presiding

Mr. Lee offered the following amendments, upon which no action was taken.

1. Amend the bill by striking all of sections 1, 2, 4, 5, 7, and 8. Renumber present sections 3 and 6 as sections 1 and 2, respectively.

2. Amend the bill, page 3, present section 3, renumbered section 1, line 13, by striking the comma and inserting a period in lieu thereof.

3. Amend the bill, page 3, present section 3, renumbered section 1, line 20, by striking the same, and inserting in lieu thereof the following: "all other candidates, *The names of all convention endorsed candidates shall be followed by a statement, in substance, as follows:*

"Endorsed by.....Convention." In the foregoing blank there shall be inserted the designation of the party and the name of such respective congressional district or state convention as shall have endorsed such candidate, depending on whether or not the office to be filled is a congressional district or state-at-large office. ~~the~~ *The* names of *all* candidates,".

4. Amend the bill, page 7, by adding a new section, to be numbered 3, reading as follows: "Sec. 3. *Beginning with the year 1950, each of the various political parties shall hold biennially a delegate pre-primary county convention, which shall be held at the county seat of each county ten days before the time of holding of the pre-primary state convention as provided in section 32-1177, as amended by section 5 of this act. The delegates to this convention shall be the delegates elected at the preceding general state-wide primary election, and such delegates who may have been chosen to fill vacancies in the precinct quota in the manner provided by law. The officers elected at the preceding post-primary county convention shall be the officers of said pre-primary convention. The pre-primary county convention shall select delegates to the state and congressional district pre-primary conventions. No person shall be eligible to be selected as a delegate to either a state or congressional pre-primary convention who holds a position or employment under either (1) the government of the United States, (2) this state or any governmental subdivision thereof, or (3) any municipal corporation.*".

5. Amend the bill, page 7, by adding a new section, to be numbered 4, reading as follows:

"Sec. 4. That section 32-1176, Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-1176. Beginning with the year ~~1946~~ *1950* each of the various political parties shall also hold biennially a delegate pre-primary congressional district convention, which convention shall be held at the same place as the pre-primary state convention and immediately after the adjournment thereof. Said district pre-primary convention shall make endorsements of such district party candidates, and such endorsement shall be entered after his name on the primary ballot. ~~; Provided, no candidate shall be considered as endorsed nor shall he have such an endorsement entered after his name on the ballot unless he shall have received twenty-five per cent or more of the vote cast at such convention. If, at such convention, the names of more than two candidates are submitted for any office, successive ballots shall be taken and the candidate receiving the least number of votes on each ballot shall be eliminated from further consideration until two candidates remain when the final ballot shall be taken.~~ The aforesaid endorsements shall be duly certified by the presiding

officer and secretary of the convention to the proper official in charge of preparation of ballots. *The provisions of section 32-1177, as amended by section 5 of this act, shall apply to the endorsement of district party candidates insofar as such provisions are applicable.* Such pre-primary district convention may adopt party platform and transact such other business as may properly come before it.".

6. Amend the bill, page 7, by adding a new section, to be numbered 5, reading as follows:

"Sec. 5. That section 32-1177, Revised Statutes Supplement, 1947, be amended to read as follows:

32-1177. Beginning with the year 1946 *1950* each of the political parties shall also hold biennially a delegate pre-primary state convention, which shall be held on the eighth Tuesday preceding the holding of the general state-wide primary election. Such state convention shall be held at the place and hour fixed by the state central committee. Said state convention shall make endorsements of candidates for all party, state and national offices for which nomination or election-at-large is to be made at the forthcoming primary election. If at such convention, the names of more than two candidates are submitted for any office, successive ballots shall be taken, and the candidate receiving the least number of votes on each ballot shall be eliminated from further consideration, until only two candidates remain, when the final ballot shall be taken. Such endorsement shall be entered after his name on the primary ballot; Provided, no candidate shall be considered as endorsed nor have such an endorsement entered after his name unless he shall have received at least twenty-five per cent of the vote cast at such convention. The aforesaid endorsements shall be duly certified by the presiding officer and secretary of the convention to the proper official in charge of the preparation of ballots. *Completion of filing by a candidate for the office desired or acceptance of a completed filing made on behalf of any person shall be a prerequisite to the consideration of any person for endorsement by a political party convention as provided for in sections 32-1101 to 32-1179 and such completed filing shall constitute a nomination for the endorsement of the convention for such office. Political party conventions shall adopt rules providing for the introduction of persons, so nominated, to the delegates of the convention and for permitting the seconding of nominations from the floor thereof. Only delegates personally present shall vote and votes cast at a convention for the endorsement of candidates shall be by ballot, which shall designate the office to be voted upon, and contain the names of all persons nominated, placed on said ballot in the following manner and form:*

Vote for all candidates you desire endorsed by the convention.

☐ *Name of Candidate*

Candidates, not exceeding four, who have received the highest number of and more than fifty per cent of the vote of the delegates voting shall be the endorsed candidates of the convention for that office. An accurate record shall be kept of the number of votes cast for each candidate endorsed, and such record together with the record of the votes cast thereon at such convention, shall be duly certified by the presiding officer and the secretary of the convention to the appropriate official in charge of the preparation of ballots and to the Secretary of State and to the county clerks of each county where the ballots shall be used for election purposes. Such pre-primary state convention may adopt a party platform and transact such other business as may properly come before it; *Provided,* that any party whose candidate for Governor at the last preceding election received less than twenty per cent of the total vote cast for such office, may select delegates to its county convention, without regard to precinct representation, in a caucus called for that purpose, which county convention shall select delegates to the state convention on a basis authorized by the state central committee of such party."

7. Amend the bill, page 7, by striking all of section 9, and inserting in lieu thereof a new section, to be numbered 6, reading as follows:

"Sec. 6. That original sections 32-1172 and 32-1176, Revised Statutes of Nebraska, 1943, original sections 32-1139 and 32-1177, Revised Statutes Supplement, 1947, and also section 32-1139.01, Revised Statutes Supplement, 1947, are repealed."

8. Amend the title by striking the same and inserting in lieu thereof the following:

"A BILL FOR AN ACT to amend sections 32-1172 and 32-1176, Revised Statutes of Nebraska, 1943, and sections 32-1139 and 32-1177, Revised Statutes Supplement, 1947, relating to elections; to regulate the manner in which political parties shall nominate candidates for office and hold political conventions; to provide the manner of preparation of ballots for use at primary elections; to provide for fixing of representation of counties at the party delegate state conventions; to provide for selection at county conventions of political parties of delegates to the pre-primary state and congressional district conventions; to provide for manner of endorsement of candidates by political parties at pre-primary state and congressional district conventions; to provide the manner of holding county, congressional district, and state pre-primary conventions; to prescribe the powers of such conventions; and to repeal original sections 32-1172 and 32-1176, Revised Statutes of Nebraska, 1943, or-

iginal sections 32-1139 and 32-1177, Revised Statutes Supplement, 1947, and also section 32-1139.01, Revised Statutes Supplement, 1947.".

L. B. 167 was laid over for the study of the amendments.

Unanimous Consent—Use West Chamber

Mr. Tvrdik asked unanimous consent to use the West Chamber for the hearing of the Revenue Committee on the afternoon of April 5.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 415. Read and considered.

Mr. Larkin made a motion to indefinitely postpone L. B. 415.

After discussion, Mr. Hern moved the previous question.

The President stated the question "Shall the debate cease?"

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Mr. Larkin's motion did not prevail with 12 ayes, 22 nays and 9 not voting.

Mr. Weborg renewed his motion to advance the bill.

Mr. Tvrdik asked unanimous consent to have the bill laid over.

Objection was offered by Mr. Weborg and consent was not granted.

Mr. Tvrdik moved that the bill be laid over until amendments are offered.

The motion prevailed.

LEGISLATIVE BILL 466.

Advanced to E and R for review.

LEGISLATIVE BILL 473. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 504. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 522. Read and considered.

Advanced to E and R for review.

Visitors

Mr. L. Anderson presented the senior class of Clay Center High School, with the sponsor, Miss Davies.

Mr. Hern introduced former Senator Harry Gantz, who greeted the members.

Mr. Bohlke introduced Superintendent F. J. Wells of Axtell High School and a group of students.

Mr. Pizer presented Dr. Claire E. Owens, a former member of the Legislature.

To Record Vote

Mr. President: I was excused for the first hour this morning at which time Final vote was taken on L. B. 252, L. B. 288, L. B. 406, L. B. 452 and L. B. 508. Had I been present I would have voted "yes" on said bills. (Signed) John P. McKnight

Member Excused

Mr. Prohs was excused for Tuesday, April 5, 1949.

RECESS

At 11:55 a.m., Mr. Lee made a motion to recess until 2:00 p.m.

The motion prevailed.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

The roll was called and all members were present except Mr. Lillibridge and the Miscellaneous Appropriations and Claims Committee, who were excused.

Unanimous Consent—Executive Session

Mr. Burney asked unanimous consent to have an executive ses-

sion of the Education Committee on Wednesday afternoon, April 6, 1949.

Consent was granted and it was so ordered.

Statement

Mr. President: The Budget Committee voted unanimously to introduce a bill relating to the Seed Testing Division of the Department of Agriculture and Inspection, which will provide for the selling of tags and labels affecting agricultural seeds, in an effort to defray the cost of inspection and analysis of seeds, and to put the Seed Testing Division on a self-supporting basis. The attached bill, it is believed, will accomplish this purpose. (Signed) John S. Callan, Chairman, Committee on the Budget

MOTION—Introduce Bill

Mr. President: The Committee on the Budget, upon vote of a majority of its members, moved for the introduction of L. B. 532, in compliance with Rule 11, Section 3, of the Rules of the Nebraska Legislature. It is moved that the bill be introduced in compliance with said rule. (Signed) John S. Callan

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 532. By John S. Callan, Chairman, Committee on the Budget.

A bill for an act relating to agricultural and vegetable seeds; to provide for defraying cost of inspection and analysis of such seeds by selling of tags or labels by the Department of Agriculture and Inspection as prescribed; to provide for disbursement of funds received from sale of such tags or labels; and to provide a penalty.

GENERAL FILE

LEGISLATIVE BILL 269. Read and considered.

Mr. Metzger Presiding

Standing Committee amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Advanced to E and R for review.

Unanimous Consent—Refer Bill

Mr. Pizer asked unanimous consent to revert back to reference of bills.

Consent was granted and it was so ordered.

Bill Referred to Standing Committee

L. B. Committee

532.....Agriculture

Unanimous Consent—Return to General File

Mr. V. Anderson asked unanimous consent to return L. B. 264 to General File for the following Specific amendment:

1. Strike in the bill, section 1, commencing with the semicolon in line 20 to but not including the period in line 24; line 3 strike "*(1)*" and insert the same in the next line after "provisions of"; line 11, strike "; *and of*" and in lieu thereof insert ", *(2)*"; and in line 15 strike "; and" and in lieu thereof insert ", and *(3)*".

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 264.

Mr. V. Anderson's specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for review.

LEGISLATIVE BILL 337. Considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 275. Read and considered.

Mr. Burney raised the question of the presence of a quorum.

The roll was taken and showed 29 members present.

Advanced to E and R for review.

LEGISLATIVE BILL 306. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 500. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Person made a motion to indefinitely postpone the bill.

The motion did not prevail with 6 ayes, 17 nays and 20 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 413. 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 414. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 340. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-third day was adopted.

Advanced to E and R for review.

Visitors

Mr. Davies introduced Mrs. Gerald Hunt, Mrs. Edward Walt, Jr., Mrs. Jack Chesly and a group of Camp Fire Girls.

LEGISLATIVE BILL 363. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Bohlke moved to indefinitely postpone L. B. 363.

Mr. Bohlke requested a Call of the House.

A Call of the House was ordered and the roll showed 30 members present.

Mr. Bohlke moved that the Call be raised and the motion pre-

vailed with 27 ayes, 5 nays and 11 not voting.

The motion to indefinitely postpone prevailed with 20 ayes, 15 nays and 8 not voting.

NOTICE OF COMMITTEE HEARING

Agriculture

L. B. 532 Monday, April 11, 1949 2:00 p.m.

Members Excused

Mr. McKnight was excused for Monday and Tuesday, April 11 and 12, 1949.

Mr. Wood was excused for Tuesday, April 5, 1949.

Adjournment

At 4:05 p.m., on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 5, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, Lillibridge, Prohs and Wood, who were excused.

The Journal for the Sixty-fifth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 292. Placed on General File as amended.

Standing Committee amendments to L. B. 292:

1. Section 1.

Line 7, strike the words "seven hundred" following the word "of" and insert in lieu thereof the words "*eight hundred*".

Line 9, strike the word "seven" following the stricken word "four" and insert in lieu thereof the word "*five*".

Line 12, strike the words "twenty-one hundred" following the stricken word "eighteen" and insert in lieu thereof the words "*two thousand*".

Line 14, strike the word "eighteen" following the stricken word "fourteen" and insert in lieu thereof the word "*sixteen*".

Line 15, strike the words "thirteen hundred" following the stricken word "nine" and insert in lieu thereof the words "*one thousand*".

Line 16, strike the words "twenty-five" following the stricken word "eighteen" and insert in lieu thereof the words "*twenty-one*".

Line 18, strike the words "twenty-five" following the stricken word "eighteen" and insert in lieu thereof the words "*twenty-one*".

Line 21, strike the word "sixteen" following the stricken word "twelve" and insert in lieu thereof the word "*fourteen*".

2. Section 2.

Line 7, strike the word "thirteen" following the stricken word "thousand" and insert in lieu thereof the word "*twelve*".

Line 9, strike the word "twenty-four" following the stricken word "twenty-one" and insert in lieu thereof the word "*twenty-two*".

Line 12, strike the words "nineteen hundred fifty" following the stricken word "fifteen" and insert in lieu thereof the words "*eighteen hundred*".

Line 13, strike the word "twenty-one" following the stricken word "seventeen" and insert in lieu thereof the word "*nineteen*".

Line 15, strike the word "twenty-eight" following the stricken word "twenty-one" and insert in lieu thereof the word "*twenty-three*".

Line 18, strike the first word in the line "eight" and insert in lieu thereof the word "*three*".

Line 20, strike the word "eighteen" following the stricken word "fourteen" and insert in lieu thereof the word "*sixteen*".

3. Section 3.

Line 9, strike the first word "five" and insert in lieu thereof the word "*two*".

Line 10, strike the word "fifteen" following the stricken word "twelve" and insert in lieu thereof the word "*fourteen*".

Line 12, strike the first word "six" and insert in lieu thereof the word "*four*".

Line 14, strike the word "twenty-three" following the stricken word "nineteen" and insert in lieu thereof the word "*twenty-one*".

Line 16, strike the first word "five" and insert in lieu thereof the word "*two*".

Line 20, strike the first two words "three thousand" and insert

in lieu thereof the words *"twenty-six hundred"*.

Line 22, strike the first two words "three thousand" and insert in lieu thereof the words *"twenty-six hundred"*.

Line 23, strike the word "in" following the word *"dollars"*.

Line 24, strike the words "counties in this class having a population of less than".

Line 25, strike the words "twelve thousand inhabitants, and the sum of sixteen hundred".

Line 26, strike the words "two thousand fifty dollars in counties in this class having".

Line 27, strike the words "a population of twelve thousand inhabitants or more".

Line 30, strike the first word "nineteen" and insert in lieu thereof the word *"eighteen"*.

Line 32, strike the word "nineteen" and insert in lieu thereof the word *"eighteen"*.

4. Section 4.

Line 8, strike the first word "twenty-six" and insert in lieu thereof the word *"twenty-three"*.

Line 9, strike the word "seventeen" following the stricken word "fourteen" and insert in lieu thereof the word *"sixteen"*.

Line 12, strike the word "twenty-three" following the word "seventeen" and insert in lieu thereof the word *"eighteen"*.

Line 14, strike the word "seven" and insert in lieu thereof the word *"five"*.

Line 16, strike the word "twenty-six" following the stricken word "twenty-two" and insert in lieu thereof the word *"twenty-three"*.

Line 17, strike the word "thirty-three" following the stricken word "twenty-nine" and insert in lieu thereof the word *"three"*.

Line 18, strike the first word "hundred" and insert in lieu thereof the word *"thousand"*.

Line 19, strike the word "thirty-one" following the stricken word "twenty-four" and insert in lieu thereof the word *"twenty-seven"*.

Line 21, strike the word "thirty" following the stricken word "twenty-four" and insert in lieu thereof the word "*twenty*".

Line 22, strike the word "one" and insert in lieu thereof the word "*seven*".

Line 23, strike the word "twenty-two" following the stricken word "eighteen" and insert in lieu thereof the word "*twenty-one*".

Line 24, strike the first word "*fifty*".

Line 27, strike the word "eighteen" following the stricken word "sixteen" and insert in lieu thereof the word "*seventeen*".

5. Section 5.

Line 8, strike the words "three thousand" following the word "hundred" and insert in lieu thereof the words "*twenty-seven hundred*".

Line 10, strike the first two words "two thousand" and insert in lieu thereof the words "*nineteen hundred*".

Line 12, strike the words "twenty-four hundred" following the stricken word "eighteen" and insert in lieu thereof the words "*two thousand*".

Line 13, strike the word "twenty-nine" following the stricken word "twenty-six" and insert in lieu thereof the word "*twenty-seven*".

Line 16, strike the word "twenty-eight" following the stricken word "twenty-four" and insert in lieu thereof the word "*twenty-five*".

Line 17, strike the word "thirty-five" following the stricken word "thirty-one" and insert in lieu thereof the word "*thirty-two*".

Line 21, strike the word "thirty-three" following the stricken word "twenty-six" and insert the word "*twenty-nine*".

Line 23, strike the word "thirty-three" following the stricken word "twenty-six" and insert in lieu thereof the word "*twenty-nine*".

Line 25, strike the word "twenty-five" and insert in lieu thereof the word "*twenty-two*".

6. Section 6.

Line 8, strike the words "three thousand" following the word "hundred" and insert in lieu thereof the word "*twenty-seven*".

Line 9, strike the word "twenty-one" following the stricken word "eighteen" and insert in lieu thereof the words "*two thousand*".

Line 10, strike the word "*hundred*".

Line 12, strike the first word "twenty-six" and insert in lieu thereof the word "*twenty-two*".

Line 13, strike the word "twenty-nine" following the stricken word "twenty-six" and insert in lieu thereof the word "*twenty-eight*".

Line 16, strike the word "twenty-eight" following the stricken word "twenty-four" and insert in lieu thereof the word "*twenty-six*".

Line 17, strike the stricken words "thirty-six hundred" and reinsert the words "*thirty-six hundred*".

Line 18, strike the words "*four thousand*".

Line 21, strike the words "thirty-three" following the stricken words "twenty-six" and insert in lieu thereof the word "*three*".

Line 22, strike the word "hundred" and insert in lieu thereof the word "*thousand*".

Line 24, strike the words "thirty-three hundred" and insert in lieu thereof the words "*three thousand*".

Line 25, strike the words "twenty-six" following the stricken words "twenty-two" and insert in lieu thereof the word "*twenty-four*".

7. Section 7.

Line 8, strike the word "thirty-four" following the stricken word "thousand" and insert in lieu thereof the word "*thirty-one*".

Line 10, strike the word "three" and insert in lieu thereof the word "*two*".

Line 11, strike the word "twenty-six" following the word "of" and insert in lieu thereof the word "twenty-six".

Line 12, strike the word "thirty-two".

Line 13, strike the stricken word "three thousand" and insert in lieu thereof the word "*three thousand*".

Line 14, strike the words "*thirty-three hundred*".

Line 17, reinsert the stricken "thirty-eight" following the word "of" and strike the words "forty-two" following.

Line 22, strike the word "thirty-seven" and insert in lieu thereof the word "*thirty-two*".

Line 23, reinsert the stricken *"thirty-two"* following the word "of".

Line 24, strike the first word "thirty-nine".

Line 25, strike the word "twenty-six" following the stricken word "twenty-two" and insert in lieu thereof the word *"twenty-four"*.

Line 28, strike the word "twenty-three" following the stricken word "twenty-one" and insert in lieu thereof the word *"twenty-two"*.

Amend the title to read, introduced by Hugh Carson, by adding the names of Willard Wilson and Ed Lusienski.

LEGISLATIVE BILL 467. Indefinitely postponed.
LEGISLATIVE BILL 482. Indefinitely postponed.
LEGISLATIVE BILL 461. Placed on General File as amended.

Standing Committee amendments to L. B. 461:

1. Section 1.

Line 4, strike the word "duties" and insert in lieu thereof the word *"performance"*.

Line 5, insert after the first word "of", the words *"all the duties of"*.

Line 6, strike the word "five" and insert in lieu thereof *"six"*.

Line 9, strike "twenty-five" and insert in lieu thereof *"thirty-six"*.

Line 14, strike "twenty-four hundred" and insert in lieu thereof *"three thousand"*.

Line 18, strike "per diem" and insert after comma following compensation, the words *"including mileage and per diem,"*.

Line 19, strike ", *except as hereinafter pro-*".

Line 20, strike *"vided,"*.

Line 23, strike "nine" and insert in lieu thereof *"fourteen"*; strike "and fifty" and insert in lieu thereof *"twenty-five"*.

Line 24, strike "fifteen" and insert in lieu thereof *"twenty-two"*; at end of line add the words *"and fifty"*.

Line 29, strike "eight" and insert in lieu thereof *"twelve"*.

Line 31, strike "thirteen" and insert in lieu thereof *"nineteen"*;

insert after the word "hundred" the word *"fifty"*.

Line 37, to Line 39, strike the following: "the total maximum amount of compensation, including mileage and per diem, to be paid or drawn by any member of such board shall not exceed the sum of fifteen"; insert in lieu thereof the words *"twenty-two hundred and fifty"*.

Line 42, strike the word "six" and insert in lieu thereof *"nine"*.

Line 43, strike the word "nine" and insert in lieu thereof *"fourteen"*.

Commencing in line 43 and ending in line 51, strike the following: "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. For each day actually employed in directing road work in his or her district each member of the county board shall be paid the sum of five dollars per day to be paid out of the road fund of his or her district."

Line 54, strike "a salary" and insert *"compensation"*.

Line 56, insert *"All members of county board shall execute and file claims for earned compensation and mileage, as herein provided for, in accordance with Sec. 23-135."*.

Sec. 2. Line 5, strike "salary" and insert *"compensation"*.

LEGISLATIVE BILL 523. Placed on General File.
LEGISLATIVE BILL 485. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 240. Placed on Select File as amended.

E and R amendments to L. B. 240:

1. In Standing Committee amendment 1, line 1, strike the figure "10" and in lieu thereof insert "9".

2. In Standing Committee amendment 2, line 2, strike *"hereinafter provided."* and in lieu thereof insert *"provided in subsection (5) of this section"*.

3. In Standing Committee amendment 3, line 2 of the original

before the word *"In"* insert *"(5)"*; line 4 of the original insert a comma after the word *"earnings"*; line 5 of the original strike *", and thereafter"* and in lieu thereof insert *". Thereafter"*; and in the last line strike *"$25.00"* and in lieu thereof insert *"twenty-five dollars"*.

4. In the bill section 1, line 3, after the section number and punctuation insert *"(1)"*; line 16, insert *"(2)"* before the word "In"; line 25, insert *"(3)"* before the word "In"; line 35, insert *"(4)"* before the word "In"; and line 38, insert a comma after the word "injuries".

5. In the bill title, strike all of lines 4, 5, 6 and 7 up to but not including the semicolon in line 7, and insert in lieu thereof the following: "that, in employment where tips paid by the employer's patrons to employees are a part of the wages and earnings of employees, the employer shall advise each employee to report the amount of such tips each week; to make such reporting the responsibility of each employee; to provide that the earnings of each such employee who fails to so report shall be deemed to be twenty-five dollars per week".

LEGISLATIVE BILL 264. Placed on Select File as amended.

E and R amendment to L. B. 264:

1. In the bill, section 1, line 28, strike the word "those" and in lieu thereof insert *"the above"*.

LEGISLATIVE BILL 250. Placed on Select File as amended.

E and R amendment to L. B. 250:

1. In the bill, section 1, line 7, after the word "may" insert *"(a)"*, also in the same line strike the first word "and" and in lieu thereof insert *"; (b)"*; strike the words "and repairs" in lines 7 and 8, and in lieu thereof insert ", repairs,"; line 9, before the word *"compel"* insert *"(c)"*; line 11, before the word "provide" insert *"(d)"*.

LEGISLATIVE BILL 509. Placed on Select File.
LEGISLATIVE BILL 209. Placed on Select File.
LEGISLATIVE BILL 222. Placed on Select File as amended.

E and R amendments to L. B. 222:

1. In Standing Committee Amendment 1, line 3, strike the word *"taken"* and in lieu thereof insert *"considered"*.

2. In Standing Committee Amendment 2 to the title, line 5, strike the word "taken" and in lieu thereof insert "considered".

3. In the bill, section 1, line 34, strike "; not, however," and in lieu thereof insert ", *but* not"; line 100, before the word "In" insert "*(4)*".

LEGISLATIVE BILL 408. Placed on Select File as amended.

E and R amendments to L. B. 408:

1. In the bill, section 1, line 5, strike the word "*and*"; line 6, strike "any of the provisions of sections"; line 16, after the word "fine" insert "*of*"; line 17, strike "; and if" and in lieu thereof insert ". *If*"; line 21, strike the word "*or*" and in lieu thereof insert "*and*"; line 23, strike "and sections" and in lieu thereof insert a comma.

2. In the bill title, lines 4 and 5, strike "sections 79-2113.02 and" and in lieu thereof insert "section"; lines 5 and 6, strike ", and" and in lieu thereof insert a semicolon; line 9 strike the word "therein".

LEGISLATIVE BILL 220. Placed on Select File.
LEGISLATIVE BILL 309. Correctly engrossed.
LEGISLATIVE BILL 465. Correctly engrossed.
LEGISLATIVE BILL 481. Correctly engrossed.
LEGISLATIVE BILL 510. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on April 5, 1949, at 9:45 a.m.

L. B. 226 L. B. 448 L. B. 460
L. B. 395

(Signed) Glenn Cramer, Chairman

MOTION—Rule Suspension, Final Reading

Mr. Tvrdik made a motion that the rules be suspended and that the bills on Final Reading for April 6 be taken up today.

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 381.

A bill for an act to amend section 79-414, Revised Statutes of

Nebraska, 1943, relating to schools; to increase the age at which a child can be admitted to the first grade of any school in all classes of school districts; to fix the age at which a child may be admitted to the kindergarten or beginner grade of any school of such a district except 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, 35:

Anderson, L.	Carson	Lee	Schroeder
Babcock	Cramer	Lindgren	Tvrdik
Benesch	Cretsinger	Lusienski	Vogel
Bohlke	Davies	McKnight	Vogt
Bridenbaugh	Hanna	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Pizer	

Voting in the negative, 1:

Anderson, V.

Not voting, 7:

Adams, J.	Hern	Norman	Wood
Adams, T.	Lillibridge	Prohs	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 394.

A bill for an act to amend sections 79-1007 and 79-1008, Revised Statutes of Nebraska, 1943, relating to schools; to increase the amount of the levy to pay the tuition of high school students residing within the county high school district and who desire to attend high school in districts other than the county high school district within their own county; 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:

Anderson, L.	Carson	Larkin	Pizer
Anderson, V.	Cramer	Lee	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bridenbaugh	Hanna	McKnight	Vogt
Burney	Hern	Metzger	Weborg
Burnham	Hill	Nelson	Williams
Callan	Holmes	Ogden	Wilson, C.
Carmody	Hoyt	Person	Wilson, W.

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Bohlke	Norman	Wood
Adams, T.	Lillibridge	Prohs	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 400. With emergency.

A bill for an act to amend section 79-2621, Revised Statutes Supplement, 1947, relating to schools; to change the maximum amount of the annual levy for school districts embraced within cities of the primary class; 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, J.	Carson	Larkin	Person
Anderson, L.	Cramer	Lee	Pizer
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, W.
Carmody			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Lillibridge	Wilson, C.	Wood
Bohlke	Prohs		

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 409. With emergency.

A bill for an act to amend section 79-2528, Revised Statutes Supplement, 1947, relating to schools; to provide that the aggregate levy for general school purposes in school districts organized under Chapter 79, article 25, Revised Statutes of Nebraska, 1943, shall be without restriction for the fiscal years ending June 30, 1950 and June 30, 1951; 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, J.	Carson	Larkin	Schroeder
Anderson, L.	Cramer	Lee	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bridenbaugh	Hern	Metzger	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Carmody	Hoyt	Pizer	

Voting in the negative, 1:

Bohlke

Not voting, 7:

Adams, T.	Lillibridge	Norman	Wood
Callan	Nelson	Prohs	

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 440.

A bill for an act to amend section 83-329, Revised Statutes Supplement, 1947, relating to mentally ill persons; to change the maximum amount that counties may be reimbursed when the county is required to restrain, protect, and care for such persons and the

state hospitals for mentally ill are unable to receive and care for the same; 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, J.	Carmody	Holmes	Nelson
Anderson, L.	Carson	Hoyt	Norman
Anderson, V.	Cramer	Larkin	Ogden
Benesch	Cretsinger	Lee	Pizer
Bohlke	Davies	Lindgren	Tvrdik
Bridenbaugh	Hanna	Lusienski	Vogel
Burney	Hern	McKnight	Wilson, C.
Burnham	Hill	Metzger	Wilson, W.
Callan			

Voting in the negative, 2:

Vogt	Williams

Not voting, 8:

Adams, T.	Lillibridge	Prohs	Weborg
Babcock	Person	Schroeder	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 454.

A bill for an act relating to counties; and to define a roadhouse.

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, J.	Cretsinger	Lindgren	Ogden
Anderson, L.	Davies	Lusienski	Schroeder
Benesch	Hill	McKnight	Tvrdik
Burney	Holmes	Metzger	Vogel
Burnham	Hoyt	Nelson	Williams
Callan	Larkin	Norman	Wilson, C.
Carson	Lee		

Voting in the negative, 11:

Anderson, V.	Carmody	Hern	Weborg
Bohlke	Cramer	Pizer	Wilson, W.
Bridenbaugh	Hanna	Vogt	

Not voting, 6:

Adams, T.	Lillibridge	Prohs	Wood
Babcock	Person		

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. 381, L. B. 394 and L. B. 400. (Signed) W. J. Norman

MOTION—Adjournment for Easter Week End

Mr. President: I move that when this Legislature adjourns next week that it adjourn on Wednesday for the balance of the week and to return on the following Monday, April 18. (Signed) Ed F. Lusienski

The Chair ruled the motion lost with 25 ayes, 7 nays and 11 not voting.

Mr. President: I move that when the Legislature adjourns next week, it adjourn on Thursday until the following Monday, April 18. (Signed) Arthur Carmody

The motion prevailed with 32 ayes, 4 nays and 7 not voting.

SELECT FILE

LEGISLATIVE BILL 307. 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 88. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Mr. Hill moved to advance L. B. 88 to E and R for engrossment.

Mr. W. Wilson requested a record vote.

Voting in the affirmative, 23:

Adams, J.	Burney	Hill	Nelson
Anderson, V.	Burnham	Holmes	Person
Babcock	Callan	Hoyt	Tvrdik
Benesch	Carmody	Lee	Vogt
Bohlke	Cramer	Lindgren	Weborg
Bridenbaugh	Cretsinger	McKnight	

Voting in the negative, 9:

Anderson, L.	Lusienski	Vogel	Wilson, C.
Davies	Metzger	Williams	Wilson, W.
Hern			

Not voting, 11:

Adams, T.	Larkin	Ogden	Schroeder
Carson	Lillibridge	Pizer	Wood
Hanna	Norman	Prohs	

The motion to advance prevailed with 23 ayes, 9 nays and 11 not voting.

LEGISLATIVE BILL 507. 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 24. E and R amendment found in the Legislative Journal for the Sixty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 56. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Mr. Davies moved to indefinitely postpone L. B. 56.

Mr. Davies requested a record vote.

Voting in the affirmative, 7:

Bridenbaugh	Carson	Davies	Williams
Carmody	Cramer	Holmes	

Voting in the negative, 24:

Adams, J.	Callan	Larkin	Ogden

Anderson, V.	Cretsinger	Lee	Pizer
Babcock	Hanna	Lindgren	Schroeder
Benesch	Hern	McKnight	Tvrdik
Bohlke	Hill	Metzger	Vogel
Burnham	Hoyt	Norman	Vogt

Not voting, 12:

Adams, T.	Lillibridge	Person	Wilson, C.
Anderson, L.	Lusienski	Prohs	Wilson, W.
Burney	Nelson	Weborg	Wood

The motion to indefinitely postpone did not prevail with 7 ayes, 24 nays and 12 not voting.

Advanced to E and R for engrossment.

Mr. Hoyt Presiding

LEGISLATIVE BILL 105.

Mr. L. Anderson asked unanimous consent that the E and R amendments found in the Legislative Journal for the Sixty-third Day be rejected.

Consent was granted and it was so ordered.

Mr. L. Anderson asked unanimous consent for the adoption of the following Specific amendments.

1. Amend the bill by striking sections 1 to 8 and all amendments thereto, and inserting in lieu thereof the following:

"Section 1. As used in this act, unless the context otherwise requires, the term home for the aged or infirm shall mean any home owned or operated by a person, or by an association or corporation in which three or more adults, not related by blood or marriage to the owner or manager of said place, reside or live and are kept and provided with food, shelter, and care for hire or compensation; *Provided*, home for the aged or infirm as used herein shall not mean any hospital as defined in subsection (4) of section 71-2002, Revised Statutes Supplement, 1947.

Sec. 2. It shall be the duty of the Board of Control to establish reasonable minimum standards for homes for the aged or infirm, and to prescribe rules for their regulation.

Sec. 3. The Board of Control shall grant annual licenses to such homes for the aged or infirm as conform to the standards established

and comply with the rules prescribed, inspect all homes receiving three or more adults as specified in section 1 of this act, and prosecute all violations of this act. The board, or any of its lawful representatives or agents, shall have the right to enter and inspect any home for the aged or infirm licensed by the board.

Sec. 4. No person, association, or corporation shall keep, operate, conduct, or manage a home for the aged or infirm without holding a valid license issued by the Board of Control as provided in section 3 of this act. The license fee shall not exceed one dollar per annum and the license shall not be valid for more than one year from the date of its issuance. Any license may be revoked by the board for cause after notice and hearing, in accordance with such rules and regulations as may be prescribed by the board.

Sec. 5. The license shall show the name of the owner or manager of the home, its exact location, and the maximum number of persons that may be received and kept in the home at any one time.

Sec. 6. A record of every person admitted to any home for the aged or infirm shall be kept by the owner or manager in the manner and form prescribed by the Board of Control at the place licensed, and such record shall be at all times open to the inspection of the board or its representatives.

Sec. 7. The Board of Control is authorized to make such rules, not inconsistent with law, as may be necessary to carry out the purposes of sections 1 to 6 of this act.

Sec. 8. Any person or association, whether the owner, manager, or the representative of any owner or manager, who violates any provisions of this section 1 to 6 of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars.

Sec. 9. That sections 68-501 to 68-507, Revised Statutes of Nebraska, 1943, are repealed."

2. Amend the title of the bill by striking the title and all amendments thereto, and inserting in lieu thereof the following: "A BILL FOR AN ACT relating to homes for the aged and infirm; to provide for the licensing and regulating of such homes by the Board of Control; to provide that the Board of Control shall establish such rules as may be necessary to carry out the provisions of this act; to provide for issuing of licenses; to provide for keeping of records; to provide for inspection of such homes; to provide for revocation of license and hearing thereon; to provide for a penalty; and to repeal sections 68-501 to 68-507, Revised Statutes of Nebraska, 1943."

Mr. Hern offered objection.

Mr. L. Anderson moved to return L. B. 105 to General File for the above Specific amendment.

The motion prevailed with 25 ayes, 0 nays and 18 not voting.

GENERAL FILE

LEGISLATIVE BILL 105.

Mr. L. Anderson's Specific amendments found in this day's Journal were adopted.

Mr. Benesch asked unanimous consent to have the bill laid over and made Special Order of Business on Monday, April 11, 1949, at 10:00 a.m.

Consent was granted and it was so ordered.

Visitors

Mr. Lee introduced Mr. John Havekost, of Hooper, Nebraska, a former member of the Nebraska House of Representatives from 1927 to 1935 and former State Treasurer, who spoke a few words to the Legislature.

Mr. McKnight introduced Mrs. Oland Jones and seven students of Brownville High School, Brownville, Nebraska.

Mr. V. Anderson introduced Mrs. Melvin Lostroh and eight students from District 64, Pleasantdale, Nebraska.

LEGISLATIVE BILL 415.

Mr. W. Wilson offered the following amendments, upon which no action was taken.

New Section 3. It shall be unlawful for any person acting separately or with others to interfere with any picketing as provided in Section 2 of this Act, provided this shall not apply to duly qualified law enforcement officers.

New Section 4. It shall be unlawful under this act for any person, firm or corporation to intimidate any striker with threat of any loss of insurance, or seniority rights, that directly or indirectly would affect the conduct of said striker in any way, through letter sent to the employee's home or through personal contacts made by representatives of said person, firm or corporation.

New Section 5. It shall be unlawful under this Act for any person, firm or corporation to intimidate any non-striker or his family with threat of injury, or to threaten in any other manner so as to directly or indirectly affect the conduct of such non-striker in any way, through letter sent to the non-striker's home or through personal contacts made by representatives of any person, firm or corporation.

Renumber Sections 3, 4 and 5, and amend the title to conform.

Mr. Tvrdik offered the following amendments, upon which no action was taken.

Amend L. B. 415, page 2, Section 2, line 2, by striking all of said line following the word "which"; by striking all of lines 3 and 4; and line 5 by striking the words "or pickets, or in which"; line 9 by striking the punctuation following the word "obstructions" and inserting in lieu thereof the following: "regardless of number.".

Laid over.

GENERAL FILE

Special Order

LEGISLATIVE BILL 248.

Mr. Carson asked unanimous consent to have L. B. 248 laid over.

Mr. Hern moved to indefinitely postpone the bill.

The Chair ruled Mr. Hern's motion out of order.

Consent was granted and the bill was laid over.

LEGISLATIVE BILL 167.

Mr. Williams offered the following amendment to the Lee amendments found in the Legislative Journal for the Sixty-fifth Day, which was adopted.

Amend the Lee amendments, amendment No. 4, line 14, by striking the words "*selected as*" and add in line 15, following the word "*a*", the words and punctuation "*county,*".

Mr. Williams offered the following amendment to the Lee amendments, which was adopted.

Amend the Lee amendment, page 945 of the Legislative Journal for the Sixty-fifth Day, line 15, by striking the word "*fifty*" and in-

serting in lieu thereof the word *"thirty-five"*.

Mr. Bohlke moved to advance L. B. 167 to E and R for review without amendments.

The Chair ruled Mr. Bohlke's motion out of order.

Mr. Lee moved to adopt the Lee amendments as amended.

Mr. Carmody requested a record vote.

Voting in the affirmative, 23:

Anderson, L.	Callan	Hoyt	Norman
Anderson, V.	Cramer	Lee	Ogden
Babcock	Hanna	Lindgren	Person
Bridenbaugh	Hern	McKnight	Schroeder
Burney	Hill	Metzger	Vogel
Burnham	Holmes	Nelson	

Voting in the negative, 14:

Adams, J.	Carson	Tvrdik	Williams
Benesch	Davies	Vogt	Wilson, C.
Bohlke	Larkin	Weborg	Wilson, W.
Carmody	Pizer		

Not voting, 6:

Adams, T.	Lillibridge	Prohs	Wood
Cretsinger	Lusienski		

The Lee amendments as amended were adopted with 23 ayes, 14 nays and 6 not voting.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 335. Considered.

Advanced to E and R for review.

Unanimous Consent—Return to General File

Mr. Bridenbaugh asked unanimous consent to return L. B. 318 from E and R to General File for the following Specific amendment.

1. In the bill, section 1, strike commencing with the word "upon" in line 4 to and including the word "letter" in line 7, and amendments

thereto and in lieu thereof insert: "*thereof* upon *the* Director of Insurance, *personally in his office in the Department of Insurance in the State Capitol or elsewhere or, if the Director of Insurance is absent from or is not found in his said office in the State Capitol at the time of the attempted service, by leaving said two copies thereof in said office with any person employed in the Department of Insurance who, previously to such service, has been designated in writing by the Director of Insurance as the person or one of the persons with whom such copies may be left for such service upon said director as the true and lawful attorney of such foreign or alien insurance company or association in accordance with section 44-135 and the written power of attorney provided for in said section. Upon* such service being made upon *said Director of Insurance* as such attorney *for such foreign or alien insurance company or association in the manner herein provided,* he shall forthwith mail by regis ered letter, *with a request thereon or therewith for a return receipt showing delivery thereof,*".

2. In section 1, line 10, strike the line after the word "country" and in lieu thereof insert ". *The registered mail*"; strike commencing with the word "the" in line 13 to and including the word "the" in line 15 and in lieu thereof insert: "*such* company or association. The service upon *the Director of Insurance as provided for in this section,* after the appointment has been made as *provided for in said section 44-135,* shall be deemed service upon *such*"; and strike the word "which" in line 21 and in lieu thereof insert "*served under the provisions of this section,* which *record*".

3. In the bill title, strike the fourth, fifth and sixth lines and in lieu thereof insert: "or alien insurance companies or associations may be served with process by personal service upon the Director of Insurance or by leaving two duplicate copies of the process to be served in the office of such director in the State Capitol with any person employed in the Department of Insurance who, previously to such service, has been designated in writing by the director as the person or one of the persons with whom such copies may be left under the circumstances, in the manner, and with the effect prescribed; and to".

Consent was granted and it was so ordered.

LEGISLATIVE BILL 318.

Mr. Bridenbaugh's Specific amendments found in this day's Journal were adopted.

Advanced to E and R for review.

Invitation

Mr. Lusienski, on behalf of the City of Bellevue, the Central Nebraska Power and Irrigation District, the Platte Valley Public Power and Irrigation District, and the Loup Public Power District of Hastings, North Platte and Columbus, respectfully, extend an invitation to the members of the Legislature and their wives to a trip to Bellevue, Nebraska, to inspect the Bellevue Plant and attend a dinner at 6:00 p.m. given by the citizens of Bellevue, on Tuesday, April 12, 1949. Transportation will be provided.

MOTION—Accept Invitation

Mr. President: I move that the Legislature accept the invitation extended by Mr. Lusienski. (Signed) William Hern

The motion prevailed.

Adjournment

At 11:50 a.m., on a motion by Mr. Lindgren, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 6, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Sixty-sixth Day was approved as corrected.

Communications

Letter addressed to Mr. Cretsinger from Mr. Ralph Anderson, of Potter, Nebraska, favoring L. B. 474.

Petition addressed to Mr. Hanna from Brown County bearing 163 signatures opposing L. B. 474.

Approved by the Governor

April 5, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 4, 1949, he approved L. B. 448, L. B. 411, L. B. 372, L. B. 226 and L. B. 101.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 275. Placed on Select File.
LEGISLATIVE BILL 306. Placed on Select File.
LEGISLATIVE BILL 414. Placed on Select File.
LEGISLATIVE BILL 422. Placed on Select File as amended.

E and R amendments to L. B. 422:

1. In the bill, section 1, line 4, strike the word "and" and in lieu thereof insert "as".

2. In the bill title, strike the last two words in line 4 and lines 5 and 6 inclusive, and in lieu thereof insert "; and to provide the minimum qualifications and certain duties of such deputy.".

LEGISLATIVE BILL 529. Placed on Select File as amended.

E and R amendments to L. B. 529:

1. In Standing Committee Amendment 1, line 3, before the word "The" insert "*(3)*"; insert a comma after the word "protect" in line 5, and after the word "private" in line 6; line 4, after the word "patients" insert "*as referred to in subsection (1) of this section.*".

2. In the bill, section 1, line 2, before the word "be" insert "as amended by section 1, Legislative Bill 440, Sixty-first Session, Nebraska State Legislature, 1949,"; line 3, before the word "Whenever" insert "*(1)*"; line 9, after the word "shall" insert a comma; line 13 before the word "Those" insert "*(2)*", and in the same line after the word "patients" insert ", *referred to in subsection (1) of this section,*"; line 32, before the word "If" insert "*(4)*"; line 34, after the word "patients" insert ", *referred to in subsections (1) and (3) of this section,*"; line 36, strike "sixty" and in lieu thereof insert "three"; line 37, strike the word "month" and in lieu thereof insert "day".

3. Section 2, line 2, before "is" insert "as amended by section 1, Legislative Bill 440, Sixty-first Session, Nebraska State Legislature, 1949,".

4. In the bill title, line 3, before the word "relating" insert "as amended by section 1, Legislative Bill 440, Sixty-first Session, Nebraska State Legislature, 1949,", and at the end of the line insert "additional provisions"; line 4, before the word "pending" insert ", who are to be cared for as public patients,"; and line 5, strike the word "the" and in lieu thereof insert "a"; strike all of lines 6, 7 and 8 to and including the semicolon in line 9.

LEGISLATIVE BILL 88. Correctly engrossed.
LEGISLATIVE BILL 301. Correctly engrossed.
LEGISLATIVE BILL 302. Correctly engrossed.
LEGISLATIVE BILL 407. Correctly engrossed.
LEGISLATIVE BILL 410. Correctly engrossed.
LEGISLATIVE BILL 252. Correctly enrolled.
LEGISLATIVE BILL 288. Correctly enrolled.
LEGISLATIVE BILL 406. Correctly enrolled.
LEGISLATIVE BILL 452. Correctly enrolled.
LEGISLATIVE BILL 508. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 5, 1949, at 1:40 p.m.

L. B. 365 L. B. 336 L. B. 393
L. B. 247

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 252 L. B. 406 L. B. 508
L. B. 288 L. B. 452

SELECT FILE

LEGISLATIVE BILL 240. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Laid over.

LEGISLATIVE BILL 264. E and R amendment found in the Legislative Journal for the Sixty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 250. E and R amendment found in the Legislative Journal for the Sixty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 509. Advanced to E and R for engrossment.
LEGISLATIVE BILL 209. Advanced to E and R for engrossment.
LEGISLATIVE BILL 222. 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 408. 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 220. Advanced to E and R for engrossment.

MOTION—Place on General File

Mr. President: I move that L. B. 283 be placed on General File. (Signed) Victor Anderson

The motion prevailed with 31 ayes, 5 nays and 7 not voting.

MOTION—Place on General File

Mr. President: I move that L. B. 170 be placed on General File. (Signed) John Adams, Sr.

The motion did not prevail with 12 ayes, 17 nays and 14 not voting.

GENERAL FILE

Special Order

LEGISLATIVE BILL 248.

Mr. Hern moved that L. B. 248 be indefinitely postponed.

The motion prevailed with 23 ayes, 6 nays and 14 not voting.

LEGISLATIVE BILL 493. Read and considered.

Mr. W. Wilson offered the following amendment, upon which no action was taken.

1. Amend page 8 of the bill, section 11, line 17, by striking the word "or".

2. Amend page 8 of the bill, section 11, line 40, by striking the punctuation after the word "state" and inserting in lieu thereof the following: "; or (5) In the event any insurance carrier of any motor vehicle operator makes settlement with the operator of another motor vehicle involved in the accident, such settlement shall, for the purpose of this act, be construed as a release to the operators of all motor vehicles involved in the accident, and be sufficient to satisfy subsection (4) of this section."

Mr. Hoyt Presiding

Mr. Holmes asked unanimous consent that the bill be laid over and made Special Order on Friday, April 8.

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 415.

Mr. W. Wilson asked unanimous consent that the bill be laid over and made Special Order for Tuesday, April 12.

Objection was offered by Mr. J. Adams and consent was not granted.

Mr. W. Wilson moved that L. B. 415 be made Special Order for Tuesday, April 12.

The motion prevailed.

LEGISLATIVE BILL 292. Laid over until Tuesday, April 12.

Special Order

LEGISLATIVE BILL 430.

Mr. Tvrdik offered the following amendments which were adopted.

1. Amend page 3 of the bill, section 2, line 17, by striking the words *"the value of the property in storage"* and inserting in lieu thereof the words *"twenty-five thousand dollars"*.

2. Amend page 3 of the bill, section 2, lines 21 and 22, by showing as stricken matter the words "from the State Treasurer showing payment".

3. Amend page 3 of the bill, section 2, line 22, by striking the

word "*ten*" and inserting in lieu thereof the word "*twenty*".

4. Amend page 4 of the bill, section 2, line 23, by showing as stricken matter the words "for each warehouse".

5. Amend page 4 of the bill, section 2, lines 40 to 49, by striking all new matter in lines 40 to 48, and the words and punctuation "*value or fraction thereof,*" in line 49.

6. Amend page 5 of the bill, section 3, line 6, by inserting after the word "*license*" the following: "*, except as to field warehousemen,*".

7. Amend page 5 of the bill, section 3, lines 7 and 8, by striking the same and inserting in lieu thereof the following: "*authority to carry on and conduct the business of a warehouseman, other than a warehouseman for the storage of grain, in one locality in*".

8. Amend page 5 of the bill, section 3, line 14, by striking the word "*the*" and inserting in lieu thereof the word "*each*".

9. Amend page 5 of the bill, section 3, line 15, by striking the words "*the main office of*".

10. Amend page 5 of the bill, section 4, line 1, by striking the word "*public*".

11. Amend page 5 of the bill, section 4, line 6, by striking the same and inserting in lieu thereof the following: "*shall be used by all warehousemen. Any warehouse-*".

12. Amend page 5 of the bill, section 4, line 16, by inserting after the punctuation the following additional sentence: "*The fee for registration of each warehouse receipt under this section shall not exceed fifty cents.*".

13. Amend page 6 of the bill, original section 6, renumbered section 5, line 1, by striking the words "*public warehouses*" and inserting in lieu thereof the word "*warehousemen*".

14. Amend page 6 of the bill, original section 6, renumbered section 5, line 4, by striking the words "*public storage warehouse*" and inserting in lieu thereof the word "*warehouseman*".

15. Amend page 6 of the bill, original section 6, renumbered section 5, lines 8 and 9, by striking the words "*public storage warehouses*" and inserting in lieu thereof the word "*warehousemen*".

16. Amend page 6 of the bill, original section 7, renumbered section 6, by striking same and inserting in lieu thereof the follow-

ing: "Sec. 6. *All of the provisions of sections 88-101 to 88-160 shall apply to field warehousemen who operate or attempt to operate under this act.*"

17. Amend page 6 of the bill, by adding a new section, to be inserted after renumbered section 6 and before original section 8, reading as follows: "Sec. 7. *The provisions of section 88-159 shall not apply to any cold storage warehousemen holding a license under section 81-2123 unless as to cold storage warehouse operations they shall elect at their option to apply for a license under section 88-159, as amended by this act.*"

Advanced to E and R for review.

LEGISLATIVE BILL 431.

Mr. Wood offered the following amendment, which was adopted.

Amend L. B. 431, page 2, Section 2, Line 3, by striking the word "warehouse" and inserting in lieu thereof the word "warehouseman".

Advanced to E and R for review.

GENERAL FILE

LEGISLATIVE BILL 461. Read and considered.

Mr. Schroeder offered the following amendment to the Standing Committee amendments, which was adopted.

Amend the Standing Committee amendments to L. B. 461 by striking the amendment to Section 1, line 18.

Standing Committee amendments found in the Legislative Journal for the Sixty-sixth Day were adopted as amended.

Laid over.

MOTIONS—Place on General File

Mr. President: I move that L. B. 196 be placed on General File. (Signed) John P. McKnight

At 12:05 p.m., Mr. Vogt moved to adjourn.

The Chair declared the motion lost.

Mr. Person appealed the decision of the Chair.

The President stated the question "Shall the Chair be sustained?"

The Chair was sustained with 23 ayes, 10 nays and 10 not voting.

Mr. President: I move that L. B. 219, L. B. 254, L. B. 293 and L. B. 323 be placed on General File. (Signed) Don Hanna

Mr. President: I move to place L. B. 279 and L. B. 212 on General File. (Signed) Louis A. Holmes

Mr. President: I move that L. B. 263 be placed on General File. (Signed) Hal Bridenbaugh

Mr. President: I move that the following bills be raised to General File: L. B. 298, L. B. 331, L. B. 343, L. B. 446, L. B. 170, L. B. 445, L. B. 429, L. B. 488, L. B. 212, L. B. 279, L. B. 197, L. B. 196, L. B. 263, L. B. 249, L. B. 293, L. B. 286, L. B. 219, L. B. 254, L. B. 323, L. B. 358, L. B. 421. (Signed) Charles F. Tvrdik

MOTION—Lay over Motions

Mr. President: I move that Mr. McKnight's motion be laid over until tomorrow and that the rest of the motions on the desk be given the same consideration. (Signed) William A. Metzger

Adjournment

At 12:20 Mr. Vogt made a motion to adjourn.

Mr. Metzger moved that the Legislature recess until 12:30.

Mr. Metzger's motion did not prevail, with 6 ayes, 23 nays and 14 not voting.

Mr. Vogt's motion to adjourn prevailed with 19 ayes, 11 nays and 13 not voting.

Hugo F. Srb

Clerk of the Legislature

SIXTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 7, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. T. Adams, who was excused until 9:30 a.m. and Mr. Wood, who was excused until 9:45 a.m.

The Journal for the Sixty-seventh Day was approved as corrected.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 305. Indefinitely postponed.

(Signed) Ray Babcock, Chairman

Government

LEGISLATIVE BILL 110. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Education

LEGISLATIVE BILL 378. Indefinitely postponed.
LEGISLATIVE BILL 233. Placed on General File.
LEGISLATIVE BILL 405. Indefinitely postponed.
LEGISLATIVE BILL 216. Indefinitely postponed.

(Signed) Dwight W. Burney, Chairman

Budget

LEGISLATIVE BILL 404. Indefinitely postponed.

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 143. Replaced on Select File as amended.

E and R amendments to L. B. 143:

1. In Specific Amendment 4, by Mr. Davies, line 3, strike "*3 and 4*" and in lieu thereof insert "*4 and 5*".

2. Amendments 8, 9 and 10, lines 4, strike the figures which are shown as stricken matter.

3. Amendment 12, line numbered 3, before the word "All" insert "*(1)*"; line 4, strike the word "and" and in lieu thereof insert "*(2)*"; line 5, strike the word "and" and in lieu thereof insert ", and *(3)*"; line 9, before the word "warrant" insert "*order and*".

4. Amendment 14, the insertion as to line 16 only should have the last two words "*who are*" deleted.

5. Amendment 19, line 2, strike the figure "4" and in lieu thereof insert "3".

6. Amendment 22, to the title, at the end of line 1 insert "after the first line"; line 12 of the original, strike the word "elect" and in lieu thereof insert "provide for the election of"; line 28, strike the first word "to" and in lieu thereof insert "at".

7. In Specific Amendment 12, line numbered 8, strike the first comma.

LEGISLATIVE BILL 530. Placed on Select File.

E and R amendment to L. B. 530:

1. In the bill, section 1, lines 8 and also in 9, strike the words "or to any"; lines 9 and 10, strike "to any"; strike the first commas in lines 14 and 15.

LEGISLATIVE BILL 424. Placed on Select File.

E and R amendments to L. B. 424:

1. In Standing Committee Amendment 2, line 5, strike the word *"when"* and in lieu thereof insert *"after which date"*; also strike the word *"thereafter"* in line 6.

2. In S. C. Amendment 4, to the title, line 6, strike the word "when" and in lieu thereof insert "after which date".

LEGISLATIVE BILL 484. Replaced on Select File as amended.

E and R amendments to L. B. 484:

1. Strike Specific Amendment by Mr. Thomas Adams, dated April 1, 1949.

2. In the bill, section 1, line 3, before the word "The" insert *"(1)"*; line 6, before the word "The" insert *"(2)"*; line 15 before the word "In" insert *"(3)"*; line 19 before the word "In" insert *"(4)"*; line 25, before the word "The" insert *"The salary of the deputy county attorney, referred to in this subsection, shall be fixed by the county board, but shall not exceed twenty-seven hundred dollars. (5)"*; line 30, before the word "In" insert *"(6)"*.

3. In the bill title, line 8, before the word "and" insert "to provide how the salary of a deputy county attorney in such a county shall be fixed; to prescribe the maximum salary of such a deputy;".

LEGISLATIVE BILL 500. Placed on Select File as amended.

E and R amendments to L. B. 500:

1. Amend the Standing Committee amendment 1 by striking lines 3 and 4 after the word "herein" and inserting in lieu thereof the following: *"and in subsection (1) of this section shall be of a type approved by the Department of Roads and Irrigation."*

2. In the bill, amend Section 1, line 3, by inserting *"(1)"* before the word "Motor"; line 5, insert the word *"and"* before the word "motor"; strike the comma at the end of line 9, and insert in lieu thereof: *"referred to in subsection (2) of this section,"*; insert *"(2)"* before "The" in line 11; strike all of line 12 and in lieu thereof insert the following: *"a* motor bus, *a car* for hire, *and a car* or *truck* used as *a wrecker"*.

3. In the bill title amend line 2 by inserting a comma after the section number; line 4, strike the word "flares" and insert in lieu thereof the word "reflectors"; line 7, insert the word "and" after the comma; line 8, before the word "prohibit" insert the following: "provide that such red emergency reflectors shall be of a

type approved by the Department of Roads and Irrigation; to".

LEGISLATIVE BILL 318. Placed on Select File.
LEGISLATIVE BILL 24. Correctly engrossed.
LEGISLATIVE BILL 281. Correctly engrossed.
LEGISLATIVE BILL 499. Correctly engrossed.
LEGISLATIVE BILL 381. Correctly enrolled.
LEGISLATIVE BILL 394. Correctly enrolled.
LEGISLATIVE BILL 400. Correctly enrolled.
LEGISLATIVE BILL 409. Correctly enrolled.
LEGISLATIVE BILL 440. Correctly enrolled.
LEGISLATIVE BILL 454. Correctly enrolled.

Correction

April 7, 1949

Mr. President:

Your Committee on Enrollment and Review respectfully reports that the report with reference to presenting the following numbered bills to the Governor through mistake was dated April 5, 1949, whereas in fact said bills were presented to the Governor at the time stated in said reports, except that the date was April 4, 1949, instead of April 5, 1949:—Legislative Bills 226, 395, 448, and 460.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 381	L. B. 400	L. B. 440
L. B. 394	L. B. 409	L. B. 454

Visitors

Mr. V. Anderson introduced Miss Wilhelmina Johnson and twenty-two students from Lincoln High School.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 119.

A bill for an act to amend section 8-144, Revised Statutes of

Nebraska, 1943, relating to banks and banking; to increase the amount required to be restored to surplus fund; 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, J.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Wilson, C,
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Benesch	Williams	Wood

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 44-202, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that when any assessment association has accumulated and maintains a certain reserve and either a surplus or a contingency fund as prescribed, it may be authorized to transact a specified type of casualty insurance; 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, J.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder

Babcock	Davies	Lusienski	Tvrdik
Bohlke	Hanna	McKnight	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Wilson, C,
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Benesch	Williams	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.

LEGISLATIVE BILL 268.

A bill for an act to amend section 66-404, Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to change the penal sum of the bond to be furnished and the amount of cash to be deposited by the applicant for a dealer's license; to provide that the amount of cash deposit or bond shall be determined by the Director of the Department of Agriculture and Inspection taking into consideration the average amount of gallonage handled monthly; 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, J.	Carmody	Larkin	Pizer
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogel
Bohlke	Hanna	McKnight	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Norman	Wilson, C,
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	

Voting in the negative, 1:

Nelson

Not voting, 3:

Adams, T.	Williams	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 310. With emergency.

A bill for an act to amend section 75-905, Revised Statutes of Nebraska, 1943, relating to testing of tractors; to authorize the Board of Regents of the University of Nebraska to fix the fees for testing of tractors; 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, 41:

Adams, J.	Carmody	Larkin	Person
Adams, T.	Carson	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Wilson, C,
Burnham	Hoyt	Ogden	Wilson, W.
Callan			

Voting in the negative, 0.

Not voting, 2:

Williams	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.

LEGISLATIVE BILL 469. With emergency.

A bill for an act relating to schools; to authorize the Superintendent of Public Instruction to issue a temporary certificate to an alien to teach in any public, private, or parochial school in the State of Nebraska unless such alien shall have lived in the United States a

sufficient time to have permitted him to become a citizen of the United States; 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, T.	Carson	Lusienski	Prohs
Anderson, L.	Davies	McKnight	Schroeder
Anderson, V.	Hanna	Metzger	Tvrdik
Babcock	Hill	Nelson	Vogel
Benesch	Holmes	Norman	Weborg
Burney	Hoyt	Ogden	Williams
Burnham	Larkin	Person	Wilson, C,
Callan	Lee	Pizer	Wilson, W.
Carmody	Lillibridge		

Voting in the negative, 6:

Bohlke	Cramer	Hern	Vogt
Bridenbaugh	Cretsinger		

Not voting, 3:

Adams, J.	Lindgren	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.

LEGISLATIVE BILL 472.

A bill for an act relating to railroads; to require headlights and rear lights on track motor cars operated or controlled by railroads in Nebraska 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, 41:

Adams, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Prohs
Anderson, L.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel

Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C,
Callan	Larkin	Person	Wilson, W.
Carmody			

Voting in the negative, 0.

Not voting, 2:

Babcock	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 275. Advanced to E and R for engrossment.
LEGISLATIVE BILL 306. Advanced to E and R for engrossment.
LEGISLATIVE BILL 414. Advanced to E and R for engrossment.
LEGISLATIVE BILL 422. 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 529. E and R amendments found in the Legislative Journal for the Sixty-Seventh Day were adopted.

Advanced to E and R for engrossment.

Statement

Mr. President: The Committee on the Budget, at the request of Senator Tom Davies, and by a vote of eight to one, submits herewith for the consideration of the Legislature the attached bill. (Signed) John S. Callan, Chairman, Committee on the Budget.

After discussion of the request to introduce the above-mentioned bill, Mr. Bohlke moved the previous question.

The President stated the question, "Shall the debate now close?"

The motion prevailed with 25 ayes, 0 nays and 18 not voting.

The request to introduce the bill was not granted with 8 ayes, 19 nays and 16 not voting.

Visitors

Mr. T. Adams introduced Miss Wilhelmina Johnson and twenty-two students of the American History Class from Lincoln High School.

Unanimous Consent—Return to Select File

Mr. T. Adams asked unanimous consent to return L. B. 398 to Select File for the following Specific amendment.

1. In the bill strike all of lines 8 to 11 commencing with the semicolon in line 8 to and including the word "valid" in line 11, and in lieu thereof insert ", unless an action shall be brought within two years from the effective date of this act attacking its validity, or (2) hereafter enter of record such a decree of adoption, it shall in like manner be conclusively presumed that said adoption and all instruments and proceedings in connection therewith are valid in all respects notwithstanding some defect or defects may appear on the face of the record, or the absence of any record of such court,".

2. In line 1 of section 1, insert (1) after the word "shall".

3. The committee on Enrollment and Review shall amend the Title to conform.

Consent was granted and it was so ordered.

Visitor

Mr. Benesch introduced Mr. George T. Sullivan of Omaha, a former State Senator, who spoke briefly to the Legislature.

SELECT FILE

LEGISLATIVE BILL 398.

Mr. T. Adams' Specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 294.

Standing Committee amendments noted in the Legislative Journal for the Fifty-seventh Day were adopted.

Mr. Metzger moved to indefinitely postpone L. B. 294.

Visitor

Mr. V. Anderson introduced former State Senator H. P. Heiliger.

Members Excused

Mr. Babcock was excused for Friday, April 8, and Monday, April 11, 1949.

Mr. Bohlke was excused for Friday, April 8, 1949.

Approved by the Governor

April 7, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 6, 1949, he approved L. B. 365, L. B. 380, L. B. 393, L. B. 247 and L.B. 336.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 344. Placed on General File as amended.

Standing Committee amendments to L. B. 344:

1. Amend pages 2 and 3 of the bill by striking section 3 and inserting in lieu thereof the following:

"Sec. 3. *As used in sections 3 to 9 of this act, unless the context otherwise requires, the term "sexual psychopath" shall mean any person who, by an habitual course of misconduct in sexual matters,*

has evidenced an utter lack of power to control his or her sexual impulses and who, as a result, is likely to attack or otherwise inflict injury, loss, pain, or other evil on the objects of his or her uncontrolled and uncontrollable desires."

2. Amend page 3 of the bill, section 4, line 5, by striking the punctuation after the word "person" and inserting in lieu thereof the following: "*; Provided, that no proceedings shall be instituted under the provisions of sections 3 to 9 of this act based upon any facts constituting an offense for which such person has been acquitted.*".

3. Amend page 3 of the bill, section 4, by striking line 23 and inserting in lieu thereof the following: "*gery and who have had at least two years of special training in mental*".

4. Amend page 3 of the bill, section 4, line 32, by inserting before the word "Such" the following: "*If such physicians find that such person is not a sexual psychopathic person, the proceedings under sections 3 to 9 of this act shall be dismissed.*"

5. Amend page 4 of the bill, section 4, line 34, by inserting befor the word "jury" the words "*court or*".

6. Amend page 4 of the bill by striking section 6 and inserting in lieu thereof the following:

"Sec. 6. *The court shall direct that a jury be summoned, unless waived, and the trial procedure shall be as provided in Chapter 29, article 20, except that the issue shall be as to whether such person is or is not a sexual psychopath, and competent evidence as to his prior conduct tending to show the existence of sexual psychopathy shall be admissible. The burden of proof shall be on the state to establish the allegations in the complaint beyond a reasonable doubt.*".

7. Amend page 5 of the bill, section 8, line 10, by inserting after the word "free" the words "*or release on probation*".

LEGISLATIVE BILL 455. Indefinitely postponed.

(Signed) John P. McKnight, Chairman

Unanimous Consent—Executive Session

Mr. Carmody asked unanimous consent to have an executive session of the Government Committee on Thursday afternoon, April 7, 1949.

Consent was granted and it was so ordered.

Adjournment

At 12:00, noon, on a motion by Mr. Holmes, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SIXTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 8, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Dr. Hieronymus, President of Midland College.

The roll was called and all members were present except Messrs. L. Anderson and Babcock, who were excused.

The Journal for the Sixty-eighth Day was approved.

Communication

Copy of letter sent to the Secretary of State from the State Engineer stating that Highway 75 had been designated as the Blue Star Memorial Highway.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 525. Indefinitely postponed.

(Signed) William Hern, Chairman

Public Works

LEGISLATIVE BILL 274. Indefinitely postponed.
LEGISLATIVE BILL 386. Indefinitely postponed.
LEGISLATIVE BILL 273. Placed on General File as amended.

Standing Committee amendment to L. B. 273:

1. Amend page 2 of the bill, section 3, lines 1 and 2, by strik-

ing therefrom the words "or any other corporation or association".

(Signed) Otto J. Prohs, Chairman

Enrollment and Review

LEGISLATIVE BILL 427. Placed on Select File.
LEGISLATIVE BILL 504. Placed on Select File as amended.

E and R amendment to L. B. 504:

1. In the bill title, line 33, before the word "to" insert "and".

LEGISLATIVE BILL 337. Placed on Select File as amended.

E and R amendments to L. B. 337:

1. In Standing Committee Amendment 1, line 6, after the word "expenses" insert "incurred"; also strike the words "as shall be incurred".

2. In Standing Committee Amendment 2, to the title, line 5, before the word "to" insert "and".

LEGISLATIVE BILL 232. Replaced on Select File as amended.

E and R amendments to L. B. 232:

1. Strike the comma inserted in section 10, line 20 before *"upon"*.

2. Section 13, line 6, strike after the word "section" to but not including the stricken word "or" and all amendments thereto, and in lieu thereof insert *"8-318 or* 24-601,".

LEGISLATIVE BILL 267. Placed on Select File as amended.

E and R amendments to L. B. 267:

1. In Standing Committee amendment 2, line 3 of the original, insert "(3)" before "No".

2. In General File amendment 2, line 3 of the original, strike "and" before the word "the"; line 4 of the original, strike "and" after "protection" and in lieu thereof insert ", and the cost".

3. In General File amendment 3, line 5 of the original, insert "(4)" before "the names".

4. In General File amendment 8 to the title, line 5 of the original, strike the word "for" after the word "lighting".

5. In the bill, Section 1, line 1, before the word "A" insert "(1)"; line 8, strike ", and for that purpose" and insert in lieu thereof ". For that purpose said majority of the owners"; line 9, after the word "stated" insert "(a)" and also after the comma in that line insert "(b)"; line 10, after "existence," insert "(c)" and also after the comma at the end of line 10 insert "(d)"; line 12, strike the word "and" and insert in lieu thereof "(e)"; line 14, strike the word "also" and in lieu thereof insert "(f)"; line 15, after the word "such" insert the word "owners"; line 17, strike ", and such" and insert in lieu thereof ". Such" and in that same line after the word "may" insert the word "also"; line 18, strike the first word "such" and insert in lieu thereof "said", also in that line strike "Such articles shall" and insert in lieu thereof the words "The articles shall further"; line 30, insert "(2)" before the word "After"; line 32, strike the word "for" and insert in lieu thereof the word "of"; line 38, strike the word "they" and insert in lieu thereof "the same".

6. In Sec. 2, line 14, insert "(1)" after the word "notice"; line 15, insert "(2)" after the word "filed," and in the same line strike the word "and" and insert "(3)"; line 23, after the word "and" insert "(5)".

7. In Sec. 3, line 6, before the word "why" insert "(1)"; line 8, strike the word "and" and in lieu thereof insert "(2)"; line 11, strike the word "and" before the word "should" and insert in lieu thereof "(3)" why their land"; lines 12 and 13, strike the words "or their objection" and insert in lieu thereof "and (4) their objections if any".

8. Sec. 4, line 11, strike the words "or owners".

9. Sec. 6, line 3, insert the word "the" before the word "power"; line 5, at the end of the line after "sued," insert "to"; line 6, before the word "exercise" insert the word "to".

10. Sec. 7, line 4, before the word "clerk" strike the word "the"; line 5, before the word "adopt" insert "(1)"; line 6, strike the words "and shall" and insert ", (2)"; line 8, strike ". The board shall" and in lieu thereof insert ", (3)"; lines 12 and 13, strike ". The board shall" and in lieu thereof insert ", and (4)"; line 14, strike the word "and" before the words "an attorney"; line 15, strike the word "and" after the word "needed" and insert in lieu thereof a comma.

11. Sec. 9, line 4, after "trict" add a comma; line 27, strike the word "annual".

12. Sec. 19, line 5, strike the word "for" after the word "week".

13. Sec. 22, line 7, strike the word "for" before the word "two"; line 8, after the word "state" insert "(1)"; line 9, strike the word "and" and in lieu thereof insert "(2)"; line 11, before the word "the" insert "(3)"; line 12, after the comma at the end of the line insert "(4)"; line 13, after the word "and" insert "(5)".

14. Sec. 23, line 19, strike the word "for" before the word "two".

15. Sec. 25, line 4, strike the word "specified"; line 5, insert a comma after the word "relevied"; line 6, strike the word "and" and in lieu thereof insert a comma.

16. Sec. 26, line 12, strike the word "the" at the beginning of the line and in lieu thereof insert "its".

17. Sec. 29, line 22, before the word "upon" insert the words "a tax"; line 23, strike "city or village a tax," and insert in lieu thereof the words "district except intangible property".

18. Sec. 31, line 5, strike the word "for" before the word "three"; line 8, strike the comma after the word "district"; line 9, strike the comma after the word "bonds"; line 13, strike the comma before the word "praying".

19. Sec. 33, line 2, insert the word "the" before the word "power".

20. Sec. 35, line 1, before the word "The" add "(1)"; line 4, strike "(1)" and in lieu thereof insert "(a)"; line 12, strike "(2)" and in lieu thereof insert "(b)"; line 36, before the word "All" insert "(2)".

21. In the bill title, line 11, after the word "district" insert "; to provide certain additional powers of such a district".

LEGISLATIVE BILL 67. Correctly re-engrossed.
LEGISLATIVE BILL 119. Correctly enrolled.
LEGISLATIVE BILL 163. Correctly enrolled.
LEGISLATIVE BILL 268. Correctly enrolled.
LEGISLATIVE BILL 310. Correctly enrolled.
LEGISLATIVE BILL 469. Correctly enrolled.
LEGISLATIVE BILL 472. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 7, 1949, at 3:05 p.m.

L. B. 508	L. B. 288	L. B. 452
L. B. 406	L. B. 252	

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 119	L. B. 268	L. B. 469
L. B. 163	L. B. 310	L. B. 472

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 309.

Mr. Benesch asked unanimous consent to have this bill laid over on Final Reading until Tuesday, April 12, 1949.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 465. With emergency.

A bill for an act relating to taxation; to provide procedure for the proper completion of proceedings heretofore had for the foreclosure of tax liens or tax sale certificates where a valid decree of foreclosure was rendered, but proceedings subsequent to entry of decree are defective, invalid, or void for any reason; to repeal sections 77-1919, 77-1920, 77-1921, and 77-1922, Revised Statutes of Nebraska, 1943, and sections 77-1929, 77-1930, 77-1931, and 77-1932, Revised Statutes Supplement, 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, J.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel

Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Carmody	Larkin	Person	Wilson, W.
Carson	Lee	Pizer	Wood
Cramer	Lillibridge		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Babcock	Callan	Prohs
Anderson, L.			

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 481.

A bill for an act to amend sections 39-762 and 39-762.01, Revised Statutes Supplement, 1947, as amended by sections 1 and 2, Legislative Bill 225, Sixty-first Session, Nebraska State Legislature, 1949, relating to operation of motor vehicles; to provide the duties of the driver of a motor vehicle involved in any accident upon either a public highway, private road, or private drive resulting in injury or death to any person or in damage to property; 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, 37:

Adams, J.	Cramer	Lillibridge	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Ogden	Williams
Burnham	Hoyt	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson			

Voting in the negative, 0.

Not voting, 6:

Anderson, L.	Callan	Norman	Wilson, C.
Babcock	Larkin		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 510.

A bill for an act relating to crimes and punishments; to provide that whoever causes the death of another without malice while engaged in the unlawful operation of a motor vehicle shall be guilty of a crime to be known as motor vehicle homicide; 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, 39:

Adams, J.	Carson	Lindgren	Schroeder
Adams, T.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C,
Burnham	Hoyt	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Hanna	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 143. 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 530. E and R amendment found in the Legislative Journal for the Sixty-eighth Day was adopted.

Mr. McKnight offered the following amendment, which was adopted by unanimous consent.

Amend the bill, Section 1, by striking the punctuation "period" in line thirteen and substituting therefore a semicolon and adding the following: "provided nothing in this act shall be construed to prohibit any such officer, agent or servant from making such contribution in his individual capacity".

Amend the title by adding after line eight the following: "to provide that it shall not be unlawful for such officer, agent or servant to make such contribution in his individual capacity".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 424. 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 484. E and R amendments found in the Legislative Journal for the Sixty-eighth Day were adopted.

Laid over.

LEGISLATIVE BILL 318. Advanced to E and R for engrossment.
LEGISLATIVE BILL 500. E and R amendments found in the Legislative Journal for the Sixty-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 493.

Mr. W. Wilson's amendments, found in the Legislative Journal

for the Sixty-seventh Day, were adopted.

Mr. Holmes offered the following amendment, which was adopted.

1. Amend page 4 of the bill, section 3, line 10, by striking the period after the word "review" and inserting in lieu thereof the following:

"; *Provided,* the license or registration of any person claiming to be aggrieved shall not be restored to such person in the event the final judgment of a court finds against such person until the full time of revocation as fixed by the department shall have elapsed."

Advanced to E and R for review with 18 ayes, 11 nays and 14 not voting.

Ruling of the Chair

The Chair ruled that Mr. McKnight's motion, found in the Legislative Journal for the Sixty-seventh Day, was to be considered the principal motion. Also, all other motions, those of Messrs. Hanna, Holmes, Bridenbaugh, Tvrdik and Metzger, since they were not amendatory motions, were considered out of order. The Chair also ruled that Mr. McKnight's motion would require 29 votes to prevail.

Mr. McKnight appealed from the ruling of the Chair, that 29 votes are required to raise L. B. 196, under Rule 6, Section 9.

The Chair stated the question "Shall the Chair be sustained?"

Mr. Metzger requested a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Weborg moved that the Call be raised and the motion prevailed with 36 ayes, 0 nays and 7 not voting.

The Chair was overruled with 18 ayes, 20 nays and 5 not voting.

Mr. McKnight renewed his motion to place L. B. 196 on General File, as found in the Legislative Journal for the Sixty-seventh Day.

Mr. Tvrdik moved to amend the McKnight motion, as found on Page 982 of the Journal, to include the following: Legislative Bills 298, 331, 343, 446, 170, 445, 429, 488, 212, 279, 197, 263, 249, 293, 286, 219, 254, 323, 358 and 421.

Mr. Lee raised the point of order that Mr. Tvrdik had not voted

on the prevailing side when L. B. 170 had been indefinitely postponed.

The Chair ruled that L. B. 170 should be omitted.

Mr. Hern moved the previous question.

The Chair stated the question "Shall the debate now cease?"

The motion prevailed with 22 ayes, 4 nays and 17 not voting.

Mr. Schroeder made a motion to amend Mr. Tvrdik's motion, so as to include L. B. 170.

Mr. Schroeder's amendment to Mr. Tvrdik's motion prevailed with 33 ayes, 5 nays and 5 not voting.

Mr. Tvrdik's amendment to Mr. McKnight's motion prevailed with 24 ayes, 15 nays and 4 not voting.

Mr. McKnight requested a record vote on his motion as amended.

Voting in the affirmative, 15:

Adams, J.	Carson	Lusienski	Tvrdik
Adams, T.	Davies	McKnight	Wilson, C.
Anderson, V.	Hanna	Metzger	Wilson, W.
Benesch	Larkin	Ogden	

Voting in the negative, 26:

Bohlke	Cretsinger	Lindgren	Schroeder
Bridenbaugh	Hern	Nelson	Vogel
Burney	Hill	Norman	Vogt
Burnham	Holmes	Person	Weborg
Callan	Hoyt	Pizer	Williams
Carmody	Lee	Prohs	Wood
Cramer	Lillibridge		

Not voting, 2:

Anderson, L.	Babcock

Mr. McKnight's motion did not prevail.

Unanimous Consent—Return L. B. 275 to Select File

Mr. Lusienski asked unanimous consent to return L. B. 275 to Select File for the following specific amendment.

1. Amend page 2 of the bill, section 1, line 28, by inserting after the word "lights" the following: ", *which reflectors shall be of a type approved by the Department of Roads and Irrigation*".

2. Amend the title of the bill, line 8, by inserting after the word "times" the following: "; to provide that reflectors shall be of a type approved by the Department of Roads and Irrigation".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 275.

Mr. Lusienski's specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

Visitors

Mr. Metzger introduced Miss Ruth Eden, teacher, and 16 students from District 3, Plattsmouth, Nebraska.

Mr. Person introduced Mrs. Little, Principal, and four of her Senior Class from Yutan High School. Also, Mr. and Mrs. Henry Holtz.

GENERAL FILE

Special Order

LEGISLATIVE BILL 294.

Discussion was continued on Mr. Metzger's motion to indefinitely postpone L. B. 294.

Members Excused

Mr. Hern was excused for the week dated April 11 to April 18.

Mr. Bohlke was excused for Monday, April 11.

Mr. Lindgren was excused for Monday, April 11.

Adjournment

At 12:00, noon, on a motion by Mr. Hoyt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 11, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Babcock, Hern, Lindgren and McKnight, who were excused, and Mr. T. Adams, who was excused until 10:00 a.m.

The Journal for the Sixty-ninth Day was approved as corrected.

Communications

A resolution from the Antelope County Board addressed to Mr. Cramer, favoring passage of L. B. 507.

A letter from Senator Kenneth S. Wherry, acknowledging receipt of L. R. 20.

A petition from voters of Garden County addressed to Mr. Hanna, opposing the sale of school lands.

A card from Wm. Jacobitz of Bassett, Nebraska, favoring chiropractic treatment.

A letter from Don C. Craig, National Guard, North Platte, Nebraska, with newspaper clippings attached, asking the State Legislature to direct the Adjutant General to design medals for heroism and meritorious service in the National Guard.

Without Governor's Approval

April 8, 1949

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

Gentlemen:

L. B. 460 is being returned without my signature. The effect of the proposed amendment to Section 36-213, Revised Statutes of Nebraska, 1943, would be to void the original act which was designed to protect wives from finding themselves burdened with wage assignments executed by their husbands, without their knowledge and consent.

The present law requires that all assignments of wages, and every contract or agreement having such effect, must be signed by both husband and wife.

If it is the desire of the Legislature to eliminate this requirement, then, in my judgment, it should be done in a forthright manner, by repeal of the original act and not by indirection.

Respectfully submitted,

(Signed) Val Peterson
Governor

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 425. Placed on General File as amended.

Standing Committee Amendments to L. B. 425:

1. Amend the bill by striking sections 1 to 8 and inserting in lieu thereof 9 new sections to read as follows:

"Section 1. For the purpose of the laws of this state relating to highways, the following words, terms, and phrases shall have the meanings herein given, unless otherwise specifically defined, or unless another intention clearly appears, or the context otherwise requires: (1) Commission means the Highway Commission; and (2) member means any member of the commission.

Sec. 2. There is hereby created the Highway Commission which shall consist of seven members, one from each of the seven districts provided for in section 3 of this act, who shall be appointed by the Governor subject to confirmation by a majority of all of the members of the Legislature. Members of the commission shall be

legal residents and citizens of Nebraska, and bona fide residents of the district from which they are appointed. Not more than four members of the commission shall be affiliated with one political party. Two members shall be appointed for a term of one year, two members shall be appointed for a term of two years, and three members shall be appointed for a term of three years. When the term of any member of the commission shall expire, the Governor shall appoint for a term of three years a successor from the same district as the member whose term has expired. Each member shall serve until the appointment and qualification of his successor. In case of a vacancy occurring prior to the expiration of a term of a member, a member shall be appointed to fill the vacancy but only for the remainder of the term. When a member ceases to be a bona fide resident of the district from which he was appointed, his office shall be immediately vacated. If the Legislature is not in session when members of the commisson are appointed by the Governor, they shall take office and act as recess appointees until the next regular session of the Legislature.

Sec. 3. For the purpose of this act, the state is hereby divided into seven districts. The limits and designations of the seven districts shall be as follows:

(1) District No. 1. The counties of Richardson, Pawnee, Nemaha, Johnson, Otoe, Cass, Lancaster, Gage, Seward, Saline, and Jefferson.

(2) District No. 2. The counties of Sarpy, Douglas, Washington, Dodge, Saunders, Colfax, and Butler.

(3) District No. 3. The counties of Platte, Merrick, Nance, Boone, Madison, Stanton, Cuming, Burt, Thurston, Wayne, Pierce, Antelope, Knox, Cedar, Dixon, Dakota, Howard, Greeley, and Wheeler.

(4) District No. 4. The counties of Thayer, Nuckolls, Webster, Adams, Clay, Fillmore, York, Polk, Hamilton, Hall, Buffalo, Kearney, and Franklin.

(5) District No. 5. The counties of Harlan, Furnas, Red Willow, Hitchcock, Dundy, Chase, Hayes, Frontier, Gosper, Phelps, Dawson, Lincoln, and Perkins.

(6) District No. 6. The counties of Sherman, Valley, Garfield, Holt, Boyd, Keya Paha, Rock, Brown, Loup, Blaine, Custer, Logan, McPherson, Arthur, Keith, Grant, Hooker, Thomas, and Cherry.

(7) District No. 7. The counties of Deuel, Garden, Sheridan,

Cheyenne, Morrill, Box Butte, Dawes, Sioux, Scotts Bluff, Banner, and Kimball.

Sec. 4. The Governor shall, in January of each odd-numbered year, appoint a director who shall serve full time as such director and direct the affairs of the commission, and who shall serve under the State Engineer as business manager of the Department of Roads and Irrigation. The director shall be a person qualified in business affairs and shall receive a salary of not to exceed seventy-five hundred dollars per year, as fixed by the Governor, payable monthly. The director shall be ex officio member of the commission with the power to vote. Four members shall constitute a quorum and no action shall be taken by less than a majority of the commission. The commission shall meet on the first Monday of each quarter and upon the written call of the chairman or any two members of the commission. Regular meetings shall be held at the office of the commission but, whenever the convenience of the public or of the parties may be promoted or delay or expense may be prevented, it may hold meetings or proceedings at any other place designated by it. All meetings of the commission shall be open to the public.

Sec. 5. After the members have been appointed, they shall meet and organize by electing one of their members as chairman, and shall annually thereafter at the first meeting in January of each year elect one of their members as chairman. The members of the commission other than the director shall receive no salary but shall be allowed their necessary travel and hotel expenses when actually away from home on business of the commission. The salary of the director and expenses of the commission and director shall be paid out of the Highway Cash Fund.

Sec. 6. It shall be the duty of the commission:

(1) To investigate highway conditions throughout the state.

(2) To assist in devising and recommending the adoption of standard plans of highway construction and maintenance.

(3) To assist the State Engineer in making plans, surveys, and estimates of cost for the improvement of highways.

(4) To assist the State Engineer in the allocation of state and federal funds to be spent for the construction or maintenance of highways.

(5) To make recommendations in the location of state highways.

(6) To assist the State Engineer in formulating the regulations and policies to be carried out by the Department of Roads and Irrigation in the construction and maintenance of highways.

Sec. 7. The State Engineer shall attend all meetings of the commission. The minutes of the meetings shall show the action of the commission on matters presented. The minutes shall be open to public inspection.

Sec. 8. At each regular meeting of the commission, the State Engineer shall submit a report showing: (1) Progress of construction and maintenance of highways since the last regular meeting; (2) receipts and disbursements for highways since last regular meeting; (3) proposed allocation of funds for future highway work; and (4) proposed construction and maintenance of highways and when same shall be done.

Sec. 9. 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 of the bill by striking lines 2 to 10 and inserting in lieu thereof the following: "FOR AN ACT relating to highways; to create a Highway Commission; to define terms; to provide for appointment and tenure of office of members of the commission; to establish districts from which such members shall be appointed; to provide that the director shall be an ex officio member of such commission; to provide powers and duties of the commission; to provide for meetings of the commission; to provide for a director and to fix his duties and salary; and to declare an emergency.

(Signed) Otto J. Prohs, Chairman

Education

LEGISLATIVE BILL 388. Placed on General File as amended.

Standing Committee amendments to L. B. 388:

1. Amend the bill by striking Sections 1 to 8 inclusive and inserting in lieu thereof the following:

"Section 1. As used in this act, unless the context otherwise requires:

(1) Blanket tax levy shall mean a uniform minimum tax levy on all elementary school districts within a county.

(2) Merging of districts shall mean the uniting of two or more

districts or parts of districts for the purpose of complying with this act.

Sec. 2. A blanket mill levy tax sufficient to raise two-thirds of the cost of operating the elementary school districts of a county shall be placed on all property in the elementary school districts of a county. The amount of this levy shall be determined by the county treasurer from figures based on the previous year's expenditures of the elementary school districts of the county, but in no instances shall this blanket tax levy exceed four mills.

Sec. 3. The returns from this levy shall be paid by the county treasurer on an order from the county superintendent to those districts that are eligible to receive these funds as provided in section 5 of this act.

Sec. 4. After the first year, to be eligible to receive these funds a district must have had an enrollment of five or more students for the school year immediately preceding this levy. During the first year no district shall lose its blanket tax because of this provision.

Sec. 5. The funds raised by the blanket mill levy tax shall be distributed as follows: (1) The entire amount of the blanket tax collected on taxable property within a district shall be refunded to those districts that maintain school and have a total of five or more pupils enrolled; *Provided,* if the district does not require the total blanket tax, it shall receive only that portion needed; (2) those schools which contract for instruction of pupils shall receive an amount required for carrying out such contract and transportation of pupils, but in no case more than the blanket tax raised in such school district; (3) two-thirds of the remainder of the amount raised shall be distributed equally to those districts that have an average daily attendance of five or more for the school year immediately preceding; and (4) one-third of the remainder shall be apportioned to the eligible districts on the basis of their average daily attendance; *Provided,* that no district shall receive more funds under subsections (3) and (4) of this section than is required for school purposes. If a high school district shall contract for elementary pupils, it shall qualify as a unit if five or more pupils are contracted and for per pupil on pupils contracted for in any case.

Sec. 6. When streams of water, other natural barriers, or extreme distances that pupils are required to travel make the merger of school districts impractical, those districts having an enrollment of five or less shall become eligible for the two-thirds aid under the following conditions: (1) Appeal is made to the county superinten-

dent for approval, and (2) the extreme distances mentioned mean that any of the pupils of that district would be required to travel in excess of five miles over unsurfaced roads to the nearest school.

Sec. 7. All forms necessary to carry out the provisions of this act shall be prescribed by the State Superintendent of Public Instruction."

(Signed) Dwight W. Burney, Chairman

Revenue and Taxation

LEGISLATIVE BILL 300. Indefinitely postponed.
LEGISLATIVE BILL 341. Placed on General File as amended.

Standing Committee amendments to L. B. 341:

1. Amend page 2 of the bill by striking sections 5 and 6 and inserting in lieu thereof two new sections to be known as sections 5 and 6, and to read as follows:

"Sec. 5. That section 77-1244, Revised Statutes Supplement, 1947, be amended to read as follows:

77-1244. As used in sections 77-1244 to 77-1246:

(1) The term "air carrier" means any person, firm, partnership, corporation, association, trustee, receiver or assignee which engages in air transportation with landings or takeoffs in this state , *and all other persons, whether or not in representative capacity, undertaking to engage in the carriage of persons or cargo for hire by aircraft; any air carrier as herein defined, engaged solely in intrastate transportation, whose flight equipment is based at only one airport within the state, shall be excepted from taxation under this section, but shall be subject to taxation in the same manner as other locally assessed property;*

(2) The term "aircraft arrivals and departures" means the number of scheduled landings and takeoffs in this state of the aircraft of an air carrier, the number of scheduled air pickups and deliveries in this state by the aircraft of such carrier and, in the case of nonscheduled operations, shall include all landings and takeoffs, pickups and deliveries;

(3) The term "flight equipment" means aircraft fully equipped for flight *and used within the continental limits of the United States;*

(4) The term "originating revenue" within this state means

revenue to an air carrier from the transportation of revenue passengers and revenue property first received by such carrier either as originating or connecting traffic at airports within this state *cargo exclusive of the revenue derived from the transportation of express or mail*; and

(5) The term "revenue tons handled" by an air carrier at an airport means the weight in tons of revenue passengers, at two hundred pounds per passenger , and revenue cargo first received either as originating or connecting traffic or finally discharged by such carrier at such airport *received and discharged as originating or terminating traffic.*

Sec. 6. That original section 77-1244, Revised Statutes Supplement, 1947, is repealed."

2. Show all the matter in sections 1, 2, 3, and 4 as new matter.

3. Amend the title of the bill by striking the word "and" in line 4, and by striking all of line 5, and inserting in lieu thereof the following: "to amend section 77-1244, Revised Statutes Supplement, 1947; to redefine terms; and to repeal the original section."

LEGISLATIVE BILL 399. Placed on General File.

(Signed) Charles F. Tvrdik, Chairman

Education

LEGISLATIVE BILL 490. Placed on General File as amended.

Standing Committee amendments to L. B. 490:

1. Amend the bill by striking sections 1 to 7 and inserting in lieu thereof the following:

"Section 1. That section 72-205, Revised Statutes Supplement, 1947, be amended to read as follows:

72-205. When the Board of Educational Lands and Funds deems it expedient to raise or lower the valuation of school lands in any county, the board, or its authorized representative, shall hold a meeting in the county seat of the county where such school lands, or any portion thereof, are located to take testimony and to receive evidence as to the value of all school lands, *shall adopt a schedule* according to classification, in such county. or counties. Such evidence shall cover *In arriving at such schedule of valuation, the board shall con-*

sider the sale price of other lands in the county, *and* the average crop production *of other lands in the county,* the rental value of other lands similarly situated, and any other relevant factors bearing upon the valuation of such school lands. Notice of the time and place of such hearings shall be given by publication in a legal newspaper, published in the county where such school lands are situated, for two consecutive weeks beginning at least twenty days prior to the date of the special hearing. In case no legal newspaper is published in the county, then the notice shall be published in a legal newspaper of general circulation in the county. Witnesses shall not receive either fees or mileage for appearing before the board. The board may then raise or lower the valuation of such school lands as it may deem advisable in the public interest of the State of Nebraska, the lessees of such lands, or other parties affected thereby.

Sec. 2. *After the adoption of a new schedule of valuations, as provided by this act, such schedule of valuations together with a tabulation of the valuation and the amount of semiannual rental of each lease shall be filed in the office of the county treasurer of such county not less than ninety days prior to the effective date of said new schedule of valuations; notice of such filing shall be given by one publication in a newspaper of general circulation published within the county or, if more than one newspaper of general circulation is published in the county, then in two of such newspapers or, if no newspaper is published in the county, in a newspaper of general circulation therein. The board shall further advise each lessee by mailing to his last address of record a letter or postal card notifying him of the amount of his semiannual rental.*

Sec. 3. *Such new schedule shall become effective upon the first semiannual rental due date, which is ninety days or more from the date of the filing of the schedule in the office of the county treasurer, unless within forty-five days from the date of the publication of notice a petition signed by at least twenty-five per cent of the lessees in counties having less than one hundred leaseholders, or twenty-five of the lessees in counties having one hundred or more leaseholders within the county, requesting a hearing, be filed in the office of the Board of Educational Lands and Funds.*

Sec. 4. *Upon receipt of a petition bearing the requisite number of signatures as required by this act, the Board of Educational Lands and Funds shall appoint an examiner who shall hold a meeting in the county seat of the county where such school lands are located to take testimony and to receive evidence as to the value of all school lands, according to classification, in such county. Such evidence shall cover the sale price and the average production of other lands in the county, the rental value of other lands similarly situated, and any*

other relevant factors bearing upon the valuation of such school lands. Notice of the time and place of such hearing shall be given by publication in a legal newspaper, published in the county where such school lands are situated, once each week for two consecutive weeks beginning at least twenty days prior to the date of the public hearing. In case no legal newspaper is published in the county, then the notice shall be published in a legal newspaper of general circulation in the county. The examiner conducting such hearing shall have the power to administer oaths.

Sec. 5. *A complete record shall be made of all testimony taken and evidence received at such hearing, which record shall be filed in the office of the Board of Educational Lands and Funds; the examiner conducting such hearing shall make, in writing, complete findings and recommendations to the board as to the value of school lands according to classification. If the board determines that a change in the schedule of valuations is justified it may either raise or lower its schedule of values previously adopted based upon the evidence produced at such hearing as shown by said record, the effective date to be the time originally fixed.*

Sec. 6. That section 72-234, Revised Statutes Supplement, 1947, be amended to read as follows:

72-234. Upon payment to the county treasurer of the rental due upon said application to lease, said officer shall issue a receipt in duplicate and transmit the application for a lease and the duplicate receipt to the Board of Educational Lands and Funds. The board shall, if the foregoing proceedings appear to be regular, issue and transmit to the county treasurer a contract of lease to be delivered to the lessee by such officer. Each lease shall contain a covenant or provision (1) that the Board of Educational Lands and Funds may, whenever such board deems it to be for the best interest of the state, reappraise said lands; (2) that the lessee will not sublease or otherwise dispose of said lands without the written consent of the board and will commit no waste or damage on the land nor permit others to do so; (3) that the lessee will observe and carry out soil conservation requirements according to the rules and regulations of the board; (4) that the lessee will pay for the use of said lands the annual rental of six per cent per annum upon the appraised value thereof; (5) that, upon a failure to pay any rental for a period of six months from the time the payment becomes due or upon failure to perform any of the covenants of the lease, the lease ~~may~~ *shall* be forfeited and fully set aside, as provided in sections 72-235 to 72-239; (6) that the lessee will promptly pay the rental semiannually in advance; and (7) that the premises will be surrendered

at the expiration of the lease, unless renewed, or upon violation of any of the terms of the lease. Leases shall be for periods of twelve years less the period intervening between the date of the execution of the lease and December 31 of the previous year.

Sec. 7. *No lease shall be made to any person who is a non-resident of the State of Nebraska, nor to any person who will not operate the land for his own use and benefit.*

Sec. 8. *No lease shall be assigned nor the assignment thereof approved by the Board of Educational Lands and Funds unless (1) the person to whom the lease is assigned is a resident of the State of Nebraska, (2) such assignee will operate the land for his own use and benefit, and (3) one half of the consideration for the assignment, exclusive of improvements, is paid to the board.*

Sec. 9. That section 72-240.01, Revised Statutes Supplement, 1947, be amended to read as follows:

72-240.01. If the lessee applies for a new lease, the Board of Educational Lands and Funds shall cause a reappraisal *reclassification* of the land covered by such lease to be made and shall determine whether the applicant during the period of the existing lease has (1) followed the standards of soil conservation and good husbandry; (2) properly utilized the land for the purposes contemplated by the lease; (3) faithfully performed all covenants in the existing lease including payment of the required rental; and (4) has cooperated with the Board of Educational Lands and Funds in the proper care of the premises. If the applicant is found to have met all of said requirements and is willing to enter into a new lease in accordance with the current forms of leases then used by the Board of Educational Lands and Funds, the applicant shall be granted a new lease for the ensuing period.

Sec. 10. That section 72-240.02, Revised Statutes Supplement, 1947, be amended to read as follows:

72-240.02. If no such application for a new lease is received or if the applicant fails to meet the requirements for a new lease, the Board of Educational Lands and Funds may, at any time within three months after the expiration of the lease, enter into a lease with any other person it deems willing and able to meet the standards prescribed by the board in its rules and regulations at the reappraised value *rental rate for land of such classification* of the school land. If no application is made within three months after expiration of the lease by a person willing and able to meet the standards prescribed by the board at the reappraised value *rental rate for land of such classification,* the board may in its discretion reduce the appraisal to

classification so that the rental rate will be an amount that will result in a new lease to a tenant who meets those qualifications.

Sec. 11. That section 72-240.03, Revised Statutes Supplement, 1947, be amended to read as follows:

72-240.03. It shall be the duty of *When* the Board of Educational Lands and Funds *deems it expedient, due to breaking or retirement of the land, erosion, resodding, or other causes, to reclassify the school land in any county, and* at least once in every five-year period, during a lease to *it shall* cause a reappraisal *reclassification* to be made of the land under lease. The duty of making a reappraisal every five years shall not prevent the board from making a reappraisal at such other times as it may desire. *When this has been accomplished the new appraised valuation for each lease shall be computed by applying the new classification of the land to the schedule of values then in effect and which has been duly adopted by the Board of Educational Lands and Funds for that county.* Rental shall be paid by the lessee upon the basis of the *new appraised* valuation, fixed and determined by the last appraisal made. Not oftener than once in every two years the lessee may petition the board to make a reappraisal *reclassification of the land he has under lease* and it shall be the duty of the board, within six months after receipt of such petition, to cause a reappraisal *reclassification* to be made.

Sec. 12. That section 72-240.05, Revised Statutes Supplement, 1947, be amended to read as follows:

72-240.05. The Board of Educational Lands and Funds shall sit twice each year to hear complaints from lessees as to *the* valuation of their leases, and may order reappraisals to be made in any cases in which it may find that the complaints are justified. *take such action as it may find to be right and proper in regard thereto.*

Sec. 13. That original sections 72-205, 72-234, 72-240.01, 72-240.02, 72-240.03, and 72-240.05, Revised Statutes Supplement, 1947, are repealed.

Sec. 14. 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 of the bill by striking lines 2 to 6 and inserting in lieu thereof the following:

"FOR AN ACT to amend sections 72-205, 72-234, 72-240.01, 72-240.02, 72-240.03, and 72-240.05, Revised Statutes Supplement, 1947,

relating to educational lands; to provide the method for reappraisal of school lands by the Board of Educational Lands and Funds; to provide for reclassification of school lands and for ascertaining the valuation thereof by such board; to provide for changes in classifications under the prescribed conditions; to make it mandatory upon the board to forfeit a lease upon failure to pay any rental for a period of six months from the time the payment becomes due or failure to perform any of the covenants of the lease; to repeal the original sections; and to declare an emergency.

(Signed) Dwight W. Burney, Chairman

Enrollment and Review

LEGISLATIVE BILL 209. Placed on Select File as amended.

E and R amendment to L. B. 209:

In the bill, section 2, line 8, strike the word "insane" and in lieu thereof insert *"mentally ill"*.

LEGISLATIVE BILL 387. Replaced on Select File as amended.

E and R amendments to L. B. 387:

1. In the bill title, lines 4 and 5, strike "this section"; also insert a period at the end of the title.

2. In new Sec. 2. as inserted by amendment, line numbered 17, insert after "county," the words and punctuation *"except intangible property,"*.

LEGISLATIVE BILL 251. Placed on Select File as amended.

E and R amendments to L. B. 251:

1. In the bill, section 1, line 151, strike the word *"as"* at the beginning of the line; line 173, insert the word *"the"* before the word *"date"*; line 177, strike the word *"if"* before the word *"the"*.

2. Section 2, line 53, strike the words *"or of benefits or of both"* and insert in lieu thereof *", of benefits, or of both is"*.

3. Section 3, line 4, insert *"(1)"* after the word "discrimination", and in the same line insert *"(2)"* after "individuals,"; line 6, insert *"(3)"* at the beginning of the line; line 7, strike the word "or" after

"insurance," and insert in lieu thereof "*(4)*"; line 8, insert "*(5)*" after the word "or".

LEGISLATIVE BILL 275. Replaced on Select File as amended.

E and R amendment to L. B. 275:

1. Strike Specific Amendment 1 by Mr. Lusienski, and in lieu thereof in the bill, section 1, line 27, strike "and equal visibility" and in lieu thereof insert ", equal visibility , *and of a type approved by the Department of Roads and Irrigation*".

LEGISLATIVE BILL 335. Placed on Select File as amended.

E and R amendments to L. B. 335:

1. In the bill, section 1, line 7, strike the word "are" and in lieu thereof insert "*were*"; line 8, strike the word "is" and in lieu thereof insert "*was*".

2. In the bill title, line 7, before the semicolon insert "as prescribed".

LEGISLATIVE BILL 340. Placed on Select File as amended.

E and R amendments to L. B. 340:

1. In Standing Committee Amendment 1, lines 4 and 5, strike the words "*in which such plan*" and in lieu thereof insert "*whereby*"; line 6, strike ", *or*" and in lieu thereof insert "*or,*"; strike the period at the end of the amendment.

2. In the bill, section 1, line 3, after the word "power" insert "*(1)*"; line 4, before the word "to" insert "*(2)*"; line 8, after the semicolon insert "*(3)*"; line 9, before the word "to" insert "*(4)*"; line 28, strike "It shall have power" and in lieu thereof insert ", *and (6)*".

3. In the bill title, line 8, after the word "generally" insert "and remove the same as prescribed"; also insert the word "the" at the end of the line; line 11, strike the word "such"; line 12, before the semicolon insert "as prescribed".

4. In Standing Committee Amendment 1, line 3, before the first word "*to*" insert "*(5)*".

LEGISLATIVE BILL 13. Correctly engrossed.

LEGISLATIVE BILL 250. Correctly engrossed.
LEGISLATIVE BILL 370. Correctly engrossed.
LEGISLATIVE BILL 408. Correctly engrossed.
LEGISLATIVE BILL 27. Correctly engrossed.
LEGISLATIVE BILL 222. Correctly engrossed.
LEGISLATIVE BILL 306. Correctly engrossed.
LEGISLATIVE BILL 414. Correctly engrossed.
LEGISLATIVE BILL 509. Correctly engrossed.
LEGISLATIVE BILL 465. Correctly enrolled.
LEGISLATIVE BILL 481. Correctly enrolled.
LEGISLATIVE BILL 510. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 8, 1949, at 10:30 a.m.

L. B. 409	L. B. 394	L. B. 381
L. B. 400	L. B. 454	L. B. 440

Presented to the Governor

Presented to the Governor for approval on April 8, 1949, at 4:45 p.m.

L. B. 119	L. B. 268	L. B. 469
L. B. 163	L. B. 310	L. B. 472

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 465	L. B. 481	L. B. 510

Visitor

Mr. Davies presented his grandfather, Mr. R. S. Mockett, with whom he is associated in the practice of law.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 88.

A bill for an act to amend section 39-727, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide that it shall be unlawful to be in the actual physical control of any motor vehicle while under the influence of alcoholic liquor or of any drug; to provide that the amount of alcohol in the defendant's body fluid at the time alleged as shown by chemical analysis of the defendant's blood, spinal fluid, or urine shall give rise to the prescribed presumptions in a criminal prosecution for violation of the section of the statutes set forth; to limit the effect and use of such a presumption; to provide when alcohol determination of the breath may be accepted in lieu of determination on blood, spinal fluid, or urine; to provide that the tests shall be performed according to methods approved by the Department of Health; to provide that the Department of Health shall issue permits to persons qualified to perform such tests; to provide that if a person refuses to take any test prescribed it shall not create any presumption of guilt against such person; to provide and change penalties; to provide a construction clause; to provide that such permits may be terminated or revoked at the discretion of the Department of Health; 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 affrmative, 25:

Adams, J.	Carmody	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Prohs
Benesch	Cretsinger	Nelson	Tvrdik
Bohlke	Hill	Norman	Vogt
Bridenbaugh	Holmes	Ogden	Weborg
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 10:

Anderson, L.	Lusienski	Vogel	Wilson, C.
Davies	Metzger	Williams	Wilson, W.
Larkin	Schroeder		

Not voting, 8:

Adams, T.	Burney	Hanna	Lindgren
Babcock	Carson	Hern	McKnight

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 relating to building and loan associations; and to provide for the conversion of federal savings and loan associations into state chartered associations as are provided for in Chapter 8, article 3, Revised Statutes of Nebraska, 1943, and amendments thereto.

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

Voting in the affirmative, 35:

Adams, J.	Carson	Lee	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	Metzger	Vogel
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wood
Carmody	Larkin	Pizer	

Voting in the negative, 1:

Vogt

Not voting, 7:

Adams, T.	Burney	Lindgren	Wilson, W.
Babcock	Hern	McKnight	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 302.

A bill for an act to amend section 8-331, Revised Statutes of Nebraska, 1943, relating to building and loan associations; to prescribe the requirement of a certificate of approval by the Department of Banking of such organization and incorporation, and the conditions under which said certificate shall be issued; 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, J.	Carmody	Larkin	Prohs
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lusienski	Tvrdik
Benesch	Cretsinger	Metzger	Vogel
Bohlke	Davies	Nelson	Weborg
Bridenbaugh	Hanna	Norman	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wood
Callan	Hoyt	Pizer	

Voting in the negative, 1:

Vogt

Not voting, 7:

Adams, T.	Hern	Lindgren	Wilson, W.
Babcock	Lee	McKnight	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 410. With emergency.

A bill for an act to amend section 79-212, Revised Statutes Supplement, 1947, relating to schools; to provide that the aggregate levy for general school purposes in school districts organized under Chapter 79, articles 3 and 6, Revised Statutes of Nebraska, 1943, shall be without restriction for the fiscal years ending June 30, 1950 and June 30, 1951; 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, J.	Carson	Larkin	Prohs
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Benesch	Davies	Metzger	Vogel
Bridenbaugh	Hanna	Norman	Vogt
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Carmody	Hoyt	Pizer	Wood

Voting in the negative, 4:

Bohlke	Callan	Nelson	Williams

Not voting, 7:

Adams, T.	Hern	Lindgren	Weborg
Babcock	Lee	McKnight	

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 407.

A bill for an act to amend section 33-106, Revised Statutes Supplement, 1947, relating to fees and salaries; to eliminate the provisions that the counties are not required to pay fees to the clerks of the district courts and the effect 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?' "

Voting in the affirmative, 38:

Adams, J.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	Metzger	Vogel
Benesch	Davies	Nelson	Vogt
Bohlke	Hanna	Norman	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Burnham	Hoyt	Pizer	Wilson, W.
Callan	Larkin	Prohs	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Hern	Lindgren	McKnight
Babcock			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 484.

Mr. W. Wilson offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 484, Section 1, line 16, by striking the words "twenty thousand" and inserting in lieu thereof the words "sixty-five hundred".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 427.

Mr. Burney offered the following amendments, which were adopted by unanimous consent.

1. In the bill, section 1, line 3, before the word "There" insert "*(1)*"; line 7, strike "No" and in lieu thereof insert "*(2) In counties having a population of six thousand five hundred or more inhabitants, no*"; strike lines 17 to 28 inclusive, to but not including the word "less" in line 28, and in lieu thereof insert "*subsection (5) of this section. (3) In counties having a population of more than two thousand and*"; strike beginning with the word "valid" in line 31, to and including the word "hundred" in line 36, and in lieu thereof insert "*Professional Junior Elementary School Certificate and shall have had not less than three years successful teaching experience* if his name is to appear on the ballot or if he is to receive his election certificate, *except as otherwise provided for in subsection (5) of this section. (4) In* counties having *a population of not* more than two thousand"; strike commencing with "Pro-" in line 38 to and including the period in line 41, and in lieu thereof insert "*valid Nebraska teacher's certificate if his name is to appear on the ballot or if he is to receive his election certificate, except as provided by subsection (5) of this section.*"; strike lines 47 to 51, inclusive, and in lieu thereof insert "*(5) Any person now holding the office of county superintendent in any county who has not the certificate required in a county of the size of the one in which he holds office, as provided by subsections (2), (3), or (4) of this section, shall be eligible to be a candidate, nominee, or recipient of an election certificate for such office to succeed himself in that office except that a county superintendent, referred to in subsection (2) of this section, to be so eligible must hereafter earn at least nine semester college hours of credit every four years until he shall qualify for the certificate referred to in subsection (2) of this section. (6) It shall be the duty of the county clerk of each county to notify the Superintendent of Public Instruction of the nominations for the office of county superintendent in his county and of the*

election to such office at the time the results of the primary and general elections respectively are ascertained.".

2. In the bill title, line 5, strike "as prescribed therein".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 504. E and R amendment found in the Legislative Journal for the Sixty-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 337. 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 232. 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 267. E and R amendments found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Special Order

LEGISLATIVE BILL 105.

Advanced to E and R for review.

GENERAL FILE

LEGISLATIVE BILL 461.

Advanced to E and R for review.

LEGISLATIVE BILL 523.

Laid over until Wednesday, April 13, 1949.

LEGISLATIVE BILL 283. Read and considered.

Advanced to E and R for review.

Unanimous Consent

Mr. Davies asked unanimous consent to place L. B. 344 at the head of General File.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 344. Read.

Standing Committee amendments 1, 2, 3, 4, and 5, found in the Legislative Journal for the Sixty-eighth Day, were adopted.

Laid over until Wednesday, April 13, 1949.

Visitors

Mr. T. Adams introduced Miss Phyllis Dent, Executive Director, over 100 Camp Fire girls and their sponsors, all of Lincoln.

LEGISLATIVE BILL 233. Read and considered.

Advanced to E and R for review.

Member Excused

Mr. Davies was excused for the balance of the morning and for Tuesday, April 12, 1949.

LEGISLATIVE BILL 273. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-ninth Day was adopted.

Mr. Lusienski offered the following amendment, which was adopted.

Amend the title to L. B. 273, lines 4 and 5, by striking the words "or other corporation or association".

Advanced to E and R for review.

Special Order

LEGISLATIVE BILL 112.

Mr. Tvrdik moved to indefinitely postpone L. B. 112.

The motion prevailed.

LEGISLATIVE BILL 167.

Mr. Tvrdik offered the following amendment.

1. Amend paragraph 6 of the Lee amendment of April 4, 1949, renumbered section 5 of the bill, by striking lines 43 to 45 and inserting in lieu thereof the following: *"Candidates who receive votes on the ballots of more than thirty-five per cent of all delegates voting shall be the endorsed candidates of the convention".*

Mr. Lee offered the following amendment to the Tvrdik amendment, which was adopted.

Amend the Tvrdik amendment by adding after the word *"Candidates"* the following *", except with reference to delegates at large and alternate delegates at large to the national party convention,".*

Mr. Tvrdik's amendment as amended was adopted.

Laid over.

Unanimous Consent—Withdraw Names

Messrs. Bohlke and J. Adams asked unanimous consent to withdraw their names as co-introducers of L. B. 167.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 260. Read and considered.

Mr. Lee offered an amendment, which was not adopted with 7 ayes 11 nays and 25 not voting.

Mr. Metzger moved to indefinitely postpone L. B. 260.

The motion prevailed with 21 ayes 8 nays and 14 not voting.

Unanimous Consent—Executive Session

Mr. Tvrdik asked unanimous consent to hold an executive session of the Revenue Committee at 2:00 o'clock this afternoon.

Consent was granted and it was so ordered.

Approved by the Governor

April 11, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 9, 1949, he approved L. B. 508, L. B. 406, L. B. 288, L. B. 252, L. B. 394, L B. 409, L. B. 400, L. B. 395, L. B. 440, L. B. 454, L. B. 472, L. B. 469, L. B. 381, L. B. 310, L. B. 268, L. B. 163, L. B. 119 and L. B. 452.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

Member Excused

Mr. L. Anderson was excused for Tuesday, April 12, 1949.

Adjournment

At 11:55 a.m., on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 12, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Davies, Hern, McKnight and Wood, who were excused, and Mr. T. Adams, who was excused until 9:30 a.m.

The Journal for the Seventieth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 269. Placed on Select File as amended.

E and R amendments to L. B. 269:

1. Amend Standing Committee amendment No. 4 by striking the word "or" before "(2)" in line 6 of the original; also strike the word "or" before "(3)" in line 7 of the original; in the same amendment 4, line 1, after the period insert "Insert a new section to be numbered 5 to follow renumbered section 4, as follows:".

2. In the bill, section 1, line 6, strike the words "by insurers" and in lieu thereof insert "or delivered in this state by insurers while such insurers are".

3. Section 3, line 14 and lines 32 and 33, strike the words "with which the letter is registered" and insert in lieu thereof "where the letter containing the same was sent by registered mail".

LEGISLATIVE BILL 530. Replaced on Select File as amended.

E and R amendments to L. B. 530:

1. Strike the first Specific amendment and in lieu thereof in section 1, line 13, strike the period after the word *"acts"* and insert in lieu thereof *"; Provided, nothing in this act shall be construed to prohibit any such officer, agent, or servant from making such a contribution in his individual capacity."*.

2. Amend Specific amendment to the bill title by adding a comma after the word "agent" in line 2 of original; in line 3 of original of that same amendment add a semicolon after the word "capacity".

LEGISLATIVE BILL 466. Placed on Select File as amended.

E and R amendments to L. B. 466:

1. In the bill, section 1, line 17, insert the word *"on"* before the word *"or"*; line 19, insert the words *"penalty or"* before the word "discount"; line 20, strike the words "From purchasers of electrical energy a" and insert in lieu thereof *"A"*; line 21, insert the words *"from purchasers of electrical energy"* after the word "collected"; line 28, strike "thereof." and insert in lieu thereof the words *"of this act."*.

2. In the bill title, line 7, insert the word "a" before the word "penalty"; in the same line after the word "payment" insert the words "as prescribed".

LEGISLATIVE BILL 412. Placed on Select File as amended.

E and R amendment to L. B. 412:

1. In the bill title, strike the comma in line 4; line 7, strike the word and punctuation "; and" and in lieu thereof insert "as prescribed;".

LEGISLATIVE BILL 522. Placed on Select File as amended.

E and R amendments to L. B. 522:

1. In the bill, section 1, line 4, strike "take-off" and in lieu thereof insert "taking-off"; line 20 strike "town, village, borough," and in lieu thereof insert "village,".

2. In the bill title, line 3, after the semicolon insert "to define terms;".

LEGISLATIVE BILL 529. Replaced on Select File as amended.

E and R amendment to L. B. 529:

1. In E and R amendment 1, last two lines, insert a comma before the word "*as*" and strike the period before the last quotation mark and in lieu thereof insert a comma; line 36, insert a comma after "protection" to complete correlation with L. B. 440.

LEGISLATIVE BILL 264. Placed on Select File as amended.

E and R amendment to L. B. 264:

1. In the bill, section 1, line 15, strike the word "of" near the end of the line.

LEGISLATIVE BILL 307. Correctly engrossed.
LEGISLATIVE BILL 220. Correctly engrossed.
LEGISLATIVE BILL 422. Correctly engrossed.
LEGISLATIVE BILL 507. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 24.

A bill for an act to amend sections 28-446 and 28-449, Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide that when any person abandons and neglects or refuses to provide for his wife, wife and child, or child, such child being under the age of sixteen years, for three consecutive months or more it shall be prima facie evidence of intent to violate the prescribed provisions in regard to desertion; to make certain acts with reference to support of a wife, wife and minor child, or minor child illegal; 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, 36:

Adams, J.	Carmody	Lee	Prohs
Anderson, V.	Carson	Lillibridge	Schroeder
Babcock	Cramer	Lindgren	Tvrdik

Benesch	Cretsinger	Lusienski	Vogel
Bohlke	Hanna	Nelson	Vogt
Bridenbaugh	Hill	Norman	Weborg
Burney	Holmes	Ogden	Williams
Burnham	Hoyt	Person	Wilson, C.
Callan	Larkin	Pizer	Wilson, W.

Voting in the negative, 0.

Not voting, 7:

Adams, T.	Davies	McKnight	Wood
Anderson, L.	Hern	Metzger	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 281. Read and laid over.
LEGISLATIVE BILL 499.

A bill for an act to amend section 53-134, Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the county board shall have all the powers of a city or village to regulate beer retailers authorized to sell without the corporate limits of any city or village; 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, J.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Schroeder
Babcock	Cretsinger	Lusienski	Tvrdik
Benesch	Hanna	Metzger	Vogel
Bohlke	Hill	Nelson	Vogt
Bridenbaugh	Holmes	Norman	Weborg
Burney	Hoyt	Ogden	Williams
Burnham	Larkin	Person	Wilson, C.
Callan	Lee	Pizer	Wilson, W.
Carmody			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Davies	McKnight	Wood
Anderson, L.	Hern		

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 amend section 25-1212, Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for the admissibility in evidence of writings or records of any act, transaction, occurrence, or event made in the regular course of any business and as prescribed; to define business; 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, J.	Carmody	Lee	Schroeder
Anderson, V.	Carson	Lillibridge	Tvrdik
Babcock	Cramer	Lindgren	Vogel
Benesch	Cretsinger	Lusienski	Vogt
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Williams
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Pizer	

Voting in the negative, 0.

Not voting, 8:

Adams, T.	Davies	McKnight	Prohs
Anderson, L.	Hern	Person	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 209. E and R amendment found in the Legislative Journal for the Seventieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 387. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 251. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 275. E and R amendment found in the Legislative Journal for the Seventieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 335. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 340. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Laid over.

Unanimous Consent—Return to Select File

Mr. Cramer asked unanimous consent to return L. B. 267 to Select File for the following Specific amendments.

1. In the bill, section 13, line 19, strike "under his bond".

2. In the bill, section 12, strike lines 4 to 6, inclusive, and in lieu thereof insert: "have the right to acquire a right-of-way across the same by the exercise of the power of eminent domain, which shall be exercised substantially as is provided for by sections 23-325 to 23-332.".

Consent was granted and it was so ordered.

Mr. Weborg Presiding

LEGISLATIVE BILL 267.

Mr. Cramer's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

MOTION—Place on General File

Mr. President: I move that L. B. 110 be placed on General File. (Signed) Ed F. Lusienski

Speaker Lee Presiding

Mr. Lusienski requested a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Weborg moved that the Call be raised and the motion prevailed with 30 ayes, 0 nays and 13 not voting.

Mr. Lusienski's motion to place L. B. 110 on General File did not prevail with 18 ayes, 14 nays and 11 not voting.

Statement

Mr. President: The Committee on the Budget, at a meeting on April 11, unanimously voted to introduce a bill which provides that revenue from motor vehicle operator's licenses shall be credited to the general fund. In this way, a fixed budget may be made for the operation of the Nebraska Safety Patrol and carried in the budget bill to become effective July 1, 1949, thus making it unnecessary to make an emergency appropriation of approximately $200,000 for the operation of the Patrol between July and September when revenue from the licenses begin to become available. (Signed) John S. Callan, Chairman of the Committee on the Budget

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill pertaining to the placing of drivers' license money in the General Fund. (Signed) John S. Callan

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 533. By Committee on the Budget, John S. Callan, Chairman.

A bill for an act to amend section 60-409, Revised Statutes Sup-

plement, 1947, relating to motor vehicle operators' license; to provide that the share of the fees remitted to the State Treasurer by the county treasurers shall be credited by the State Treasurer to the General Fund; to eliminate the provisions thereof in regard to spending of such fund; to repeal the original section; and to declare an emergency.

MOTION—Suspend Rules, Refer Bill

Mr. President: I move that the rules be suspended and that we refer L. B. 533 to Committee today. (Signed) Harry L. Pizer

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Bill Referred to Standing Committee

L. B.	Committee
533	Budget

GENERAL FILE

Special Order

LEGISLATIVE BILL 292. Laid over until April 19, 1949.
LEGISLATIVE BILL 415. Laid over until April 13, 1949.

GENERAL FILE

LEGISLATIVE BILL 344. Laid over.
LEGISLATIVE BILL 425.

Standing Committee amendments, found in the Legislative Journal for the Seventieth Day were read in lieu of reading the bill.

Mr. Metzger offered the following amendment to the Standing Committee Amendments, which was adopted.

Amend the Committee Amendments, Sec. 2., Line 9, by adding after the word "with" the word "any".

Mr. Carmody offered the following amendment to the Standing Committee Amendments, which was adopted.

Sec. 1, line 6 after the word "the" add the word "Nebraska"; amend the title to conform.

The Standing Committee amendments, as amended, were adopted.

Mr. Carmody made a motion to advance L. B. 425 to E and R for review.

Mr. Hanna requested a record vote.

Mr. Carmody requested a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Weborg moved that the Call be raised and the motion prevailed with 26 ayes, 0 nays and 17 not voting.

Voting in the affirmative, 16:

Bridenbaugh	Cramer	Lusienski	Vogt
Burney	Hanna	Metzger	Williams
Carmody	Hoyt	Person	Wilson, C.
Carson	Lee	Prohs	Wilson, W.

Voting in the negative, 20:

Adams, J.	Burnham	Lillibridge	Pizer
Anderson, V.	Callan	Lindgren	Schroeder
Babcock	Cretsinger	Nelson	Tvrdik
Benesch	Hill	Norman	Vogel
Bohlke	Holmes	Ogden	Weborg

Not voting, 7:

Adams, T.	Davies	Larkin	Wood
Anderson, L.	Hern	McKnight	

The motion to advance L. B. 425 did not prevail.

Mr. Carmody made a motion that the bill be laid over until April 13 and retain its place on file.

Mr. Schroeder made a motion to indefinitely postpone L. B. 425.

Mr. Ogden made a motion to adjourn, and the motion did not prevail.

After discussion, Mr. Schroeder withdrew his motion.

Visitors

Mr. Tvrdik introduced Miss Alyce Bezman, teacher, Jewish Sunday School of Omaha and 29 young people.

NOTICE OF COMMITTEE HEARING

Budget

L. B. 533 Monday, April 18, 1949 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 402. Placed on General File as amended.

Standing Committee amendments to L. B. 402:

1. Amend the bill by striking sections 1 to 8 and inserting in lieu thereof the following:

"Section 1. *In order to match federal funds for the construction of highways, the State Engineer shall issue Highway Use Stamps. The Stamps shall be in denominations of two dollars for passenger cars not used for hire and five dollars for passenger cars used for hire, trucks, and other commercial vehicles. The money received from the sale of such stamps shall be placed in the State Aid Road Fund.*

Sec. 2. *The State Engineer shall print and issue Highway Use Stamps according to rules and regulations to be adopted by him.*

Sec. 3. *Every owner of a motor vehicle shall, for each motor vehicle owned, purchase such a stamp, as provided in section 1 of this act, within thirty days after July 1, 1949, and pay the proper amount to the county treasurer, and affix the license number of such motor vehicle on such stamp as provided by the State Engineer in rules and regulations to be adopted by him.*

Sec. 4. *The treasurers of the various counties shall be agents of the Department of Roads and Irrigation in such counties for the purpose of selling such Highway Use Stamps subject to the provisions of this act and in accordance with such rules and regulations as shall be imposed by the State Engineer. The county treasurers shall remit all money received from the sale of such stamps as collected, into the state treasury, and the State Treasurer shall place all such money in the State Aid Road Fund. Such fund shall be used to match federal funds as provided in section 1 of this act.*

Sec. 5. *Any person failing to purchase a Highway Use Stamp as provided in section 3 of this act, or any person violating the provisions of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not to exceed twenty-five dollars.*"

2. Amend the title of the bill, line 3, by inserting after the

word "Stamps" the words "for the purpose of matching federal funds".

LEGISLATIVE BILL 492. Placed on General File as amended.

Standing Committee amendment to L. B. 492:

1. Amend L. B. 492, Section 1, line 12, by inserting after the word "truck", the words, *"for passenger carrying vehicles equipped to carry more than 7 persons, for hire"*.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 88. Correctly enrolled.
LEGISLATIVE BILL 302. Correctly enrolled.
LEGISLATIVE BILL 407. Correctly enrolled.
LEGISLATIVE BILL 410. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 12, 1949, at 10:30 a.m.

L. B. 481 L. B. 465 L. B. 510

(Signed) Glenn Cramer, Chairman

Adjournment

At 12:00, noon, on a motion by Mr. Ogden, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 13, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hern, who was excused and Mr. J. Adams, who was excused until 10:15.

The Journal for the Seventy-first Day was approved.

Speaker Signs

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

L. B. 88 L. B. 407 L. B. 410
L. B. 302

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 473. Placed on Select File.
LEGISLATIVE BILL 424. Replaced on Select File as amended.

E and R amendment to L. B. 424:

1. In the bill section 1, line 4, insert *"the provisions of"* after the word "out".

LEGISLATIVE BILL 24. Correctly enrolled.
LEGISLATIVE BILL 309. Correctly enrolled.
LEGISLATIVE BILL 499. Correctly enrolled.

LEGISLATIVE BILL 143. Correctly re-engrossed.
LEGISLATIVE BILL 209. Correctly engrossed.
LEGISLATIVE BILL 318. Correctly engrossed.
LEGISLATIVE BILL 387. Correctly engrossed.
LEGISLATIVE BILL 398. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

MOTION—Rule Suspension, Final Reading

Mr. President: I move that the rules be suspended and that Legislative Bills 13, 250, 370, 408, 27, 222, 306, 414, 509, set for Final Reading on April 14, be taken up for passage today. (Signed) Thomas M. Davies

The 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 67. With emergency.

A bill for an act to amend sections 31-705, 31-709, 31-711, and 31-724, Revised Statutes Supplement, 1947, relating to sanitary and improvement districts; to provide for filing fee of candidates for election to board of trustees, printing of ballot, and writing in additional names of qualified persons; to provide for the filling of vacancies on the board of trustees; to increase the limit of general obligation bonds which such districts may issue; to provide for the issuance of warrants; to provide that the county treasurer of the county in which the greatest portion of the area of such a district is located shall be ex officio treasurer and to set out his responsibility and duties; to provide for collection of connection and service charges and other items other than taxes or funds from sale of bonds and the disbursement thereof; to provide procedure for assessment of special benefits and the levy thereof; to provide for collection of special assessments and interest on delinquent payments; to provide procedure for annexation of additional territory; to provide additional information that shall be contained in notice of plans, specifications, and cost of improvements; to provide for filing proceedings in another county when the district is located in two or more 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, 41:

Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Adams, J.	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 281. With emergency.

A bill for an act to amend section 30-1412, Revised Statutes of Nebraska, 1943, relating to decedents' estates; to increase the compensation to be paid executors and administrators; 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, 25:

Adams, T.	Davies	Lusienski	Tvrdik
Anderson, L.	Hanna	McKnight	Vogel
Anderson, V.	Holmes	Metzger	Vogt
Benesch	Larkin	Norman	Williams
Bohlke	Lee	Ogden	Wilson, C.
Callan	Lindgren	Pizer	Wood
Carson			

Voting in the negative, 13:

Bridenbaugh	Cramer	Hoyt	Schroeder
Burney	Cretsinger	Lillibridge	Weborg

Burnham	Hill	Nelson	Wilson, W.
Carmody			

Not voting, 5:

Adams, J.	Hern	Person	Prohs
Babcock			

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, 23:

Adams, T.	Davies	McKnight	Vogel
Anderson, L.	Hanna	Metzger	Vogt
Anderson, V.	Holmes	Norman	Williams
Benesch	Larkin	Ogden	Wilson, C.
Callan	Lee	Pizer	Wood
Carson	Lusienski	Tvrdik	

Voting in the negative, 15:

Bohlke	Carmody	Hoyt	Schroeder
Bridenbaugh	Cramer	Lillibridge	Weborg
Burney	Cretsinger	Lindgren	Wilson, W.
Burnham	Hill	Nelson	

Not voting, 5:

Adams, J.	Hern	Person	Prohs
Babcock			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 13. With emergency.

A bill for an act to amend section 42-603, Revised Statutes Supplement, 1947, relating to community property; to provide for the management, control, and disposal of property as prescribed; to provide limitations of claims to community property; to provide that property acquired, as defined, shall not be regarded as community property unless the contrary be satisfactorily proved; to provide certain procedure to claim that property is community property; to provide certain legislative intent as prescribed; to repeal the original

section and also section 42-601, 42-602, 42-604, 42-605, 42-606, 42-607, 42-608, 42-609, 42-610, 42-611, 42-612, 42-613, 42-614, 42-615, and 42-616, Revised Statutes Supplement, 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:

Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	Nelson	Vogt
Bohlke	Hanna	Norman	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Burnham	Hoyt	Pizer	Wilson, W.
Callan	Larkin	Prohs	Wood
Carmody	Lee		

Voting in the negative, 2:

Adams, T.	Metzger

Not voting, 3:

Adams, J.	Hern	McKnight

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 section 17-149, Revised Statutes of Nebraska, 1943, relating to sewerage systems in cities of the second class; to extend the provisions thereof to villages; to provide that any such city or village may compel proper connections with the sewerage system by owners of private property; to provide that, upon failure to make such connections; the governing body of the city or village shall have power to cause the same to be done, to assess the cost thereof against the property, and to collect the assessment in the same manner as other special taxes and assessments; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Adams, J.	Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 370. With emergency.

A bill for an act to amend sections 23-343.03 and 23-343.07, Revised Statutes Supplement, 1947, relating to county hospitals; to require ratification by the county board of the prescribed actions of the board of trustees of such a hospital; to authorize expenditure for improvements or additions to or equipment for a county community hospital in excess of limitation prescribed when authorized by a vote of the electors; to authorize the issuance of additional bonds for such purpose when authorized by a vote of the electors; to provide for joint submission of such propositions; 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, T.	Carmody	Lee	Pizer
Anderson, L.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Tvrdik

Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	McKnight	Weborg
Bohlke	Hanna	Metzger	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin		

Voting in the negative, 3:

Nelson	Schroeder	Vogt

Not voting, 2:

Adams, J.	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 408.

A bill for an act to amend section 39-725, Revised Statutes of Nebraska, 1943, relating to highways; to provide penalties for violation of section 79-2113.03, Revised Statutes Supplement, 1947; to provide that it shall be the duty of police officials in addition to the sheriffs of the several counties to enforce the provisions of the sections 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, 41:

Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hill	Nelson	Weborg
Bridenbaugh	Holmes	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Burnham	Larkin	Person	Wilson, W.
Callan	Lee	Pizer	Wood
Carmody			

Voting in the negative, 0.

Not voting, 2:

Adams, J.	Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 27.

A bill for an act relating to education; to define terms; to provide methods for the reorganization of school districts; to provide for county committees and a state committee for the reorganization of school districts; to prescribe the powers and duties of county committees and the state committee; to provide for payment of expenses of county and state committees out of state funds; to provide manner of submission to electors of proposed plans to reorganize school districts; to provide for school boards in reorganized school districts; to provide for the classification of reorganized districts; and to provide manner of citation 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, 31:

Adams, T.	Carmody	Lee	Schroeder
Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Williams
Bohlke	Hill	Norman	Wilson, W.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin	Prohs	

Voting in the negative, 5:

Adams, J.	Pizer	Weborg	Wilson, C.
Bridenbaugh			

Not voting, 7:

Burney	Hern	Lindgren	Person
Cramer	Holmes	Nelson	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 222. With emergency.

A bill for an act to amend sections 48-121 and 48-122, Revised Statutes Supplement, 1947, relating to workmen's compensation; to increase disability and death benefits; to provide that for the purpose of determining the benefits to persons partially dependent upon the earnings of a deceased person, the wages shall not in any case be considered to exceed thirty-three dollars per week; 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, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Hern	McKnight

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 306.

A bill for an act to amend section 31-135, Revised Statutes of Nebraska, 1943, relating to drainage districts; to increase the percentage of landowners required on a petition to clean out and place in efficient condition a drainage ditch; 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, 42:

Adams, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 1:

Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 414. Read and laid over awaiting L. B. 413.
LEGISLATIVE BILL 509.

A bill for an act to amend section 44-1402, Revised Statutes Supplement, 1947, relating to insurance; to provide that the law for regulation of casualty and surety rates shall include credit 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, 42:

Adams, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Callan	Lee		

Voting in the negative, 0.

Not voting, 1:

Hern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Tvrdik introduced Sister M. Baptista, Sister M. George, Sister Anne and Sister Rose Victor of Kansas City.

Mr. Metzger introduced Mr. W. W. Schneider, Superintendent and twelve students of Alvo High School.

Members Excused

Messrs. Pizer and Lusienski were excused for this afternoon and Thursday, April 14, 1949.

Mr. Prohs was excused for this afternoon, Thursday, April 14, and Monday, April 18.

SELECT FILE

LEGISLATIVE BILL 269. E and R amendments found in the Legislative Journal for the Seventy-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 530. E and R amendments found in the Legislative Journal for the Seventy-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 466. E and R amendments found in the Legislative Journal for the Seventy-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 412. E and R amendment found in the Legislative Journal for the Seventy-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 522. E and R amendments found in the Legislative Journal for the Seventy-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 529. E and R amendment found in the Legislative Journal for the Seventy-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 264. E and R amendment found in the Legislative Journal for the Seventy-first Day was adopted.

Advanced to E and R for engrossment.

MOTION—Correlation, L. B. 1

Mr. President: I move that whereas there are approximately 17 bills which have been passed, or will probably pass, which involve sections in L. B. 1, and to save space in the Journal, the committee on Enrollment and Review be authorized to make changes necessary to correlate these various bills, or such of them as appear advisable, into L. B. 1 without including the same in the amendments made by the said committee and without publishing the same in the Journal. (Signed) Glenn Cramer

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

GENERAL FILE

Special Order

LEGISLATIVE BILL 84.

Mr. Babcock moved to indefinitely postpone L. B. 84.

The motion prevailed.

To Record Vote

Mr. President: If I had been present, I would have voted for L. B. 27 on Final Reading today. (Signed) Louis A. Holmes

Mr. President: Had I been present on April 12, 1949, I would have voted for L. B. 24, L. B. 499, and L. B. 309, and would have voted to advance L. B. 425. (Signed) Thomas M. Davies

Mr. Tvrdik Presiding

Visitors

Mr. Lee introduced Mr. H. F. Baustian, Superintendent, the Senior Class and sponsors of Tescott High School, Tescott, Kansas.

Unanimous Consent—Return to General File

Mr. J. Adams asked unanimous consent to return L. B. 493 to General File for the following Specific amendment:

Amend Section 16, line 2, after the word "judgment" by inserting the following, "*upon request of the judgment creditor and payment of the statutory fee therefor,*".

Mr. Holmes offered objection.

Mr. J. Adams moved to return L. B. 493 to General File for the above Specific amendment.

The motion prevailed with 25 ayes, 9 nays and 9 not voting.

Speaker Lee Presiding

GENERAL FILE

Special Order

LEGISLATIVE BILL 523.

Mr. Wood offered the following amendments and asked unanimous consent to dispense with the reading of said amendments and that they may be printed in the journal.

Consent was granted and it was so ordered.

1. Amend the bill by striking sections 1 to 15 and inserting in lieu thereof the following:

"Section 1. The Governor is authorized and empowered, in time of emergency or public need in the nation or the state, to create, by proclamation, the Nebraska Advisory Defense Committee, for the general purpose of assisting in the coordination of the state and local activities related to national and state defense. Whenever he deems it expedient, the Governor may, by proclamation, dissolve or suspend such committee, or reestablish it after any such dissolution or suspension.

Sec. 2. The Nebraska Advisory Defense Committee shall consist

of members appointed by and holding office during the pleasure of the Governor. The Governor shall serve as chairman of the committee. He shall designate one of the members of the committee as vice chairman. Appointment of members shall be made without reference to political affiliation and with reference to their special knowledge of industry, agriculture, consumer protection, labor, education, health, welfare or other subjects relating to national or state defense. The committee may employ an executive director and, subject to the provisions of the Nebraska Merit System Act, such technical, clerical, stenographic and other personnel, and fix their compensation, and may make such expenditures, within such appropriation as the Legislature may provide or other funds made available to it, as are necessary to carry out the purposes of sections 1 to 6 of this act. The members of the committee shall serve without compensation but may be reimbursed for their actual and necessary traveling and other expenses incurred in connection with the carrying out of the purposes of said sections. The committee shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as other state agencies are supplied.

Sec. 3. The Nebraska Advisory Defense Committee shall have the following powers and duties:

(1) To adopt, amend and repeal rules, regulations and by-laws governing its procedure and activities;

(2) To cooperate with the advisory commission to the council of national defense through its division of state and local cooperation, or with any departments or other federal agencies engaged in defense activities;

(3) To cooperate with similar defense committees or councils in other states;

(4) To supervise and direct surveys, and report to the Governor, with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters insofar as they are or may be related to defense: (a) Industrial materials and facilities; (b) production and manufacturing facilities; (c) agriculture, food supply and land use; (d) transportation facilities; (e) labor supply and training, labor relations and human resources, professions, trades and skills; (f) consumers and consumer protection; (g) housing and related facilities; (h) health, hospitals and sanitation facilities; (i) welfare; (j) educational facilities; (k) recreational areas and facilities; (l) finance; (m) any other type of activity directly or indirectly related to defense;

(5) To create committees, either within or without its membership, to aid in the discharge of its powers and duties;

(6) To require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(7) To do all acts and things, not inconsistent with law, for the furtherance of defense activities.

Sec. 4. In order to avoid duplication of services and facilities, (1) the Nebraska Advisory Defense Committee and other committees of defense established under the authority of sections 1 to 6 of this act, are directed to utilize the services and facilities of existing officers, offices, departments, commissions, boards, bureaus, institutions, and other agencies of the state and of the political subdivisions thereof, and (2) all such officers and agencies shall cooperate with and extend their services and facilities to the committee, and to the other committees created by the committee, as they shall request.

Sec. 5. The county board in each county in this state may appropriate from and pay out of the general fund of the county, such amount as the county board may determine, to any county civilian defense committee, designated and certified by the Nebraska Advisory Defense Committee as being the proper committee for such county, to aid and enable such county civilian defense committee to carry out and execute the civilian defense program and in the promotion, protection and preservation of the public health and safety within the county.

Sec. 6. This act may be cited as the Nebraska Advisory Defense Committee Act.".

2. Amend the title of the bill by striking lines 2 to 9 and inserting in lieu thereof the following: "FOR AN ACT relating to national and state defense; to provide for the establishment of the Nebraska Advisory Defense Committee and of other committees of defense; to prescribe the powers and duties thereof; to authorize and empower the Governor in time of emergency or public need in the nation or state to create the Nebraska Advisory Defense Committee; and to provide that county boards may, in their discretion, appropriate from and pay out of the general fund of the county, such amount as the county board may determine, to aid and enable county civilian defense committees to carry out and execute a civilian defense program.".

Laid over.

LEGISLATIVE BILL 415.

Mr. W. Wilson withdrew his amendments found in the Legislative Journal for the Sixty-sixth Day.

Mr. W. Wilson offered the following amendments, which were adopted.

New Section 3. It shall be unlawful for any person, acting separately or with others, to interfere with any picketing as provided in Section 2 of this Act, provided this shall not apply to duly qualified law enforcement officers or to court action.

New Section 4. It shall be unlawful under this Act for any person, firm or corporation to intimidate or attempt to intimidate any striker by threat of the loss of any right or condition of employment, that directly or indirectly would affect the lawful conduct of said striker in any way.

Renumber Sections 3, 4, and 5 and amend the title to conform.

Mr. Tvrdik moved to adopt his amendments found in the Legislative Journal for the Sixty-sixth Day.

Mr. Weborg requested a machine vote.

The amendments were not adopted with 11 ayes, 20 nays and 12 not voting.

Advanced to E and R for review with 23 ayes, 12 nays and 8 not voting.

Visitors

Mr. Tvrdik introduced eleven Camp Fire girls and their sponsors, Mrs. Walter Graves, Mrs. Cecil Jastrom, and Mrs. Ernst Anderson, all of Omaha.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action taken regarding the adjournment for the Easter week end, found in the Legislative Journal for the Sixty-sixth Day. (Signed) Thomas Adams

The motion prevailed with 26 ayes, 5 nays and 12 not voting.

Adjournment

Mr. Bohlke moved to suspend the rules and adjourn until 9:00 a.m., Monday, April 18, 1949.

The motion did not prevail with 19 ayes, 14 nays and 10 not voting.

Members Excused

Messrs. Bohlke, Burnham, Cretsinger and Hanna were excused for Thursday, April 14, 1949.

Mr. Lillibridge was excused for Monday, April 18, 1949.

STANDING COMMITTEE REPORT

Government

LEGISLATIVE BILL 146. Placed on General File as amended.

Standing Committee amendments to L. B. 146:

1. Amend pages 2 and 3 of the bill, section 1, by striking lines 7 to 44, and inserting in lieu thereof the following:

"clerk of the district court, the sum of thirty-eight hundred *four thousand* .....*dollars;*

bailiffs, the sum of two thousand *twenty-four hundred* .....*dollars;*

county attorney, the sum of four thousand *forty-five hundred*..*dollars;*

register of deeds, the sum of thirty-two hundred *four thousand*..*dollars;*

county assessor, the sum of thirty-six hundred *four thousand* ..*dollars;*

county superintendent, not less than the sum of three thousand *thirty-five hundred* .....*dollars;*

county judge, the sum of sixty-eight hundred .....*dollars;*

clerk of the county court, the sum of thirty-two *thirty-six hundred* .....*dollars;*

county clerk, the sum of thirty-six hundred *four thousand* .....*dollars;*

county treasurer, the sum of thirty-six hundred *four thousand* .....*dollars;*

sheriff, the sum of thirty-two hundred *four thousand* .....*dollars;*

county surveyor, the sum of twenty-four hundred .....*dollars;*

county surveyor when acting as county engineer, the sum

of thirty-six *forty-five hundred* .....*dollars;*

chief adult probation officer, the sum of thirty three *thirty-six hundred* .....*dollars;*

chief juvenile probation officer, the sum of twenty-seven hundred *three thousand* .....*dollars;*

assistant juvenile probation officer, the sum of twenty-one *twenty-four* hundred .....*dollars;*

deputy clerk of the district court, who acts as chief deputy, the sum of three thousand *thirty-four hundred* .....*dollars;*

deputy clerk of the district court, the sum of three thousand .....*dollars;*

deputy county attorney, who acts as chief deputy, the sum of thirty-two *thirty-six hundred* .....*dollars;*

other deputy county attorneys, the sum of twenty-seven hundred .....*dollars;*

deputy register of deeds, the sum of three thousand *thirty-four hundred* .....*dollars;*

deputy county clerk, the sum of three thousand *thirty-four hundred* .....*dollars;*

deputy county treasurer, the sum of three thousand *thirty-four hundred* .....*dollars;*

deputy clerks of the county court, not to exceed *the sum of* twenty-five hundred *three thousand* .....*dollars;*

deputy surveyor, the sum of two thousand .....*dollars;*

deputy surveyor when acting as deputy county engineer, the sum of thirty-two *thirty-six hundred* .....*dollars;*

and deputy county assessor, the sum of ~~three thousand~~ *thirty-four hundred* .....*dollars."*

2. Amend pages 3 and 4 of the bill, section 2, by striking lines 9 to 56, and inserting in lieu thereof the following:

"bailiffs, the sum of twenty-three *twenty-six hundred* .....*dollars;*

county attorney, the sum of five *six thousand* .....*dollars;*

register of deeds, the sum of forty-five hundred

five thousand .....*dollars;*

county assessor, the sum of five thousand *fifty-five hundred* .....*dollars;*

county superintendent, not less than the sum of thirty-five hundred *four thousand* .....*dollars;*

county judge, the sum of sixty-eight hundred .....*dollars;*

clerk of the county court, the sum of thirty-five hundred *four thousand* .....*dollars;*

county clerk, the sum of four thousand *forty-five hundred* .....*dollars;*

county treasurer, the sum of four thousand *forty-four hundred* .....*dollars;*

sheriff, the sum of forty-seven hundred *five thousand* .....*dollars;*

surveyor, the sum of forty-five hundred .....*dollars;*

surveyor when acting as county engineer, the sum of forty-five hundred *five thousand* .....*dollars;*

chief adult probation officer, the sum of thirty-six hundred *four thousand* .....*dollars;*

chief juvenile probation officer, the sum of four thousand *forty-five hundred* .....*dollars;*

assistant juvenile probation officers, the sum of twenty-four *twenty-seven hundred* .....*dollars;*

public defender, the sum of forty-five hundred *five thousand* .....*dollars;*

deputy clerk of the district court, who acts as chief deputy, the sum of thirty-five hundred *four thousand* .....*dollars;*

other deputy clerks of the district court, not to exceed the sum of twenty-seven hundred *three thousand* .....*dollars;*

deputy county attorney, who acts as chief deputy, the sum of twenty-seven hundred *four thousand* .....*dollars;*

other deputy county attorneys, not to exceed the sum of twenty-two hundred *three thousand* .....*dollars;*

chief clerk in the office of the county attorney, the sum of thirty-six hundred .....dollars;

deputy register of deeds, the sum of thirty-one *thirty-six hundred .....dollars;*

chief office deputy county assessor, the sum of thirty-two *thirty-six hundred .....dollars;*

deputy county clerk, the sum of thirty-five hundred *four thousand .....dollars;*

deputy county treasurer, the sum of thirty-six hundred *four thousand .....dollars;*

deputy clerk of the county court, not to exceed the sum of twenty-five hundred *three thousand .....dollars;*

deputy surveyor, the sum of thirty-five hundred *four thousand .....dollars;*

deputy sheriff, who acts as chief deputy, the sum of thirty-seven hundred *four thousand .....dollars;*

other deputy sheriffs, not to exceed the sum of three thousand .....dollars;

and deputy public defender, the sum of twenty-five hundred *three thousand .....dollars."*

Adjournment

At 12:00, noon, on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 14, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Burnham, Cretsinger, Hanna, Hern, Lusienski, Pizer, Prohs, and Vogt, who were excused.

The Journal for the Seventy-second Day was approved as corrected.

Communications

Resolution from the National Society, Daughters of the American Revolution in Nebraska favoring passage of L. B. 469.

Letter from Mr. Fred Schaffroth, notifying the members of the Legislature of the death of Mr. George Overturf.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 243. Indefinitely postponed.

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

LEGISLATIVE BILL 277. Replaced on Select File as amended.

E and R amendment to L. B. 277:

1. In the bill title, at the end of line 5, insert "to provide a construction clause;".

LEGISLATIVE BILL 484. Replaced on Select File as amended.

E and R amendment to L. B. 484:

In Enrollment and Review amendment 2, adopted April 8, 1949, insert in line 7 before the word *"deputy"* the word *"additional"*, to avoid conflict with Section 23-1109; in amendment 3, line 2, strike the word "a" and in lieu thereof insert "such additional".

LEGISLATIVE BILL 56. Correctly engrossed.
LEGISLATIVE BILL 232. Correctly engrossed.
LEGISLATIVE BILL 275. Correctly engrossed.
LEGISLATIVE BILL 337. Correctly engrossed.
LEGISLATIVE BILL 529. Correctly engrossed.
LEGISLATIVE BILL 301. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 13, 1949, at 11:10 a.m.

L. B. 88 L. B. 407 L. B. 410
L. B. 302

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 24 L. B. 499 L. B. 301
L. B. 309

SELECT FILE

LEGISLATIVE BILL 473. Laid over.
LEGISLATIVE BILL 424. E and R amendment found in the Legislative Journal for the Seventy-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 340. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 344. Considered.

Standing Committee amendments 6 and 7, found in the Legislative Journal for the Seventieth Day, were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 388.

Mr. Burney asked unanimous consent to read the Standing Committee amendments in lieu of reading the bill.

Consent was granted and it was so ordered.

Mr. Burney offered the following amendment to the Standing Committee amendments, which was adopted.

Amend Standing Committee amendments, Section 6, line 5, by striking the words "for the two-thirds aid" and inserting in lieu thereof the words "for payment under subsection (1) of section 5 of this act".

Standing Committee amendments found in the Legislative Journal for the Seventieth Day, as amended, were adopted.

Mr. Burney offered the following amendment, which was adopted.

Amend the title of L. B. 388 to comply with the Standing Committee amendments.

Mr. Weborg made a motion to indefinitely postpone L. B. 388, which did not prevail.

Advanced to E and R for review.

LEGISLATIVE BILL 341. Read and considered.

Standing Committee Amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 523. Laid over.
LEGISLATIVE BILL 399. Laid over.
LEGISLATIVE BILL 490. Laid over.
LEGISLATIVE BILL 402. Laid over.
LEGISLATIVE BILL 492. Laid over.

Visitors

Mr. Lee introduced Miss Ina Beck and Mr. George A. Graham, teachers and sponsors, and fifty students from Hiawatha, Kansas High School.

LEGISLATIVE BILL 493.

Mr. J. Adams' amendment found in the Legislative Journal for the Seventy-second Day was discussed.

Mr. Benesch asked unanimous consent to lay the bill over.

Mr. Lee offered objection.

Mr. J. Adams requested a Call of the House.

A Call of the House was ordered and the roll showed 33 members present.

Mr. W. Wilson moved that the Call be raised and the motion prevailed with 19 ayes, 5 nays and 19 not voting.

Mr. J. Adams' amendment was not adopted with 4 ayes, 15 nays and 24 not voting.

Advanced to E and R for review.

RESOLUTION

LEGISLATIVE RESOLUTION 23. Re: Sympathy for earthquake disaster in State of Washington.

Introduced by Speaker Earl J. Lee

WHEREAS, the State of Washington has recently been visited by a disastrous earthquake; and

WHEREAS, it is reported that this catastrophe has resulted in a considerable loss of life and property and in great suffering and sorrow;

NOW, THEREFORE, BE IT RESOLVED BY THE SIXTY-FIRST SESSION OF THE NEBRASKA LEGISLATURE:

1. That the members of the Nebraska Legislature, on behalf of the entire citizen body of Nebraska, express to the people of the State of Washington their most profound sympathy for the misfortune which has befallen them; and

2. That a copy of this resolution be sent to each of the following persons; The Governor of the State of Washington; The President of the Washington State Senate; and The Speaker of the Washington State House of Representatives.

MOTION—Suspend Rules, Adopt Resolution

Mr. President: I move that the rules be suspended and that Legislative Resolution 23 be taken up at this time. (Signed) Earl J. Lee

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

L. R. 23 was adopted with 32 ayes, 0 nays and 11 not voting.

GENERAL FILE

LEGISLATIVE BILL 146. Read and considered.

Laid over until April 19, to follow L. B. 292.

MOTION—Adjournment

Mr. President: I move that when we adjourn, we suspend the rules and adjourn until Monday, April 18, at 10:00 a.m. (Signed) J. V. Benesch.

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Member Excused

Mr. Nelson was excused for Monday, April 18, 1949.

Visitors

Mr. T. Adams introduced Miss Minnie Taylor, Principal, and twenty-eight students from Underwood High School, Underwood, Iowa.

MOTION—Employees' Vacation

Mr. President: I move to give the employees of the Legislature a vacation starting Friday a.m., and ending Monday morning, April 18, 1949. (Signed) Glenn Cramer

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 13. Correctly enrolled.
LEGISLATIVE BILL 250. Correctly enrolled.
LEGISLATIVE BILL 281. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 13 L. B. 250 L. B. 281

Adjournment

At 11:35, on a motion by Mr. Schroeder, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 18, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. J. Adams, Cretsinger, Lillibridge and Prohs, who were excused.

The Journal for the Seventy-third Day was approved.

Communications

A letter from Mr. Leo Soukup of Los Angeles, a former Nebraska resident, favoring the enactment of the Sales Tax.

A resolution from the State of Maine, favoring an amendment to the United States Constitution relating to strengthening the United Nations and limited world federal government.

Approved by the Governor

April 14, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 14, 1949, he approved L. B. 465, L. B. 481 and L. B. 510.

Respectfully submitted,

(Signed) Christ J. Petrow
Secretary to the Governor

Visitors

Mr. McKnight introduced Mr. Don McClay, Superintendent of Schools and President of Kiwanis Club and seventeen students from the rural schools of Nemaha County. The students were winners of the State Government Program of Rural Schools, sponsored by the Auburn, Nebraska Kiwanis Club.

MOTION—Flowers

Mr. President: I move that the Clerk be instructed to send flowers to Mr. Cretsinger, who is a patient in the St. Mary's Hospital in North Platte. (Signed) Harry L. Pizer

The motion prevailed.

STANDING COMMITTEE REPORTS

Revenue and Taxation

LEGISLATIVE BILL 401. Placed on General File as amended.

Standing Committee amendments to L. B. 401:

1. Amend page 2 of the bill, section 1, line 2, by inserting after the figures "1943" the following: ", *as amended by section 1, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949*".

2. Amend page 2 of the bill, section 1, lines 5 and 7, by striking the word "automobile" and inserting in lieu thereof the words "*motor vehicle*".

3. Amend page 2 of the bill, section 1, lines 7, 8 and 10, by striking the words "five *ten*" and inserting in lieu thereof the word "*ten*".

4. Amend page 2 of the bill, section 1, lines 12 and 13, by striking the word "*six*" and inserting in lieu thereof the word "*five*".

5. Amend page 2 of the bill, section 1, by striking lines 14 to 18 and inserting in lieu thereof the following: "*be credited to the state General Fund.*"

6. Amend page 3 of the bill, section 2, line 19, by striking the words "*fifty-five* per cent" and inserting in lieu thereof the following: "*forty* per cent *of the balance*".

7. Amend page 3 of the bill, section 2, line 27 by striking the word "one" and inserting in lieu thereof "*five*".

8. Amend page 3 of the bill, section 2, by striking lines 28 to 32 and inserting in lieu thereof the following: "hundred *thousand or more persons,* thirty *forty* per cent of all said fees paid any such county shall be transmitted by the county treasurer to the State Treasurer to be credited to the "state highway fund"; thirty-three and one third percent, *and in all other counties twenty percent, except in counties having a population of more than sixty thousand and not more than two hundred thousand inhabitants thirty per cent, of the motor vehicle registration fees paid by*".

9. Amend page 3 of the bill, section 2, line 33, by striking the word "said" and inserting in lieu thereof the following: "said *their*".

10. Amend page 3 of the bill, section 2, line 35, by striking the word "any" and show the same as stricken matter.

11. Amend page 3 of the bill, section 2, line 40, by striking the words "as follows: one-third thereof" and show the same as stricken matter.

12. Amend page 3 of the bill, section 2, line 41, by striking the words "two-thirds thereof" and show the same as stricken matter.

13. Amend page 4 of the bill, section 3, lines 25 and 26, by striking the words and punctuation "or trailers, or semi-trailers not included in the three" and insert in lieu thereof the following: "or trailers, or semi-trailers *not included in the* three *two*".

14. Amend page 4 of the bill, section 3, line 28, by striking the words "or trailers" and show the same as stricken matter.

15. Amend page 4 of the bill, section 3, by striking line 31 and inserting in lieu thereof the following: "*the* three *two following classifications.* (1) *(a) Trucks* and trailers".

16. Amend page 4 of the bill, section 3, line 36, by striking the words "and trailers" and show the same as stricken matter.

17. Amend page 5 of the bill, section 3, by striking line 42 beginning with the figure "(2)", by striking all of lines 43 to 45, and line 46 by striking the letter and punctuation "'"Z".", and showing all the old matter as stricken matter.

18. Amend page 5 of the bill, section 4, line 5, by deleting the word "*five*" after the stricken word "four" and reinstating said stricken word "*four*".

19. Amend page 5 of the bill, section 4, line 10, by striking the

word "ten" and inserting in lieu thereof the word "*eight*".

20. Amend pages 5 and 6 of the bill, section 4, by striking all of lines 13 to 34 and inserting in lieu thereof the following: "dollars. *For motor vehicles equipped to carry more than seven persons* and used *for hire, the fee shall be* twenty-five dollars plus five dollars additional for each person which such car is equipped to carry in addition to the driver, and it shall be unlawful for the owner or driver of such passenger car at any time to carry or allow to be carried a greater number of persons than that on which the above fee has been paid; *based on the weight of said vehicle. To ascertain the weight the unladen weight in pounds shall be used and to which there shall be added in pounds the number of persons said vehicle is equipped to carry times two hundred, the sum thereof being the weight of said vehicle for license purposes. The fee therefor shall be as follows:*

(1) If said vehicle weighs thirty-two thousand pounds and less than thirty-four thousand pounds, it shall be licensed as a twelve ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(2) If said vehicle weighs thirty thousand pounds and less than thirty-two thousand pounds, it shall be licensed as an eleven ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(3) If said vehicle weighs twenty-eight thousand pounds and less than thirty thousand pounds, it shall be licensed as a ten ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(4) If said vehicle weighs twenty-six thousand pounds and less than twenty-eight thousand pounds, it shall be licensed as a nine ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(5) If said vehicle weighs twenty-four thousand pounds and less than twenty-six thousand pounds, it shall be licensed as an eight ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(6) If said vehicle weighs twenty-two thousand pounds and less than twenty-four thousand pounds, it shall be licensed as a seven ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(7) If said vehicle weighs twenty thousand pounds and less than

twenty-two thousand pounds, it shall be licensed as a six ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(8) If said vehicle weighs eighteen thousand pounds and less than twenty thousand pounds, it shall be licensed as a five ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(9) If said vehicle weighs sixteen thousand pounds and less than eighteen thousand pounds, it shall be licensed as a four ton truck as provided in section 6 of this act and pay the same fee as therein provided.

(10) If said vehicle weighs less than sixteen thousand pounds, it shall be licensed as a three ton truck as provided in section 6 of this act, and pay the same fee as therein provided; Provided,".

21. Amend pages 7 and 8 of the bill, section 6, by striking lines 10 to 29 and inserting in lieu thereof the following: "eight *fifteen dollars; one and one half tons,* twelve *twenty-five dollars; two tons,* fifteen *thirty dollars; two and one half tons,* twenty-five *forty dollars; three tons,* forty-five *sixty-five dollars; three and one half and four tons,* sixty *eighty dollars; four and one half tons,* seventy-five *ninety-five dollars; five tons one hundred twenty dollars;* Provided, that such registration fee shall be one hundred dollars plus twenty dollars per ton for each additional ton to be hauled in excess of five tons; and provided further, *five and one half and six tons, one hundred forty-five dollars; six and one half and seven tons, one hundred eighty dollars; seven and one half and eight tons, two hundred twenty dollars; eight and one half and nine tons, two hundred sixty-five dollars; nine and one half and ten tons, three hundred twenty dollars; eleven tons, three hundred fifty dollars; twelve tons, three hundred eighty dollars; thirteen tons, four hundred ten dollars; fourteen tons, four hundred forty dollars; fifteen tons, four hundred seventy dollars; sixteen tons, five hundred dollars; seventeen tons, five hundred thirty dollars; eighteen tons, five hundred sixty dollars; nineteen tons, five hundred ninety dollars; twenty tons, six hundred twenty dollars; twenty-one tons, six hundred fifty dollars; twenty-two tons, six hundred eighty dollars; twenty-five tons, seven hundred ten dollars; Provided, that for".*

22. Amend page 8 of the bill, section 8, line 6, by striking the word "twenty" and inserting in lieu thereof the word "*fifteen.*"

23. Amend page 9 of the bill, section 9, line 1, by striking the figures and punctuation "39-605,".

24. Amend page 9 of the bill, section 9, line 3, by striking the word "and".

25. Amend page 9 of the bill, section 9, line 4, by inserting before the word "are" the following: *"and original section 39-605, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949,".*

26. Amend the title of the bill, line 2, by striking the figures and punctuation "39-605,".

27. Amend the title of the bill, line 4, by striking the word "and".

28. Amend the title of the bill, line 5, by inserting before the word "relating" the following: "and section 39-605, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949,".

LEGISLATIVE BILL 234. Placed on General File as amended.

Standing Committee amendments to L. B. 234:

1. Amend page 3 of the bill, section 2, line 2, by striking the word "July" and inserting in lieu thereof the word *"October"*.

2. Amend page 7 of the bill, section 8, by striking line 21 and inserting in lieu thereof the following: *"first of which shall begin October 1, 1949, and end December 31,".*

3. Amend page 11 of the bill, section 19, line 10, by striking the period after the word "Fund" and inserting in lieu thereof the following: *"and be taken into consideration by the Tax Commissioner in making the annual levy for state purposes as provided by section 77-513, Revised Statutes of Nebraska, 1943. In the event that the revenue from this tax shall exceed the amount necessary to eliminate the levy to be made under section 77-513, Revised Statutes of Nebraska, 1943, the remainder of such revenue shall be accounted in the state levy of taxes and applied as follows:*

(a) To reduce by corresponding amount the property tax otherwise to be levied for State Institutional and Military Building Fund as provided by section 72-1005, Revised Statutes Supplement, 1947; and

(b) To reduce by corresponding amount the property tax otherwise to be levied for Nebraska Veterans' Aid Fund as provided by section 80-404.01, Revised Statutes Supplement, 1947.".

(Signed) Charles F. Tvrdik, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 15, 1949, at 9:15 a.m.

L. B. 13	L. B. 301	L. B. 499
L. B. 24	L. B. 309	L. B. 281
L. B. 250		

LEGISLATIVE BILL 427. Replaced on Select File as amended.

E and R amendment to L. B. 427:

1. In the bill title, line 2, insert the word "section" after the word "amend".

LEGISLATIVE BILL 340. Replaced on Select File as amended.

E and R amendment to L. B. 340:

1. In E and R amendment 2, last insertion, change the comma to a semicolon before *"and"*.

LEGISLATIVE BILL 1. Placed on Select File as amended.

E and R amendments to L. B. 1:

1. In the bill, section 7, line 31, insert *"(a)"* before *"(12)"*; section 10, line 5, strike the comma after "state".

2. Section 17, lines 5 and 12, strike the word "or" and in lieu thereof insert a comma; line 6, strike "or on the part of" and in lieu thereof insert ", or"; line 13, insert a comma after "district"; line 16, insert the word "such" at the end of the line.

3. Section 18, line 10, insert *"(1)"* after the word "of"; line 11, strike "or upon complaint of" and in lieu thereof insert *"(2)"*; line 12, strike "on complaint of" and in lieu thereof insert *"(3)"*; and in line 23, strike "they shall".

4. Section 19, line 7, strike the first word "of"; section 20, line 8, insert a comma after the word "States".

5. Section 30, line 13, insert a comma before the word "and";

section 33, line 19, strike the word "upon" and in lieu thereof insert "*at*"; section 48, line 4, insert "*so filed and granted*" after the word "petitions".

6. Section 50, line 4, strike "or her"; line 6, insert "*thereupon*" after the word "shall"; section 51, line 1, strike "The" and in lieu thereof insert "*Such*"; section 52, line 5, strike "as" and in lieu thereof insert "*which shall thereupon become*"; section 53, line 20, insert "*be responsible for*" before the last word "*all*".

7. Section 55, line 3 and also in section 56, line 3, insert ", *flood control, irrigation,*" after the word "defense"; and in section 55 insert a comma in lines 4 and 8 after the word "site".

8. Section 58, line 15, insert "*the*" after the word "which"; section 59, line 13, strike the word "*other*" near the beginning of the line; section 60, line 1, insert "*or part thereof*" after the word "line"; line 2, after "districts" and also at the beginning of line 4, insert a comma; and in section 61, line 14, strike the word "*a*".

9. In section 64, line 2, insert "*(1)*" before the word "shall"; line 3, strike the word "and" and in lieu thereof insert ", *(2)*"; line 6, insert "*(3)*" after the first word "and"; insert a comma at the end of line 8 and also in line 10 after "*voted*"; section 66, line 2, strike the comma after the word "States"; section 67, line 5, strike "declare" and in lieu thereof insert "*explain*"; line 6, strike ", and if" and in lieu thereof insert ". *If*"; and also in said line strike "or she"; at the end of line 7 insert "*or judge*"; line 8, strike "or her"; line 16, before the period insert "*or election*".

10. Section 68, line 2, strike "or her"; section 69, line 1, after the word "When" insert "*a vote on*"; section 76, line 9, strike the quotation marks and also decap each word in said line; section 77, line 1, insert "*(1)*" after the word "Where"; line 2, strike "or where" and in lieu thereof insert "*(2)*"; line 3, strike "where" and in lieu thereof insert "*(3)*"; line 7, insert a comma before the word "not".

11. Section 84, line 7, strike "or her"; line 14, strike "or she"; section 85, line 2, insert a comma after "Navy"; strike the comma at the end of line 5 and also the one in line 6; section 92, strike the comma in line 2 before "and"; section 97, insert "*a*" after the last word "*by*"; section 99, line 6, strike the word "over" and in lieu thereof insert "*out the same*".

12. In section 100, line 4, insert "*(1)*" before the word "the";

same line, strike "and" near the end of the line and in lieu thereof insert ", *(2)*"; line 5, insert "*(3)*" after the first word "and"; section 101, strike the word "or" in line 2; section 102, strike the word "from" in line 5 and in lieu thereof insert "*for*"; section 107, strike the word "in" and in lieu thereof insert "*for*"; and in section 110, line 4, insert a comma after the word "board" and strike the first comma in that line; section 115, formerly 116, strike the word "nor" in line 17 and the word "and" in line 19; section 119, formerly 120, insert a comma in line 5 after "clerk" and also in line 6 before the first word "of".

13. In section 128, inserted by amendment as section 129, strike commencing with the word "*paid*" in line numbered 3 to and including the word "child" in line numbered 8, and in lieu thereof insert "*made an allowance for transportation to the family of said child by the district in which such family resides on the basis of the record of attendance of such child and the trips actually made to and from such school as follows: (1) Where a* child *attends school in his own district and*"; strike commencing with a comma in line numbered 16 to but not including the word "*required*" in line numbered 19, and in lieu thereof insert "*therein, there shall be paid ten cents per half mile for each one half of a mile or fraction thereof by which the distance of the residence of such child from the school house exceeds three miles; and (2) where the child is*".

14. Section 131, formerly 132, line 3, insert "*thereof*" before the second comma; section 135, formerly 136, insert a comma after "*private*" in line 29 and also in line 33; section 136, formerly 137, line 7, strike "work" and in lieu thereof insert "*instruction*"; section 140, formerly 141, strike both commas in line 2; section 142, formerly 143, line 2, strike "of the" before "board"; section 147, formerly 148, line 4, strike the word "of" after the word "and"; section 149, formerly 150, line 16, strike the word "or".

15. Section 154, formerly 155, line 6, insert "*the*" after the word "in", and strike the word "*in*" in the same line; section 157, formerly 158, line 4, after the word "books" insert ", *equipment, and supplies*"; section 160, formerly 161, line 2, strike the comma before the word "and"; section 161, formerly 162, line 5, strike the first comma; section 164, formerly 165, strike the quotation marks in line 4; section 167, formerly 168, line 4, strike the word "colors"; section 168, formerly 169, line 2, strike the word "on" at the beginning of the line, and line 3, insert "*school*" before the word "*day*".

16. Section 169, formerly 170, strike the quotation marks in line 9; section 177, formerly 178, strike the sentence which commences in line 7; section 181, formerly 182, strike line 2, up to but not including

the word "boards", and in lieu thereof insert "school"; section 188, formerly 189, line 12, strike the word "and"; section 191, formerly 192, line 10, strike "recorder" and in lieu thereof insert "*register*"; section 192, formerly 193, line 5, strike the comma; section 197, formerly 198, line 12, insert "*such*" before the word "a".

17. Section 203, inserted as section 204 by amendment, in line 1 before the word "all" insert "*79-518.01.*"; in the next section now 204, insert before the word "all" in the first line "*79-518.02.*"; and also in line numbered 11, insert a comma before the word "and"; and the next section, inserted in a similar way in the first line before the word "All" insert "*79-518.03.*".

18. Section 220, formerly 218, line 1, insert "*(1)*" before the word "Whenever"; line 2, strike "or ward thereof, or a village" and also the stricken comma after the above phrase, and in lieu thereof insert ", a village,"; line 15, insert "*(2)*" after the period; and at the beginning of the insertion made at the end of line 25, insert "*(3)*", making both "(2)" and "(3)" new paragraphs; section 228, formerly 226, line 3, reinsert the stricken comma after "notice"; and in line 13, strike "the same" and in lieu thereof insert "*their terms*".

19. In section 229, formerly 227, line 5, strike "the studies pursued, and no" and in lieu thereof insert "*and* the studies pursued. *No*"; section 230, formerly 228, line 1, insert "*(1)*" before "*A*"; line 3, insert "*(2)*" after the period; and line 30, insert "*(3)*" before the word "*If*", and make "(2)" and "(3)" new paragraphs; section 234, formerly 232, line 11, strike "and qualify" and in lieu thereof insert ", qualified,"; section 235, inserted by amendment as section 236, line 1, before the word "In" insert "*79-803.01.*"; and in line 5 strike "and shall" and in lieu thereof insert a comma; line 6, strike "who shall" and in lieu thereof insert "*and*"; in the next section, now section 236, inserted by amendment as section 237, line 1, before the word "in" insert "*79-803.02.*"

20. Section 238, formerly 234, line 16, insert "*such*" after the first word "of"; section 241, formerly 237, strike from and after the first comma in line 8 to and including the word "and" at the beginning of line 9, and in lieu thereof insert "*but* not to exceed seven hundred"; section 242, formerly 238, line 4, strike "and he shall", and in line 6 strike "he shall"; section 244, formerly 240, line 12, strike the second word "and" before "purchase".

21. Section 246, inserted as an amendment under the number 247, line 10, insert a comma after the word "erection"; and in line

numbered 11, strike the comma before the stricken word "to" to avoid double punctuation; section 249, inserted by amendment as section 250, first line, insert before the word "All" the following "*79-1001.01.*"; section 252, inserted by amendment as section 253, first line, insert "*79-1003.01.*"; section 253, inserted by amendment as section 254, line 1, before the word "A" insert "*79-1003.02.*"; section 255, inserted by amendment as 256, line 1, before the word "the" insert "*79-1003.04.*".

22. Section 257, inserted by amendment as section 258, first line, before the word "It" insert "*79-1004.01.*"; in the next section before "It", line 1, insert "*79-1004.02.*"; in the next section, first line before "It" insert "*79-1004.03.*"; in the next section, now 260, line 1, before the word "the" insert "*79-1004.04.*"; and section 261, line 1, before the word "It" insert "*79-1004.05.*"; section 265, inserted by amendment as section 266, first line, before the word "the" insert "*79-1007.01.*"; in the next section, line 1, before "There" insert "*79-1007.02.*"; and in line numbered 19, strike "*board of equalization*" and in lieu thereof insert "*clerk*"; in the next section, now numbered 267, line 1, before the word "The" insert "*79-1007.03.*"; in the next section, now numbered 268, line 1, before the word "All" insert "*79-1007.04.*"; in the next section, now numbered 269, first line, before the word "The" insert "*79-1007.05.*".

23. Section 282, formerly 261, line 1, before the word "No" insert "*(1)*"; strike the comma at the end of line 5, and in line 8 insert "*(2)*" before the word "Nothing", and make the same a new paragraph; section 284, formerly 263, line 1, insert the word "*the*" before the word "death"; and also insert the same word in line 13 before the word "*time*"; section 286, formerly 265, line 7, insert a comma after the word "*Provided*"; and in line 23, insert the word "*also*" after the word "shall"; section 287, formerly 266, line 6, strike the comma and in lieu thereof insert "*(1)*"; line 7, strike the word "and" and in lieu thereof insert ", *(2)*"; in line 10, before the word "shall" insert "*(3)*".

24. Section 289, formerly 268, lines 4 and 5, strike "or her,"; and in lines 5 and 6, strike "or she"; section 296, formerly 275, strike the word "*and*" at the end of line 3 and in the material inserted in lieu of line 4 insert a comma after the word "*treasurer*"; in section 297, inserted by amendment as section 298, line 1, before "The" insert "*79-1103.01. (1)*"; line numbered 14, before the word "county" insert "*former*"; section 307, formerly 285, line 3, insert "*(1)*" after the word "applicant"; line 4, strike the word "or" and in lieu thereof insert ", *(2)*"; and in line 5, insert "*(3)*" before the word "whose"; section 320, formerly 298, in line numbered 6, strike the word "and"; and also in line 6, section 322, formerly 300; and also in line 9 of section 326, formerly 304; in section 329, formerly 307, line 2, insert

"(1)" after first word "of"; line 4, strike the first word "or" and in lieu thereof insert *"(2)"*; and in line 5, after the first word "or" insert *"(3)"*; section 332, formerly 310, line 7, strike the word "and".

25. In section 338, formerly 316, line 6, strike the period and in lieu thereof insert ", *except as this may be limited by section 79-311 as to county superintendents.*"; section 339, formerly 317, insert *"(1)"* in line 1 before the word "Each"; and in line 16 insert *"(2)"* after the period; section 342, formerly 320, line 12, insert *"they are"* at the end of the line; section 349, formerly 327, line 23, strike the first word "of"; section 354, formerly 332, line 4, strike ", but thereafter" and in lieu thereof insert ". *Thereafter*"; section 358, formerly 336, line 11, strike the first comma in said line; line 14, strike "and such" and insert *"which"*; lines 15 and 16, strike "but, however," and in lieu thereof insert ", but".

26. In section 362, formerly 340, line 5, insert a comma before the first "or"; section 364, formerly 342, line 1, insert *"(1)"* before the word "County"; line 4, strike the first comma in the line and insert a comma near the end of the line before the word "and"; line 17, insert *"(2)"* after the period and make a new paragraph of said subsection; section 377, formerly 355, insert *"(1)"* in line 1 before "The"; line 13, insert *"and"* after the semicolon; line 19, insert *"(2)"* before the word "The"; and line 21, insert ", *as provided in subsection (1) of this section,*" before "to"; section 400, formerly 378, line 21, strike the word "and", and also in line 24 of said section.

27. In section 403, formerly 381, line 2, strike the comma after the word *"mind"*; section 405, formerly 383, line 3, strike the word "in" after the comma; and in line 4, insert *"such"* after the word "and"; section 414, formerly 392, strike the word "or" at the end of line 5; section 415, formerly 393, in line 3, insert a comma before the word "or" and also in line 6 of section 414 before the word "or"; in section 415, line 11, strike the word "and"; section 416, formerly 394, line 1, insert *"(1)"* before "A"; line 3, insert a comma before "or"; line 6, insert *"(2)"* after the period; line 19, insert *"(3)"* after the period; line 22, strike the first word "and"; line 26, insert *"(4)"* after the period; section 417, formerly 395, insert *"(1)"* in line 1 before the word "A"; line 3, insert a comma before the word "or"; line 6, insert *"(2)"* after the period and make this and subsequent subsections as new paragraphs; line 18, insert *"(3)"* after the period; line 21, strike the word "and"; and line 23, insert *"(4)"* after the period.

28. In section 422, formerly 400, line 12, insert *"(1)"* after the word "age"; line 13, strike the first word "or" and in lieu thereof in-

sert *"(2)"*, and in the same line strike the last word "or" and in lieu thereof insert *"(3)"*; line 14, strike the word "or" and insert ", *(4)*"; line 15, strike the word "or" and insert *"(5)"*; line 17, after the comma insert *"(6)"*; line 19, after the word "or" insert *"(7)"*; in section 432, formerly 410, line 21, strike "same are" and in lieu thereof insert "*the* same *is*".

29. In section 515, formerly 493, line 1, strike all of said line after the word *"of"*; lines 2 and 3, strike *"and all of the original sections"* and in lieu thereof insert "all amendments thereof", and in the last line strike *"are repealed."* and in lieu thereof insert "Legislative Bills 56, 65, 168, 169, 211, 264, 288, 336, 381, 389, 394, 400, 409, 410, 427, and 473, Sixty-first Session, Nebraska State Legislature, 1949, and section 3, Legislative Bill 327, Sixty-first Session, Nebraska State Legislature, 1949, are repealed."

30. Since section 211, formerly 209, and 255 (inserted by amendment originally as section 256) both amend the same section of the present law (79-2709), so in section 211 in line 1 strike the stricken section number and the period following same and also the stricken section numbers in lines 3 and 4 and show all the balance of said section after "Sec. 211." in line one as new matter by underscoring same.

31. In section 367, formerly 345, line 1, strike the stricken "79-1405." and underscore as new matter all the balance of said section since section 79-1405 was repealed by the 1947 Legislature, as shown by the 1947 Supplement.

32. In the bill title, line 6, strike the word "and" and in lieu thereof insert a comma; strike all of line 8 and in lieu thereof insert "Legislative Bills 56, 65, 168, 169, 211, 264, 288, 336, 381, 389, 394, 400, 409, 410, 427, and 473, Sixty-first Session, Nebraska State Legislature, 1949, and section 3, Legislative Bill 327, Sixty-first Session, Nebraska State Legislature, 1949.

LEGISLATIVE BILL 184. Placed on Select File as amended.

E and R amendments to L. B. 184:

1. Strike the General File amendment by Mr. Tvrdik, and the period in line 37 of section 1, and in lieu thereof insert: *"; and (4) By any person, association, corporation, club, or partnership that leases real property from another person primarily for the purpose of hunting or fishing thereon, the sum of fifty dollars per year."*.

2. In the bill, section 1, line 25, strike the word "and" and show as stricken matter.

3. In the bill title, strike the word "and" at the beginning of the 5th line of the title and in lieu thereof insert ", the"; and in the same line before the semicolon, insert ", and the fishing permit fees for aliens".

4. In the bill title, after the semicolon in the 5th line insert: "to provide for a permit fee of fifty dollars per year to be paid by any person, association, club, corporation, or partnership that leases real property from another person primarily for the purpose of hunting and fishing thereon;".

LEGISLATIVE BILL 264. Correctly engrossed.
LEGISLATIVE BILL 269. Correctly engrossed.
LEGISLATIVE BILL 335. Correctly engrossed.
LEGISLATIVE BILL 500. Correctly engrossed.
LEGISLATIVE BILL 504. Correctly engrossed.
LEGISLATIVE BILL 27. Correctly enrolled.
LEGISLATIVE BILL 67. Correctly enrolled.
LEGISLATIVE BILL 222. Correctly enrolled.
LEGISLATIVE BILL 306. Correctly enrolled.
LEGISLATIVE BILL 370. Correctly enrolled.
LEGISLATIVE BILL 408. Correctly enrolled.
LEGISLATIVE BILL 509. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 27	L. B. 306	L. B. 509
L. B. 67	L. B. 370	L. R. 23
L. B. 222	L. B. 408	

Visitors

Mr. McKnight introduced Mrs. Mosher, Mrs. McKnight, Mrs. Heskitt, Mrs. Harding, Mrs. Heskitt, Mrs. Harding and ten Camp Fire Girls from Auburn, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 307. Read and laid over.
LEGISLATIVE BILL 220. With emergency.

A bill for an act relating to taxation; to provide for a tax on the gross earnings and the stock of production credit associations organized under the laws of the United States, with their principal offices in this state and doing business in this state; to provide that such tax shall be applicable to such production credit associations after the exemption from taxation provided them by the laws of the United States no longer applies; to provide for assessment and collection of such tax; to provide for taxation of real estate and tangible personal property of such production credit associations; and to declare an emergency.

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

Voting in the affirmative, 25:

Anderson, L.	Carson	Hoyt	Ogden
Anderson, V.	Cramer	Lee	Pizer
Bohlke	Davies	Lindgren	Vogel
Bridenbaugh	Hanna	Lusienski	Weborg
Burnham	Hern	McKnight	Williams
Callan	Holmes	Nelson	Wilson, W.
Carmody			

Voting in the negative, 9:

Babcock	Hill	Person	Vogt
Benesch	Metzger	Schroeder	Wilson, C.
Burney			

Not voting, 9:

Adams, J.	Larkin	Norman	Tvrdik
Adams, T.	Lillibridge	Prohs	Wood
Cretsinger			

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, 22:

Anderson, L.	Carson	Hoyt	Pizer
Bohlke	Cramer	Lindgren	Vogel
Bridenbaugh	Davies	Lusienski	Weborg
Burnham	Hanna	McKnight	Williams
Callan	Hern	Nelson	Wilson, W.
Carmody	Holmes		

Voting in the negative, 8:

Babcock	Burney	Person	Vogt
Benesch	Metzger	Schroeder	Wilson, C.

Not voting, 13:

Adams, J.	Hill	Lillibridge	Prohs
Adams, T.	Larkin	Norman	Tvrdik
Anderson, V.	Lee	Ogden	Wood
Cretsinger			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 422.

A bill for an act relating to schools; to provide for a deputy county superintendent and such other employees as may be necessary to assist the county superintendent; and to provide the minimum qualifications and certain duties of such deputy.

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, T.	Davies	McKnight	Tvrdik
Anderson, L.	Holmes	Metzger	Vogel
Anderson, V.	Hoyt	Nelson	Williams
Benesch	Larkin	Norman	Wilson, C.
Bohlke	Lee	Ogden	Wilson, W.
Burney	Lusienski	Pizer	Wood
Carson			

Voting in the negative, 10:

Bridenbaugh	Hern	Person	Vogt
Carmody	Hill	Schroeder	Weborg
Cramer	Lindgren		

Not voting, 8:

Adams, J.	Burnham	Cretsinger	Lillibridge
Babcock	Callan	Hanna	Prohs

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 507. Laid over.
LEGISLATIVE BILL 143. With emergency.

A bill for an act relating to rural fire protection; to declare the necessity of creating rural fire protection districts; to prescribe the conditions under which such districts may be formed, organized and established; to provide for their organization, establishment, equipment and maintenance; to provide a procedure for the organization and formation of such districts and the determination of the boundaries thereof by county boards after a hearing by said boards; to provide for a public organization meeting; to provide for the election of officers and directors of such districts; to provide for regular annual and special public meetings of such districts; to define the powers of such districts and the boards of directors thereof; to provide a procedure for the levying of taxes to maintain and support such districts; to fix the maximum limits of indebtedness of such districts; to authorize incorporated cities and villages to contract with such districts for mutual fire protection or cooperation; to provide a procedure for the annexation to, or withdrawal from, such districts as prescribed; to authorize such districts to borrow money and issue evidences of indebtedness therefor; to authorize such districts to determine the rate of interest on warrants not paid for want of funds within a specified limit; to fix the maximum tax levy for the support of such districts at one mill; to provide a procedure for all such districts organized prior to the effective date of this act to become established and operate under the provisions of this act; to amend sections 35-401, 35-402, 35-403, 35-404, 35-407, 35-408, and 35-409, Revised Statutes of Nebraska, 1943, and sections 35-405, 35-406, and 77-1603, Revised Statutes Supplement, 1947; 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, T.	Carson	Lindgren	Schroeder

Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Cretsinger	Lillibridge	Prohs
Bohlke			

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 209. With emergency.

A bill for an act to amend sections 83-108, 83-142, and 83-491, Revised Statutes of Nebraska, 1943, and section 83-107.01, Revised Statutes Supplement, 1947, relating to state institutions; to provide that the management and control of the Genoa State Farm shall be transferred from the Board of Control to the Board of Regents of the University of Nebraska; to repeal the original sections and also sections 83-492 and 83-493, 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, 29:

Adams, T.	Carson	Lindgren	Vogel
Anderson, L.	Cramer	Lusienski	Vogt
Anderson, V.	Davies	McKnight	Weborg
Benesch	Hanna	Norman	Williams
Bohlke	Holmes	Ogden	Wilson, C.
Bridenbaugh	Hoyt	Pizer	Wilson, W.
Burnham	Lee	Schroeder	Wood
Carmody			

Voting in the negative, 9:

Babcock	Hern	Larkin	Nelson
Burney	Hill	Metzger	Person
Callan			

Not voting, 5:

Adams, J.	Lillibridge	Prohs	Tvrdik
Cretsinger			

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 318.

A bill for an act to amend section 44-137, Revised Statutes of Nebraska, 1943, relating to insurance; to provide that foreign or alien insurance companies or associations may be served with process by personal service upon the Director of Insurance or by leaving two duplicate copies of the process to be served in the office of such director in the State Capitol with any person employed in the Department of Insurance who, previously to such service, has been designated in writing by the director as the person or one of the persons with whom such copies may be left under the circumstances, in the manner, and with the effect 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, 38:

Adams, T.	Carmody	Lee	Schroeder
Anderson, L.	Carson	Lindgren	Tvrdik
Anderson, V.	Cramer	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Pizer	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Lillibridge	Person	Prohs
Cretsinger			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 387. Read and laid over.
LEGISLATIVE BILL 398.

A bill for an act relating to adoptions; to validate decrees of adoption and all instruments and proceedings in connection therewith entered in the county courts of Nebraska prior to the effective date of this act unless an action attacking the validity of such a decree is brought within two years from such effective date of this act; to validate such decree so entered after such effective date and all instruments and proceedings in connection therewith notwithstanding some defect or defects may appear on the face of the record or the absence of any record of the county court unless an action is brought within two years from the entry of such decree of adoption attacking its validity.

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, T.	Carmody	Lee	Pizer
Anderson, V.	Carson	Lindgren	Schroeder
Babcock	Cramer	Lusienski	Tvrdik
Benesch	Davies	McKnight	Vogel
Bohlke	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Norman	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Larkin	Person	Wood

Voting in the negative, 2:

Hoyt	Vogt

Not voting, 5:

Adams, J.	Cretsinger	Lillibridge	Prohs
Anderson, L.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Lee introduced Miss Williams, Teacher, 4 sponsors and thirty students of Tabor High School, Tabor, Iowa.

Unanimous Consent—Return to Select File

Mr. Ogden asked unanimous consent to return L. B. 504 to Select File for Specific amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 504.

Mr. Ogden offered the following Specific amendment, which was adopted by unanimous consent.

1. Amend page 2 of the bill, section 7, by striking lines 4 to 9 and inserting in lieu thereof the following: "the counties according to an amount per pupil in average daily attendance at public elementary and secondary schools within such local school district, and distributed by the county superintendent to the several districts of the county according to an amount per pupil in average daily attendance at public elementary and secondary schools within such school district; *Provided,*".

2. Amend the title of the bill, lines 26 and 27, by striking the words "the pro rata enumeration of pupils in each" and inserting in lieu thereof the following: "an amount per pupil in average daily attendance at public elementary and secondary schools within such local".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 277. 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 484. E and R amendment found in the Legislative Journal for the Seventy-third Day was adopted.

Advanced to E and R for engrossment.

Member Excused

Mr. Vogel was excused for Tuesday, April 19, 1949.

Invitation

The members of the Legislature were invited to have lunch at the State Reformatory in Lincoln on Wednesday, April 20, 1949.

Adjournment

At 12:00, noon, on a motion by Mr. C. Wilson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 19, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cretsinger and Vogel, who were excused.

The Journal for the Seventy-fourth Day was approved as corrected.

Visitors

Mr. Holmes introduced Mr. Donald E. McClure, Superintendent, and 14 students from Palmer High School, Palmer, Nebraska.

Mr. Bridenbaugh introduced Mr. Robert Hanson, Principal, and 7 students from Dixon High School, Dixon, Nebraska.

Mr. Lillibridge introduced Miss Lois Ellington and Miss Donna Busboom, teachers, and 35 students from Wilbur Grade School, Wilbur, Nebraska.

Mr. Ogden introduced Mrs. Mary Jamison, teacher, and 27 students from Oakdale School, Omaha, Nebraska.

STANDING COMMITTEE REPORTS

Budget

LEGISLATIVE BILL 533. Placed on General File.

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 233. Placed on Select File as amended.

E and R amendment to L. B. 233:

1. In the bill title, line 5, after the word "and" also in line 7, after the word "for" insert "the"; line 8, after the word "in" insert "isolated"; strike, commencing with the second word "tracts" in line 8 to and including "county" in line 10 and in lieu thereof insert "lands in counties where the total acreage of such lands does not exceed eighty acres"; line 12 before the word "lying" insert "but".

LEGISLATIVE BILL 493. Placed on Select File as amended.

E and R amendments to L. B. 493:

1. In the bill, section 5, line 1, insert "(1)" before "The".

2. Section 5, add a new subsection as follows:

"(2) The department may destroy all such records (a) when one year shall have elapsed following the date of such accident and satisfactory evidence has been filed with the department that no action for damags arising out of such accident has been instituted during such period, or (b) after three years from the date such proof was required when, during the three-year period preceding the request, the department has not received a record of a conviction or a forfeiture of bail.".

3. Section 9, line 13, strike "however," after "*Provided,*"; and also in section 13, line 10.

4. Section 70, line 2, strike "is" before "repealed." and in lieu thereof insert "and section 12, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949, are".

5. In the bill title, line 6, after the word "provide" insert the following: "a construction and a savings clause; to provide"; line 9, after "1947" insert "and section 12, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949".

LEGISLATIVE BILL 105. Placed on Select File as amended.

E and R amendments to L. B. 105:

1. In the Lester Anderson amendments adopted April 11, 1949, newly inserted section 1, lines 3 and 4, strike "or by an association" and in lieu thereof insert "association,".

2. In said amendment 2, to the title, newly inserted matter line 6, insert "the" before the word "issuing".

LEGISLATIVE BILL 273. Placed on Select File as amended.

E and R amendments to L. B. 273:

1. In the bill, section 2, line 4, strike "have the same meaning and" and in lieu thereof insert "each mean the same and also have"; line 14 before "and", line 15 before the first word "and", also line 16 before the last word "and" insert a comma; line 17 strike the first word "or".

2. Section 3, strike, commencing with "except" in line 2 to and including the word "and" in line 5; line 29, strike the parenthesis and in lieu thereof insert ", which board shall consist of"; line 32 strike the parenthesis; line 34 strike ". In the petition" and in lieu thereof insert a semicolon; line 35 before "the" insert "(a)"; line 38 before the first word "the" insert "(b)"; line 40 strike the word "and" and in lieu thereof insert ", and (c)"; line 43 strike the punctuation and word ". After" and in lieu thereof insert "; and after" also in the same line strike "be stated" and in lieu thereof insert "state"; at the end of line 54 insert "an"; lines 57 and 61 after the word "as", line 65 after the word "deed", and line 67 before the word "and" insert a comma; line 63 strike the last word "and" and in lieu thereof insert a comma.

3. Section 6, line 1, before "The" insert "(1)"; line 18 after the word "tried" insert a comma; line 21, before "Any" insert "(2)".

4. In the bill title, line 3, after the word "such" insert "a"; line 8, before the word "and" insert "to provide how this act shall be construed;".

LEGISLATIVE BILL 461. Placed on Select File as amended.

E and R amendments to L. B. 461:

1. In the bill, section 1, line 40, strike the word "hundred".

2. In the bill title, line 5, strike "certain" and in lieu thereof insert "the prescribed"; line 6, before the word "and" insert "to

eliminate certain provisions from said section; to provide for filing claims for such compensation and mileage as prescribed;".

LEGISLATIVE BILL 283. Placed on Select File as amended.

E and R amendments to L. B. 283:

1. In the bill, section 1, line 22, before the word *"agreement"* insert the word *"an"*.

2. In the bill title, line 6, strike the words "written consent and" and insert in lieu thereof "its written consent and an"; line 11, insert a comma after the word "marine".

LEGISLATIVE BILL 412. Correctly engrossed.
LEGISLATIVE BILL 424. Correctly engrossed.
LEGISLATIVE BILL 522. Correctly engrossed.
LEGISLATIVE BILL 277. Correctly engrossed.
LEGISLATIVE BILL 466. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Statement

Mr. President: The Committee on Government, at a meeting on April 7, 1949, by a vote of seven members, voted to introduce a bill to change the classification of counties where there shall be elected a clerk of the District Court. (Signed) Arthur Carmody, Chairman, Committee on Government

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill pertaining to the classification of counties where there shall be elected a clerk of the District Court. (Signed) Arthur Carmody

After discussion, Mr. Bohlke moved the previous question.

The President stated the question "Shall the debate now close?"

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

Mr. Carson requested a Call of the House.

A Call of the House was ordered and the roll showed 40 members present.

Mr. Hern moved that the Call be raised and the motion prevailed with 16 ayes, 4 nays and 23 not voting.

Mr. Carmody's motion lost with 20 ayes, 8 nays and 15 not voting.

MESSAGE FROM THE GOVERNOR

Mr. President, Mr. Speaker, and Members of the Legislature:

On January 21st of this year, I delivered to your Honorable Body a message directing your attention to the condition of the highways of this state. I requested your cooperation in providing additional funds with which to repair, rebuild and construct state roads.

Since that time, legislative bills have been introduced providing for an increase in gasoline tax and registration fees. In addition, there is legislation pending for the raising of emergency funds by the issuance of a use stamp. All of these bills are now before you.

Also pending is L. B. 425 which, if enacted, would provide an advisory commission to aid in the administration of the highway department. This bill was considered in part on the floor of the Legislature by your Honorable Body last week.

There is, on the part of some people throughout the state, and some members of this body, a feeling of need for improving the administration of the highway department. I am aware that there are those who have suggested that our present laws should be amended to provide for a change in its management. Statements by members and your action at the time of your consideration of L. B. 425 last week indicates that you are not in accord as to what changes in the department, if any, are desirable.

A number of you have inquired as to the necessity and advisability of some legislative action to effect departmental administrative changes. I have frankly told those of you who have asked that as head of the executive branch of this state's government, I would cooperate in making effective any sound changes in the administrative policies of that department which this Legislature deems necessary.

I have further signified to those of you who have inquired that if you believe the legislature should provide for the appointment of a man qualified by general business experience to act in the capacity of administrative head of that department, I would have no objection

and would select the best person available and cooperate in every way to carry out the legislative mandate.

I have further told those of you who have inquired that I feel that because of the growth and importance of both roads and irrigation in the State of Nebraska, the administration of highways and irrigation might well be divided into two departments.

I have at all times expressed to those of you who have inquired of me my sincere desire to cooperate with this Legislature in providing for and administering the best government possible for the people of this state. The primary purpose of this message is to restate that desire.

In considering the subject which I am discussing today, I believe we should keep in mind that the present Department of Roads and Irrigation was originally established in the year 1919. Since that time, the original legislative provisions for the administration of the department have remained essentially unchanged. The Motor Vehicle Division, Safety Patrol, Automobile Responsibility Act, and the Safety Council have been added to the duties of that department. So far as legislative direction is concerned, your Highway Department is administered under a plan and design of operation which was established thirty years ago. In thirty years, the department has grown from a relatively small part of our state government to one of the largest.

It is a matter of official and newspaper record as well as common knowledge that the administration of the highway department in Nebraska has always been subject to more attack than any other department of state government. This has been true because roads are such a vital factor in the lives of our Nebraska people. The roads of our own community, of our own town, of our own section of the state have been and are of most importance to each of us as individuals. We have always built our state highways on a pay-as-you-go basis—as funds were provided from gas tax and license fees. We have had no bond issues with which roads could all be built at once—some were necessarily delayed.

It is by reason of these factors and their effect upon the lives of individuals and groups of people that this department has been subjected to more or less constant attack over the years. Such is the case today, accentuated by a winter of extraordinary severity. In that connection, I wish to express publicly here and now that the men working for the highway department are entitled to the highest praise for the splendid manner in which they performed their tasks in getting the roads cleared and open under the most adverse

circumstances. A pat on the back now and then does much to improve morale. No one works well under constant badgering. The easiest and the cheapest trick in the world, although sometimes spectacular, is the uttering of destructive criticism. Anyone can do this; but it takes real men to build.

The enemies of the legislation now pending to provide additional funds for the purpose of improving our highway system have seized upon the impatience of the people desiring better roads as their reason why this legislation should not be adopted. They are attempting to embed a feeling of dissatisfaction into the minds of the people in an effort to defeat this program. They have fostered and spread propaganda against the highway department.

There are facts pertaining to the administration of the highway department, both past and present, which I think are very pertinent to the subject which we are talking about today. These facts have been made available to you. I do want to mention, however, three factors of importance:

First, startling as it may seem, the total income provided to the highway department for the ten-year period of 1927 through 1936, inclusive, was a little in excess of $110,000,000. For the ten-year period of 1938 through 1947, inclusive, the income was a little less than $99,000,000. Actually, we have provided to our highway department $11,000,000 less during the last ten-year period than we did during the first ten-year period.

Certainly during the first ten-year period costs of construction, repair, material and supplies were cheaper than in the last ten-year period. Prices in 1948 and at present are nearly double of what they were eight years ago. While the amount of gas tax and registration fees going to the department in the past few years, and particularly in 1948, has increased, the increase has not been in proportion to the increase in the cost of material, supplies, and labor. Therefore, we are not providing as much money to maintain, repair, and rebuild roads at the present time as we did during the first ten-year period mentioned, and with today's fifty-seven cent dollar, the effect of less money is multiplied many times.

Secondly, I would like to call to your attention that the Legislature of this state, in the years of 1919 through 1941, by statute, established a highway system totaling over 11,000 miles. Of that total, we have built less than 9,500 miles. Therefore, we have not carried out the legislative mandate of former legislatures. We have not met the needs and expectations of the people as they were fixed

by these former legislative acts. Why have we not built these roads? Because Nebraska has not provided the funds with which to do so.

The third fact which I would like to talk to you about is the ability of the state to employ and keep competent and adequate personnel in the highway department. The salary of the State Engineer, although raised by the legislature two years ago, is still below that being paid by private enterprise for similar responsibility. Due to this fact, salaries provided for other personnel in the department are necessarily lower. Too often the state is the training school for employees who, when they are well trained, obtain employment elsewhere where they can receive enough to lay away something for their old age and can at the same time participate in social security and other forms of retirement plans. As a result of this, the department has lost many of its engineers who have over the period of their employment by the state come into possession of a knowledge of the highway system which it takes years for other personnel to acquire.

If it is the judgment of your body that the highway department should be administered under a different policy than that now in effect, then I ask that you establish a policy which in your judgment will provide the desired administration. The policy by which our state department shall be administered is in the province of this Legislature.

Our economy, our schools, our churches, and other social institutions cannot operate efficiently and effectively without good roads. The people of our state are demanding such roads and their demand is directed properly to us. We must meet these demands. I, as the Chief Executive of the State, have made specific affirmative suggestions to you. I believe they are proper, but if your Honorable Body can improve upon them, that is your duty. Your action will determine whether the road needs of the people are met. I will do my utmost to properly administer any laws enacted by you. If no legislation is enacted, I will likewise continue to administer the laws pertaining to the highway department as effectively as I can under the circumstances.

I have great confidence that your body can come to a meeting of minds on these all-important problems, and you will be guided entirely by what you feel is for the best interests of Nebraska citizens.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action of this morning on the Carmody motion to introduce a new bill. (Signed) Dwight W. Burney

The motion did not prevail with 19 ayes, 10 nays and 14 not voting.

Statement

The Budget Committee asks permission of the Legislature to introduce a bill relating to the Nebraska Soldiers' and Sailors' Home, with the thought that it is necessary, in order that conditions at the Home can be improved, and also that the Home may be partially at least self-supporting. The provisions in this bill were arrived at after careful study by both the Budget Committee and the officials of the various veterans' organizations. It was voted unanimously by the committee to ask permission to introduce this bill. (Signed) John S. Callan, Chairman, Committee on Budget

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill pertaining to the Nebraska Soldiers' and Sailors' Home. (Signed) John S. Callan

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 534. By Committee on the Budget, John S. Callan, Chairman.

A bill for an act to amend sections 80-301, 80-304, and 80-305, Revised Statutes of Nebraska, 1943, and section 80-302, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 25, Sixty-first Session, Nebraska State Legislature, 1949, relating to Nebraska Soldiers' and Sailors' Home; to change the qualifications for admission to such home; to eliminate the requirement that the county service committee shall forward the application with its findings to the legally authorized board of such home under its seal; to change the manner in which such home shall be managed; to provide that the commandant of such home is empowered to institute guardianship proceedings whenever a member of the home is deemed to have

become addicted to the excessive use of alcoholic liquor or a spendthrift; to change the conditions of determining the eligibility of members to remain in such home; to provide for a Board of Inquiry and Review; to provide for members of such board and their duties; and to repeal the original sections.

MOTION—Suspend Rules, Refer Bill

Mr. President: I move that the rules be suspended and that we refer L. B. 534 to Committee today. (Signed) Harry L. Pizer

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

Bill Referred to Standing Committee

L. B.	Committee
534	Budget

Unanimous Consent—Return from Governor

Mr. Hern asked unanimous consent to return L. B. 499 from the Governor to the Legislature.

Consent was granted and it was so ordered.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action taken on the motion to place L. B. 110 on General File, found in the Legislative Journal for the Seventy-first Day. (Signed) Lester H. Anderson

After discussion, Mr. Bohlke moved the previous question.

The President stated the question "Shall the debate now cease?"

The motion prevailed with 26 ayes, 0 nays and 17 not voting.

Mr. L. Anderson requested a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Hern moved that the Call be raised and the motion prevailed.

Mr. L. Anderson's motion to reconsider action did not prevail with 15 ayes, 9 nays and 19 not voting.

Visitors

Mr. Davies introduced Mrs. Joe Kelley, Guardian, and ten Camp Fire girls of Saint Teresa School, Lincoln.

NOTICE OF COMMITTEE HEARING

Budget

L. B. 534 Tuesday, April 26, 1949 2:00 p.m.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 307. Laid over.
LEGISLATIVE BILL 507.

A bill for an act to amend sections 10-205, 21-806, 23-1525, 33-109, 33-110, 33-112, 36-208, 39-903, 54-410, 60-115, and 71-187, Revised Statutes of Nebraska, 1943, and section 33-102, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the fees certain county officers shall be entitled to for services as prescribed; to increase the fee the Secretary of State shall be entitled to for filing and approving the bond of a general notary public; 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, J.	Callan	Lee	Pizer
Adams, T.	Carmody	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Carson	Cretsinger	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 387. Laid over.

Visitors

Mr. Bridenbaugh introduced Mr. K. R. Mitchell, Superintendent, and twenty-two students of Allen High School, Allen, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 209. Correctly enrolled.
LEGISLATIVE BILL 318. Correctly enrolled.
LEGISLATIVE BILL 398. Correctly enrolled.
LEGISLATIVE BILL 422. Correctly enrolled.

(Signed) Glenn Cramer

President Signs

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

L. B. 209 L. B. 398 L. B. 422
L. B. 318

SELECT FILE

LEGISLATIVE BILL 427. E and R amendment found in the Legislative Journal for the Seventy-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 340. E and R amendment found in the Legislative Journal for the Seventy-fourth Day was adopted.

Mr. Person offered the following amendment, which was adopted by unanimous consent.

1. Amend Standing Committee amendment, line 9, by inserting after the word and punctuation "Provided," the following: *"that no*

funds of the University of Nebraska or the State of Nebraska shall be used to supplement such contributions; and provided further,".

2. Amend Standing Committee amendment, Line 13, by inserting after the word "abridged" the following: *", except no funds of the University of Nebraska or the State of Nebraska shall be used in any such plan".*

Advanced to E and R for engrossment.

LEGISLATIVE BILL **1.** E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Mr. Hoyt offered the following amendments, which were adopted by unanimous consent.

1. Amend L. B. 1 by striking section 19 in its entirety and inserting in lieu thereof the following:

"Sec. 19. An informed, loyal, and patriotic citizenry is necessary to a strong, stable, and prosperous America. Such a citizenry necessitates that every member thereof be fully acquainted with the nation's history, that he be in full accord with our form of government, and fully aware of the liberties, opportunities, and advantages of which we are possessed and the sacrifices and struggles of those through whose efforts these benefits were gained. Since youth is the time most susceptible to the acceptance of principles and doctrines that will influence men throughout their lives, it is one of the first duties of our educational system to so conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the love of liberty, democracy, and America will be instilled in the heart and mind of the youth of the state.

(1) Every school board shall at the beginning of each school year, appoint from its members a committee of three, to be known as the committee on Americanism, whose duties shall be:

(a) To carefully examine, inspect, and approve all textbooks used in the teaching of American history and civil government in the school. Such textbooks shall adequately stress the services of the men who achieved our national independence, established our constitutional government, and preserved our union and shall be so written as to develop a pride and respect for our institutions and not be a mere recital of events and dates.

(b) Assure themselves as to the character of all teachers em-

ployed, and their knowledge and acceptance of the American form of government.

(c) Take all such other steps as will assure the carrying out of the provisions of this section.

(2) All grades of all public, private, denominational, and parochial schools, below the sixth grade, shall devote at least one hour per week to exercises or teaching periods for the following purpose:

(a) The recital of stories having to do with American history, or the deeds and exploits of American heroes.

(b) The singing of patriotic songs and the insistence that every pupil shall memorize the "Star Spangled Banner" and "America".

(c) The development of reverence for the flag and instruction as to proper conduct in its presentation.

(3) All grades in all public, private, denominational, and parochial schools from the sixth grade to the eighth grade shall set aside at least three hours per week to be devoted to the teaching of American history from approved textbooks, taught in such a way as to make the course interesting and attractive and to develop a love of country.

(4) In at least two grades of every high school, at least three hours per week shall be devoted to the teaching of civics, during which courses specific attention shall be given to the following matters:

(a) The Constitution of the United States and of the State of Nebraska.

(b) The benefits and advantages of our form of government and the dangers and fallacies of Nazism, Communism, and similar ideologies.

(c) The duties of citizenship.

(5) Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the school superintendent in every public, private, denominational, and parochial school on Lincoln's birthday, Washington's birthday, Flag Day, Memorial Day, and Armistice Day, or on the day preceding or following such holiday.

(6) Every school board, the Superintendent of Public Instruction, each county superintendent of schools, and the superintendent of each individual school in the state shall be held directly responsible, in the order named, for the carrying out of the provisions of this section, and neglect thereof shall be considered a dereliction of duty and calls for dismissal."

Note: All this new section 19 should be underscored, except "Sec. 19" at the beginning of the proposed new section.

Mr. Hoyt offered the following amendment, which was adopted by unanimous consent.

In section 83, as correlated with L. B. 381, as shown on certificate of Enrollment and Review Committee, now attached to L. B. 1, at the end of subsection (1), before the period which precedes (2) and after the words "current year" in said subsection (1), insert: "*; Provided, that in the event any child has successfully completed the kindergarten or beginner grade such child may enter the first grade of any such school regardless of age*".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 184. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Laid over.

Unanimous Consent—Return L. B. 387 to Select File

Mr. Tvrdik asked unanimous consent to return L. B. 387 to Select File for amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 387.

Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent.

1. Amend the Charles F. Tvrdik Amendment, number 1, adopted March 22, 1949, line 31, by inserting after the word "same" the fol-

lowing: ", *except in cities having a population of one hundred fifty thousand or more inhabitants*".

2. Amend the bill by adding a new section to be known as section 4, and to read 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."

3. Amend the Charles F. Tvrdik Amendment, number 4, adopted March 22, 1949, line 5, by inserting after the word "inhabitants" the following: ", or to cities having a population of one hundred fifty thousand or more inhabitants".

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 100.

Advanced to E and R for engrossment.

MOTION—L. B. 499

Mr. Hern asked unanimous consent that L. B. 499 be placed on Final Reading.

Consent was granted and it was so ordered.

Mr. Hern moved that the Legislature reconsider the action taken in passing L. B. 499 on Final Reading.

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

Mr. Hern asked unanimous consent that L. B. 499 be placed on Select File for specific amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 499.

Mr. Hern offered the following amendments, which were adopted by unanimous consent.

1. Amend the bill by adding a new section immediately after section 1 to be known as section 2, and to read as follows:

"Sec. 2. That section 53-138, Revised Statutes of Nebraska, 1943, be amended to read as follows:

53-138. Applications for alcoholic liquor licenses to the commission or to the local governing bodies shall be filed in duplicate and shall be accompanied in each instance by a state registration fee of two dollars to defray the cost of preparing and printing standard forms incident to the administration of this act, together with the deposit of a certified or cashier's check of a bank within this state, United States post-office money order, or cash in the full amount of the license fee required to be paid for the kind of license applied for, which fee shall be returned to such applicant if such application is denied. All state registration fees shall be by the State Treasurer credited to the liquor control fund. All retail license fees received by the city or village treasurer, as the case may be, shall inure to the school fund of the district lying wholly or partially within the corporate limits of the city or village. All license fees received by the commission for licenses issued pertaining to alcoholic liquors, including beer, regardless of its alcoholic content, shall be, by the State Treasurer, credited to the school fund as provided in Article VII, section 5, Constitution of Nebraska. Every applicant for a manufacturer's, distributor's, non-beverage user's, retailer's, railroad or boat license, shall file with his application a joint and several bond on such form as may hereafter be determined by the commission, executed by good and sufficient corporate sureties licensed to do business within the state of Nebraska, to the commission in the following amounts: ten *Ten* thousand dollars for a manufacturer; five thousand dollars for distributors; two thousand dollars for retail liquor dealers; one thousand dollars for railroads; and one thousand dollars for boats; all conditioned upon true and faithful compliance by the licensee with all of the provisions of this act. Each applicant for a non-beverage user's license, *except hospitals*, shall file with his application, a bond executed by good and sufficient surety or sureties residing or licensed to do business within the ~~state~~ *State* of Nebraska, to the commission in penal sums respectively as follows: Class 1, two hundred dollars; Class 2, five hundred dollars; Class 3, one thousand dollars; Class 4, five thousand dollars; Class 5, ten thousand dollars; all conditioned upon the true and faithful compliance of such licensee with all applicable provisions of this act."

2. Amend the bill by striking old numbered section 2 and inserting in lieu thereof the following:

"Sec. 3. That original sections 53-134 and 53-138, Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title of the bill, line 2, by striking "section 53-

134" and inserting in lieu thereof the following: "sections 53-134 and 53-138".

4. Amend the title of the bill, line 6, by inserting after the word "village" the following: "; to exempt hospitals from the requirement of furnishing a bond with the application for a non-beverage user's license".

5. Amend the title of the bill, line 7, by striking the word "section" and inserting in lieu thereof the word "sections".

Advanced to E and R for re-engrossment.

Visitors

Mr. Carson introduced his mother and father, Mr. and Mrs. Kit Carson.

Mr. Bridenbaugh introduced Mr. E. B. O'Connor, Superintendent and fourteen students from Rosalie High School.

Mr. Davies introduced Marshall Holcombe, Jr., Manager, Life Agency Management Association of Hartford, Connecticut. Mr. Holcombe is in Lincoln to speak to the home office personnel of all Nebraska Life Insurance companies.

MOTION—Recess

Mr. Hanna moved to recess until 2:00 p.m.

The motion did not prevail with 9 ayes, 24 nays and 10 not voting.

GENERAL FILE

Special Order

LEGISLATIVE BILL 292. Read and considered.

Laid over.

Adjournment

Mr. Hern made a motion to recess until 2:00 p.m.

At 12:10, on a substitute motion by Mr. Vogt, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 20, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Cretsinger, who was excused and Mr. Larkin, who was excused until 9:35 a.m.

The Journal for the Seventy-fifth Day was approved as corrected.

Communication

A card from Mrs. Clyde Cretsinger, reporting that Mr. Cretsinger seems to feel better.

Visitors

Mr. Bridenbaugh introduced Mr. Leonard Finnigan, teacher, Mr. Edwin Vraspir, Sponsor, and eight students from Thurston High School, Thurston, Nebraska.

Mr. Lee introduced Mr. Edward Anderson, Superintendent and eighteen students of Afton High School, Afton, Iowa.

Mr. Benesch presented his wife, Mrs. J. V. Benesch of Omaha.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 56. With emergency.

A bill for an act to provide for the construction and maintenance of viaducts over or subways under railroad tracks within the corpo-

rate limits of any city or village in the State of Nebraska which are necessary for the public safety, convenience, and welfare; to authorize any city or village to enter into contracts for such construction and maintenance and division of costs thereof with any railroad company or companies under or over whose lines of railroad such structure is to be constructed; to provide for proceedings before the governing body of such city or village to apportion the costs of such construction between such city or village and such railroad company or companies in the event they fail to agree on such construction, maintenance, or division of the costs thereof; to provide for appeal therefrom; to provide for a vote of the electors authorizing such construction; to authorize any city or village to levy taxes and issue bonds to pay its proportionate share of the cost of construction and maintenance of such viaducts or subways; to provide for the payment of the cost of acquisition of or damage to property by virtue of such construction; to provide a savings clause; and to repeal sections 14-355, 14-356, 14-357, 14-358, 14-359, 15-703, 15-704, 16-656, 16-657, 16-658, 16-659, and 16-660, 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, J.	Callan	Lusienski	Schroeder
Adams, T.	Hanna	McKnight	Tvrdik
Anderson, L.	Hern	Metzger	Vogel
Anderson, V.	Hill	Nelson	Vogt
Babcock	Hoyt	Norman	Weborg
Benesch	Lee	Ogden	Williams
Bohlke	Lillibridge	Pizer	Wilson, C.
Burney	Lindgren	Prohs	Wood
Burnham			

Voting in the negative, 7:

Bridenbaugh	Carson	Davies	Wilson, W.
Carmody	Cramer	Holmes	

Not voting, 3:

Cretsinger	Larkin	Person

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. Larkin was excused for the remainder of the day.

LEGISLATIVE BILL 232.

A bill for an act concerning the guardianship of incompetent veterans,and other incompetent and minor beneficiaries of the Veterans Administration, and to make uniform the law with reference thereto; to adopt in substance the revised Uniform Veterans' Guardianship Act approved by the National Conference of Commissioners on Uniform State Laws in 1942; to amend sections 38-401, 38-402, 38-403, 38-404, 38-405, 38-406, 38-407, 38-409, 38-410, 38-411, 38-412, 38-413, 38-414, 38-416, and 38-419, Revised Statutes of Nebraska, 1943, and section 38-408, Revised Statutes Supplement, 1947; and to repeal the original sections and also to repeal sections 38-415 and 38-417, 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, 41:

Adams, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Babcock	Hanna	Metzger	Vogt
Benesch	Hern	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Holmes	Ogden	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Lee	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Cretsinger	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 275.

A bill for an act to amend section 39-735, Revised Statutes Sup-

plement, 1947, relating to highways; to include farm machinery, wagons, and racks with other prescribed vehicles which are required to display the prescribed clearance lights or reflectors when driven, pulled, operated, or propelled upon any paved or bituminous surfaced highway at the specified times; to provide that reflectors shall be of a type approved by the Department of Roads and Irrigation; 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, J.	Callan	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	Lusienski	Vogel
Anderson, V.	Davies	McKnight	Vogt
Babcock	Hanna	Metzger	Weborg
Benesch	Hern	Nelson	Williams
Bohlke	Hill	Ogden	Wilson, C.
Bridenbaugh	Hoyt	Person	Wilson, W.
Burney	Lee	Pizer	Wood
Burnham			

Voting in the negative, 1:

Carmody

Not voting, 5:

Cretsinger	Larkin	Norman	Tvrdik
Holmes			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 337.

A bill for an act relating to stenographic reporters of the district courts; to provide such reporter shall be paid his actual expenses for meals and lodging when he leaves the city or village of his residence in the performance of his official duties; and to provide for filing of statements with the Auditor of Public Accounts.

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

Voting in the affirmative, 30:

Adams, J.	Callan	McKnight	Tvrdik
Adams, T.	Carson	Metzger	Vogel
Anderson, L.	Davies	Nelson	Vogt
Benesch	Hanna	Norman	Williams
Bohlke	Hern	Ogden	Wilson, C.
Bridenbaugh	Lee	Pizer	Wilson, W.
Burney	Lillibridge	Prohs	Wood
Burnham	Lusienski		

Voting in the negative, 8:

Anderson, V.	Carmody	Hoyt	Schroeder
Babcock	Hill	Lindgren	Weborg

Not voting, 5:

Cramer	Holmes	Larkin	Person
Cretsinger			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 529. With emergency.

A bill for an act to amend section 83-329, Revised Statutes Supplement, 1947, as amended by section 1, Legislative Bill 440, Sixty-first Session, Nebraska State Legislature, 1949, relating to mentally ill persons; to provide additional provisions for the care of mentally ill patients, who are to be cared for as public patients, pending admission to a state hospital for the mentally ill; to provide for the issuance of warrants by the county board of mental health and for the execution thereof; 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, J.	Cramer	Lindgren	Pizer
Adams, T.	Davies	Lusienski	Prohs
Anderson, L.	Hanna	McKnight	Tvrdik
Benesch	Hern	Metzger	Vogel
Bohlke	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Callan	Hoyt	Ogden	Wilson, W.

Carmody	Lee	Person	Wood
Carson	Lillibridge		

Voting in the negative, 5:

Babcock	Schroeder	Vogt	Weborg
Burney			

Not voting, 4:

Anderson, V.	Bridenbaugh	Cretsinger	Larkin

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. 56. (Signed) John J. Larkin, Jr.

Mr. President: Had I been present on April 18, 1949, I would have voted "yes" on Legislative Bills 220, 143, 318 and 398. (Signed) Otto J. Prohs

Visitors

Mr. Lee introduced Mr. Neal Johnson, Superintendent, Miss Hazel Fleming, Teacher, and thirty-six seniors from Scribner High School, Scribner, Nebraska.

SELECT FILE

LEGISLATIVE BILL 184.

Mr. Tvrdik offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 184 by striking the E and R amendment 1, found in the Legislative Journal for the Seventy-fourth Day, and amend the title to conform.

Advanced to E and R for engrossment with 19 ayes, 9 nays and 15 not voting.

LEGISLATIVE BILL 233. E and R amendment found in the Legislative Journal for the Seventy-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 493. 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 105. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Mr. Hoyt offered the following amendments, which were adopted by unanimous consent.

1. Amend Specific Amendments of Lester H. Anderson adopted April 5, 1949, section 1, line 10, by striking the punctuation after the figures "1947" and inserting in lieu thereof the following: ", or any hospital or home operated by any religious or fraternal organization on the effective date of this act.".

2. Amend Specific Amendments of Lester H. Anderson adopted April 5,1949, to the title by inserting before the semicolon in line 4 of the title the following: "except as exempted by this act".

Laid over.

LEGISLATIVE BILL 273. 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 461. 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 283. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment with 17 ayes, 14 nays and 12 not voting.

Member Excused

Mr. Lee was excused for forty-five minutes.

Presentation of Beans

Mr. Prohs presented a 1 lb. package of Great Northern Beans to each member of the Legislature on behalf of the Chester B. Brown Company of Morrill, Nebraska, and gave a brief history of the growth of the Bean Industry in the North Platte Valley of Nebraska.

Unanimous Consent—Return to Select File

Mr. V. Anderson asked unanimous consent to return L. B. 340 to Select File and bracketed for further study by the Legislature.

Mr. Person offered objection.

Mr. V. Anderson moved to return L. B. 340 to Select File for further study.

The motion prevailed.

MOTION—Return L. B. 430

Mr. Tvrdik moved to return L. B. 430 to General File.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 430.

Mr. Tvrdik offered the following amendments, which were adopted.

1. Amend the bill, page 4, section 2, line 23, by striking paragraph 4 of the Tvrdik Amendment of April 6, 1949, and restoring the matter shown as stricken by said amendment.

2. Amend the bill, page 6, section 6, renumbered section 5, line 1, as amended by paragraph 13 of the Tvrdik Amendment of April 6, 1949, by striking the word *"warehousemen"* and inserting in lieu thereof the word *"warehouses"*.

3. Amend page 6 of the bill, as amended by paragraph 17 of the Tvrdik Amendment of April 6, 1949, by striking the new section 7 and inserting in lieu thereof the following:

"Sec. 7. *The provisions of section 88-159 shall not apply as to*

cold storage operations of any cold storage warehousemen storing goods requiring refrigeration and holding a license under section 81-2,123 unless as to their cold storage operations they shall elect at their option to apply for a license under section 88-159, as amended by this act.".

Advanced to E and R for review.

Special Order

LEGISLATIVE BILL 294.

Discussion was continued on Mr. Metzger's motion to indefinitely postpone L. B. 294, found in the Legislative Journal for the Sixty-eighth Day.

Mr. Babcock moved the previous question.

The President stated the question "Shall the debate now cease?"

The motion did not prevail with 13 ayes, 16 nays and 14 not voting.

After discussion, Mr. Bohlke moved the previous question.

The President stated the question "Shall the debate now cease?"

The motion prevailed with 23 ayes, 2 nays and 18 not voting.

Mr. Metzger's motion to indefinitely postpone the bill did not prevail with 15 ayes, 23 nays and 5 not voting.

Advanced to E and R for review with 24 ayes, 12 nays and 7 not voting.

MOTION—Adjournment

At 12:05 p.m., Mr. Lillibridge made a motion to adjourn, but the motion did not prevail.

MESSAGE FROM THE GOVERNOR

April 20, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

The parking problem in Omaha along with many other cities in

the Nation has become acute, and it is the feeling of responsible city officials and civic leaders that action to relieve it must be taken immediately.

It is their feeling that they can secure this objective more rapidly and economically by action on the part of your Honorable Body and a bill has been drawn accordingly. I request that you give it your careful consideration.

Respectfully submitted,

(Signed) Val Peterson
Governor

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 535. By Charles F. Tvrdik of Douglas, William J. Norman of Douglas and J. V. Benesch of Douglas, at the request of the Governor.

A bill for an act relating to cities of the metropolitan class; to define terms; to authorize any such city to acquire, own, establish, improve, equip, maintain, operate, lease, either as lessor or lessee, sell and convey, municipal parking grounds, buildings, or other facilities for parking vehicles; to declare that providing parking facilities is a public purpose and to authorize the exercise of eminent domain for the acquisition of real property for a parking system; to provide for the setting up of a parking commission to administer this act in any metropolitan city; to provide for the issuance of revenue bonds; to provide for the creation of improvement districts within which special assessments may be levied on benefited real estate; to authorize the use of the proceeds of fees from parking meters on the public streets in financing a parking system; to provide for cooperation by the city with other governmental units; to permit the waiver of tax immunity by them; to authorize such cities to contract for the use of public property for off-street parking facilities; and to declare an emergency.

MOTION—Rule Suspension, Refer Bill

Mr. President: I move that the rules be suspended and that L. B. 535 be referred today. (Signed) Charles F. Tvrdik

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

Bill Referred to Standing Committee

L. B.	Committee
535	Judiciary

Adjournment

At 12:10 p.m., on a motion by Mr. W. Wilson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 21, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Cretsinger and Williams, who were excused.

The Journal for the Seventy-sixth Day was approved as corrected.

Communications

Letter from Wm. J. Loeffel, Chairman, Department of Animal Husbandry, College of Agriculture, enclosing programs for the 37th Annual Livestock Feeders' Day.

Letter from Mr. Francis E. Hedges of Waverly, Nebraska, requesting reimbursement for property he was forced to purchase to replace land which had been purchased by the Highway Department for right-of-way and not used by said Department. Referred to Committee on Miscellaneous Appropriations and Claims.

MESSAGE FROM THE GOVERNOR

April 20, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

I am pleased to advise your Honorable Body that in accordance with Section 68-303, Revised Statutes of Nebraska, 1947, I have appointed, subject to your confirmation, Neil C. Vandemoer as Direc-

tor of Assistance for the State of Nebraska for a term ending January 4, 1951.

For your information, I have appointed Nathan B. Pont of Stanton, Nebraska, to the Liquor Control Commission for a term of office from April 1, 1949, to May 25, 1955.

Respectfully submitted,

(Signed) Val Peterson
Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 340. Replaced on Select File as amended.

E and R amendments to L. B. 340:

1. In the bill title, line 14, after the word "abridged" and before the semicolon insert ", except as prescribed".

2. The words inserted by amendment 1 made by Mr. Person should go in line 10 of the original Standing Committee Amendment after "*Provided,*" and before the word "*the*".

LEGISLATIVE BILL 267. Replaced on Select File as amended.

E and R amendment to L. B. 267:

1. In amendment 2 by Mr. Cramer, last line before the period insert ", Revised Statutes of Nebraska, 1943, and amendments thereto".

LEGISLATIVE BILL 530. Correctly engrossed.
LEGISLATIVE BILL 143. Correctly enrolled.
LEGISLATIVE BILL 220. Correctly enrolled.
LEGISLATIVE BILL 507. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 19, 1949, at 11:30 a.m.

L. B. 27	L. B. 306	L. B. 509
L. B. 67	L. B. 376	L. B. 408
L. B. 222		

Presented to the Governor for approval on April 20, 1949, at 10:30 a.m.

L. B. 209

(Signed) Glenn Cramer, Chairman

Speaker Lee Presiding

Speaker Signs

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

L. B. 143 L. B. 220 L. B. 507

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 264.

A bill for an act to amend section 79-2201, Revised Statutes of Nebraska, 1943, relating to schools; to provide for the acceptance by the State of Nebraska of certain acts of the Congress of the United States for the promotion of vocational education and for the rehabilitation of disabled or handicapped persons; 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, J.	Carmody	Lindgren	Prohs
Adams, T.	Cramer	Lusienski	Schroeder
Anderson, L.	Davies	McKnight	Tvrdik
Anderson, V.	Hern	Metzger	Vogel
Babcock	Hill	Nelson	Vogt
Benesch	Holmes	Norman	Weborg
Bridenbaugh	Hoyt	Ogden	Wilson, C.
Burney	Larkin	Person	Wilson, W.
Burnham	Lee	Pizer	Wood
Callan	Lillibridge		

Voting in the negative, 0.

Not voting, 5:

Bohlke	Cretsinger	Hanna	Williams
Carson			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 269.

A bill for an act relating to insurers not authorized to transact business in this state; to provide for actions in this state against and for the service of process upon such insurers; to prescribe how a defense may be made by such insurers; to provide for the allowance of attorneys' fees in actions against such insurers; to except from the operation of this act, actions on certain contracts of insurance wherein the policy contains a provision designating an agent in the State of Nebraska upon whom service of process can be made, or where the insurer enters a general appearance in the action; to provide for a validity clause; and to provide for manner of citation of 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, 39:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Davies	Lusienski	Tvrdik
Babcock	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood
Carmody	Lee	Pizer	

Voting in the negative, 0.

Not voting, 4:

Anderson, V.	Bohlke	Cretsinger	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 335. With emergency.

A bill for an act to amend section 16-620, Revised Statutes of Nebraska, 1943, relating to cities of the first class; to change the number of objectors who can prevent street improvements therein provided from a majority of the abutting property owners to the owners of more than fifty per cent of the foot frontage of abutting property 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, 39:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, V.	Davies	Lusienski	Tvrdik
Babcock	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood
Carmody	Lee	Pizer	

Voting in the negative, 1:

Anderson, L.

Not voting, 3:

Bohlke	Cretsinger	Williams

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 500. With emergency.

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 emergency reflectors by motor buses, cars for hire having a capacity of over seven passengers, cars or trucks used as wreckers or for towing purposes, and motor trucks and combinations thereof; to provide that such red emergency reflectors shall be of a type approved by the Department of Roads and Irrigation; to prohibit use of open-flame flares adjacent to vehicles transporting flamables; 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, J.	Callan	Larkin	Ogden
Adams, T.	Carmody	Lee	Schroeder
Anderson, L.	Carson	Lindgren	Vogel
Anderson, V.	Cramer	Lusienski	Weborg
Babcock	Davies	McKnight	Wilson, C.
Bridenbaugh	Hanna	Metzger	Wilson, W.
Burney	Hern	Nelson	Wood
Burnham	Holmes	Norman	

Voting in the negative, 9:

Benesch	Lillibridge	Pizer	Tvrdik
Hill	Person	Prohs	Vogt
Hoyt			

Not voting, 3:

Bohlke	Cretsinger	Williams

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

Unanimous Consent—Return to Select File

Mr. Cramer asked unanimous consent to return L. B. 307 to Select File for the following Specific amendments:

1. In the bill, section 4, originally section 3, line 4, after "*taxes*" and before the comma insert "*and except claims within the jurisdiction of the Sundry Claims Board*".

2. In E and R amendment 5 to the title, line 10 of the original, after the semicolon insert "to except such claims and those within the jurisdiction of the Sundry Claims Board from those required to be exhibited as prescribed;".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 307.

Mr. Cramer's Specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

Member Excused

Mr. Babcock was excused for the remainder of the day and for Friday, April 22, 1949.

Statement

Mr. President: The Committee on Government, at a meeting on April 20, 1949, by a unanimous vote of the seven members present, voted to introduce a bill to make it mandatory that the county boards before levying taxes for any other purposes shall levy not to exceed 5/10 of a mill for assistance purposes. (Signed) Arthur Carmody, Chairman, Committee on Government.

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill pertaining to making it mandatory that the county boards levy a tax for old age assistance before levying any other taxes. (Signed) Arthur Carmody

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 536. By Committee on Government, Arthur Carmody, Chairman.

A bill for an act to amend section 77-1601, Revised Statutes Supplement, 1947, relating to taxation; to provide that before levying taxes for any other functions of county government, each county shall first levy a tax sufficient to enable the county board to carry out its duties with regard to old age assistance and aid to dependent children; to provide that such levy shall not exceed five-tenths of a mill; to repeal the original section; and to declare an emergency.

MOTION—Rule Suspension, Refer Bill

Mr. President: I move that the rules be suspended and that L. B. 536 be referred today. (Signed) Harry L. Pizer

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

Bill Referred to Standing Committee

L. B.	Committee
536	Public Health and Miscellaneous Subjects

Unanimous Consent—Set Hearing

Mr. McKnight asked unanimous consent to hold a hearing on L. B. 535 on Tuesday, April 26, 1949.

Consent was granted and it was so ordered.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 535	Tuesday, April 26, 1949	2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 536	Tuesday, April 26, 1949	2:00 p.m.

Mr. Pizer Presiding

Visitors

Mr. Hoyt introduced Mr. and Mrs. Aulis Zink and their three children, Wayne, Roger and Joyce. Each year the Lincoln Newspapers, the State Journal and the Lincoln Star sponsor a farm and ranch family recognition award to provide opportunities to publicize the farm family and community life which adds so much to good farming and good living in Nebraska. The family selected this year comes from Red Willow county. On their farm near Indianola they do a good job of farming and a good job of farm family living and contribute much to the betterment of their community. These folks are visiting Lincoln for two days as guests of the Lincoln Newspapers.

Mr. Wood introduced Mr. Stanley Matzke, a former legislator, who is escorting the farm family.

GENERAL FILE

LEGISLATIVE BILL 167.

Mr. Tvrdik offered an amendment, which was not adopted with 17 ayes, 17 nays and 9 not voting.

Mr. Tvrdik offered an amendment to the Lee amendments, which was not adopted with 13 ayes, 17 nays and 13 not voting.

Mr. Holmes offered the following amendment to the Lee amendments, which was adopted.

Amend L. B. 167, the Lee amendments offered on the Sixty-fifth Day, section 4, line 18, by striking "or any governmental sub-"; line 19, strike "division thereof, or (3) any municipal corporation".

Mr. Lee offered the following amendments, which were adopted with 24 ayes, 2 nays and 17 not voting.

1. Amend the Lee amendments of April 4, 1949, paragraph 6, renumbered section 5, by striking the following appearing in lines 26 to 29: *"shall be a prerequisite to the consideration of any person for endorsement by a political party convention as provided for in sections 32-1101 to 32-1179 and such completed filing"*.

2. Amend the Lee amendments of April 4, 1949, paragraph 6, renumbered section 5, line 31, by inserting after the word *"office"* the following: *"Additional nominations for consideration for the endorsement of the convention may be made at the convention by any delegate thereto."*

Advanced to E and R for review.

Visitors

Mr. Callan introduced Mrs. Carl Schuerman and Miss Marion Kracke, sponsors and Miss Bonnie Balke, teacher, and fourteen students from DeWitt Rural District 149.

LEGISLATIVE BILL 292.

Standing Committee amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Mr. Lusienski asked unanimous consent to have his name stricken as co-introducer of the bill.

Consent was granted and it was so ordered.

Mr. Hanna offered the following amendment, which was adopted.

In Class 2 counties, change the salaries of the County Treasurer and County Clerk from $2300 to $2400.

Mr. Lee offered the following amendment, upon which no action was taken.

1. Amend section 7 of the bill by striking lines 7 to 37 and all amendments thereto, and insert in lieu thereof the following:

"clerk of the district court, the sum of three thousand .....dollars;

county attorney, the sum of two thousand .....dollars;

register of deeds, the sum of twenty-six *twenty-seven* hundred .....dollars;

county assessor, the sum of three thousand .....dollars;

county superintendent, not less than the sum of twenty-six hundred .....dollars;

county judge, the sum of thirty-eight hundred .....dollars;

clerk of the county court, the sum of twenty-one *twenty-three* hundred .....dollars;

county clerk, the sum of thirty-two hundred .....dollars;

county treasurer, the sum of thirty-two *thirty-six* hundred .....dollars;

sherriff, the sum of twenty-two *twenty-four* hundred .....dollars;

surveyor, such per diem as may be fixed by the county board;

deputy clerk of the district court, the sum of twenty-one hundred .....dollars;

deputy county attorney, when appointed, to be fixed in the discretion of the county board in the sum of not over fifteen *seventeen* hundred .....dollars;

deputy register of deeds, the sum of twenty-one hundred .....dollars;

deputy county clerk, the sum of twenty-one hundred .....dollars;

and deputy county treasurer, the sum of ~~twenty-one~~ *twenty-three* hundred .....dollars."

Laid over.

LEGISLATIVE BILL 146.

Standing Committee amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for review with 28 ayes, 0 nays and 15 not voting.

RECESS

At 12:25, on a motion by Mr. Hoyt, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

The roll was called and all members were present except Messrs. Babcock, Bohlke and Cretsinger, who were excused, and Mr. T. Adams.

Members Excused

Mr. C. Wilson was excused from 3:00 p.m. this afternoon until 10:00 a.m. Friday.

Mr. Hern was excused at 2:30 for one hour.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 430. Placed on Select File as amended.

E and R amendments to L. B. 430:

1. In the bill, section 2, amend Senator Hoyt's amendment so as to place the reinstated matter at the end of line 51 after *"act."*.

2. In the bill, section 2, line 49, strike the word *"and"* and in lieu thereof insert *"which"*.

3. In the bill title, line 2, strike the word "public" before the

word "warehouses"; line 5, strike all of the title after the word "a" and in lieu thereof insert the following: "warehouseman; to change the amount of the license fees required of a warehouseman; to provide for the payment thereof; to provide for registration of warehouse receipts and the fee for same; to provide terms and conditions of the license of a warehouseman; to provide for inspection and supervision of warehouses by and the prescribed reports to the State Railway Commission; to provide for the making of certain rules and regulations by the commission; to provide certain other requirements and procedure pertaining to warehouses and warehousemen; to include field warehousemen within the terms of the act; to expressly exclude cold storage operations of any cold storage warehousemen storing goods requiring refrigeration, who hold the prescribed license, from certain provisions of this act as prescribed unless they apply for a license hereunder; to amend sections 88-158 and 88-159, Revised Statutes of Nebraska, 1943; and to repeal the original sections.".

LEGISLATIVE BILL 344. Placed on Select File as amended.

E and R amendments to L. B. 344:

1. In Standing Committee Amendment 1, line 9 of the original, strike *"or her"*.

2. Strike Standing Committee amendment 5 and in lieu thereof in the bill, section 4, at the end of line 35 insert *"or the court has made its findings in case a jury has been waived,"*.

3. In the bill, section 4, line 13, before the word *"examination"* insert *"the"*; line 14, before the period insert *"upon the petition"*; line 17 strike *"; and if"* and in lieu thereof insert *". If"*.

4. Section 5, at the end of line 5 insert *"made"*.

5. Section 9, strike, commencing with the comma in line 2 to and including the comma in line 3; lines 5 and 6 strike *", or if he be indigent,"* and in lieu thereof insert *"or, if he shall be indigent and shall have his legal settlement in a different county than the one from which he was committed,"*.

6. In the bill title, line 4, after the word "define" insert "and redefine"; line 5, before the word "and" insert "to provide for the payment of the cost of maintenance, care, and treatment of such a patient;".

LEGISLATIVE BILL 457. Placed on Select File.

LEGISLATIVE BILL 388. Placed on Select File as amended.

E and R amendments to L. B. 388:

1. In Standing Committee amendment 1, new section 5, amend the same by inserting in line 12 after the word "raised" and also line 15 after the word "remainder" the following: ", after the payments required by subdivisions (1) and (2),".

2. Amend Standing Committee amendment, new section 6, by striking the remainder of line 5, line 6, and line 7 starting with "under" in line 5 up to and including the word "mentioned" in line 7, and in lieu thereof insert "where an application is made to and approved by the county superintendent. The term extreme distances, as referred to in this section, shall".

3. In the bill title, strike all of the title commencing with line 3, and in lieu thereof insert "; to define terms; to provide for a blanket tax levy within each county for the support of these schools; to prescribe the method of distribution of the returns from the blanket tax levy; to provide for making an application to the county superintendent, under the prescribed circumstances, for a share of the funds so raised; and to provide for the prescribing, by the State Superintendent of Public Instruction, of forms necessary to carry out the provisions of this act.".

LEGISLATIVE BILL 341. Placed on Select File as amended.

E and R amendments to L. B. 341:

1. Amend Standing Committee amendment 1, line 1, by striking "and 6".

2. Amend Standing Committee amendment 1, subsection (1) of new section 5, line 2, by inserting a comma after the word "receiver"; and line 4 of the same by inserting the word *"a"* before the word *"representative"*; in subsection (2) of same section, line 1, insert *"(a)"* after the word "means"; line 2 of same subsection (2), insert *"(b)"* at the end of the line; same subsection, line 4, strike "and," and insert in lieu thereof ", and *(c)*"; in subsection (5) of new section 5, line 2, strike the comma after the word "passengers", and in line 3 after the stricken word "passenger".

3. In the bill, section 2, line 6, after the word "make" insert the word *"a"*.

LEGISLATIVE BILL 415. Placed on Select File as amended.

E and R amendments to L. B. 415:

1. Insert the two new sections as "Sec. 3." and "Sec. 4." included in the Willard M. Wilson amendment 1, lines 2 to 5, inclusive, being "Sec. 3." and lines 7 to 11, inclusive, being "Sec. 4.".

2. Amend General File amendment 1, new section 3, by striking ", provided" in line 3 of the original and inserting in lieu "; *Provided,*"; in that same amendment, new section 4, line 1 of the original, insert a comma after the word "firm".

3. In the bill title, line 2, strike "to pro-" and line 3 up to the semicolon, and insert in lieu thereof "to prohibit interference with picketing as defined except as prescribed; to prohibit the prescribed intimidation of a striker; to provide penalties; to provide a construction clause".

LEGISLATIVE BILL 427. Correctly engrossed.
LEGISLATIVE BILL 275. Correctly enrolled.
LEGISLATIVE BILL 335. Correctly enrolled.
LEGISLATIVE BILL 337. Correctly enrolled.
LEGISLATIVE BILL 529. Correctly enrolled.

Speaker Signs

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

L. B. 275 L. B. 337 L. B. 529
L. B. 335

GENERAL FILE

Special Order

Mr. Metzger Presiding

LEGISLATIVE BILL 523.

Mr. Wood's amendments, found in the Legislative Journal for the Seventy-second Day were read and considered.

Mr. Wood's amendments were adopted.

Advanced to E and R for review.

Visitors

Mr. Metzger introduced Mrs. Edgar Newton, Mrs. Lester Thimgan, Mrs. John Hodraba, and thirty-five students from Districts 2, 41 and 42 of Cass County.

LEGISLATIVE BILL 425. Considered.

Laid over.

MOTION—Place on General File

Mr. President: I move that L. B. 246 be placed on General File. (Signed) Hugh Carson

The motion prevailed with 26 ayes, 1 nay and 16 not voting.

MOTION—Place L. B. 170 on General File

Mr. President: I move to place L. B. 170 on General File. (Signed) John Adams, Sr.

Mr. Adams requested a Call of the House.

A Call of the House was ordered and the roll showed 33 members present.

Mr. W. Wilson moved that the Call be raised and the motion prevailed with 21 ayes, 7 nays and 15 not voting.

Mr. Adams' motion did not prevail with 20 ayes, 3 nays and 20 not voting.

GENERAL FILE

LEGISLATIVE BILL 533. Read and considered.

Speaker Lee Presiding

Mr. Callan offered the following amendments, which were adopted.

1. Amend page 2 of the bill by inserting 2 new sections to be known as sections 1 and 2, and to read as follows:

"Section 1. That section 39-784, Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-784. Any person, firm, or corporation desiring approval of

a device shall submit to the department two sets of each type of device upon which approval is desired, together with a fee of twenty-five dollars for each type of head lamp and auxiliary driving lamp, and a fee of ten dollars for each type of rear lamp or signal lamp submitted. *The department shall transmit such fees when collected to the State Treasurer, who shall place such money in the General Fund.* Within thirty days the department shall, upon notice to the applicant, submit such device to the United States Bureau of Standards, or to such other recognized testing laboratory as it may elect for a report as to the compliance of such type of device with the standard specifications and the provisions of section 39-782 as to lighting performance. The department is authorized and required to accept the certificate of the United States Bureau of Standards or of some other recognized testing laboratory as to compliance with the specifications and requirements; *Provided,* however, that in cases of dispute as to the findings of such other laboratory, appeal may be made to the United States Bureau of Standards; *and provided, also, further,* that the department is authorized to refuse approval of any device, certified as complying with the specifications and requirements, which the department determines will in actual use be unsafe or impracticable or would fail to comply with the provisions of section 39-782.

Sec. 2. That section 60-305, Revised Statutes Supplement, 1947, be amended to read as follows:

60-305. The provisions of law relative to registration and the display of registration numbers shall not be construed to apply to any motor vehicle owned by a nonresident of this state, except vehicles moved over the highways of this state on their own wheels for the purpose of exchange, sale, or offering the same for sale to or by an agent, dealer, purchaser, or prospective purchaser, or for delivery after sale or for storage prior to sale, if the owner thereof shall have complied with the provisions of the law of the state of which he is a resident, relative to the registration thereof and the display of registration number plates thereon, and shall conspicuously display his registration number plates as required by the law of this state. A nonresident owner, except as otherwise provided in this section, owning any foreign vehicle which has been duly registered for the current calendar year in the state, country, or other place of which the owner is a resident, and which at all times, when operated in this state, has displayed upon it the number plate or plates issued for such vehicle in the place of residence of such owner, may operate or permit the operation of such vehicle within the state without registering such vehicle or paying any fees to this state. Trucks or buses, from states other than Nebraska, entering Nebraska for the purpose of doing either an interstate or an intrastate business, shall be re-

quired to comply with all laws and regulations of any nature imposed on Nebraska trucks or buses, and to comply with all requirements as to payment of all license fees, permit fees, and fees of whatever character which owners of trucks or buses, owned and operated in Nebraska, are required to pay, unless the state or states, in which such trucks or buses are domiciled, grant reciprocity comparable to that extended by the laws of Nebraska. In case a foreign state or territory is not reciprocal as to license fees on commercial trucks or buses, such vehicles from those states or territories will be required to pay the same license fees as charged for like vehicles to residents of this state. In case no fees are charged in Nebraska on trucks or buses other than license fees, and the reciprocity law of any other state does not act to exempt Nebraska trucks or buses operating in that state from payment of all fees whatsoever, then in that event such foreign trucks or buses shall be required to pay a license fee in an amount equal to the fee of whatever character, other than license fee, charged by such other state to foreign trucks or buses; *Provided,* that all foreign trucks or buses doing a commercial intrastate business in this state shall be required to pay the same registration fees as those required to be paid by residents of this state. In no case shall the fee charged to a foreign motor vehicle exceed the total fees paid on like vehicles by residents of this state. A nonresident may, if he applies within ninety days from his original registration date and surrenders the registration certificate and license plate which were assigned to him, receive from the county treasurer a refund in the amount of fifty per cent of the original license fee. *All fees collected as provided by this section shall be transmitted to the State Treasurer, who shall place such money in the General Fund.*"

2. Amend the bill by renumbering sections 1, 2, and 3 as sections 3, 4 and 5, respectively.

3. Amend page 2 of the bill, renumbered section 4, by striking lines 1 and 2, and inserting in lieu thereof the following:

"Sec. 4. That original sections 39-784 and 60-409, Revised Statutes of Nebraska, 1943, and original section 60-305, Revised Statutes Supplement, 1947, are repealed."

4. Amend the title of the bill by striking lines 2 to 8, and inserting in lieu thereof the following:

"FOR AN ACT to amend sections 39-784 and 60-409, Revised Statutes of Nebraska, 1943, and section 60-305, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide that the fees collected for approval of type of device of light equipment, re-

ciprocal license fees of nonresident trucks and buses, the share of the fees remitted to the State Treasurer by the county treasurers from issuing of motor vehicle operators' licenses shall be credited by the State Treasurer to the General Fund; to eliminate certain provisions thereof in regard to spending of fees from the issuing of motor vehicle operators' licenses; to repeal the original sections;".

Advanced to E and R for review.

Members Excused

Mr. McKnight was excused for Friday, April 22 at 10:30 a.m.

Mr. L. Anderson was excused for Friday, April 22.

Visitors

Mr. V. Anderson introduced Mayor Miles of Lincoln, Nebraska.

Mr. Lee introduced Mr. Lloyd Haven and Mr. F. E. White of the Fremont City Council and Mr. Herman F. Meyer and John Steil of Scribner.

Mr. Cramer introduced Mr. Robert Flotree, Mr. Irwin Hunter, Mr. Lorenz Berg and Mr. Ralph Roberts of Albion, Nebraska.

Mr. Wood introduced Mr. H. G. Weiler, Mr. Herman Klute and Mr. Martin Kamprath of the City Council of Seward, Nebraska.

Mr. Lusienski introduced Mayor L. G. Kremer and City Attorney R. C. Brower of Fullerton, Nebraska.

Mr. Hill introduced Mayor A. E. Pennington of Fairbury, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 232. Correctly enrolled.
LEGISLATIVE BILL 56. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 232 L. B. 56

Adjournment

At 3:45 p.m., on a motion by Mr. Lillibridge, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 22, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. L. Anderson, Babcock, Bohlke, and Cretsinger, who were excused, and Mr. C. Wilson, who was excused until 10:00 a.m.

The Journal for the Seventy-seventh Day was approved as corrected.

Communications

A resolution from the League of Nebraska Municipalities, addressed to the Legislature, favoring the increase in license fees, with the additional fee to be distributed to cities and villages.

A letter from Mr. Cretsinger acknowledging receipt of the flowers, and stating that he expected to be back next week.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 412. With emergency.

A bill for an act to amend section 44-310, Revised Statutes Supplement, 1947, relating to insurance; to authorize domestic insurers to invest certain of their surplus assets in the stocks of other insurance companies 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, 36:

Adams, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, V.	Davies	Lindgren	Tvrdik
Benesch	Hanna	Lusienski	Vogel
Bridenbaugh	Hern	Metzger	Vogt
Burney	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 7:

Anderson, L.	Bohlke	McKnight	Wilson, C.
Babcock	Cretsinger	Prohs	

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 424. With emergency.

A bill for an act to amend section 77-2510, Revised Statutes Supplement, 1947, relating to taxation; to appropriate an additional sum of fifty thousand dollars from the General Fund to the Tax Appraisal Board Revolving Fund to be used in such fund until June 30, 1953, after which date such sum so appropriated shall revert to the General Fund of the state; to provide for filing of reports by tax appraisal board with the Clerk of the Legislature summarizing its activities; 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, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Schroeder

Anderson, V.	Davies	Lindgren	Vogel
Benesch	Hanna	Lusienski	Vogt
Bridenbaugh	Hern	Metzger	Weborg
Burney	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, W.
Callan	Hoyt	Ogden	Wood
Carmody	Larkin	Person	

Voting in the negative, 0.

Not voting, 8:

Anderson, L.	Bohlke	McKnight	Tvrdik
Babcock	Cretsinger	Prohs	Wilson, C.

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 522.

A bill for an act relating to airports; to include the reciprocal exercise of the power of eminent domain; to define terms; and to provide how this act may be cited.

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

Voting in the affirmative, 32:

Adams, J.	Carson	Lillibridge	Schroeder
Adams, T.	Cramer	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Benesch	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burnham	Holmes	Norman	Williams
Callan	Hoyt	Ogden	Wilson, W.
Carmody	Larkin	Pizer	Wood

Voting in the negative, 0.

Not voting, 11:

Anderson, L.	Burney	Lee	Prohs
Babcock	Cretsinger	McKnight	Wilson, C.
Bohlke	Hanna	Person	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 277.

A bill for an act relating to the assignment of accounts receivable; to promote trade and commerce by facilitating the sale and pledge of accounts receivable; to define terms; to eliminate fraud in connection with secret assignments; to provide a construction clause; and to prescribe the form and effect of the assignment.

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

Voting in the affirmative, 38:

Adams, J.	Cramer	Lusienski	Schroeder
Adams, T.	Davies	McKnight	Tvrdik
Anderson, V.	Hanna	Metzger	Vogel
Benesch	Hill	Nelson	Vogt
Bridenbaugh	Holmes	Norman	Weborg
Burney	Hoyt	Ogden	Williams
Burnham	Larkin	Person	Wilson, C.
Callan	Lee	Pizer	Wilson, W.
Carmody	Lillibridge	Prohs	Wood
Carson	Lindgren		

Voting in the negative, 1:

Hern

Not voting, 4:

Anderson, L.	Babcock	Bohlke	Cretsinger

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 466.

A bill for an act to amend section 70-408, Revised Statutes of Nebraska, 1943, relating to charges for sale of electrical energy; to eliminate provisions that no service charge, meter charge, penalty for delinquency, or other charge, in addition to that based on kilowatt-hour shall be made; to provide that charges made for electrical

energy for residential, commercial, and farm purposes shall be also based on the demand as may be registered or indicated by a demand meter, or as may be contracted for; to authorize a penalty for delinquency in payment 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, 39:

Adams, J.	Cramer	Lindgren	Schroeder
Adams, T.	Davies	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Benesch	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 0.

Not voting, 4:

Anderson, L.	Babcock	Bohlke	Cretsinger

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Hoyt introduced Reverend and Mrs. P. W. Sellman, Mr. and Mrs. Murdock and Mr. and Mrs. Dean Blincow, sponsors and Mrs. Laberta Zike, Principal, with nineteen students of Oxford High School, Oxford, Nebraska.

Mr. Carmody Presiding

SELECT FILE

LEGISLATIVE BILL 267. E and R amendment found in the Legislative Journal for the Seventy-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 430. 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 344. 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 457.

Mr. Lee moved to return L. B. 457 to General File for specific amendment.

The motion did not prevail.

Mr. Wood offered the following unanimous consent amendments, upon which no action was taken.

1. Amend Section 1 of the printed bill in lines 4 and 5 by striking the words "paying all the expenses incident thereto" and substituting the words: *"such other fire prevention activities as the Governor may direct"*.

2. Amend Section 1 of the printed bill by striking all of lines 26 to 36 inclusive.

3. Amend the title of the printed bill by adding after the words "State Fire Marshall" in line 5 the words: "and such other fire prevention activities as the Governor may direct; to eliminate provisions in regard to a special fund and permanent appropriation".

Laid over.

LEGISLATIVE BILL 388. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Metzger moved to strike the enacting clause.

Mr. Burney requested a machine vote.

The motion did not prevail with 9 ayes, 20 nays and 14 not voting.

Mr. Hanna offered the following amendment, which was adopted by unanimous consent.

Amend the amended bill, Section 6, line 9, by striking the word "five" and inserting in lieu thereof the word "four".

Advanced to E and R for engrossment.

Member Excused

Mr. Ogden was excused for the remainder of the day.

LEGISLATIVE BILL 341. 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 415. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. W. Wilson offered the following amendment, which was adopted by unanimous consent.

Amend L. B. 415, new Section 3, by striking the words "as provided" in line 2 of said section, and inserting in lieu thereof the words "not described as mass picketing".

Laid over until Monday, April 25, 1949.

Speaker Lee Presiding

LEGISLATIVE BILL 2.

Advanced to E and R for engrossment.

Visitors

Mr. Burney introduced Mr. and Mrs. R. A. Merriman and twenty-two students of Coleridge High School, Coleridge, Nebraska.

Mr. Vogt introduced Mr. L. R. Griffing, Principal, and six students from Circleville, Kansas.

Mr. Hill introduced Rev. Wm. Parker, Methodist Minister of Hebron, Nebraska.

Approved by the Governor

April 21, 1949

The President, the Speaker and
Members of the Legislature,
Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 19, 1949, he approved L. B. 67, L. B. 302, L. B. 88, L. B. 309, L. B. 407, L. B. 410, L. B. 222, L. B. 370, L. B. 408, and L. B. 509, and that on April 20, 1949, he approved L. B. 24, L. B. 250, L. B. 281, L. B. 209, L. B. 301, L. B. 306, L. B. 27, and L. B. 13.

Sincerely,

(Signed) Christ J. Petrow
Executive Secretary.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 504. Correctly re-engrossed.
LEGISLATIVE BILL 264. Correctly enrolled.
LEGISLATIVE BILL 269. Correctly enrolled.
LEGISLATIVE BILL 500. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 264 L. B. 269 L. B. 500

GENERAL FILE

Special Order

Mr. Carmody Presiding

LEGISLATIVE BILL 292.

The Lee amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Speaker Lee Presiding

Mr. W. Wilson offered the following amendment, which was adopted with 16 ayes, 13 nays and 14 not voting.

Amend L. B. 292, Section 3, line 16, by striking the word "two" and inserting in lieu thereof the word "six".

Mr. Lusienski offered the following amendments, which were adopted with 16 ayes, 12 nays and 15 not voting.

1. Amend page 6 of the bill, section 6, line 7, as amended by the Standing Committee amendments, by striking the words *"twenty-seven"* and inserting in lieu thereof the words *"twenty-nine"*.

2. Amend page 6 of the bill, section 6, line 12, as amended by Standing Committee amendments, by striking the words *"twenty-two"* and inserting in lieu thereof the words *"twenty-three"*.

3. Amend pages 6 and 7 of the bill, section 6, lines 21 and 22, as amended by the Standing Committee amendments, by striking the words *"three thousand"* and inserting in lieu thereof the words *"thirty-four hundred"*.

Mr. Burney offered the following amendments which were adopted.

Amend the committee amended L. B. 292, section 4, lines 17 and 18 by striking the words "three thousand" and reinserting the words "twenty-nine hundred".

In line 8 strike the words "twenty-three" and insert in lieu thereof "twenty-four".

In line 19 strike the words "twenty-seven" and insert "twenty-nine".

In lines 21 and 22 strike the words "twenty-seven" and insert "twenty-nine".

Advanced to E and R for review.

Mr. Benesch Presiding

LEGISLATIVE BILL 234. Read.

Mr. Lee Presiding

Laid over until Tuesday, April 26 at 10.00 a.m.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 251. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Wood introduced Mrs. Ruth Greenwood, teacher, and nine students from Seward High School, Seward, Nebraska.

Mr. Hern introduced Mr. H. L. Siekman, coach, and four students from Hastings High School, Hastings, Nebraska.

Adjournment

At 11:45 a.m., Mr. Carmody made a motion that the Legislature adjourn, but the motion did not prevail.

Mr. Hill made a motion to suspend the rules and adjourn until 10:00 a.m. Monday morning.

The motion did not prevail with 21 ayes, 10 nays and 12 not voting.

Mr. Tvrdik made a motion to adjourn until 9:30 a.m., Monday morning.

Mr. Hern offered a substitute motion to adjourn, which did not prevail.

Mr. Tvrdik's motion prevailed with 27 ayes, 3 nays and 13 not voting.

Hugo F. Srb

Clerk of the Legislature

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 25, 1949

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cretsinger and Vogt, who were excused.

The Journal for the Seventy-eighth Day was approved.

Visitors

Mr. John Adams introduced Dr. Aaron Manasses McMillan, who was a member of the Bicameral Legislature in 1929 from Douglas County. Dr. McMillan resigned to become a medical missionary to Africa, under the auspices of the Congregational Medical Missionary Board.

Mr. Hern introduced Mr. George Murk, Representative in the Minnesota State Legislature and also, President of the Minneapolis Musicians Association. Mr. Murk addressed the Legislature briefly.

Mr. Hern introduced his nephew, Mr. Herbert Burke of Bridgeport, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 184. Replaced on Select File as amended.

E and R amendment to L. B. 184:

In accordance with specific amendment by Mr. Tvrdik of April 20, 1949 also strike E and R amendments 2 and 4 of April 19, 1949 and General File amendment by Mr.Tvrdik of February 24, 1949.

LEGISLATIVE BILL 499. Replaced on Select File as amended.

E and R amendment to L. B. 499:

1. Amend Specific Amendment 1, new section 2, line 3, by inserting *"(1)"* after the section number and punctuation; line 13, insert *"(2)"* before "All"; line 14, insert the word *"credited"* after the word "be" at beginning of line; same line, strike the word "credited" and also in line 21 strike ", credited"; line 21, strike the comma after "be" and insert the word *"credited"*; line 23, insert *"(3)"* before "Every"; line 24, insert a comma after the word "railroad" and also in line 25 after the word "bond"; line 26, strike the comma after the word "commission" and in lieu thereof insert *"and"*; line 32, strike "; all" at the end of said line 32, strike line 33, and line 34 up to but not including the period; line 41, insert *"and"* before "Class"; same line 41, strike "; all" and in lieu thereof insert ". *All bonds required by this subsection shall be"*.

LEGISLATIVE BILL 431. Placed on Select File as amended.

E and R amendments to L. B. 431:

1. In the bill, section 2, line 21, strike the words "Such bonds" and in lieu thereof insert *"They"*.

2. In the bill title, line 6, strike the words "as amended" and in lieu thereof insert "amendments thereto".

LEGISLATIVE BILL 294. Placed on Select File as amended.

E and R amendments to L. B. 294:

1. In substitute bill, section 1, strike commencing with the comma in line 8 to and including the word "schools" in line 9 and in lieu thereof insert ". *The* general government *thereof"*.

2. Section 2, line 6 strike "and in"; line 8, strike ", *as well, in"*.

LEGISLATIVE BILL 523. Placed on Select File as amended.

E and R amendments to L. B. 523:

1. In the bill, section 2, line 9, insert a comma after the word "welfare"; line 12, insert a comma after the word "stenographic"; line 22, insert a comma after the word "stationery".

2. In section 3, line 3, insert a comma after the word "amend"; in that same line, insert a comma after "regulations" at the end of the line; line 17, insert a comma after the word "supply"; line 19, insert a comma after the word "trades"; line 21, insert a comma after the word "hospitals"; line 23, insert the word "and" before "(m)".

3. In section 5, line 9, insert a comma after the word "protection", all as shown by General File amendment 1 by Mr. Wood of April 21, 1949.

LEGISLATIVE BILL 233. Correctly engrossed.
LEGISLATIVE BILL 283. Correctly engrossed.
LEGISLATIVE BILL 267. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 24. Re: Legislative Council study of County Government.

Introduced by: William A. Metzger of Cass, Charles Wilson of Madison and John P. McKnight of Nemaha.

WHEREAS, the combined spending of the counties of this state exceeds the money spent by the State of Nebraska; and

WHEREAS, studies have been made to improve the efficiency of the spending of money and functions of the state but not for counties; and

WHEREAS, amendments have been made to the existing laws to correct certain inefficiencies in county government; and

WHEREAS, there is a possibility that much of the county functions are duplicated by virtue of the present laws.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Nebraska Legislative Council be directed to make a study of the laws governing counties regarding the following matters:

(a) Functions of county officials that a consolidation might be made of offices within the county;

(b) Uniform laws for purchases and sales of supplies and equipment;

(c) Readjustment of salaries commensurate to the duties performed by county officials;

(d) Uniform program for improvement and maintenance of county roads; and

(e) Other matters pertaining to county government which the Legislative Council deems advisable.

2. That the Nebraska Legislative Council, in making this study, be directed to seek the advice and cooperation of both public and private agencies and individuals concerned with the welfare of county government.

3. That the Nebraska Legislative Council be directed to make a report to the Legislature in January, 1951.

Unanimous Consent—Return L. B. 413

Mr. Pizer asked unanimous consent to return L. B. 413 to General File for specific amendment.

Consent was granted and it was so ordered.

Unanimous Consent—Return L. B. 100

Mr Vogel asked unanimous consent to return L. B. 100 to Select File for specific amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 100.

Mr. Vogel offered the following amendment, which was adopted by unanimous consent.

Amend the second section of Senator Thomas Adams' amendment to L. B. 100 and dated March 23, by striking the word "*Three*" in the fourth line thereof and substituting in lieu the word "five".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 457.

Mr. Wood's amendments, found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 413.

Mr. Pizer offered the following amendments, which were adopted by unanimous consent.

1. Amend page 2 of the bill, section 1, line 14, by inserting after the punctuation following the word "holder" the following additional sentences:

"If the land to be taken is held under lease, the fair and reasonable market value of the land at the time of the taking thereof and damage thereto shall be paid to the Board of Educational Lands and Funds, and the board shall pay to the lessee therefrom any damages sustained by the holder of the lease arising from the condemnation of his interest under the lease. The value of the improvements taken, if any, and the damage thereto, shall be paid to the holder of the lease.".

2. Amend the title, line 6, by inserting after the punctuation the following: "to provide for payment and allocation of amounts awarded as damages for taking of school land under eminent domain;".

Advanced to E and R for review.

LEGISLATIVE BILL 425. Laid over.
LEGISLATIVE BILL 246. Laid over.
LEGISLATIVE BILL 399.

Mr. Lindgren asked unanimous consent to have L. B. 399 laid over for one day.

Mr. Carmody offered objection.

Mr. Carmody moved that L. B. 399 be considered today.

The motion prevailed.

L. B. 399 was read and considered.

Mr. Hoyt offered the following amendment, which was adopted.

Amend page 3 of the bill, section 3, line 13 by striking the words *"four-sixths"* and inserting in lieu thereof *"five-sixths"*.

Mr. Tvrdik offered an amendment to Section 3.

After discussion, Mr. Hanna moved the previous question.

The President then stated the question "Shall the debate now close?"

The motion prevailed with 22 ayes, 0 nays and 21 not voting.

Mr. Tvrdik's amendment was not adopted.

Mr. Tvrdik offered a second amendment to Section 3, which was not adopted with 11 ayes, 21 nays and 11 not voting.

Mr. Tvrdik offered a third amendment which was not adopted.

Laid over.

LEGISLATIVE BILL 490. Laid over.
LEGISLATIVE BILL 402. Laid over.
LEGISLATIVE BILL 492. Read and considered.

Mr. Carmody offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 1, line 13, by inserting after the punctuation following the word "rates" the following: *"(1)"*.

2. Amend page 2 of the bill, section 1, line 25, by inserting after the punctuation following the word "bracket" the following:

"(2) for a motor bus equipped to carry more than seven persons for hire, except those buses engaged entirely in transportation of passengers for hire within municipalities or in and within a radius of five miles thereof, the equalization fee shall be determined by the weight of such bus and for the purpose of determining the weight thereof, the unladen weight in pounds of said bus shall be used and to which there shall be added in pounds the number of persons said vehicle is equipped to carry times two hundred pounds and the total pounds of said bus and persons said vehicle is equipped to carry, shall be the weight of said vehicle for the purpose of determining the equalization fees thereon; that the equalization fee for a bus shall be at the following rates: If said vehicle weighs thirty-two thousand pounds and less than thirty-four thousand pounds it shall pay the same equalization fee as is herein provided for a twelve-ton truck; if said vehicle weighs thirty thousand pounds and less than thirty-two thousand pounds it shall pay the same equalization fee as is herein provided for an eleven-ton truck; if said vehicle weighs twenty-eight thousand pounds and less than thirty thousand pounds it shall pay the same equalization fee as is herein provided for a ten-ton truck; if said vehicle weighs twenty-six thousand pounds and less than twenty-eight thousand pounds it shall pay the same equalization fee as is herein provided for a nine-ton truck; if said vehicle weighs twenty-four thousand pounds and less than twenty-six thousand pounds it shall pay the same equalization fee as is herein provided for an eight-ton truck; if said vehicle weighs twenty-two thousand pounds and less than twenty-four thousand pounds it shall pay the same equalization fee as is herein provided for a seven-ton truck; if said vehicle weighs twenty thousand pounds and less than twenty-two thousand pounds it shall pay the same equalization fee as is herein provided for a six-ton truck; if said vehicle weighs eighteen thousand pounds and less than twenty thousand pounds it shall pay the same equalization fee as is herein provided for a five-ton truck; if said vehicle weighs sixteen thousand pounds and less than eighteen thousand pounds it shall pay the same equalization fee as is herein provided for a four-ton truck; and if said vehicle weighs less than sixteen thousand pounds it shall pay the same equalization fee as is herein provided for a three-ton truck; and (3)".

3. Amend the title by inserting after the punctuation in line 6, the following: "to prescribe the method of imposition of such equalization fee on motor buses as prescribed;".

Mr. V. Anderson offered the following amendment, which was adopted.

Sec. 1, line 14, strike the first word "twenty" and insert in lieu thereof the word "fifteen".

Standing Committee amendment, found in the Legislative Journal for the Seventy-first day was adopted.

Laid over.

Member Excused

Mr. J. Adams was excused for the remainder of the day.

Visitors

Mr. Bridenbaugh introduced four students from South Sioux City High School.

Mr. Carmody introduced his cousin, Mrs. Charles Sweet of Palmyra, and his wife and son.

Mr. Lee introduced Mr. Art Pollard and Mr. and Mrs Frank Dlouhy, sponsors, Mrs. Mabel Frahm, teacher, and fifteen students from North Bend High School, North Bend, Nebraska.

Mr. Lee introduced Mr. Joseph C. Reavis of Falls City, a former member of the Legislature. Mr. Reavis spoke briefly.

Unanimous Consent—Executive Sessions

Mr. Vogel asked unanimous consent to hold an executive session of the Committee on Labor and Public Welfare at 1:45, this afternoon.

Consent was granted and it was so ordered.

Mr. Hoyt asked unanimous consent to hold an executive session of the Committee on Agriculture, Tuesday afternoon at 2:00 p.m.

Consent was granted and it was so ordered.

Members Excused

Mr. Schroeder was excused for the remainder of the day.

Mr. McKnight was excused for Friday, April 29, 1949.

RECESS

At 11:55, on a motion by Mr. Hern, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

The roll was called and all members were present except Messrs. J. Adams, Cretsinger, Schroeder and Vogt, who were excused.

GENERAL FILE

LEGISLATIVE BILL 401.

Standing Committee amendments found in the Legislative Journal for the Seventy-fourth Day were read in lieu of reading the bill.

Mr. Wood Presiding

Mr. Carmody Presiding

Mr. Lee Presiding

Mr. Hoyt offered the following amendment to Standing Committee Amendment No. 19.

Amend Section 4 by reinserting the stricken language in lines 8, 9, 10, 11 and 12.

Then strike the word "three" in line 10 and insert in lieu thereof "six".

Strike the word "five" in line 12 and insert in lieu thereof the word "eight".

The Standing Committee amendments, as amended, were adopted.

Mr. Carmody offered the following amendment to L. B. 401, which was adopted.

1. Amend page 7 of the bill, section 5, by striking line 6 and inserting in lieu thereof the following: "capacity of *three-fourths ton or less, eight dollars;* one and one-half tons or less, four *ton, ten*".

Mr. Wood offered the following amendment, which was adopted.

Amend L. B. 401, Section 4, Page 6, by inserting immediately following the period in line 48, the following: "For passenger cars leased for hire where no driver or chauffeur is furnished by lessor as part of the consideration paid for by the lessee, incident to the operation of the leased motor vehicle, which fee shall be $10.00.".

Laid over.

Statement

The Committee on Labor and Public Welfare, at a meeting on April 25, 1949, by a unanimous vote of the nine members present voted to introduce a bill to provide for deduction of wages or earnings when the payroll deductions so taken are for the items prescribed therein in accordance with a written order of an employee which has been accepted by the employer. (Signed) Karl E. Vogel, Chairman, Labor and Public Welfare Committee

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill to provide for deduction of wages or earnings when the payroll deductions so taken are for the items prescribed therein in accordance with a written order of an employee which has been accepted by the employer. (Signed) Karl E. Vogel

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 537. By Committee on Labor and Public Welfare, Karl E. Vogel, Chairman.

A bill for an act to amend section 36-213, Revised Statutes of Nebraska, 1943, relating to assignment of wages; to provide for deduction of wages or earnings when the payroll deductions so taken are for the items prescribed therein in accordance with a written order of an employee which has been accepted by the employer; and to repeal the original section.

MOTION—Suspend Rules, Refer Bill

Mr. President: I move that the rules be suspended and that

L. B. 537 be referred to committee today. (Signed) Harry L. Pizer

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

Bill Referred to Standing Committee

L. B.	Committee
537	Labor and Public Welfare

MOTION—Dispense With Hearing

Mr. President: I move to suspend the rules and place L. B. 537 on General File, without committee hearing. (Signed) Karl E. Vogel

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

GENERAL FILE

LEGISLATIVE BILL 402.

Standing Committee amendments found in the Legislative Journal for the Seventy-first Day were read in lieu of reading the original bill.

The Standing Committee amendments were adopted.

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 277. Correctly enrolled.
LEGISLATIVE BILL 412. Correctly enrolled.
LEGISLATIVE BILL 424. Correctly enrolled.
LEGISLATIVE BILL 466. Correctly enrolled.
LEGISLATIVE BILL 522. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 25, 1949, at 9:30 a.m.

L. B. 56	L. B. 318	L. B. 500
L. B. 232	L. B. 335	L. B. 529
L. B. 264	L. B. 337	L. B. 220
L. B. 269	L. B. 398	L. B. 143
L. B. 275	L. B. 422	

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 277	L. B. 424	L. B. 522
L. B. 412	L. B. 466	

Adjournment

At 3:50 p.m., on a motion by Mr. Lillibridge, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 26, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Seventy-ninth Day was approved as corrected.

Visitors

Mr. Weborg introduced Mr. Forrest Rockwell, Superintendent, and thirteen students of Craig High School, Craig, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 530.

A bill for an act to amend section 32-1930, Revised Statutes of Nebraska, 1943, relating to elections; to redefine, change, and clarify the penalties imposed for violation of prohibition against political campaign contributions by corporations; to provide that it shall be unlawful for any officer, agent, or servant of any corporation to participate in such violation; to provide that it shall not be unlawful for such officer, agent, or servant to make such contribution in his individual capacity; to provide the duty of the Attorney General with reference to prosecution of violations of said section; and to repeal the original section.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, L.	Cramer	Lillibridge	Prohs
Anderson, V.	Cretsinger	Lindgren	Schroeder
Babcock	Davies	Lusienski	Tvrdik
Benesch	Hanna	McKnight	Vogel
Bohlke	Hern	Metzger	Vogt
Bridenbaugh	Hill	Nelson	Weborg
Burney	Holmes	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson			

Voting in the negative, 0.

Not voting, 2:

Adams, J. Adams, T.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 427.

A bill for an act to amend section 79-1501, Revised Statutes Supplement, 1947, relating to schools; to provide qualifications for persons holding the office of county superintendent of schools; 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:

Anderson, L.	Cramer	Lee	Pizer
Babcock	Cretsinger	Lillibridge	Prohs
Benesch	Davies	Lindgren	Schroeder
Bohlke	Hanna	Lusienski	Tvrdik
Bridenbaugh	Hern	McKnight	Vogel
Burney	Hill	Metzger	Williams
Burnham	Holmes	Norman	Wilson, W.

Callan	Hoyt	Ogden	Wood
Carson	Larkin	Person	

Voting in the negative, 5:

Carmody	Vogt	Weborg	Wilson, C.
Nelson			

Not voting, 3:

Adams, J.	Adams, T.	Anderson, V.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Davies introduced Mr. Robert Cleveland, Instructor, and twenty-four students of the American Government Class at Union College, Lincoln, Nebraska.

Mr. Metzger introduced Mr. Charles Armstrong, Sponsor, Mrs. Charles Dyer, Teacher, and ten students of Greenwood Grade School, Greenwood, Nebraska.

Mr. T. Adams introduced Miss Florence Jenkins, Teacher, and forty students of the Modern Problems Class from Lincoln High School, Lincoln, Nebraska.

SELECT FILE

LEGISLATIVE BILL 415.

Mr. Tvrdik asked unanimous consent for the adoption of the following Specific amendment.

1. Amend page 2 of the bill, section 1, line 4, by inserting after the word "act" and before the punctuation the following: "; *Provided,* this act shall not apply to any person included within the terms carrier, carrier by air, employee, or representative, as used or defined in the National Railway Labor Act, as amended".

Mr. McKnight offered objection.

Mr. Tvrdik moved to return L. B. 415 to General File for the adoption of the above Specific amendment.

The motion did not prevail with 7 ayes, 21 nays and 15 not voting.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 184. E and R amendment found in the Legislative Journal for the Seventy-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 499. E and R amendment found in the Legislative Journal for the Seventy-ninth Day was adopted with 22 ayes, 0 nays and 21 not voting.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 431. 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 294. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Laid over.

LEGISLATIVE BILL 523. E and R amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for engrossment.

Unanimous Consent—Return to Select File

Mr. Cramer asked unanimous consent to return L. B. 484 to Select File for the following Specific amendments.

1. In the original bill, section 1, strike commencing with the word "counties" in line 25 to and including the word "inhabitants" in line 27, and in lieu thereof insert "*all* counties, *except as otherwise provided in subsection (6) of this section,*".

2. In the bill, section 1, line 11, strike the word "his" and in

lieu thereof insert *"said"*.

3. The committee on Enrollment and Review will amend the title to conform to these amendments.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 484.

Mr. Cramer's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

Unanimous Consent—Return to Select File

Mr. Nelson asked unanimous consent to return L. B. 388 to Select file for the following Specific amendment.

Amend L. B. 388 to read that any rural district that makes a levy equal to or greater than the average for rural schools in the county shall be entitled to share in the blanket tax.

Mr. Burney offered objection.

Mr. Nelson moved that L. B. 388 be returned to General File for the above amendment.

Mr. Wood Presiding

Mr. Lee Presiding

Mr. Nelson requested a record vote.

Voting in the affirmative, 17:

Adams, T.	Carmody	Metzger	Tvrdik
Anderson, V.	Hern	Nelson	Vogel
Benesch	Hill	Norman	Weborg
Bridenbaugh	Larkin	Pizer	Wilson, C.
Burnham			

Voting in the negative, 20:

Anderson, L.	Cramer	Lee	Prohs

Babcock	Cretsinger	Lillibridge	Schroeder
Bohlke	Hanna	McKnight	Vogt
Burney	Holmes	Ogden	Wilson, W.
Carson	Hoyt	Person	Wood

Not voting, 6:

Adams, J.	Davies	Lusienski	Williams
Callan	Lindgren		

Mr. Nelson's motion did not prevail.

Member Excused

Mr. Ogden was excused for the balance of the day.

Presentation of Sugar

Mr. Prohs presented five-pound packages of sugar, manufactured by the Great Western Sugar Company. Mr. Prohs explained the importance of the sugar industry in the Valley in western Nebraska.

Visitors

Mr. McKnight introduced Principal Harold Johnson, and Mrs. Kathryn Wilson, Teacher, with fifty Eighth Grade students from Auburn Junior High School, Auburn, Nebraska.

Mr. Hill introduced Mr. Dayton Rothrock, Superintendent, and twenty-six students of Carleton High School, along with their sponsors.

Mr. Lee introduced Mr. Willis Fleming, Principal and forty students from Avoca, Iowa.

GENERAL FILE

Special Order

LEGISLATIVE BILL 234.

Standing Committee amendments, found in the Legislative Journal for the Seventy-fourth Day were adopted.

Mr. Tvrdik made a motion to indefinitely postpone L. B. 234.

Mr. Williams offered a substitute motion to lay L. B. 234 over until Wednesday, May 4, 1949.

Visitors

Mr. Lillibridge introduced Miss Shirley Kotouc and Miss Deloras Placek, teachers and fourteen students of Districts 15 and 58 of Saline County, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 461. Replaced on Select File as amended.

E and R amendment to L. B. 461:

1. In Standing Committee Amendment to section 1, line 24, strike the word "and" in new insertion; also in the insertion to line 37, line 4 of original amendment.

LEGISLATIVE BILL 182. Placed on Select File as amended.

E and R amendments to L. B. 182:

1. Amend Standing Committee amendment numbered 1, line 1 of newly inserted matter, by inserting the word "a" after the word "such" and also by adding the word "is" before the word "described".

2. In Standing Committee amendment 9, newly inserted section 18, line 2 of insertion, strike the word "and", and also in Standing Committee amendment 10, line 5 of the original, newly inserted matter, in both cases after "1943,"; and in Standing Committee amendment 9, newly inserted matter, line 3 of original, and in Standing Committee amendment 10, line 6 of the newly inserted matter, in each case after "1947" insert ", and section 2, Legislative Bill 507, Sixty-first Session, Nebraska State Legislature, 1949".

3. In General File amendment 1 by Mr. Lee, line 2 of the original, strike the word "following" and in lieu thereof insert "before".

4. In the bill, section 2, line 4, strike ", and" and in lieu thereof insert "and,"; line 5, insert the word "may" before the word "sell".

5. Section 3, line 13, strike "for" before the word "three".

6. Section 4, line 3, strike "may" after "(2)".

7. Section 5, line 7, strike the words "to be" and in lieu thereof insert "having been"; line 10, insert "a" before the word "notice"; line 13, strike the words "and of" after the comma; same line, insert a comma after the word "meeting".

8. Section 7, line 1, strike all of said line after the period following the section number and in lieu thereof insert "(1) The chief, presiding, or executive officer of any of"; line 7, strike the word "and" and in lieu thereof insert "together with", and also in line 18; line 9, strike ", of which" and in lieu thereof insert ". At said", and also in line 21; line 10, strike "or presiding" and in lieu thereof insert ", presiding," and also in line 14 and line 22; line 11, insert "(2)" before "In".

9. Section 8, line 15, insert "filed and" before the word "recorded".

10. Section 9, line 4, strike "; and such" and in lieu thereof insert ". A".

11. Section 11, line 6, strike ", and three" and in lieu thereof insert ". Three"; line 11, strike the comma at the end of the line and strike line 12 up to and including the word "then", and in lieu thereof insert "or, if there is none,".

12. Section 13, line 5, strike ", and a" and in lieu thereof insert ". A".

13. Section 14, line 16, strike the comma after the word "conference"; line 17, strike "placed upon the records" and in lieu thereof insert "filed and recorded in the office of the county clerk".

14. Section 15, line 4, insert the word "the" before the word "election"; line 7, strike ", which" and in lieu thereof insert ". The"; line 12, insert "file and to" before the word "record"; line 17, strike "; and a" and in lieu thereof insert ". A"; line 18, strike the word "authorized" and in lieu thereof insert "directed".

LEGISLATIVE BILL 273. Replaced on Select File as amended.

E and R amendments to L. B. 273:

1. In line 2 of E and R amendment 4 of 4/20/49, strike "8" and insert "9".

2. In line 22 of section 1 strike ", town,".

LEGISLATIVE BILL 307. Correctly re-engrossed.
LEGISLATIVE BILL 387. Correctly re-engrossed.

(Signed) Glenn Cramer, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Carmody, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 27, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by Rev. Leonard L. Chambers.

The roll was called and all members were present.

The Journal for the Eightieth Day was approved.

Communications

A letter from Mr. Charles I. Long, Secretary of the Fifth District of the Nebraska Farmers Union, Murdock, Nebraska opposing L. B. 234, L. B. 399 and L. B. 401.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 536. Placed on General File as amended.

Standing Committee amendment to L. B. 536:

Page 2, Section 1, at the end of line 11, strike the period and add the following: *"and shall be known as the county assistance fund."*

(Signed) William Hern, Chairman

Agriculture

LEGISLATIVE BILL 532. Indefinitely postponed.

(Signed) Ed Hoyt, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 26, 1949, at 10:15 a.m.

L. B. 522	L. B. 277	L. B. 412
L. B. 466	L. B. 424	

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 504.

A bill for an act relating to federal aid to public education in the elementary and secondary schools of the state; to qualify the State of Nebraska for funds appropriated under the Educational Finance Act of 1949, enacted by the 81st Congress of the United States; to accept the provisions of said act; to provide for the administration by the Superintendent of Public Instruction of the funds to be received; to provide that the Superintendent of Public Instruction shall represent the State of Nebraska in the administration of said funds; to provide that the State Treasurer shall receive such funds, and report annually to Congress the amounts so received, together with a detailed statement of their disbursement; to provide for an annual audit of such funds by the Auditor of Public Accounts; to provide for a system of reports from the several school districts of the state to the Superintendent of Public Instruction; to require the Superintendent of Public Instruction to make reports to the United States Commissioner of Education with respect to the progress of education on forms to be prescribed by the commissioner; to provide for the apportionment of the funds received by the state to the several public school districts of the state, according to an amount per pupil in average daily attendance at public elementary and secondary schools within such local school district; to provide that the Superintendent of Public Instruction shall formulate and effectuate, for each fiscal year beginning after June 30, 1953, a plan for the apportionment of such amounts paid to the state in accordance with the provisions of the Educational Finance Act of 1949; and to provide for the transmittal of notice of acceptance of said act, and of all regulations relating thereto and amendments thereof, to the United States Commissioner of Education.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, L.	Carmody	Lillibridge	Tvrdik
Anderson, V.	Carson	Lindgren	Vogel
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	Metzger	Weborg
Bohlke	Hanna	Nelson	Williams
Bridenbaugh	Hern	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Burnham	Hoyt	Pizer	Wood
Callan	Larkin	Prohs	

Voting in the negative, 3:

Cramer	Hill	Schroeder

Not voting, 5:

Adams, J.	Lee	McKnight	Norman
Adams, T.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 251.

A bill for an act relating to insurance; to provide for issuing group life insurance; to provide standard provisions for group life insurance policies; to provide that the entering into a contract of group insurance as provided in this act without a prescribed medical examination shall not be construed as a violation of section 44-702, Revised Statutes of Nebraska, 1943; to amend sections 44-363 and 44-702, 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, 40:

Adams, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Prohs

Anderson, L.	Cramer	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Person	Wood

Voting in the negative, 2:

Metzger	Schroeder

Not voting, 1:

Burnham

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Davies introduced his brother Mr. Reg Davies.

Mr. Metzger introduced Mr. B. N. Maxwell, Superintendent, Greenwood, Nebraska and four students from the "Modern Problems Class".

Mr. McKnight introduced Mr. Wilmer Keedy, sponsor, Mr. Leonard Lichti, Superintendent, Mrs. Wm. A. Reed, teacher and fourteen students from Nemaha, Nebraska.

MOTION—Place L. B. 196 on General File

Mr. President: I move to place L. B. 196 on General File. (Signed) Lester H. Anderson

Mr. L. Anderson requested a Call of the House.

A Call of the House was ordered and the roll showed 43 members present.

Mr. Hoyt moved to raise the Call and the motion prevailed with 31 ayes, 7 nays and 5 not voting.

Mr. L. Anderson's motion did not prevail with 24 ayes, 12 nays and 7 not voting.

SELECT FILE

LEGISLATIVE BILL 461. E and R amendment found in the Legislative Journal for the Eightieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 182. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Mr. Cramer offered the following amendment, which was adopted by unanimous consent.

1. Insert a new section 18 and renumber present section 18, inserted by amendment, as section 19, which new section 18 shall read as follows: "Sec. 18. For filing and recording any of the documents specified in sections 8, 14, and 15 of this act, the county clerk shall be entitled to demand and receive the sum of twenty cents per hundred words, with a minimum of one dollar, and the sum of twenty-five cents for furnishing any certificate requested in regard thereto.".

2. In the bill, title, as shown by Standing Committee Amendment 10, 6th line of original amendment after "acts;" and before the word "and" insert "to fix the fees of the county clerk for certain filings and recordings pertaining thereto;".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 273. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 294.

Mr. Metzger moved to return L. B. 294 to General File for Specific amendment.

The motion did not prevail with 15 ayes, 24 nays and 4 not voting.

Mr. Lillibridge moved to return L. B. 294 to General File for Specific amendment.

The motion did not prevail with 16 ayes, 17 nays and 10 not voting.

Mr. Metzger moved to return L. B. 294 to General File for another Specific amendment.

The motion did not prevail with 10 ayes, 23 nays and 10 not voting.

Mr. Metzger moved to return L. B. 294 to General File for the purpose of striking the enacting clause.

Mr. Metzger requested a record vote.

Voting in the affirmative, 16:

Anderson, V.	Cramer	Larkin	Ogden
Babcock	Davies	Lee	Person
Bohlke	Holmes	Lillibridge	Pizer
Bridenbaugh	Hoyt	Metzger	Wood

Voting in the negative, 22:

Adams, T.	Carmody	Lindgren	Tvrdik
Anderson, L.	Carson	McKnight	Vogt
Benesch	Cretsinger	Nelson	Weborg
Burney	Hanna	Prohs	Williams
Burnham	Hern	Schroeder	Wilson, W.
Callan	Hill		

Not voting, 5:

Adams, J.	Norman	Vogel	Wilson, C.
Lusienski			

The motion did not prevail with 16 ayes, 22 nays and 5 not voting.

Advanced to E and R for engrossment.

Visitors

Mr. Lee introduced Mr. and Mrs. E. R. Butterworth and sixteen students from Dow City High School, Dow City, Iowa.

Mr. Davies introduced Mrs. Will Hardy, of Lincoln, Nebraska.

Mr. T. Adams introduced Miss Florence Jenkins, Teacher, and

thirty students of the Modern Problems Class from Lincoln High School, Lincoln, Nebraska.

Mr. Schroeder introduced Mrs. Esty Sadler, Sponsor, Mr. and Mrs. Wm. Dunn, Superintendent and Principal, and fourteen students of Leigh High School, Leigh, Nebraska.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 57. Placed on General File as amended.

Standing Committee amendments to L. B. 57:

1. Amend pages 2 and 3 of the bill, section 1, by striking lines 6 to 38 and inserting in lieu thereof the following:

"Sec. 6. The Legislature shall consist of not more than fifty nor less than thirty members. The sessions of the Legislature shall be annual or biennial as provided by law. If the sessions are held annually, in even-numbered years the Legislature shall not transact any business except to provide appropriations for the expenses of government and to confirm appointments unless specifically requested to do so by message of the Governor.

Sec. 7. At the general election held in November, 1952, there shall be elected such number of members of the Legislature as may be provided by law from even-numbered districts for a term of two years, and such number of members of the Legislature as may be provided by law from odd-numbered districts for a term of four years. Thereafter at each general election, successors of members whose terms expire in January following shall be elected for a term of four years. All terms shall begin at noon on the first Tuesday in January next ensuing the general election at which the member was elected. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he is affiliated with or endorsed by any political party or organization. The aggregate salaries of all the members shall be thirty-seven thousand five hundred dollars per annum, divided equally among the members and payable in such manner and at such times as shall be provided by law. In addition to his salary, each member shall receive and be paid an amount equal to his actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor prerequisites other than said salary and expenses. Employees of the

Legislature shall receive no compensation other than their salary or per diem.".

2. Amend page 3 of the bill, section 2, by striking lines 10 and 11 and 14 and 15, and inserting in lieu thereof the following: "Constitution of Nebraska, providing for annual or biennial sessions of the Legislature as provided by law and four-year terms for".

3. Amend the title of the bill, line 5, by striking the words "sessions of the Legislature" and inserting in lieu thereof the following: "or biennial sessions of the Legislature as provided by law".

4. Amend the title of the bill by striking line 9.

(Signed) John P. McKnight, Chairman

Budget

LEGISLATIVE BILL 534. Placed on General File as amended.

Standing Committee amendments to L. B. 534:

1. Amend page 5 of the bill, section 4, by striking lines 14 to 17 and inserting in lieu thereof the following: *"posed of the Department Commander of each of the recognized veterans' organizations in Nebraska as defined by Section 80-401.01, the Nebraska Department Commander of the United Spanish War Veterans, and the Director of the Department of Veterans' Affairs of Nebraska, or of representatives of such veterans' organizations or Department of Veterans' Affairs designated by the Department Commanders or director thereof. No salary shall be paid to any member of".*

2. Amend page 5 of the bill, section 4, by striking lines 32 to 35 and inserting in lieu thereof the following: *"consideration of any special problem. Members of this board representing veterans' organizations shall not be reimbursed from state funds for their expenses incurred in attending such meetings. Recommendations".*

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 344. Replaced on Select File as amended.

E and R amendments to L. B. 344:

1. In the bill, section 2, line 6, strike *"11"* and in lieu thereof insert *"9"*.

2. In Standing Committee amendment 1, line 7 of original amendment, strike *"or her"*.

LEGISLATIVE BILL 415. Replaced on Select File as amended.

E and R amendment to L. B. 415:

Amend E and R Amendment number 3 to the bill title, line 2 of that amendment, by striking the words "as defined" after the word "picketing".

LEGISLATIVE BILL 413. Placed on Select File as amended.

E and R amendments to L. B. 413:

1. Place the Pizer amendment after line 16 in section 1 instead of at the end of line 14; in line 4 of the original insert *"(3)"* before *"If"*; and in the same line after *"taken"* insert *", as referred to in subsection (1) of this section,"*.

2. In Standing Committee Amendment 2, line 2, insert a comma before *"except"*.

3. In the bill, section 1, line 3, insert *"(1)"* before "The"; line 10, insert *"(2)"* after the period; line 11, after *"taken"* insert *", as referred to in subsection (1) of this section,"*.

4. Section 2, strike commencing with the comma in line 3, to but not including the word *"authorized"* in line 4, and amendments thereto, and in lieu thereof insert *"for public use, the condemnation of the interest of the state, as trustee for the public schools, in educational lands as is"*; line 17, before *"date"*, line 21, before *"filing"*, and also line 25, before *"power"*, insert *"the"*.

5. Strike all of the bill title after the word "of" in the 5th line and all amendments thereto, and in lieu thereof insert "the interest of the state as trustee for the public schools in school lands for certain public uses by any department of the state government; to provide for payment and allocation of amounts awarded as damages for taking of school land under eminent domain under the prescribed circumstances; to provide for a board of appraisers of state officers where such land sought to be so acquired is held under an

outstanding lease; to provide the procedure before such board of appraisers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 100. Replaced on Select File as amended.

E and R amendments to L. B. 100:

1. In view of amendment by Mr. Vogel, strike amendment 3 by Mr. Adams of March 23, 1949 and insert the new insertion of said Adams amendment 3 in the title, line 7, before the semicolon.

2. To agree with Adams amendment 1, strike "*or more*" in line 2 of newly inserted matter of his amendment 2 as shown in original amendment 2 and in lieu thereof insert the words "*more than*" in the same line before "two".

LEGISLATIVE BILL 2. Correctly engrossed.
LEGISLATIVE BILL 388. Correctly engrossed.
LEGISLATIVE BILL 427. Correctly enrolled.
LEGISLATIVE BILL 530. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 427 L. B. 530

Visitors

Mr. J. Adams introduced Mrs. C. Mennenhall, Mrs. Homer Starks, Mrs. S. C. Hanger and thirty-two students from the 4th and 5th grades of Long School, Omaha, Nebraska.

GENERAL FILE

Special Order

LEGISLATIVE BILL 234.

Mr. Williams' motion to lay the bill over was declared out of order.

Discussion was continued on the Tvrdik motion to indefinitely postpone.

Mr. Carmody Presiding

Mr. Lee Presiding

Mr. Pizer moved the previous question.

The President stated the question "Shall the debate now close?".

The motion did not prevail with 15 ayes, 18 nays and 10 not voting.

Mr. Metzger moved to lay the bill over for one week, until May 4, 1949.

The Chair ruled that the motion was in order.

The motion did not prevail with 16 ayes, 23 nays and 4 not voting.

Mr. Carmody Presiding

After discussion Mr. Person moved the previous question.

The President stated the question "Shall the debate now close?".

The motion prevailed with 26 ayes, 5 nays and 12 not voting.

Mr. Babcock Presiding

Mr. Tvrdik's motion to indefinitely postpone L. B. 234 prevailed with 30 ayes, 12 nays and 1 not voting.

Visitors

Mr. Callan introduced Mrs. Sylvia Peterson, Mrs. Ivan Hedge and Mrs. Walter Jensen, sponsors, Miss Elsie Jensen, teacher, and sixteen students of the Seventh and Eighth Grades of Filley, Nebraska.

Mr. Lee introduced Miss Fern Smith, teacher and the choir of Northwestern College, Orange City, Iowa.

RECESS

At 12:00, noon, on a motion by Mr. Hern the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

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

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 493. Replaced on Select File as amended.

E and R amendment to L. B. 493:

1. In the bill section 20, line 5 and section 54, line 20, strike "however,".

(Signed) Glenn Cramer, Chairman

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Nathan B. Pont Stanton, Nebraska	Liquor Control Commission
Neil C. Vandemoer	Director of Assistance for the State of Nebraska
John Havens Lowe Sidney, Nebraska	Nebraska Game, Forestation and Parks Commission
H. J. Schwab Scottsbluff, Nebraska	State Racing Commission

(Signed) Harry L. Pizer, Chairman

MOTION—Rule Suspension, Appointment

Mr. President: I move that the rules be suspended and that

we take up the appointment of Mr. Schwab to the State Racing Commission. (Signed) Harry L. Pizer

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

MOTION—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) Harry L. Pizer

The motion prevailed.

Vote on Mr. Schwab

Voting in the affirmative, 38.

Voting in the negative, 0.

Not voting, 5.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Schwab confirmed.

Vote on Mr. Pont

Voting in the affirmative, 39.

Voting in the negative, 0.

Not voting, 4.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Pont confirmed.

Vote on Mr. Vandemoer

Voting in the affirmative, 39.

Voting in the negative, 0.

Not voting, 4.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Vandemoer confirmed.

Vote on Mr. Lowe

Voting in the affirmative, 41.

Voting in the negative, 0.

Not voting, 2.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Lowe confirmed.

To Record Vote

Mr. President: Had I been present, I would have voted for the confirmation of Mr. Pont. (Signed) John Adams, Sr.

Mr. President: Had I been present, I would have voted for the appointment of Mr. Pont. (Signed) Harry F. Burnham

Visitors

Mr. T. Adams introduced Mr. Lester Dunn, a former member of the Legislature.

Mr. Holmes introduced Mr. Gordon Robbins, Director of Mid-State Reclamation, and his son Peter, of Grand Island, Nebraska.

Mr. Pizer Presiding

Statement

The Committee on Judiciary voted 7 to 1 and one not voting to request introduction of this bill. It is an Act to declare that Federal Rent Control is no longer necessary in the State of Nebraska, or any part thereof, and to provide that the Governor on or before November 1, 1949, shall notify the Housing Expediter that Federal Rent Control is no longer necessary in Nebraska, or any part thereof, for the purpose of terminating Federal Rent Control in accordance with section 6 (j) (2) Public Law 31, 81st Congress, known as "Housing and Rent Act of 1949".

It is believed that this question of rent decontrol statewide for Nebraska should be given a public hearing by a Legislative Committee and brought before the Legislature for its action at this session. It is of great public interest to the people of Nebraska. (Signed) John P. McKnight, Chairman, Committee on Judiciary

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill to declare that federal rent control is no longer necessary in Nebraska; to provide that the Governor, on or before November 1, 1949, shall notify the Housing Expediter that federal rent control is no longer necessary in Nebraska; and to terminate federal rent control in accordance with the "Housing and Rent Act of 1949". (Signed) John P. McKnight

The motion prevailed with 32 ayes, 3 nays and 8 not voting.

Statement

The Committee on Judiciary voted by a vote of seven with two not voting to request introduction of this bill. This is a kindred bill to L. B. 271, and is intended to harmonize the procedure in the sale of property seized on the order of the Justice of Peace and Municipal Courts.

Prior to the enactment of L. B. 271, the Justice of the Peace, in authorizing the sale of property under Section 27-1617, was required to authorize the sale after posting notice at four of the most public places within the precinct where such property was seized. This very often caused litigants to pay the costs for such sales without results; because in many of the precincts, for lack of population, it was almost impossible to organize buying groups for the sale. In order to overcome this difficulty, L. B. 271 made the following provision: "shall be advertised for sale in some legal newspaper published in the county or by posting a notice thereof at four of the most public places within the county where the property was seized".

The jurisdiction of the Justice of the Peace Court, in matters of this nature and kind, was limited to $200.00.

Judgments exceeding $200.00 emanating from the Municipal Court were not provided for in a like manner. This bill takes care of this matter in the following language: "All property taken in execution under the provisions of sections 26-1,149 to 26-1,171 shall be advertised for sale *in some legal newspaper published in the county or by posting a notice thereof* at four of the most public places within the precinct *territorial jurisdiction of the court* where such property was seized,". (Signed) John P. McKnight, Chairman, Committee on Judiciary

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the in-

troduction of a bill to provide the manner of advertising and holding sale of property seized under execution issued out of municipal courts in cities of the metropolitan and primary class. (Signed) John P. McKnight

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

Statement

The Committee on Government, at a meeting on April 27, 1949 by a unanimous vote of all members, voted to introduce a bill to make changes in the Legislative Council: i.e. to make all members of the Legislature members of the Council and to create an executive committee. (Signed) Arthur Carmody, Chairman, Committee on Government

MOTION—Introduce Bill

Mr. President: I move that the Legislature authorize the introduction of a bill pertaining to the Legislative Council, making all members of the Legislature members of same and creating an executive committee. (Signed) Arthur Carmody

The motion prevailed with 30 ayes, 0 nays and 13 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 538. By Committee on Judiciary, John P. McKnight, Chairman.

A bill for an act to declare that federal rent control is no longer necessary in the State of Nebraska, or any part thereof; to provide that the Governor, on or before November 1, 1949, shall notify the Housing Expediter that federal rent control is no longer necessary in Nebraska, or any part thereof; and to terminate federal rent control in accordance with section 6 (j) (2) Public Law 31, 81st Congress, known as "Housing and Rent Act of 1949."

LEGISLATIVE BILL 539. By Committee on Judiciary, John P. McKnight, Chairman.

A bill for an act to amend section 26-1,162, Revised Statutes of Nebraska, 1943, relating to municipal courts in cities of the met-

ropolitan and primary class; to provide the manner of advertising and holding sale of property seized under execution issued out of such courts; and to repeal the original section.

LEGISLATIVE BILL 540. By Committee on Government, Arthur Carmody, Chairman.

A bill for an act to amend sections 50-401, 50-404, 50-406, 50-407, 50-408, 50-410, and 50-413, Revised Statutes of Nebraska, 1943, relating to the Legislature; to change the composition of the Legislative Council; to provide for the executive board thereof; to prescribe the functions of the Legislative Council; to extend the powers and duties of the committees of the Legislative Council; to define what shall constitute a quorum of the council; to provide for reports by the council; to repeal the original sections; and to declare an emergency.

MOTION—Suspend Rules, Refer Bill

Mr. President: I move that the rules be suspended and that L. B. 538, L. B. 539 and L. B. 540 be referred to committee today. (Signed) Harry L. Pizer

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

Bills Referred to Standing Committee

L. B.	Committee
538	Government
539	Judiciary
540	Government

Mr. Schroeder Presiding

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 273. Correctly engrossed.
LEGISLATIVE BILL 461. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

GENERAL FILE

LEGISLATIVE BILL 490.

The Standing Committee amendments found in the Legislative Journal for the Seventieth Day were read in lieu of reading the bill.

The Standing Committee amendments were adopted.

Mr. Ogden Presiding

Mr. Schroeder offered amendments, which were not adopted with 6 ayes, 15 nays and 22 not voting.

Mr. Lee Presiding

Mr. Cretsinger offered the following amendments, upon which no action was taken.

1. Amend Standing Committee Amendments, page 4, section 6, line 26, by striking the word and figure "and (7)" and inserting in lieu thereof the following: "and (7) *that the lease may be canceled by the board on January 1 of any year for the purpose of selling the land if a written notice is given to the lessee at least six months prior to the date of cancellation; and (8)*".

2. Amend Standing Committee Amendments No. 2., page 7, line 14, by inserting after the word "lease" the following: "; to provide that the lease shall contain a provision for cancellation of the lease for the purpose of sale of the land, and how notice to lessee shall be given".

Visitors

Mr. V. Anderson introduced Anna B. Kraus, teacher and six students from the Sixth and Seventh Grades of Cheney, Nebraska.

Members Excused

Mr. Hern was excused for Thursday, April 28, 1949.

Mr. Bohlke was excused for Thursday morning, April 28, 1949.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 539 Wednesday, May 4, 1949 2:00 p.m.

Government

L. B. 540	Wednesday, May 4, 1949	2:00 p.m.
L. B. 538	Wednesday, May 4, 1949	2:00 p.m.

Adjournment

At 4:15 p.m., on a motion by Mr. Holmes, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 28, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Dr. William K. Chatten of Kansas City, Missouri.

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

The Journal for the Eighty-first Day was approved as corrected.

Communication

Letter from Hays and Hays Company of Lincoln, Nebraska, congratulating the Legislature on defeating the Sales Tax Bill.

MESSAGE FROM THE GOVERNOR

April 27, 1949

To the President, the Speaker
and Members of the Legislature

Gentlemen:

I am pleased to advise your Honorable Body that I have reappointed H. J. Schwab of Scottsbluff, Nebraska, to the State Racing Commission for a term of office from March 30, 1949, to March 30, 1952.

Respectfully submitted,

(Signed) Val Peterson
Governor

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 251. Correctly enrolled.
LEGISLATIVE BILL 504. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 251 L. B. 504

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 233.

A bill for an act to amend sections 72-248 and 72-257, Revised Statutes of Nebraska, 1943, relating to educational lands; to eliminate the provisions for unnecessary destruction of timber and the penalty therefor; to provide for selling timber on educational lands by the Board of Educational Lands and Funds; to provide for the sale of educational lands in isolated tracts of forty acres or less, lands in counties where the total acreage of such lands does not exceed eighty acres, all tracts lying outside of the boundaries of the State of Nebraska, and all tracts within the boundaries of the State of Nebraska but lying north and east of the Missouri River; 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, 39:

Adams, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lee	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Weborg

Benesch	Hanna	Metzger	Williams
Bridenbaugh	Hern	Norman	Wilson, C.
Burney	Hill	Ogden	Wilson, W.
Burnham	Holmes	Person	Wood
Callan	Hoyt	Pizer	

Voting in the negative, 1:

Vogt

Not voting, 3:

Bohlke	Lillibridge	Nelson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 283. With emergency.

A bill for an act to amend section 44-1465, Revised Statutes Supplement, 1947, relating to insurance; to provide that the requirement of examination of policies and supplemental contracts thereto by a rating organization shall not apply to any domestic company unless it files its written consent and an agreement to pay its proportionate cost of such examination; to provide for the examination by the Department of Insurance of policies, daily reports, binders, renewal certificates, endorsements, and other evidence of insurance by domestic fire, marine, and inland insurance companies, and the making of reasonable rules governing their submission to the department; to provide for annual reports to be filed by licensed rating organizations with the Department of Insurance; to provide for charges for companies using the services of a rating organization; to provide penalties; 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, 30:

Adams, J.	Carson	Lillibridge	Prohs
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	McKnight	Weborg
Bridenbaugh	Hanna	Metzger	Williams

Burnham	Hern	Nelson	Wilson, W.
Callan	Hill	Person	Wood
Carmody	Hoyt		

Voting in the negative, 9:

Anderson, L.	Larkin	Ogden	Schroeder
Burney	Lee	Pizer	Vogel
Holmes			

Not voting, 4:

Adams, T.	Bohlke	Norman	Wilson, C.

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 relating to sanitary and improvement districts; to provide the procedure for establishing such districts; to provide that such districts shall be governed by a board of trustees; to provide for the election, powers, duties, and salaries of members of the board of trustees; to permit such districts to install sewers, to contract for water for fire protection, and to contract for electricity for lighting the public streets and highways within the district; to provide for borrowing money and the levying and collection of taxes by valuation on all property in the district; to provide certain additional powers of such a district; to provide for the assessment and collection of special taxes upon real property benefited by the installation of a sewer system; to provide for fixing charges for service; to provide for the issuance of sewer bonds payable from special assessments and, if the amounts collected by special assessments be insufficient, then by taxes on all property in the district; to require connection to any sewer system established; and to declare an emergency.

Mr. J. Adams asked unanimous consent to return L. B. 267 to Select File for the following Specific amendment.

"Nothing in this act shall be construed to defeat any citizen of any civil rights now the right of such citizen under the Constitution."

Mr. Ogden offered objection.

Mr. J. Adams moved to return L. B. 267 to Select File for the above Specific amendment.

The motion did not prevail with 5 ayes, 12 nays and 26 not voting.

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

Voting in the affirmative, 38:

Adams, T.	Carson	Lee	Schroeder
Anderson, L.	Cramer	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Ogden	Williams
Burney	Hill	Person	Wilson, C.
Burnham	Holmes	Pizer	Wilson, W.
Callan	Hoyt	Prohs	Wood
Carmody	Larkin		

Voting in the negative, 1:

Adams, J.

Not voting, 4:

Bohlke	McKnight	Nelson	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 344. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 415. E and R amendment found in the Legislative Journal for the Eighty-first Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 413. E and R amendments found in the Legis-

lative Journal for the Eighty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 100. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 493. E and R amendment found in the Legislative Journal for the Eighty-first Day was adopted.

Advanced to E and R for engrossment.

MOTION—Introduce Claims Bill

Mr. Schroeder moved that the rules be suspended and that the claims bill be introduced today.

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

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 541. By Committee on Miscellaneous Appropriations and Claims, N. F. Schroeder, 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 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.

Mr. Lee Presiding

MOTION—Rule Suspension, L. B. 541

Mr. President: I move that the rules be suspended and that L. B. 541 be placed on General File (Signed) Harry L. Pizer

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

Members Excused

Messrs. J. Adams, Vogel, Ogden and W. Wilson were excused for the remainder of the day.

MOTION—Reprint L. B. 434

Mr. President: I move that the Legislature authorize the Budget committee to have L. B. 434, as amended, printed as a substitute bill. (Signed) John S. Callan

The motion prevailed.

Visitors

Mr. McKnight introduced Mrs. Carl Cunningham, Principal, Mr. Merwin Lewis, superintendent, and fifty-five students of Dunbar High School, Dunbar, Nebraska.

Mr. McKnight introduced Mr. Arthur Gilbert, superintendent, and twelve students of Johnson High School, Johnson, Nebraska.

Mr. V. Anderson introduced twenty-five members of the Womens' Club of Davey, Nebraska.

Mr. Burnham introduced Mrs. W. R. Kidder, teacher and twenty-nine students of Sargent, Nebraska.

Mr. C. Wilson introduced Miss Vera Ebmeir, teacher, and Mr. G. D. Price, superintendent, and thirty students of Pierce High School, Pierce, Nebraska.

Mr. Tvrdik introduced Mrs. Verna Misfeldt, teacher and twenty students of Bennington, Sixth, Seventh and Eighth Grades.

Mr. Williams introduced Mr. Otis Melton, Mayor of Kearney, Nebraska.

Mr. Hill introduced Mr. Darrel Genzlinger, superintendent and

twenty-five students of Plymouth High School, Plymouth, Nebraska.

Mr. Person introduced Mr. Clarence Hagestrom, Sheriff of Saunders County.

Mr. L. Anderson introduced Mr. Andrews of Hamilton County.

Mr. Lindgren introduced Mrs. Albert Lavoie, teacher and twenty-three students of Campbell High School, Campbell, Nebraska.

Mr. Lillibridge introduced Mr. C. F. Heinz, instructor and forty-six students of Crete High School, Crete, Nebraska.

Mr. Cramer introduced Miss Jolene Brunker of Campbell, granddaughter of Mr. Lindgren.

Mr. Wood introduced Mr. Gilbert Heine, superintendent, and nine students of Staplehurst High School, Staplehurst, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 490.

Discussion was continued on the Cretsinger amendment.

After discussion Mr. Holmes moved the previous question.

The President stated the question "Shall the debate now close?".

The motion did not prevail with 18 ayes, 0 nays and 25 not voting.

Mr. Cretsinger requested a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Schroeder moved that the Call be raised and the motion prevailed with 24 ayes, 3 nays and 16 not voting.

Mr. Hoyt Presiding

Mr. Cretsinger's amendment was not adopted with 14 ayes, 15 nays and 14 not voting.

L. B. 490 was advanced to E and R for review, with 17 ayes, 11 nays and 15 not voting.

MESSAGE FROM THE GOVERNOR

Approved by the Governor

April 28, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 28, 1949, he approved L. B. 500, L. B. 398, L. B. 232, L. B. 466, L. B. 422, L. B. 143, L. B. 337, L. B. 269, L. B. 275, L. B. 318, L. B. 412, L. B. 424, L. B. 529, L. B. 264, L. B. 277.

Respectfully submitted,

(Signed) James S. Pittenger
Administrative Assistant.

GENERAL FILE

LEGISLATIVE BILL 474. Laid over until Wednesday, May 4 as special order at 10:00 a.m.

LEGISLATIVE BILL 246. Read and considered.

Mr. Carson asked unanimous consent to add the following names as co-introducers of L. B. 246: Messrs. Prohs, Hoyt, Holmes, Hanna, Bridenbaugh, W. Wilson and C. Wilson.

Consent was granted and it was so ordered.

Mr. Carson offered the following amendments, which were adopted.

1. Amend the bill, section 1, line 11, section 2, line 17, section 3, line 13, section 4, line 9, section 5, line 3, and section 7, line 3, by inserting after the word *"Irrigation"* the following: *", Water Power Power and Drainage"*.

2. Amend page 3 of the bill, section 3, line 13, by striking the

word "seventy-five" and inserting in lieu thereof the word "*sixty-five*".

3. Amend the bill by adding a new section immediately after section 4 to be known as section 5 and to read as follows:

"Sec. 5. *The Director of the Department of Irrigation, Water Power and Drainage shall be qualified by training and business experience to manage and supervise the department. He should be a professional engineer as defined in section 81-840, and have had at least five years' experience in a position of responsibility in irrigation work.*".

4. Renumber sections 5, 6, 7, and 8, as sections 6, 7, 8, and 9, respectively.

5. Amend the title to conform.

Mr. Bridenbaugh offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 2, lines 12 and 13, by showing the words "State Engineer for" as stricken matter and inserting immediately thereafter the words "*Director of*".

2. Amend page 3 of the bill, section 3, line 11, by showing the words "State Engineer" as stricken matter and inserting immediately thereafter the words "*Director of Roads*".

3. Amend page 3 of the bill, section 6, line 2, by striking the figures "33".

4. Amend page 4 of the bill, by striking section 7 and inserting in lieu thereof two new sections reading as follows:

"Sec. 7. *The Director of Roads shall be qualified by training and business experience to manage and supervise the various branches of the department of which he is the head. He shall personally direct the administration and control of all budgetary and financial matters upon behalf of the department. With the approval of the Governor, such director shall appoint the following technical chiefs of the branches within his department: (1) The State Engineer for the Bureau of Highways, which bureau shall be charged with the duties imposed by law with reference to construction and maintenance of the state highway system, and all matters incidental thereto; (2) the Ad-*

ministrator of Motor Vehicles for the Motor Vehicle Division, which division shall be charged with the duties imposed by law with reference to certificates of title to and registration of motor vehicles, the administration of the Motor Vehicle Safety Responsibility Act, and the licensing of motor vehicle dealers, and all matters incidental thereto to each of such matters; and (3) the Superintendent of Law Enforcement for the Nebraska State Safety Patrol, which patrol shall be charged with the duties imposed by law with reference to traffic safety on the highways and motor vehicle operators' licenses, and all matters incidental thereto. Where the statutes of Nebraska do not prescribe upon which branch of the department any particular duty may rest, the Governor may by executive order designate which branch shall carry out such duties.

Sec. 8. *In addition to all other reports, the Director of Roads shall prepare quarterly reports for the Bureau of Highways. The reports shall show: (1) Progress of construction and maintenance of highways since the last report; (2) receipts and disbursements for highways since the last report; (3) proposed allocation of funds for future highway work; and (4) proposed construction and maintenance of highways and when same shall be done. The director shall transmit forty-four copies of the report to the Governor, and the Governor shall send a copy of such report to each member of the Legislature.*".

5. If the foregoing amendments 1 to 4 are adopted, the bill drafting service be instructed to draft and submit amendments to all statutes where the words "State Engineer" appear to properly distribute the duties now resting upon that officer among and between the Director of Roads, the Director of Irrigation, the State Engineer, the Administrator of Motor Vehicles, and the Superintendent of Law Enforcement.

6. That after all of such amendments are drafted and submitted, present section 8 of the bill and the title be amended to conform thereto.

7. Renumber section 8 as section 9.

Speaker Lee Presiding

Advanced to E and R for review.

Visitors

Mr. Lillibridge introduced Mr. Snocker and ten students from Dorchester High School, Dorchester, Nebraska.

Mr. Benesch introduced Mr. Rihnek and five students from Valley High School, Valley, Nebraska.

RECESS

At 12:00, noon, on a motion by Mr. Bohlke, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

The roll was called and all members were present except Messrs. J. Adams, Ogden, Vogel and W. Wilson, who were excused and Messrs. Hill and Hoyt.

GENERAL FILE

LEGISLATIVE BILL 399.

Mr. Carmody offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 1, lines 5 and 6 by striking the new matter and reinstating the stricken matter.

2. Amend page 2 of the bill, section 1, line 7 by inserting after the word and punctuation "statement," the following: *"Until the effective date of this act, and after the effective date of this act, pay a tax of six cents per gallon upon all motor vehicle fuels as shown by such statement,".*

Advanced to E and R for review.

LEGISLATIVE BILL 402. Laid over.
LEGISLATIVE BILL 492.

Mr. Carmody offered the following amendments, which were adopted.

1. Amend page 2 of the bill, section 1, line 27 by inserting after the semicolon following the word "state" the following: *"provided further, that resident owner may purchase a quarterly equalization license plate and obtain a coupon book as prescribed by the Department of Roads and Irrigation, which coupon book shall contain twice*

the number of coupons as there are days in such quarter, and the operator shall receive credit on the fees of the next quarter based on the returned coupons for the time such motor vehicle was not used in the State of Nebraska for each twelve hour period beginning at 12 p.m. (midnight) or 12 m. (noon) as evidenced by the unused coupons from the owner and the used coupons returned to the department by the ports of entry;".

2. Amend the bill by adding after section 1 two new sections to be known as sections 2 and 3 and to read as follows:

"Sec. 2. That section 60-202, Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-202. One-fourth of the equalization fee shall be paid to the county treasurer *Department of Roads and Irrigation* at the time application is made for registration of such motor vehicle, and the balance of such equalization fee shall be paid to the county treasurer *department* in equal quarterly installments on the first day of the month of each quarterly period thereafter; and the amount of such equalization fee, in addition to the registration fee, shall be shown on the registration certificate. When any such motor vehicle is licensed or registered for a shorter period than one calendar year in accordance with the laws of this state, the owner or agent of such motor *vehicle* shall be required to pay the same proportion of the annual equalization fee that he is required to pay of the annual license fee applicable to such vehicle.

Sec. 3. That section 60-203, Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-203. All sums received by the respective county treasurers *Department of Roads and Irrigation* in payment of the equalization fees and all sums collected through the Department of Agriculture and Inspection at the ports of entry, imposed by section 60-201 shall be remitted to the State Treasurer, as required by him, and, when received by him, such moneys *money* shall be allocated and distributed in the same manner and in the same proportions that the revenues arising from the motor vehicle fuel tax imposed by the laws of this state are allocated and distributed, except that no part thereof shall be allocated to or used for any purpose other than the construction, repair, and maintenance of the public highways of this state."

3. Renumber sections 2, 3 and 4 as sections 4, 5 and 6, respectively.

4. Amend renumbered section 6, by striking lines 1 and 2 and inserting in lieu thereof the following:

"Sec. 6. That original sections 60-201, 60-202, and 60-203, Revised Statutes of Nebraska, 1943, are repealed."

5. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 402. Laid over to follow L. B. 401.
LEGISLATIVE BILL 401.

Mr. Wood offered the following amendments, which were adopted.

1. Amend Standing Committee amendment 20 by inserting after the word and punctuation *"purposes."* in line 12, the following: *"The unladen weight shall be ascertained by scale weighing of the vehicle fully equipped and as used upon the highways under the supervision of a member of the Nebraska Safety Patrol, and certified by such patrol member to the Department of Roads and Irrigation."*

2. Amend Standing Committee amendment 20, subdivision (4), line 1 by striking the word "twenty-six" and inserting in lieu thereof the word *"twenty-two"*.

3. Amend Standing Committee amendment 20, subdivision (5) line 1 by striking the word "twenty-four" and inserting in lieu thereof the word *"sixteen"*, and in line 2 thereof by striking the word "twenty-six" and inserting in lieu thereof the word *"twenty-two"*.

4. Amend Standing Committee amendment 20 by striking subdivisions (6), (7), (8) and (9).

5. Amend Standing Committee amendment 20, subdivision (10) by renumbering same as subdivision (6), and in line 2 thereof by striking the word "three" and inserting in lieu thereof the word *"five"*.

Mr. Davies offered the following amendments to L. B. 401, which were adopted.

1. Amend the Standing Committee Amendment number 21 by striking the last two lines and inserting in lieu thereof the following: *"dollars; twenty-two tons, six hundred eighty dollars; twenty-three*

tons, seven hundred ten dollars; twenty-four tons, seven hundred forty dollars; twenty-five tons, seven hundred seventy dollars; Provided, that for".

2. Amend the bill by adding a new section to be a new section immediately after section 8 and to be known as section 9 and to read as follows:

"Sec. 9. That section 60-320, Revised Statutes of Nebraska, 1943, be amended to read as follows:

60-320. Each manufacturer of or licensed dealer in motor vehicles, doing business in this state, may, in lieu of the registering of each motor vehicle which he owns of a type otherwise required to be registered, or any employee of such manufacturer or dealer, may operate or move the same upon the streets and highways of this state solely for purposes of transporting, testing, demonstrating, or use in the ordinary course and conduct of his business as a manufacturer or dealer, including the personal or private use of such dealer or his employee, or sell the same without registering each such vehicle upon the condition that any such vehicle display thereon, in the manner prescribed in section 60-323, dealer number plates as provided herein. Motor vehicles owned by such dealer, and bearing such dealer number plates, may be driven upon the streets and highways for demonstration purposes by any prospective buyer thereof for a period of forty-eight hours; Provided, upon. *Upon* delivery of such motor vehicle to such prospective buyer for demonstration purposes, the dealer shall deliver to the prospective buyer a card or certificate giving the name and address of the dealer, the name and address of the prospective buyer, and the date and hour of such delivery; and provided, further, such. *Such* card or certificate shall be in such form as prescribed by the Department of Roads and Irrigation, and shall be carried by such prospective buyer while driving such motor vehicle. Any manufacturer or licensed dealer may, upon payment of a fee of five *eight* dollars, make application to the county treasurer of the county in which his place of business is located for a certificate and two dealer number plates. Additional pairs of dealer number plates may be procured for a fee of five *eight* dollars per pair; *Provided,* such additional pairs of dealer number plates shall, in addition to all other numbers and letters required by section 60-311, bear such mark or number as will distinguish such pair of plates, one from another; provided, further, that, subject. *Subject* to all provisions of law relating to motor vehicles, not inconsistent with this section, any person, firm, or corporation holding a dealer's license issued pursuant to the laws of this state and who is regularly engaged within this state in the business of buying and selling motor

vehicles and who regularly maintains within this state an established place of business, desiring to effect delivery of any motor vehicle bought or sold by him, from the point where purchased or sold to points within this state or outside this state, may, solely for the purpose of such delivery by himself, agent, or bona fide purchaser, drive such motor vehicle on the highways of this state without charge or registration of such vehicle; *Provided,* there shall be prominently displayed on the front and rear of each vehicle a white cardboard placard or sign on which shall be plainly printed in black letters not less than three inches high the words "In Transit" and the registration number and state of residence of the person, firm, or corporation owning such vehicle, the form of such card to be as prescribed by the State Engineer for the Department of Roads and Irrigation; and provided, further, that, upon. *Upon* demand of proper authorities, there shall be presented by the person in charge of such vehicle, for examination, a duly executed bill of sale therefor or other satisfactory evidence of the right of possession by such person of such vehicle. It shall be the duty of all law enforcement officers to arrest and prosecute all violators and see that they are properly prosecuted according to the provisions of the law."

3. Amend section 9 as "Sec. 10.".

4. Amend page 9 of the bill, renumbered section 10, line 2 by inserting before the figures "60-329" the following: "60-320,".

5. Amend the title of the bill, line 2 by inserting before the figures "60-329" the following: "60-320,".

Laid over until Monday, May 2, 1949.

Visitors

Mr. Callan introduced Mr. D. A. Runyon, Principal, and twenty-six students from Wymore High School, Wymore, Nebraska.

Mr. Metzger Presiding

LEGISLATIVE BILL 402.

Mr. Wood offered the following amendments, which were adopted.

1. Amend Standing Committee Amendment, section 1, line 3, by

inserting after the word "Stamps" the following: "for the fiscal year July 1, 1949 to June 30, 1950".

2. Amend Standing Committee Amendment by adding a new section immediately after section 4 to be known as section 5 and to read as follows:

"Sec. 5. At the time the county treasurer sells such stamp, he shall write a duplicate receipt upon a form prescribed and furnished by the Department of Roads and Irrigation. The county treasurer shall retain a copy and deliver the original to the purchaser who shall attach it to and keep it with the receipt for license for said vehicle. Between the dates of July 1, 1949 and June 30, 1950, no license shall be issued on any motor vehicle unless the owner thereof produces the receipt showing that he has purchased a Highway Use Stamp for the same.".

3. Amend Standing Committee Amendment by renumbering section 5 as "Sec. 6.".

4. Amend the Standing Committee Amendment by adding a new section immediately after renumbered section 6 to be known as section 7 and to read as follows:

"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.".

5. Amend the title of the bill line 8 by striking the word "and" and inserting in lieu thereof the following: "to provide that no license shall be issued on any motor vehicle unless the owner thereof produces a receipt showing that he has purchased a Highway Use Stamp;".

6. Amend the title of the bill line 9 by striking the punctuation after the word "penalties" and inserting in lieu thereof the following: "; and to declare an emergency."

Member Excused

Mr. T. Adams was excused for the remainder of the day.

Mr. Lindgren asked unanimous consent to have L. B. 402 laid over until Monday.

Mr. Hanna offered objection.

Advanced to E and R for review.

Visitors

Mr. Wood introduced Mr. Richard Riggs, Principal, Mr. Wm. R. Owens, Sponsor, and twenty-five students of Henderson High School, Henderson, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 533. Placed on Select File as amended.

E and R amendments to L. B. 533:

1. In General File Amendment 1, newly inserted section 1, line 3, before "Any" insert *"(1)"*; line 10 before "Within" insert *"(2)"*; line 11, after "days" insert *"after submitting the device and fee as provided in subsection (1) of this section,"*; at the end of line 13 insert a comma.

In new section 2, line 3, before "The" insert *"(1)"*; line 15 before "A" insert *"(2)"*; line 24 before "Trucks" insert *"(3)"*; line 34 before "In" insert *"(4)"*; line 37 before "charged" insert *"are"*; line 45 before "charged" insert *"is"*; line 51 before "A" insert *"(5)"*; line 56 before *"All"* insert *"(6)"*, also in the same line before the word *"this"* insert *"subsections (3) and (4) of"*.

2. In General File Amendment 3, line 3 of original, strike "sections 39-784 and 60-409" and in lieu thereof insert "section 39-784"; line 4, strike "section 60-305" and in lieu thereof insert "sections 60-305 and 60-409".

3. In General File Amendment 4 to the title, line 3 of original, strike "sections 39-784 and 60-409" and in lieu thereof insert "section 39-784"; line 4, strike "section 60-305" and in lieu thereof insert "sections 60-305 and 60-409"; line 6, before the word "type" insert "each"; line 7, before the word "equipment" insert "the prescribed"; line 8, before the first word "the" insert "and"; line 10 strike the word "issuing" and in lieu thereof insert "the issuance"; line 13, strike "fees from the issuing" and in lieu thereof insert "the fees received for the issuance".

LEGISLATIVE BILL 388. Replaced on Select File as amended.

E and R amendments to L. B. 388:

1. Amend Standing Committee Amendment of April 11, 1949, amendment number 1, section 1, line 4, by inserting after the word "county" and before the period the following: "as more particularly set forth in section 2 of this act".

2. In section 2 of the bill, as included in Standing Committee Amendment 1, strike commencing with the word "placed" in line 3 to but not including the period in line 4, and in lieu thereof insert "levied upon the actual value of all the taxable property in the elementary school districts of a county, except intangible property".

3. In original E and R amendment 1, adopted April 22, 1949, line 3, before the last comma insert "of this section".

4. In section 7 of the bill, as included in said Standing Committee Amendment 1, line 2, strike "State" before "Superintendent" and also strike the word "State" in the title as included in next to the last line of E and R amendment 3, adopted April 22, 1949.

LEGISLATIVE BILL 344. Correctly engrossed.
LEGISLATIVE BILL 493. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Member Excused

Mr. Carson was excused for Friday, April 29, 1949.

Adjournment

At 3:55 p.m., on a motion by Mr. C. Wilson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 29, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Lee presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carson and McKnight, who were excused and Mr. V. Anderson.

The Journal for the Eighty-second Day was approved as corrected.

Visitors

Mr. Lusienski introduced Mr. E. J. Powell, Superintendent, and ten students of Creston, Nebraska.

Commemoration—Mr. Harold Kramer

Mr. Lusienski spoke in memory of Mr. Harold Kramer, General Manager of Loup River Public Power District of Columbus, Nebraska, who passed away suddenly in Durham, North Carolina, at 12:30 a.m., April 29, 1949.

The Legislature stood in silent tribute to Mr. Kramer.

Mr. Carmody Presiding

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 307. With emergency.

A bill for an act relating to taxation; to provide for the refunding of overpayments of estate taxes; to provide for holding the payment of such estate tax in a separate trust fund in the office of the State Treasurer until the amount of tax due has been finally ascertained; to provide for the refund of any overpayment and the transfer of the balance to the General Fund; to provide the procedure for filing claims and suits to obtain such refunds; to provide for jurisdiction of such actions and a period of limitations therefore; to except such claims and those within the jurisdiction of the Sundry Claims Board from those required to be exhibited as prescribed; to amend section 84-309, Revised Statutes of Nebraska, 1943, section 77-2106, Revised Statutes of Nebraska, 1943, as amended by section 5, Legislative Bill 144, Sixty-first Session, Nebraska State Legislature, 1949, and section 84-306, Revised Statutes Supplement, 1947, as amended by section 2, Legislative Bill 259, Sixty-first Session, Nebraska State Legislature, 1949; to repeal the original sections; to provide a savings clause; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, V.	Carson	McKnight

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 Lee Presiding

LEGISLATIVE BILL 387. With emergency.

A bill for an act to amend sections 71-1628 and 71-1629, Revised Statutes of Nebraska, 1943, relating to county health departments; to provide that the provisions of said section 71-1628, Revised Statutes of Nebraska, 1943, shall apply to all counties of the state; to provide that the provisions for an annual tax of not to exceed one-fourth mill on the dollar on all taxable property within the county for the specified county health department purposes shall not apply to counties having a population of more than two hundred thousand inhabitants, or to cities having a population of one hundred fifty thousand or more inhabitants; 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, J.	Cramer	Lillibridge	Schroeder
Adams, T.	Cretsinger	Lindgren	Tvrdik
Anderson, L.	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Callan	Hoyt	Pizer	Wilson, W.
Carmody	Lee	Prohs	Wood

Voting in the negative, 2:

Larkin	Norman

Not voting, 5:

Anderson, V.	Burnham	Carson	McKnight
Babcock			

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 533. E and R amendments found in the Legis-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 Legis-Journal for the Eighty-second day were adopted.

Mr. Cramer offered the following amendments, which were adopted by unanimous consent.

1. In section 4 of the bill, as amended by Standing Committee Amendment 1, line 5, at the end of the section insert a new sentence as follows: "Nothing in this section shall prohibit a high school district from participating in such funds if it shall be eligible under the provisions of section 5 of this act nor a district which qualifies under section 6 of this act."

2. In section 5 of the bill as included in said Standing Committee Amendment 1, strike the balance of said section starting with the word "if" in line 21, and in lieu thereof insert "for distribution under subdivisions (3) and (4) of this section the same as an elementary school district if five or more such pupils are taught in said high school district under contract with an elementary district or districts."

3. The committee on Enrollment and Review will amend the title to conform.

Advanced to E and R for engrossment with 19 ayes, 14 nays and 10 not voting.

Unanimous Consent—L. B. 1

Mr. Hoyt asked unanimous consent to return L. B. 1 to Select File for specific amendments.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 1.

Mr. Hoyt offered the following amendments, which were adopted by unanimous consent.

1. Amend the Hoyt amendment adopted April 19, 1949 by strik-

ing subsection 3 thereof and inserting in lieu thereof the following: *"(3) In at least two of the three grades from the fifth grade to the eighth grade in all public, private, denominational, and parochial schools at least three periods per week shall be set aside to be devoted to the teaching of American history from approved textbooks, taught in such a way as to make the course interesting and attractive, and to develop a love of country."*.

2. Amend the Hoyt amendment adopted April 19, 1949, subsection 4, line 2 by striking the word "hours" and inserting in lieu thereof the word *"period"*.

3. Amend the Hoyt amendment adopted April 19, 1949, subsection 5, line 5 by inserting after the word "holiday" the following: *", if the school is in session"*.

Mr. Callan offered the following amendment, which was adopted by unanimous consent.

1. Amend original section 85 of the bill, lines 3 to 5 by striking the new matter and inserting in lieu thereof the following: *"and is residing on property acquired by the United States pursuant to Chapter 72, article 6."*.

Advanced to E and R for engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 25. Re: Study by Legislative Council of Unfair Employment Practices in Nebraska.

Introduced by: John Adams, Sr.

WHEREAS, legislation should be enacted to regulate fair employment practices in this state; and

WHEREAS, a study should be made to determine what are unfair employment practices.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Nebraska Legislative Council be directed to study

and examine into the unfair employment practices in Nebraska and suggest changes which are necessary to prevent discrimination in employment.

2. That the Nebraska Legislative Council report its findings, together with recommendations for regulating unfair employment practices in Nebraska, to the Nebraska State Legislature in January, 1951.

Visitors

Mr. Burney introduced Mrs. E. M. Laughlin, Teacher, and nine students of St. Helena High School, St. Helena, Nebraska.

Mr. Davies introduced Miss Gwynne Hord, Principal, and seventeen 6th Grade students from Holmes School, Lincoln, Nebraska.

Mr. Burney introduced Mr. George Craig, Sponsor, and nine students from Magnet High School, Magnet, Nebraska.

Mr. Bridenbaugh introduced Superintendent W. A. Lerner and thirteen students from Waterbury High School, Waterbury, Nebraska.

Mr. W. Wilson introduced Mr. John W. Glock, Superintendent, and fifteen students from Newman Grove High School, Newman Grove, Nebraska.

Mr. Lee introduced Mrs. Don McGaffy and thirty-seven students from Nebraska City, Nebraska.

Mr. Holmes introduced Superintendent M. L. Vohland and four students from Alda High School, Alda, Nebraska.

Mr. Vogel introduced Miss Gaynelle Fay, Principal, Mrs. Dysart and Mrs. Lueder, Teachers, and eighty-one students of the Eighth Grade from Dundee School, Omaha, Nebraska.

Mr. C. Wilson introduced Mr. H. L. Haskins, Sponsor, and twenty-eight students of Osmond, Nebraska.

Mr. Davies introduced Miss Louise Carter, Miss Eloise Livingston and nine members of Teachers College High School at the University.

Mr. Hoyt introduced Superintendent Wm. D. Moyer and six stu-

dents from Ragan High School, Ragan, Nebraska.

Explanation of Vote

Mr. President: In the Legislative Journal for the Eighty-second Day, I have my vote negative on L. B. 283, Final Reading. I ask to be listed in the affirmative to comply with my intention. (Signed) Lester H. Anderson

GENERAL FILE

LEGISLATIVE BILL 537. Read and considered.

Mr. J. Adams asked unanimous consent to have the bill laid over until Tuesday.

Mr. Vogel offered objection.

Advanced to E and R for review.

Mr. Metzger Presiding

LEGISLATIVE BILL 536. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Eighty-first Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 57. Laid over.
LEGISLATIVE BILL 534. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-first Day were adopted with 26 ayes, 0 nays and 17 not voting.

Advanced to E and R for review.

Unanimous Consent—Hold on Final Reading

Mr. Hoyt asked unanimous consent to hold L. B. 2 on Final Reading awaiting L. B. 1.

Consent was granted and it was so ordered.

MOTION—Suspend Rules, Final Reading

Mr. President: I move that the rules be suspended and that L. B. 273 and L. B. 461 on Final Reading be acted on today. (Signed) Ed F. Lusienski

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Unanimous Consent—Return L. B. 292

Mr. Lee asked unanimous consent to return L. B. 292 to General File for the following Specific amendment.

Amend the Lee amendments to L. B. 292, found in the Legislative Journal for the Seventy-seventh Day, amendment No. 1, lines 3 and 4, by striking the words "three thousand" and inserting in lieu thereof the words "thirty-two hundred"; line 5, by striking the words "two thousand" and inserting in lieu thereof the words "twenty-four hundred".

Consent was granted and it was so ordered.

GENERAL FILE

LEGISLATIVE BILL 292.

Mr. Lee's Specific amendment found in this day's Journal was adopted.

Mr. Williams offered an amendment which was not adopted with 11 ayes, 13 nays and 19 not voting.

Advanced to E and R for review.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 273. With emergency.

A bill for an act relating to public power districts; to provide for the creation of such a district at the instance of any electric cooperative corporation engaged in furnishing electric energy to customers in rural areas; 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; to provide how this act shall be construed; 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, J.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Ogden	Williams
Burney	Holmes	Person	Wilson, C.
Burnham	Hoyt	Pizer	Wilson, W.
Callan	Larkin	Prohs	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Carson	McKnight	Norman
Anderson, V.			

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 461.

A bill for an act to amend section 33-128, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the compensation of members of county boards of county commissioners or supervisors in the prescribed counties; to provide when the same shall become operative; to eliminate certain provisions from said section; to provide for filing claims for such compensation and mileage 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, J.	Davies	Lindgren	Schroeder
Anderson, L.	Hanna	Lusienski	Tvrdik
Benesch	Hern	Metzger	Vogel
Bridenbaugh	Hill	Norman	Vogt
Burney	Holmes	Ogden	Williams
Callan	Hoyt	Person	Wilson, C.
Carmody	Larkin	Pizer	Wilson, W.
Cramer	Lee	Prohs	Wood
Cretsinger	Lillibridge		

Voting in the negative, 5:

Babcock	Burnham	Nelson	Weborg
Bohlke			

Not voting, 4:

Adams, T.	Anderson, V.	Carson	McKnight

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Members Excused

Messrs. Nelson, Hern, Hanna and Wood were excused for Monday, May 2, 1949.

Mr. Bohlke was excused for Monday, Tuesday and Wednesday, May 2, 3 and 4, respectively.

Statement

A majority of the Committee on the Budget voted in favor of the introduction of a bill to provide for a comptroller of the State of Nebraska. (Signed) John S. Callan, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Budget Committee be permitted to introduce a bill providing for a comptroller of the State of Nebraska. (Signed) John S. Callan

The motion prevailed with 25 ayes, 5 nays and 13 not voting.

Speaker Lee Presiding

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 542. By Committee on the Budget, John S. Callan, Chairman.

A bill for an act creating the office of State Comptroller; to provide that the chief administrative officer shall be the Comptroller; to provide for appointment of the Comptroller, and his qualifications, salary, bond, term of office, powers and duties; to amend sections 81-106, 81-125, 81-127, 81-128, 81-129, 81-130, 81-131, 81-132, 81-133, 81-138, 81-139, 81-140, 81-141, 81-145, 81-153, 81-154, 81-159, 81-164, 81-166, 81-167, 81-168, 81-169, 81-172, and 81-857, Revised Statutes of Nebraska, 1943, and section 81-895, Revised Statutes Supplement, 1947; to eliminate from the State Tax Commissioner certain duties as prescribed therein; to provide for the transfer of certain records from the State Tax Commissioner to the Comptroller; to repeal the original sections; and to declare an emergency.

MOTION—Suspend Rules, Refer Bill

Mr. President: I move that the rules be suspended and that L. B. 542 be referred to the proper committee today. (Signed) Harry L. Pizer

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

Bill Referred to Standing Committee

L. B.	Committee
542	Government

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 29, 1949, at 10:10 a.m.

L. B. 251 L. B. 427 L. B. 530
L. B. 504

LEGISLATIVE BILL 167. Placed on Select File as amended.

E and R amendments to L. B. 167:

1. In General File amendment of April 5, 1949, by Mr. Williams, to amendment 4 by Mr. Lee by striking the figures "14" in the first line and in lieu thereof insert "15".

2. In General File amendment 2 by Mr. Lee of April 21, 1949, the newly inserted matter should be placed after the period following the word *"office"* instead of where stated in the amendment.

3. In General File amendment 4 by Mr. Lee of April 5, 1949, line 3, before *"Beginning"* insert *"(1)"*; line numbered 5 of new section 3, strike the word *"of"*; line numbered 14, before *"No"* insert *"(2)"*; line numbered 16, after *"state"* insert a comma; line numbered 17, strike *"(1)"* and in lieu thereof insert *"(a)"*; line numbered 18, strike *"(2)"* and in lieu thereof insert *"or (b)"*.

4. In General File amendment 6 by Mr. Lee, dated April 5, 1949, line numbered 10 of new section 5, after "state" insert a comma; line 51 strike *"and"* and in lieu thereof insert a comma; line 52 after *"State"* insert a comma.

LEGISLATIVE BILL 415. Correctly engrossed.
LEGISLATIVE BILL 283. Correctly enrolled.
LEGISLATIVE BILL 233. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 233 L. B. 283

Adjournment

At 11:55 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Monday, May 2, 1949.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 2, 1949

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Hanna, Hern, Nelson and Wood, who were excused.

The Journal for the Eighty-third Day was approved.

Communications

Letter from Mr. S. R. Holcomb, Chief Clerk of the House of Representatives, State of Washington, acknowledging receipt of L. R. 23.

Invitation from the Omaha Cardinals, Inc. to the members of the Legislature and their wives to a baseball game in the Omaha Stadium on Friday night, May 6th, at 8:15 p.m.

Invitation to the members of the Legislature and their wives, Governor and Mrs. Peterson, and Lieutenant Governor and Mrs. Warner from the Board of Regents of the Municipal University of Omaha to a dinner in the University auditorium, sixtieth and Dodge, at 5:30 p.m. on May 6, 1949, prior to the baseball game.

STANDING COMMITTEE REPORTS

Budget

LEGISLATIVE BILL 433. Placed on General File.
LEGISLATIVE BILL 434. Placed on General File (replaced by the

substitute bill authorized by the Legislature on April 28, 1949.)

(Signed) John S. Callan, Chairman

Enrollment and Review

LEGISLATIVE BILL 294. Replaced on Select File as amended.

E and R amendments to L. B. 294:

1. In section 1, line 17, as shown by the substitute bill, strike the word "State".

2. In section 3, line 1, as shown by the substitute bill insert a comma before "Revised".

3. In E and R amendment 1, adopted April 26, 1949, line 2 of the original, insert "last" before the word "comma".

LEGISLATIVE BILL 402. Placed on Select File.
LEGISLATIVE BILL 100. Correctly engrossed.
LEGISLATIVE BILL 184. Correctly engrossed.
LEGISLATIVE BILL 457. Correctly engrossed.
LEGISLATIVE BILL 499. Correctly re-engrossed.
LEGISLATIVE BILL 523. Correctly engrossed.
LEGISLATIVE BILL 273. Correctly enrolled.
LEGISLATIVE BILL 307. Correctly enrolled.
LEGISLATIVE BILL 387. Correctly enrolled.
LEGISLATIVE BILL 461. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 30, 1949, at 8:30 a.m.

L. B. 283 L. B. 233

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 273 L. B. 387 L. B. 461
L. B. 307

Visitors

Mr. Bridenbaugh introduced Mr. Wm. Bottolfson and thirty-one students from Ponca High School, Ponca, Nebraska.

SELECT FILE

LEGISLATIVE BILL 167. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Laid over.

GENERAL FILE

Special Order

LEGISLATIVE BILL 401. Laid over.
LEGISLATIVE BILL 57. Read and considered.

Standing Committee Amendments found in the Legislative Journal for the Eighty-first Day were considered.

Mr. McKnight moved the previous question.

The President stated the question "Shall the debate now close?"

The motion prevailed with 22 ayes, 1 nay and 20 not voting.

The Standing Committee amendments were adopted with 24 ayes, 3 nays and 16 not voting.

Member Excused

Mr. T. Adams was excused for the remainder of the morning.

Visitor

Mr. Wilson introduced Mr. Lloyd Kain, a former member of the Legislature. Mr. Kain spoke briefly.

LEGISLATIVE BILL 57. Continued.

Messrs. Tvrdik and McKnight offered the following amendment, which was adopted with 23 ayes, 8 nays and 12 not voting.

Amend the Standing Committee amendment, Sec. 7, by striking the words "thirty-seven thousand five hundred dollars per annum, divided equally among the members" and insert in lieu thereof the following: "determined by the Legislature".

Mr. Carmody requested a record vote on the motion to advance the bill.

Voting in the affirmative, 25:

Anderson, L.	Holmes	Lusienski	Schroeder
Babcock	Hoyt	McKnight	Tvrdik
Benesch	Larkin	Metzger	Vogt
Burney	Lee	Norman	Williams
Cramer	Lillibridge	Ogden	Wilson, W.
Davies	Lindgren	Pizer	Wood
Hill			

Voting in the negative, 5:

Adams, J.	Cretsinger	Prohs	Weborg
Carmody			

Not voting, 13:

Adams, T.	Burnham	Hanna	Person
Anderson, V.	Callan	Hern	Vogel
Bohlke	Carson	Nelson	Wilson, C.
Bridenbaugh			

The motion to advance prevailed with 25 ayes, 5 nays and 13 not voting.

Members Excused

Mr. John Adams, Sr. was excused for the remainder of the day.

Mr. Schroeder was excused for Tuesday, May 3, 1949.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 430. Replaced on Select File as amended.

E and R amendments to L. B. 430:

1. Original section 8 should remain as section 8 even though renumbered by amendment 2 by the Standing Committee, to avoid two sections 7.

2. In the bill, section 2, line 9, strike "*upon*" and in lieu thereof insert ". *Upon*".

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Burney introduced Superintendent J. J. Van Hoff, and eleven students of Verdigre High School, Verdigre, Nebraska.

Mr. Lee introduced Miss Gladys Lund and twelve students of Stanton High School, Stanton, Iowa.

Mr. Wood introduced seven upper classmen from Concordia Teachers College, Seward, Nebraska.

Mr. Metzger introduced Mr. Thomas Organ, Superintendent, and ten students from Springfield High School, Springfield, Nebraska.

RECESS

At 11:50 a.m., on a motion by Mr. Norman, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. J. Adams, T. Adams, Bohlke, Hanna, Hern and Nelson, who were excused.

GENERAL FILE

LEGISLATIVE BILL 541. Read and considered.

Mr. Schroeder offered the following amendment, which was adopted.

Amend L. B. 541, line 455 by adding the following:

Carl G. Humphrey Mullen, Nebraska.	Destruction of trees	Highway Cash Fund, Auditor Account No. 189	$50.00

Advanced to E and R for review.

LEGISLATIVE BILL 401.

Mr. Vogt moved that the mimeographed substitute bill be adopted.

The motion prevailed.

Mr. Carmody offered the following amendment, which was adopted with 21 ayes, 3 nays and 18 not voting.

Amend L. B. 401, page 5, Section 4, lines 9 and 12, by striking the word "twenty-eight" and inserting in lieu thereof the word "twenty-six".

Advanced to E and R for review.

Unanimous Consent—Return to Select File

Mr. Burney asked unanimous consent to return L. B. 413 to Select File for the following Specific amendments.

1. In subsection (3) of section 1, strike the balance of section 1 starting with the words "market value" and in lieu thereof insert: "value of the interest of the state as trustee for the public schools in said lands so taken shall be ascertained as is provided in section 2 of this act. If the department of the state desiring to acquire such land from the board is unable to adjust the value of the improvements and any damage thereto, and the damage otherwise arising to the holder of the lease by the condemnation of his interest in the lease, if any, with the holder of the lease, the proceedings to ascertain such damage, if any, and to acquire the interest of the holder of the lease shall be had as is provided in subsection (1) of this section. In such a proceedings, the board may be made a party or may intervene to protect its interests. The value of the improvements taken, the damage thereto, and any other damage to the holder of the lease, as above provided, shall be paid to the owner of the lease."

2. In section 2, add a new subdivision to read as follows:

"(6) Nothing in this section shall prevent the bringing of a proceedings under subsection (1) of section 72-224, as amended by section 1 of this act, to ascertain the damage to the owner of the lease as set forth more fully in subsection (3) of section 72-224, as so amended."

3. In the bill title, line 6, after the words "state government" inserted by Enrollment and Review amendment 5, line 4 of the original, insert "if such lands are held under outstanding lease; to provide a construction or limitations clause in regard thereto; to provide for the acquiring of the interest of the owner of the outstanding lease on such lands so taken and the determination of his damages if any".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 413.

Mr. Burney's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

Member Excused

Mr. Holmes was excused for Tuesday, May 3, 1949, and until 10:00 a.m. on Thursday, May 4.

Visitors

Mr. Hoyt introduced Miss Unona Harris, Principal, and eight students from Holbrook High School, Holbrook, Nebraska.

Adjournment

At 3:30 p.m., on a motion by Mr. Carson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 3, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Holmes and Schroeder, who were excused.

The Journal for the Eighty-fourth Day was approved.

Approved by the Governor

May 2, 1949

The President, the Speaker and
Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on April 30, 1949, he approved L. B. 335, L. B. 251, L. B. 530, L. B. 504, L. B. 427, L. B. 220, L. B. 56, L. B. 522.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 542 Wednesday, May 11, 1949 2:00 p.m.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 484. Correctly re-engrossed.

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 344.

A bill for an act relating to sexual psychopaths; to amend sections 83-306 and 83-322, Revised Statutes Supplement, 1947; to define and redefine terms; to provide procedure for commitment of sexual psychopaths to state hospitals; to provide for the payment of the cost of maintenance, care, and treatment of such a patient; 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, 39:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wood
Callan	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Bohlke	Holmes	Schroeder	Wilson, W.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 493. With emergency.

A bill for an act relating to the giving of proof of financial responsibility of owners and operators of motor vehicles; to provide for the cancellation and suspension of motor vehicle registrations and operators' licenses under certain contingencies; to provide a construction and a savings clause; to provide penalties for violation thereof; to provide for the administration of the act; to repeal all of article 5, Chapter 60, Revised Statutes Supplement, 1947 and section 12, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bridenbaugh	Hern	Nelson	Williams
Burney	Hill	Norman	Wilson, C.
Burnham	Hoyt	Ogden	Wilson, W.
Callan	Larkin	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Bohlke	Holmes	Schroeder

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

Presentation of Gift

Mr. Lusienski presented as gifts of the Columbus Chamber of Commerce to the Legislature, thermometers manufactured by Becton, Dickinson & Company of Columbus, Nebraska.

SELECT FILE

LEGISLATIVE BILL 167.

Mr. Hoyt asked for unanimous consent for the adoption of the following amendment.

1. Amend the bill, original section 6, renumbered section 2, by reinstating all stricken matter except the figures "1944" in line 4, and striking all new matter in lines 29 to 35.

2. Amend the bill, original section 6, renumbered section 2, line 4, by inserting after the stricken figures "1944" the figures *"1950"*.

3. Amend the Lee amendments of April 4, 1949, amendment 4, renumbered section 3, by striking all of lines 1 to 13 and the words and punctuation *"congressional district pre-primary conventions"* in line 14.

4. Amend the Lee amendments of April 4, 1949, amendment 4, renumbered section 3, line 15, by striking the word *"selected"* and inserting in lieu thereof the word *"elected"*.

Mr. Metzger offered objection to the amendment.

Mr. Hoyt moved that L. B. 167 be returned to General File for the above specific amendment.

The motion prevailed with 21 ayes, 10 nays and 12 not voting.

LEGISLATIVE BILL 294. E and R amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Mr. Metzger requested a record vote on the motion to advance L. B. 294 to E and R for engrossment.

Voting in the affirmative, 22:

Adams, J.	Callan	McKnight	Vogel
Adams, T.	Carmody	Nelson	Vogt
Anderson, L.	Cretsinger	Norman	Weborg
Benesch	Hanna	Prohs	Williams
Burney	Hern	Tvrdik	Wilson, W.
Burnham	Hill		

Voting in the negative, 12:

Anderson, V.	Davies	Lee	Person
Babcock	Hoyt	Lillibridge	Pizer
Bridenbaugh	Larkin	Metzger	Wood

Not voting, 9:

Bohlke	Holmes	Lusienski	Schroeder
Carson	Lindgren	Ogden	Wilson, C.
Cramer			

L. B. 294 was advanced to E and R for engrossment.

Visitors

Mr. Person introduced Mr. Ed. Bohaty, Teacher and twelve students of District 82, Loma, Butler County, Nebraska.

Mr. Person introduced Mrs. L. J. Williams and thirty-nine members of Extension Work Clubs of Wahoo and Saunders County.

LEGISLATIVE BILL 402. Laid over and bracketed awaiting L. B. 401.

LEGISLATIVE BILL 430. E and R amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for engrossment.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 537. Placed on Select File as amended.

E and R amendments to L. B. 537:

1. In the bill, section 1, line 3, before "Every" insert "*(1)*"; line 12, strike "*(1)*" and in lieu thereof insert "*(a)*"; line 13, strike "*(2)*" and in lieu thereof insert "*(b)*", also in the same line strike "*(3)*" and in lieu thereof insert "*or (c)*"; line 15, insert a comma after the word "*unions*"; line 22, before "Any" insert "*(2)*"; line 24, before "this" insert "*subsection (1) of*", also in the same line strike "*(1)*" and in lieu thereof insert "*(a)*"; line 30 strike "*(2)*" and in lieu thereof insert "*(b)*", also in the same line strike the first comma.

2. In the bill title, line 5, strike "therein" and in lieu thereof insert "and are".

LEGISLATIVE BILL 533. Replaced on Select File as amended.

E and R amendment to L. B. 533:

1. In E and R amendment 3, line 6 of the original, strike the word "equipment" and in lieu thereof insert "light".

LEGISLATIVE BILL 536. Placed on Select File as amended.

E and R amendment to L. B. 536:

In the bill title, line 9, after the semicolon following the word "mill" insert the following: "to provide that the money received from the proceeds of this levy shall be known as the county assistance fund;".

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Lillibridge introduced Mr. Ralph Schmidt, Superintendent, and nine students of Shickley High School, Shickley, Nebraska.

Mr. Lee introduced Mr. James Chandler, Principal, and three students from Hornick, Iowa.

Mr. Lee introduced Superintendent Wallace Croy and thirty-eight students of Tarkio, Missouri.

Mr. Norman introduced Mrs. Pearl McSwan and Mrs. Lela Bryan, teachers, and fifty-three students of the Eighth Grade Miller Park School, Omaha, Nebraska.

Mr. Prohs introduced Mr. Lynn Thompson of Scottsbluff, Nebraska.

Mr. Lusienski introduced Mr. A. R. Sherwood, Secretary of the Becton-Dickinson Company, of Rutherford, New Jersey, and Mr. J. W. Simmons, General Manager of the Becton-Dickinson plant at Columbus, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 167.

Mr. Hoyt moved to adopt his amendments found in this day's Journal.

The vote on the amendment was 16 ayes, 16 nays and 11 not voting.

The Chair voted "aye" and ruled the amendment adopted.

Mr. Metzger appealed the decision of the Chair, since the amendment was, in effect, a reconsideration and would require 22 votes.

The President stated the question "Shall the Chair be sustained?"

The motion did not prevail with 6 ayes, 20 nays and 17 not voting.

Mr. Hoyt's amendments were not adopted.

Mr. Carmody offered an amendment which was also a reconsideration and was not adopted with 18 ayes, 9 nays and 16 not voting.

Mr. Tvrdik asked unanimous consent to advance L. B. 167 to Select File.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 167. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 425. Laid over.
LEGISLATIVE BILL 433. Read and considered.

Advanced to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 267. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 267

RESOLUTION

LEGISLATIVE RESOLUTION 25.

L. R. 25 was adopted with 30 ayes, 0 nays and 13 not voting.

SELECT FILE

LEGISLATIVE BILL 340. E and R amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Person asked unanimous consent for the adoption of the following specific amendment.

Amend the Standing Committee amendment in line 8 by striking the word "supplement" and placing in lieu thereof the word "provide".

Mr. W. Wilson offered objection.

Mr. Person moved to return the bill to General File for the above specific amendment.

The motion prevailed with 24 ayes, 5 nays and 14 not voting.

GENERAL FILE

LEGISLATIVE BILL 340.

Mr. Person's amendment was discussed.

Laid over.

School Leases

Mr. Lee spoke on the subject of school land leases and the recent decisions of the Supreme Court relating to the subject.

Members Excused

Messrs. Metzger, Hill, Davies, Ogden, V. Anderson and Norman were excused for the afternoon.

L. B. 507

Mr. Tvrdik announced to the Legislature that L. B. 507, which had been passed by the Legislature, is being held for further correction.

RECESS

At 11:50 a.m., on a motion by Mr. Hern, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. V. Anderson, Bohlke, Davies, Hill, Holmes, Larkin, Metzger, Ogden and Schroeder, who were excused and Messrs. L. Anderson, Carson and Prohs.

Visitor

Mr. T. Adams introduced former Lt. Governor William Johnson of Omaha, who spoke briefly.

Communications

A wire from Mr. Paul Halpine, Secretary of the Nebraska Motor Carriers Association, regarding figures quoted during the session, regarding the comparison of truck taxes.

MESSAGE FROM THE GOVERNOR

May 2, 1949

Mr. President, Mr. Speaker and Members of
the Nebraska Unicameral Legislature:

In recognition of the public service of many Nebraskans, and

with the hope that others will see fit to assist in furthering the United States Savings Bond program, it is my pleasure to invite you to be my guest at a dinner May 4, 7:00 p.m., at the Cornhusker Hotel in Lincoln, Nebraska.

It will be appreciated if you will advise my office as to whether you expect to be present.

Sincerely,
(Signed) Val Peterson

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 3, 1949 at 10:45 a.m.

L. B. 461 L. B. 307 L. B. 273
L. B. 387

LEGISLATIVE BILL 399. Placed on Select File as amended.

E and R amendments to L. B. 399:

1. In the bill, section 4, line 2, strike the word "also" before the word "original".

2. In the bill title, line 7, after the word "to" insert the following: "fix the proportion of the tax, collected upon gasoline or motor vehicle fuel used for the prescribed agriculture purposes, that shall be refunded; to".

LEGISLATIVE BILL 388. Correctly re-engrossed.

(Signed) Glenn Cramer, Chairman

GENERAL FILE

LEGISLATIVE BILL 434. Read.

Visitors

Mr. L. Anderson introduced the mayor and president of the

Chamber of Commerce and several interested in roads from Aurora, Nebraska.

Mr. Wood introduced Mr. Walter Richert, Rev. Norbert Mielke, Rev. Winfield Schaller, and sixteen children from Gresham, Nebraska.

Mr. Williams introduced Mr. Gordon, General Manager of the Lincoln Ball Club, and Mr. Kirk Herring, Secretary of the Western League.

Mr. Lee introduced five seniors from Blair High School, Blair, Nebraska.

Mr. Lee introduced Mr. John R. Jones, State Representative from the State of Washington, who spoke briefly to the Legislature.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 292. Placed on Select File as amended.

E and R amendments to L. B. 292:

1. Strike General File amendment by Mr. Wilson, dated April 22, 1949, and Standing Committee amendment to same line, and in the bill, section 3, line 16, strike *"five"* and in lieu thereof insert *"six"*.

2. In General File amendment 1, by Mr. Lusienski, dated April 22, 1949, line 1, strike the figure "7" and in lieu thereof insert "8".

3. In the bill, section 1, lines 7 and 8, strike *"one thousand"*.

LEGISLATIVE BILL 146. Placed on Select File as amended.

E and R amendment to L. B. 146:

1. In Standing Committee Amendment 1, line 38, strike *"other deputy county attorneys,"* and in lieu thereof insert *"additional deputy county attorney, to be fixed by the county board but not to exceed"*.

LEGISLATIVE BILL 294. Correctly engrossed.

LEGISLATIVE BILL 430. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Adjournment

At 3:50 p.m., on a motion by Mr. Babcock, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 4, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Eighty-fifth Day was approved.

Communication

Letter from Mrs. F. E. Ryglewski, Omaha, Nebraska, opposing rent decontrol.

President Signs

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

L. R. 25

Member Excused

Mr. McKnight was excused at 10:00 for the remainder of the morning.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 415.

A bill for an act to define and prohibit mass picketing; to prohibit interference with picketing except as prescribed; to prohibit the prescribed intimidation of a striker; to provide penalties; to provide a construction clause; and to repeal section 28-813, 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. Weborg requested a Call of the House.

A Call of the House was ordered.

Mr. Burney moved that the Call be raised and the motion prevailed with 39 ayes, 0 nays and 4 not voting.

Voting in the affirmative, 23:

Anderson, L.	Cramer	Lindgren	Vogel
Babcock	Cretsinger	McKnight	Vogt
Bridenbaugh	Hanna	Nelson	Weborg
Burney	Hern	Norman	Wilson, W.
Burnham	Holmes	Ogden	Wood
Carson	Lee	Schroeder	

Voting in the negative, 11:

Adams, T.	Bohlke	Hoyt	Tvrdik
Anderson, V.	Callan	Larkin	Williams
Benesch	Carmody	Pizer	

Not voting, 9:

Adams, J.	Lillibridge	Metzger	Prohs
Davies	Lusienski	Person	Wilson, C.
Hill			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I am voting "no" on L. B. 415 because I feel that Section 2 of the bill is unenforceable. (Signed) Arthur Carmody

Unanimous Consent—Return L. B. 246

Mr. Bridenbaugh asked unanimous consent to return L. B. 246 to General File for Specific amendment.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 537. E and R amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 533. E and R amendment found in the Legislative Journal for the Eighty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 536. E and R amendment found in the Legislative Journal for the Eighty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 399. E and R amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Mr. Carmody moved to advance L. B. 399 to E and R for engrossment.

After discussion, Mr. Person moved the previous question.

The President stated the question "Shall the debate now close?"

The motion did not prevail with 10 ayes, 10 nays and 23 not voting.

After further discussion, Mr. Bohlke moved the previous question.

The President stated the question "Shall the debate now close?"

The motion prevailed with 17 ayes, 6 nays and 20 not voting.

The motion to advance prevailed with 25 ayes, 6 nays and 12 not voting.

LEGISLATIVE BILL 292. E and R amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Mr. Cramer offered the following amendment, which was adopted by unanimous consent.

In section 6, lines 21, 22 and 24, strike all amendments thereto and in lines 21 and 22 strike "*thirty-three* hundred" and in lieu thereof insert "*three thousand*" and in line 24 strike "*thirty-three*" and in lieu thereof insert "*thirty-four*".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 146. E and R amendment found in the Legislative Journal for the Eighty-fifth Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Lee introduced Mr. Alvin Carlson, Principal, several sponsors and sixty students from Shenandoah High School, Shenandoah, Iowa.

Mr. Lillibridge introduced Mr. Albert Hulse, sponsor, Miss Leah Plessman, teacher, and fourteen students from Ohiowa High School, Ohiowa, Nebraska.

Mr. Lee introduced Mrs. Elizabeth Gront, Home Extension Agent for Dodge County and one hundred twenty-five ladies from Dodge County.

Mr. T. Adams introduced Mrs. Coombs, Teacher, and twenty students from Lincoln High School, Lincoln, Nebraska.

GENERAL FILE

Special Order

LEGISLATIVE BILL 474.

Mr. Babcock renewed his motion to indefinitely postpone L. B. 474.

Mr. Carmody requested a record vote.

Mr. Babcock requested a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Hern moved that the Call be raised and the motion prevailed with 20 ayes, 5 nays and 18 not voting.

Voting in the affirmative, 17:

Adams, J.	Carmody	Holmes	Norman
Anderson, L.	Carson	Larkin	Ogden
Anderson, V.	Cramer	Lee	Pizer
Babcock	Hanna	Lindgren	Tvrdik
Burnham			

Voting in the negative, 18:

Adams, T.	Callan	Lillibridge	Schroeder
Benesch	Cretsinger	Lusienski	Vogt
Bohlke	Hern	Person	Weborg
Bridenbaugh	Hill	Prohs	Wilson, W.
Burney	Hoyt		

Not voting, 8:

Davies	Metzger	Vogel	Wilson, C.
McKnight	Nelson	Williams	Wood

The motion to indefinitely postpone did not prevail.

Visitor

Mr. V. Anderson introduced Mr. Ralph Harrington of Lincoln, Nebraska, a former member of the Legislature.

Member Excused

Mr. Vogel was excused for Thursday, May 5, 1949.

Adjournment

At 12:00 noon, on a motion by Mr. Carmody the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 5, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Prohs and Williams, who were excused.

The Journal for the Eighty-sixth Day was approved as corrected.

Communications

A resolution from the Nebraska Association of Rural Public Power District Association, Mr. Paul D. Marvin, Secretary, asking support of L. B. 419.

A letter from Mrs. I. C. Reber, Naper, Nebraska, regarding roads in the northeastern section of the state.

A letter from Robert C. Keating, President, Atkinson Service Club, regarding the condition of Highway 11.

A resolution from Veterans of Foreign Wars of U.S.A., Department of Nebraska, District No. 8, Elgin, Nebraska, protesting rent decontrol.

A letter from Mr. Bolus J. Bolus regarding the condition of State Institutions.

An invitation extended to the members of the Legislature to lunch at the Cornhusker Hotel, May 5, 1949, from several organizations interested in the Highway problem.

Visitors

Mr. Hanna introduced Mr. Larry Turner, brother of Governor Roy Turner of Oklahoma.

Mr. Bridenbaugh introduced Mr. Jess Zimmerman, Superintendent and eighteen students from Walthill, Nebraska.

Mr. Lee introduced Mr. John Lanham, with twenty students from Sidney, Iowa.

Members Excused

Mr. Prohs was excused for Thursday and Friday, May 5 and 6.

Mr. Williams was excused for Thursday, May 5.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 538. Placed on General File as amended.

Standing Committee amendment to L. B. 538:

Section 2, line 2, strike the words "November 1, 1949" and insert in lieu thereof the words "February 1, 1950".

LEGISLATIVE BILL 540. Placed on General File.

(Signed) Arthur Carmody, Chairman

Judiciary

LEGISLATIVE BILL 535. Placed on General File as amended.

Standing Committee amendments to L. B. 535:

1. Amend page 3 of the bill, section 1, by striking lines 15 to 22.

2. Amend page 3 of the bill, section 1, line 23, by striking the figure "(4)" and inserting in lieu thereof the figure "(3)".

3. Amend page 4 of the bill, section 2, line 4, and page 5, sec-

tion 2, line 47, by inserting after the word "metropolitan" the words "and primary".

4. Amend page 4 of the bill, section 2, lines 30, 33, and 37, by striking the word "automobile".

5. Amend page 5 of the bill, section 2, by striking lines 39 and 40 and inserting in lieu thereof the following: "street parking facilities; and that there is a".

6. Amend page 5 of the bill, section 2, by striking line 45 and inserting in lieu thereof the following: "ties.".

7. Amend page 5 of the bill, section 3, line 1, page 6, section 4, line 2, page 7, section 5, line 2, and page 10, section 9, line 1, by inserting after the word "metropolitan" the words "or primary".

8. Amend page 5 of the bill, section 3, line 7, by inserting after the word "city" the following: ", except that said city shall not be authorized nor empowered to acquire by condemnation any property, real or personal, used upon the effective date of this act for off-street parking facilities, commercial off-street parking facilities, or parking facilities of any kind, within the territorial limits of the said city".

9. Amend page 6 of the bill, section 3, line 16, by striking the figure "4" and inserting in lieu thereof the figure "5".

10. Amend page 7 of the bill, section 5, line 15, by inserting after the word "commission" the following: ", nor shall any person be eligible for appointment on the commission until he is at least one year removed from holding a political or nonpolitical office and unless he has been a resident of such metropolitan or primary city for a period of more than five years."

11. Amend page 8 of the bill, section 5, by striking lines 38 to 40 and inserting in lieu thereof the following: "the parking commission. The office records,".

12. Amend page 8 of the bill, section 8, line 4, by inserting after the word "domain" the following: ", except that said city council shall not acquire by the exercise of the power of eminent domain any property, real or personal, used upon the effective date of this act for a parking system or off-street parking facilities, or commercial parking off-street parking facilities, or parking facilities of any kind".

13. Amend page 9 of the bill, section 8, line 24, by striking the word "for" and inserting in lieu thereof the word "with".

14. Amend page 9 of the bill, section 8, line 26, by striking the words "its design" and inserting in lieu thereof the words "those designed".

15. Amend page 9 of the bill, section 8, line 33, by inserting after the word "of" the words "unincumbered and unpledged".

16. Amend page 9 of the bill, section 8, line 34, by striking the word "by" after the word "exercise" and inserting in lieu thereof the word "of".

17. Amend page 10 of the bill, section 9, by striking lines 9 and 10 and inserting in lieu thereof the following: "(3) state and federal"; line 11, by striking the figure "(5)" and inserting in lieu thereof the figure "(4)" and in line 12, by striking the figure "(6)" and inserting in lieu thereof the figure "(5)".

18. Amend page 11 of the bill, section 9, by striking lines 48 to 50 and inserting in lieu thereof the following: "tion and, if the failure to set aside the required amount shall be due to insufficiency of the rates and charges for the use of the off-street parking facilities, the holder of any such bonds may bring suit or action against the city and responsible officers to compel the collection of sufficient rates and charges to operate the said facilities and to pay the interest and principal of the bonds. Pending the preparation and execution of such bonds, temporary bonds may be issued in such form as the city council may elect. The city council shall have the power to provide in the city's annual budget for a contribution to the parking system, but this shall not be the subject of any pledge as security for the payment of bonds nor shall the city covenant to make any such contribution."

19. Amend page 11 of the bill, section 10, by striking lines 1 to 6 and inserting in lieu thereof the following: "Sec. 10. The city may from time to time refund any bonds authorized by and issued pursuant to this act by the issuance of new bonds at maturity, or pursuant to redemption provisions before maturity or at any time before maturity with the consent of the holders thereof if such bonds are not redeemable as therein provided, and also to refund matured coupons evidencing interest upon any of such bonds so refunded. The city may issue bonds partly".

20. Amend page 16 of the bill, section 13, by striking lines 28

to 34 and the word "provided" in line 35 and inserting in lieu thereof the following: ", but may lease each or all of the off-street parking facilities to private operators as provided elsewhere herein. All present or future provisions of Chapter 14, Revised Statutes of Nebraska, 1943, or of the Home Rule Charter with respect to the levy and collection of special assessments for sewers and to the relevy of the same, insofar as applicable, shall be followed; *Provided,*".

21. Amend page 18 of the bill, section 15, line 5, by striking the word "of" and inserting in lieu thereof the word "or".

22. Amend the title of the bill, line 2, by inserting after the word "metropolitan" the words "and primary".

23. Amend the title of the bill, line 12, by inserting after the word "metropolitan" the words "or primary".

(Signed) John P. McKnight, Chairman

Enrollment and Review

LEGISLATIVE BILL 57. Placed on Select File as amended.

E and R amendments to L. B. 57:

1. Amend section 2 at the beginning of line 14 by reinserting the word "the" stricken by Standing Committee Amendment 2, so it will agree with matter stricken in lines 10 and 11 of said section 2 by said Standing Committee Amendment 2.

2. In the bill title, line 12, strike the words "manner of submission" and in lieu thereof insert "time, manner of submission,".

LEGISLATIVE BILL 182. Replaced on Select File as amended.

E and R amendments to L. B. 182:

1. In Standing Committee Amendment 9, line 1 of new section 18, now 19, and also in Standing Committee Amendment 10, lines 6 and 7 of original amendment, strike "to 21-815, and 21-831 to" in amendment 9 and "to 21-815 and 21-831 to" in amendment 10, and in lieu thereof in each case insert: ", 21-802, 21-803, 21-804, 21-805, 21-807, 21-808, 21-809, 21-810, 21-811, 21-812, 21-813, 21-814, 21-815, 21-831, 21-832, and".

2. In Enrollment and Review Amendment 2, adopted April 27, 1949, line 6, after "and" and before "section" insert "section 21-806,

Revised Statutes of Nebraska, 1943, as amended by".

LEGISLATIVE BILL 541. Placed on Select File as amended.

E and R amendment to L. B. 541:

1. In the original bill, section 1, line 21, insert a period after "Mrs", (this is correct in the printed bill); line 291 insert a comma after "Deceased".

LEGISLATIVE BILL 492. Placed on Select File as amended.

E and R amendments to L. B. 492:

1. In General File Amendment 1, by Mr. Carmody, dated April 28, 1949, line 4 of original, strike *"provided further"* and in lieu thereof insert *"Provided"*, and in the same line before *"resident"* insert *"a"*; lines 11 and 12, strike *"12 p.m. (midnight) or 12 m. (noon)"* and in lieu thereof insert *"midnight or at noon"*; line 12 strike *"from"* and in lieu thereof insert *"so returned by"*.

2. In General File Amendment 2, by Mr. Carmody, dated April 28, 1949, line 9 of new section 2, strike "; and the " and in lieu thereof insert ". *The*"; line 8 of new section 3, strike ", and, when" and in lieu thereof insert ". *When*".

3. In Standing Committee Amendment 1, line 2 of original, strike *"for"* and in lieu thereof insert *"or for a"*.

4. In the bill, section 1, line 9, strike the comma after the word "tax" and in lieu thereof insert *"and"*; line 19, before *"five"* insert *"and"*; line 22, before *"provided"* insert *"and"*.

5. In the bill title, line 2, strike "section 60-201" and in lieu thereof insert "sections 60-201, 60-202, and 60-203"; line 6 after the word "laws" insert "; to provide for the payment thereof; to provide for credits under the prescribed circumstances".

LEGISLATIVE BILL 534. Placed on Select File as amended.

E and R amendments to L. B. 534:

1. In the bill, section 1, line 17, before the word "application" insert the word *"his"*; line 18, before the word *"the"* insert *"(a)"*; line 20, before the word *"has"* insert *"(b) he"*; line 23, strike the words

"and *whose*" and in lieu thereof insert "*; and (c) his*"; line 36, after the word "mothers" insert "*referred to in subdivisions (3) or (4) of this section*"*;* line 40, after the word "livelihood" insert a comma.

2. In section 3, line 3, after the section number and punctuation insert "*(1)*"; line 23, before "*Whenever*" insert "*(2)*".

3. In section 4, line 11, before the word "For" insert "*(1)*"; line 18, strike the words "*The board*" and in lieu thereof insert "*(2) The Board of Inquiry and Review*"; line 38, strike the words "*Nothing in*" and in lieu thereof insert "*(3) Nothing in subsections (1) or (2) of*".

4. In the bill title, line 19, insert "the" before the word "members"; and in the next line strike "and their duties", and in lieu thereof insert "; to provide the powers and duties thereof".

LEGISLATIVE BILL 433. Placed on Select File.
LEGISLATIVE BILL 431. Correctly engrossed.
LEGISLATIVE BILL 533. Correctly engrossed.
LEGISLATIVE BILL 344. Correctly enrolled.
LEGISLATIVE BILL 415. Correctly enrolled.
LEGISLATIVE BILL 493. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 4, 1949, at 9:00 a.m.

L. B. 267

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 344 L. B. 415 L. B. 493

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 100.

A bill for an act to amend section 83-337, Revised Statutes Supplement, 1947, relating to hospitals for mentally ill; to increase the compensation of the members of the county board of mental health and to provide when the same shall become operative; to change the method of determining their compensation in counties having a population of not more than two hundred 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, 32:

Adams, J.	Burnham	Hern	Person
Adams, T.	Callan	Hoyt	Pizer
Anderson, L.	Carmody	Larkin	Schroeder
Anderson, V.	Carson	Lee	Tvrdik
Babcock	Cramer	Lindgren	Weborg
Bohlke	Cretsinger	Lusienski	Wilson, C.
Bridenbaugh	Davies	McKnight	Wilson, W.
Burney	Hanna	Nelson	Wood

Voting in the negative, 2:

Metzger	Vogt

Not voting, 9:

Benesch	Lillibridge	Ogden	Vogel
Hill	Norman	Prohs	Williams
Holmes			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 184.

A bill for an act to amend section 37-204, Revised Statutes Supplement, 1947, relating to game and fish; to increase the hunting and fishing permit fees for residents of the state, the minimum fishing permit fees for nonresidents, and the fishing permit fees for aliens; 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, T.	Carson	Lee	Norman
Anderson, V.	Cretsinger	Lillibridge	Ogden
Babcock	Davies	Lindgren	Pizer
Bohlke	Hill	Lusienski	Wilson, C.
Bridenbaugh	Holmes	McKnight	Wilson, W.
Burnham	Hoyt	Metzger	Wood
Carmody			

Voting in the negative, 14:

Adams, J.	Callan	Nelson	Tvrdik
Anderson, L.	Hanna	Person	Vogt
Benesch	Hern	Schroeder	Weborg
Burney	Larkin		

Not voting, 4:

Cramer	Prohs	Vogel	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 457.

A bill for an act to amend section 81-523, Revised Statutes of Nebraska, 1943, relating to insurance; to increase the rate of tax imposed on insurance companies subject to the act for maintenance of the office of the State Fire Marshal and such other fire prevention activities as the Governor may direct; to eliminate provisions in regard to a special fund and permanent appropriation; to remove exemption from such tax of domestic mutual companies and domestic insurance companies doing a fire insurance business in less than one-third of the counties in Nebraska; 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, J.	Callan	Hoyt	Pizer
Adams, T.	Carmody	Larkin	Schroeder
Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lindgren	Vogt

Babcock	Cretsinger	Lusienski	Weborg
Benesch	Davies	McKnight	Wilson, C.
Bridenbaugh	Hanna	Metzger	Wilson, W.
Burney	Hill	Norman	Wood
Burnham	Holmes	Ogden	

Voting in the negative, 3:

Bohlke	Hern	Lee

Not voting, 5:

Nelson	Prohs	Vogel	Williams
Person			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 499.

A bill for an act to amend section 53-134 and 53-138, Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the county board shall have all the powers of a city or village to regulate beer retailers authorized to sell without the corporate limits of any city or village; to exempt hospitals from the requirement of furnishing a bond with the application for a non-beverage user's license; 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, J.	Callan	Hoyt	Ogden
Adams, T.	Carmody	Larkin	Person
Anderson, L.	Carson	Lee	Pizer
Anderson, V.	Cramer	Lillibridge	Schroeder
Babcock	Cretsinger	Lindgren	Tvrdik
Benesch	Davies	Lusienski	Vogt
Bohlke	Hanna	McKnight	Weborg
Bridenbaugh	Hern	Metzger	Wilson, C.
Burney	Hill	Nelson	Wilson, W.
Burnham	Holmes	Norman	Wood

Voting in the negative, 0.

Not voting, 3:

Prohs	Vogel	Williams

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 523.

A bill for an act relating to national and state defense; to provide for the establishment of the Nebraska Advisory Defense Committee and of other committees of defense; to prescribe the powers and duties thereof; to authorize and empower the Governor in time of emergency or public need in the nation or state to create the Nebraska Advisory Defense Committee; and to provide that county boards may, in their discretion, appropriate from and pay out of the general fund of the county, such amount as the county board may determine, to aid and enable county civilian defense committees to carry out and execute a civilian defense program.

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, T.	Carmody	Holmes	Metzger
Anderson, L.	Carson	Hoyt	Norman
Anderson, V.	Cramer	Larkin	Ogden
Babcock	Cretsinger	Lee	Person
Benesch	Davies	Lillibridge	Tvrdik
Bohlke	Hanna	Lindgren	Wilson, C.
Bridenbaugh	Hern	Lusienski	Wilson, W.
Burnham	Hill	McKnight	Wood
Callan			

Voting in the negative, 4:

Nelson	Pizer	Schroeder	Vogt

Not voting, 6:

Adams, J.	Prohs	Weborg	Williams
Burney	Vogel		

A constitutional majority having voted in the affirmative, the

bill was declared passed and the title agreed to.

Statements

L. B. 543 will allow the Board of Directors of Public Power Districts, their discretion, to pay out of District funds, group insurance premiums in the same manner in which they pay other employee compensation.

L. B. 54, passed earlier this session, precludes the District from offering further insurance plans for their employees.

L. B. 544 will allow Boards of Public Works, upon approval by the council, to make deductions for and contributions to various types of insurance programs for the employees of the Board of Public Works operating in its proprietary function.

This supplements similar authority given other groups under L. B. 54 and L. B. 251. (Signed) John P. McKnight

MOTION—Introduce Bills

Mr. President: I move that the rules be suspended to permit introduction of bills dealing with group insurance for Public Power Districts and Boards of Public Works. (Signed) John P. McKnight

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 543. By John P. McKnight, Chairman Committee on Judiciary.

A bill for an act to amend section 70-624, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that the board of directors of such districts may establish a plan of insurance, designed and intended for the benefit of the employees of the district, and in the discretion of the board, expend funds of the district for the payment of premiums for such employees' group, franchise, or wholesale insurance policies; and to repeal the original section.

LEGISLATIVE BILL 544. By John P. McKnight, Chairman, Committee on Judiciary.

A bill for an act to amend section 17-802, Revised Statutes of Nebraska, 1943, and section 16-691, Revised Statutes Supplement, 1947, relating to cities of the first and second class; to authorize cooperation and participation by such cities in a plan of insurance designed and intended for the benefit of the employees of any public utility employed by such city; and to repeal the original sections.

MOTION—Suspend Rules, Place on General File

Mr. President: I move that the rules be suspended and that public hearings be waived on L. B. 543 and L. B. 544, and that they be placed on General File. (Signed) John P. McKnight

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

Unanimous Consent—Return L. B. 399

Mr. Cramer asked unanimous consent to return L. B. 399 to Select File for the following Specific amendment.

In the bill, section 3, strike commencing after the second word "to" in line 12 to and including the word "paid" in line 13, and amendments thereto and in lieu thereof insert "*(1)* four-fifths of the amount so paid, *if he paid five cents per gallon under the provisions of section 66-410, or (2) five-sixths of the amount so paid, if he paid six cents per gallon under the provisions of said section,*".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 399.

Mr. Cramer's Specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for engrossment.

Visitors

Mr. T. Adams introduced Mr. Jerry Davis, of Lincoln, Nebraska.

Mr. Bridenbaugh introduced Mr. A. J. Linn, Principal, and twenty-one students from New Castle, Nebraska.

Mr. Wood introduced Mrs. Ann Farber, Teacher, several sponsors, and twenty-three pupils from Pleasant Dale, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 246.

Mr. Bridenbaugh offered amendents which were adopted.

Mr. Metzger moved to suspend the rules and have the Bridenbaugh amendments to L. B. 246 mimeographed in lieu of printing in the Journal.

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

Advanced to E and R for review.

Member Excused

Mr. Babcock was excused until 12:00 o'clock.

Unanimous Consent—L. B. 507

Mr. Tvrdik asked unanimous consent to place L. B. 507 on Final Reading.

Consent was granted and it was so ordered.

BILL ON FINAL READING

LEGISLATIVE BILL 507.

Mr. Tvrdik moved to reconsider the action of the Legislature in passing L. B. 507.

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Unanimous Consent—Return to Select File

Mr. Tvrdik asked unanimous consent to return L. B. 507 to Select

File for the following Specific amendment.

1. Amend page 4 of the bill, original section 6, by striking line 20 and all amendments thereto and inserting in lieu thereof the following: "and assignment therein, if any, or a copy thereof,".

2. Amend page 6 of the bill, original section 12, line 4, by striking the words "one dollar" and inserting in lieu thereof the following: "one dollar *two dollars*".

3. Amend page 6 of the bill, original section 12, line 5, by inserting after the word "title" the following: *"which shall show only those unreleased liens of record"*.

4. Amend the title of the act, line 10, by inserting after the word "public" the following: "; to provide what a duplicate copy of a certificate of title shall contain".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 507.

Mr. Tvrdik's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

Member Excused

Mr. Wood was excused for the remainder of the day.

MESSAGE FROM THE GOVERNOR

May 5, 1949

To The President, The Speaker,
And Members of the Legislature

Gentlemen:

Recognizing that it is late in the session, I regret the necessity of referring two bills to you for your consideration.

Representations have been made to me that L. B. 23, passed earlier in this session and relating to public assistance, will impose a nearly insurmountable administrative problem in Douglas, Lancaster, and other populous counties. It is stated that in Douglas County on the basis of 1116 old age applications per year, 2790 interviews would be required annually and that nearly the full time of the county board would have to be devoted to these hearings. It is believed that the intent of the law can be preserved by an amendment requiring the board to hear applicants only "when there is a question of doubt of relative financial responsibility, as ascertained by the local county director or his agents."

It is further suggested that if the provisions of L. B. 23 were not uniformly met over the state, grounds might exist for the withdrawal of funds by the Federal Social Security Board, thus jeopardizing our assistance program.

Nebraska's world famed Capitol was built under the direction of a Capitol Commission. That Commission did its job well.

Now that the Capitol Building has reached a rather respectable age, it becomes imperative that careful attention be given to its upkeep and repair, in order that this prized structure may be preserved unimpaired. To accomplish this objective and to cooperate with the Lincoln City Planning Commission in the development and maintenance of suitable environs for the State Capitol and to consider Capitol Building problems generally, it appears advisable that a State Building Commission, composed of civic minded, non-salaried citizens, be appointed to effect these purposes.

One immediate Capitol Building problem facing the state, and one upon which the services of this Commission could well be utilized, is the repair of the terrace which extends completely around the outside of the Capitol Building and serves as the roof for the first floor offices at the perimeter of the building. This terrace has presented a difficult problem to the state for a long period of years. No method has yet been found to prevent great damage by water seepage to the first floor rooms. There is reason to believe that if unchecked, this seepage may eventually impair the foundations of the building itself. Thousands of dollars have been spent in an attempt to correct the problem, but without success.

Respectfully submitted,
(Signed) Val Peterson

Governor

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 545. By William A. Metzger of Cass and Charles F. Tvrdik of Douglas, at the request of Governor Val Peterson.

A bill for an act to amend section 68-204, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 23, Sixty-first Session, Nebraska State Legislature, 1949, relating to public assistance; to provide that the investigation of an application for old age assistance requiring the parents or children of any applicant if within this state to appear in person before the old age assistance board of the county in which the applicant resides or in which they themselves reside and state under oath the facts with reference to inability to support the applicant shall be done only when there is a question of doubt of relative financial responsibility, as ascertained by the local county director or his agents; and to repeal the original section.

LEGISLATIVE BILL 546. By Victor E. Anderson of Lancaster, John P. McKnight of Nemaha and John S. Callan of Gage, at the request of the Governor.

A bill for an act to create a State Building Commission; to provide for appointment of certain members; to prescribe powers and duties of the commission; to require filing of reports with the Clerk of the Legislature; and to declare an emergency.

MOTION—Suspend Rules, Place on General File

Mr. President: I move that the rules be suspended and that L. B. 545 be placed on General File. (Signed) William A. Metzger

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

STANDING COMMITTEE REPORT

Judiciary

LEGISLATIVE BILL 539. Placed on General File.

(Signed) John P. McKnight

Visitors

Mr. Lee introduced Mrs. Launt of Oakdale, Nebraska, a sister of Governor Val Peterson, and Mrs. Clark of Oakdale, Nebraska.

Mr. Lillibridge introduced Mrs. T. Hulse, Mrs. L. Volkmer and twenty-nine students from Ohiowa grade school, Ohiowa, Nebraska.

Member Excused

Mr. McKnight was excused May 6, 1949 at 10:30 a.m., for the remainder of the morning.

GENERAL FILE

Special Order

LEGISLATIVE BILL 474.

Advanced to E and R for review with 20 ayes, 11 nays and 12 not voting.

MOTION—Suspend Rules, Refer L. B. 546

Mr. President: I move that the rules be suspended and that L. B. 546 be referred to Standing Committee today. (Signed) Harry L. Pizer

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 536. Replaced on Select File as amended.

E and R amendment to L. B. 536:

1. In Standing Committee Amendment 1, line 2, after the word *"and"* and before the word *"shall"* insert *"the proceeds derived from such levy"*.

LEGISLATIVE BILL 537. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

MOTION—L. B. 436

Mr. President: I move that L. B. 436 be placed on General File. (Signed) W. Halsey Bohlke

The motion prevailed with 30 ayes, 2 nays and 11 not voting.

Visitors

Mr. Hern introduced Mr. Leslie Boodry, Sr. and Mr. Leslie Boodry, Jr. from Angora, Nebraska.

Bill Referred to Standing Committee

L. B.	Committee
546	Government

RECESS

At 12:00, noon, Mr. Vogt moved to adjourn.

Mr. Bohlke offered a substitute motion to recess until 2:00 p.m., which prevailed.

AFTER RECESS

The Legislature reconvened at 2:10 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Prohs, Vogel and Wood who were excused.

Approved by the Governor

May 5, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 4, 1949, he approved L. B. 273, and that on May 5, 1949, he approved L. B. 283, L. B. 233, L. B. 307, L. B. 387, L. B. 461.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 401. Placed on Select File as amended.

E and R amendments to L. B. 401:

1. Put in section 9, amending section 60-320 of statutes, as section 2, and properly renumber other and subsequent sections, except section 10 which remains as section 10.

2. In the bill, section 3, now numbered 4, line 33, strike the word and punctuation "town,".

3. Sec. 4., now numbered 5, line 13, reinsert the stricken word and punctuation "dollars."; line 20 after the second word "weight", at the end of said line, insert a comma.

4. Sec. 9., now numbered 2, line 25, before the word "prescribed" insert the words *"shall be"*.

(Signed) Glenn Cramer, Chairman

GENERAL FILE

LEGISLATIVE BILL 535. Read and considered.

Mr. Weborg Presiding

Standing Committee amendments found in this day's Journal were adopted.

Mr. Lee offered the following amendments, upon which no action was taken.

1. Amend page 18 of the bill by adding after Section 14 a new section to be known as Section 15 and to read as follows: "This act shall not be construed to authorize any municipality or its lessee to engage in any proprietary activity at or with any such parking

facilities other than the parking of motor vehicles."

2. Amend the bill by renumbering Sections 15 and 16 to be Section 16 and Section 17 respectively.

L. B. 535 was laid over with 22 ayes, 1 nay and 20 not voting.

Visitors

Mr. Lee introduced Mrs. Edna M. Ray, Red Wood City, California, National President of G.A.R., Mrs. Frank Paull, Kansas City, Missouri, National Secretary and Mrs. Mabel Way, Past Department President of Lincoln, Nebraska.

Mr. Hoyt introduced Mr. Robert Barber, Superintendent, and five students of Red Willow Consolidated School.

Mr. Srb, at the request of Mr. Lee, introduced Mr. C. B. Cowger, Superintendent and eighteen students of Dodge, Nebraska.

LEGISLATIVE BILL 436. Read and considered.

Mr. Bohlke offered the following amendment, which was adopted.

Amend L. B. 436 by inserting in Section 1, line 3, after the word "State", the words "except the counties now producing oil".

Advanced to E and R for review.

LEGISLATIVE BILL 538. Read and considered.

Standing Committee amendment found in this day's Journal was not adopted with 10 ayes, 16 nays and 17 not voting.

Mr. Benesch moved to indefinitely postpone L. B. 538.

The motion did not prevail with 9 ayes, 17 nays and 17 not voting.

Advanced to E and R for review.

Members Excused

Mr. Carson was excused for Friday, May 6, 1949.

Mr. L. Anderson was excused for Friday morning, May 6, 1949.

Adjournment

At 4:30 p.m., on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 6, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carson and Prohs, who were excused, and Mr. Wood, who was excused until 9:40 a.m.

The Journal for the Eighty-seventh Day was approved as corrected.

Communication

Petition bearing 308 signatures addressed to Mr. Vogt opposing the increase in the gasoline tax and the increase in license fees on cars and trucks.

Visitors

Mr. Lee introduced Superintendent H. L. Fennema and eleven students from Pisgah, Iowa.

NOTICE OF COMMITTEE HEARING

Government

L. B. 546	Wednesday, May 11, 1949	2:00 p.m.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 100. Correctly enrolled.

LEGISLATIVE BILL 457. Correctly enrolled.
LEGISLATIVE BILL 499. Correctly enrolled.
LEGISLATIVE BILL 184. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 100 L. B. 499 L. B. 184
L. B. 457

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 484.

A bill for an act to amend section 23-1204, Revised Statutes Supplement, 1947, relating to counties; to provide that in a county having a population of more than sixty thousand inhabitants and not more than two hundred thousand inhabitants the county attorney of such county may at his discretion appoint one additional deputy county attorney for such county upon receiving the approval thereof by the county board; to provide how the salary of such additional deputy county attorney in such a county shall be fixed; to prescribe the maximum salary of such a deputy; to require a bond to be furnished by the deputy county attorneys in all counties, except as prescribed, in the same manner and for the same amount as is required of the county attorney in the county where such deputy is appointed; 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, J.	Callan	Larkin	Person
Adams, T.	Carmody	Lee	Pizer
Anderson, L.	Cramer	Lillibridge	Schroeder
Anderson, V.	Cretsinger	Lindgren	Tvrdik
Babcock	Davies	Lusienski	Vogel
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Metzger	Williams
Bridenbaugh	Hill	Nelson	Wilson, C.

Burney	Holmes	Norman	Wilson, W.
Burnham	Hoyt	Ogden	

Voting in the negative, 1:

Vogt

Not voting, 3:

Carson	Prohs	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 388.

A bill for an act relating to education in elementary school districts; to define terms; to provide for a blanket tax levy within each county for the support of these schools; to prescribe the method of distribution of the returns from the blanket tax levy; to provide for making an application to the county superintendent, under the prescribed circumstances, for a share of the funds so raised; to permit high school districts to participate in the distribution of funds raised by such levy under the prescribed conditions; and to provide for the prescribing, by the Superintendent of Public Instruction, of forms necessary to carry out the provisions 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, 30:

Adams, T.	Callan	Hoyt	Ogden
Anderson, L.	Cramer	Lee	Person
Anderson, V.	Cretsinger	Lillibridge	Schroeder
Babcock	Davies	Lindgren	Vogt
Bohlke	Hanna	Lusienski	Williams
Bridenbaugh	Hern	McKnight	Wilson, C.
Burney	Hill	Norman	Wilson, W.
Burnham	Holmes		

Voting in the negative, 10:

Adams, J.	Larkin	Pizer	Vogel
Benesch	Metzger	Tvrdik	Weborg
Carmody	Nelson		

Not voting, 3:

Carson	Prohs	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 294.

A bill for an act to amend sections 85-301, 85-308, and 85-311, Revised Statutes of Nebraska, 1943, relating to state normal schools; to provide for a name for each of the state normal schools; to provide that the state normal schools now existing shall be designated as state teachers colleges; to provide for allocation of the matriculation fee and disbursement thereof; to provide for a course of study and issuing of degrees; 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, J.	Cramer	McKnight	Vogel
Adams, T.	Cretsinger	Nelson	Vogt
Anderson, L.	Hanna	Norman	Weborg
Benesch	Hern	Schroeder	Williams
Burney	Hill	Tvrdik	Wilson, W.
Callan	Lindgren		

Voting in the negative, 14:

Anderson, V.	Davies	Lee	Person
Babcock	Holmes	Lillibridge	Pizer
Bohlke	Hoyt	Metzger	Wilson, C.
Bridenbaugh	Larkin		

Not voting, 7:

Burnham	Carson	Ogden	Wood
Carmody	Lusienski	Prohs	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 430.

A bill for an act relating to warehouses; to redefine terms; to require filing of certified financial statement with the State Railway Commission by any person storing or intending to store goods as a

warehouseman; to change the amount of the license fees required of a warehouseman; to provide for the payment thereof; to provide for registration of warehouse receipts and the fee for same; to provide terms and conditions of the license of a warehouseman; to provide for inspection and supervision of warehouses by and the prescribed reports to the State Railway Commission; to provide for the making of certain rules and regulations by the commission; to provide certain other requirements and procedure pertaining to warehouses and warehousemen; to include field warehousemen within the terms of the act; to expressly exclude cold storage operations of any cold storage warehousemen storing goods requiring refrigeration, who hold the prescribed license, from certain provisions of this act as prescribed unless they apply for a license hereunder; to amend sections 88-158 and 88-159, 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, 41:

Adams, J.	Carmody	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Schroeder
Anderson, L.	Cretsinger	Lindgren	Tvrdik
Anderson, V.	Davies	Lusienski	Vogel
Babcock	Hanna	McKnight	Vogt
Benesch	Hern	Metzger	Weborg
Bohlke	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Carson	Prohs

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Lee introduced Miss Sylvia Brunton, Teacher, and sixteen stu-

dents from Herman, Nebraska.

SELECT FILE

LEGISLATIVE BILL 57. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Mr. Cramer asked unanimous consent to add the names of Messrs. McKnight and Callan as co-introducers of L. B. 57.

Consent was granted and it was so ordered.

Laid over.

LEGISLATIVE BILL 182. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 541. E and R amendment found in the Legislative Journal for the Eighty-seventh Day was adopted

Advanced to E and R for engrossment.

LEGISLATIVE BILL 492. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Mr. Carmody offered the following amendment, which was adopted by unanimous consent.

1. Amend the bill by striking the Carmody amendment number 2 adopted April 25, 1949, and inserting in lieu thereof in section 1, line 25 after the punctuation following the word "bracket" the following: *"(2) for a motor bus equipped to carry more than seven persons for hire, except those buses engaged entirely in transportation of passengers for hire within municipalities or in and within a radius of five miles thereof, the equalization fee shall be determined by the weight of such bus and for the purpose of determining the weight thereof, the unladen weight in pounds of said bus shall be used and to which there shall be added in pounds the number of persons said vehicle is equipped to carry times two hundred pounds and the total pounds of said bus and persons said vehicle is equipped to carry, shall be the weight of*

said vehicle for the purpose of determining the equalization fees thereon; that for the purpose of determining the unladen weight of said motor bus, the weight as determined for the issuance of license fees of motor buses, as provided for in section 60-329, shall be used as the weight of such motor bus for the determination of equalization fees hereunder; that the equalization fee for a bus shall be at the following rates: If said vehicle weighs thirty-two thousand pounds and less than thirty-four thousand pounds it shall pay an equalization fee of six hundred dollars; if said vehicle weighs thirty thousand pounds and less than thirty-two thousand pounds it shall pay an equalization fee of five hundred fifty dollars; if said vehicle weighs twenty-six thousand pounds and less than thirty thousand pounds it shall pay an equalization fee of five hundred dollars; if said vehicle weighs twenty-two thousand pounds and less than twenty-six thousand pounds it shall pay an equalization fee of four hundred dollars; if said vehicle weighs sixteen thousand pounds and less than twenty-two thousand pounds it shall pay an equalization fee of three hundred dollars; and if said vehicle weighs less than sixteen thousand pounds it shall pay an equalization fee of two hundred dollars."

Advanced to E and R for engrossment.

LEGISLATIVE BILL 534. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 433. Advanced to E and R for engrossment.
LEGISLATIVE BILL 536. E and R amendment found in the Legislative Journal for the Eighty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 401. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 434. Laid over.
LEGISLATIVE BILL 340. Laid over.
LEGISLATIVE BILL 540. Read and considered.

Mr. Lee Presiding

Advanced to E and R for review.

LEGISLATIVE BILL 539. Read and considered.

Advanced to E and R for review.

State Park Bills

Mr. Schroeder explained the disposition made of the state park bills heard before the Committee on Miscellaneous Appropriations and Claims. These appropriations will be taken care of in recommended amendments to the Budget bill.

Members Excused

Mr. McKnight was excused for the remainder of the morning.

Mr. Cretsinger was excused for the balance of the day and for Monday, May 9.

Messrs. Burnham and Weborg were excused for the remainder of the day.

Visitors

Mr. Vogt introduced Mr. Chester Sargent with twenty-two seniors of Westmorland, Kansas.

Mr. Metzger introduced Mrs. Pascaline McGuire, principal, Mrs. Marion Thomas, teacher and fifty-three students of Bellevue, Nebraska.

Mr. Person introduced Mrs. Wm. Jackson, teacher and eight students from Swedeburg, Nebraska Grade School.

Mr. Wood introduced Miss Mary Wherry, a niece of Senator Kenneth S. Wherry.

Mr. Metzger introduced Mrs. James Eastridge, teacher and six students of Murray, Nebraska.

Mr. Bridenbaugh introduced Mrs. Rene Bousquet, sponsor, and seven students of Jackson High School.

Mr. W. Wilson Presiding

The Legislature was at ease for a short time.

GENERAL FILE

LEGISLATIVE BILL 543. Laid over.
LEGISLATIVE BILL 544. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 545. Read and considered.

Laid over.

Adjournment

At 11:00 a.m., on a motion by Mr. Carmody, the Legislature adjourned until 10:00 a.m., Monday, May 9, 1949.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 9, 1949

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

Prayer was offered by Reverend Father Patrick L. Nolan, Assumption Church, Omaha, Nebraska.

The roll was called and all members were present except Messrs. Burney, Cretsinger and Prohs, who were excused.

The Journal for the Eighty-eighth Day was approved.

Communications

A card from Mrs. Dick White, Omaha, Nebraska, opposing rent decontrol.

A letter from Mrs. Cora L. Albert, Omaha, Nebraska, opposing rent decontrol.

A wire from Mr. Prohs asking to be excused until Mrs. Prohs' condition improves.

A letter from Mrs. Murrel Celeste Miller of Independence, Missouri, regarding a song she had composed.

A letter from Governor Arthur B. Langlie of Washington state, acknowledging receipt of L. R. 23.

MOTION—Flowers for Mrs. Prohs

Mr. President: I move that flowers be sent to Mrs. Prohs. (Signed) William Hern

The motion prevailed.

Explanation of Vote

Mr. President: Had I been present, I would have voted "yes" on L. B. 294, the normal bill. (Signed) Hugh Carson

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 6, 1949 at 10:10 a.m.

L. B. 344 L. B. 493 L. B. 415

Presented to the Governor for approval on May 7, 1949 at 10:20 a.m.

L. B. 184 L. B. 457 L. B. 100
L. B. 499

LEGISLATIVE BILL 538. Placed on Select File.
LEGISLATIVE BILL 167. Replaced on Select File as amended.

E and R amendment to L. B. 167:

1. In the Lee amendment 2 of April 21, 1949, line 4, strike "*the*" to avoid duplication of said word. The mimeographed copy is correct.

LEGISLATIVE BILL 540. Placed on Select File.
LEGISLATIVE BILL 490. Placed on Select File as amended.

E and R amendments to L. B. 490:

1. Amend Standing Committee amendment 1 of April 11, 1949, new section 2, line 7 of the original by striking "*; notice*" after the word "*valuations*" and in lieu thereof insert ". *Notice*"; same new section, line 11, strike "*or, if*" at the beginning of that line and in lieu thereof insert ". *If*"; same line, after "*county,*" insert "*it shall be so published*".

2. Amend Standing Committee amendment 1, new section 3, line 5 of the original, by inserting "*(1)*" after the word "*signed*"; same new section, line 7 of the original, insert "*(2)*" before the word "*twenty-five*"; and in line 9 of said section strike the comma after the word "*hearing*".

3. Amend Standing Committee amendment 1, new section 5, line

4 of original by striking "*; the*" after the word "*Funds*", and in lieu thereof insert ". *The*".

4. Amend Standing Committee amendment 1, new section 6, line 24 of original, after the word "provided" insert "*for*".

5. Amend Standing Committee amendment 1, new section 10, line 10 of the original, strike "of the school land" after the word "*classification*"; in line 11 of same section before the word "expiration" insert the word "*the*".

6. Amend Standing Committee amendment 2 to the bill title, line 14 of original by inserting after the semicolon following the word "lease" the following: "to provide for certain records and procedure; to prohibit leases of school lands to nonresidents of this state and otherwise as prescribed; to provide certain requirements or limitations on assignments of such leases;".

LEGISLATIVE BILL 436. Placed on Select File as amended.

E and R amendments to L. B. 436:

1. In General File Amendment by Mr. Bohlke, dated May 5, 1949, line 2, insert a comma before "except", also after the word "oil" in same line.

2. In the bill title, line 4, after the word "state" insert ", except as prescribed,".

LEGISLATIVE BILL 492. Replaced on Select File as amended.

E and R amendment to L. B. 492:

1. Strike the last period in Carmody amendment, adopted May 6, 1949, before the last quotation mark and in lieu thereof insert "*; and (3)*".

LEGISLATIVE BILL 539. Placed on Select File as amended.

E and R amendment to L. B. 539:

1. In the bill, section 1, line 9, strike ", which" and in lieu thereof insert ". *The sale*".

LEGISLATIVE BILL 523. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 523

RESOLUTIONS

LEGISLATIVE RESOLUTION 26. Re: Vote of confidence, School Land Leases.

Introduced by William Hern.

WHEREAS, the question of constitutional law has arisen because some members of the Legislature hold their seats at a time when they are parties to leases of school lands; and

WHEREAS, members who are parties to school land leases have been loyal and faithful members of the Nebraska State Legislature, some of whom have served many terms; and

WHEREAS, the integrity of these members has been of the highest, their deliberations have been sincere, and their leadership has been necessary for good legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the members of the Nebraska State Legislature extend to those members whose names have been challenged a vote of confidence.

Member Excused

Mr. J. Adams was excused for the remainder of the day.

MOTION—L. R. 15

Mr. President: I move that L. R. 15 be taken off the table and

considered at this time. (Signed) William Metzger

The motion prevailed with 29 ayes, 0 nays and 14 not voting.

Speaker Lee Presiding

LEGISLATIVE RESOLUTION 15.

Mr. L. Anderson offered the following amendment, which was adopted.

Amend L. R. 15 to read January 1, 1951, in paragraph 2, instead of January 1, 1950.

L. R. 15 was adopted with 35 ayes, 0 nays and 8 not voting.

LEGISLATIVE RESOLUTION 17.

L. R. 17 was adopted with 31 ayes, 0 nays and 12 not voting.

LEGISLATIVE RESOLUTION 24.

L. R. 24 was adopted with 30 ayes, 0 ayes and 13 not voting.

Visitors

Mr. L. Anderson introduced Mr. R. L. Scott, Superintendent, and fourteen students of Giltner, Nebraska.

Mr. Tvrdik introduced a group of citizens from his district and his father, Mr. Frank J. Tvrdik.

Mr. V. Anderson introduced Mrs. Graham and 11 pupils of Denton, Nebraska and Mrs. Fern Westfall and twenty students from Raymond, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 292. Correctly engrossed.
LEGISLATIVE BILL 413. Correctly engrossed.
LEGISLATIVE BILL 536. Correctly engrossed.
LEGISLATIVE BILL 294. Correctly enrolled.
LEGISLATIVE BILL 388. Correctly enrolled.

LEGISLATIVE BILL 430. Correctly enrolled.
LEGISLATIVE BILL 484. Correctly enrolled

(Signed) Glenn Cramer, Chairman

Speaker Signs

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

L. B. 294 L. B. 430 L. B. 484
L. B. 388

Unanimous Consent—Return L. B. 541

Mr. Schroeder asked unanimous consent to return L. B. 541 to Select File for the following specific amendments.

1. Amend page 2 of the bill, section 1, lines 11 and 12, by striking the words "Roads and Irrigation" and inserting in lieu thereof the words "State Assistance and Child Welfare".

2. Amend page 12 of the bill, section 1, lines 338 and 339, by striking the words "Roads and Irrigation" and inserting in lieu thereof the word "Labor".

Consent was granted and it was so ordered.

Member Excused

Mr. Babcock was excused for the remainder of the day.

SELECT FILE

LEGISLATIVE BILL 57.

Mr. Carson offered the following amendments, upon which no action was taken.

1. Amend page 2 of the bill, section 1 by striking lines 3 to 5 and inserting in lieu thereof the following: "of Nebraska, for approval, the Amendments to the Constitution of Nebraska which are set forth in section 2 of this act, and which are proposed by the Legislature.

"Sec. 2. The Amendments proposed are as follows: (1) To amend section 6, Article III, to read as follows:"

2. Amend page 2 of the bill, section 1, line 13 by inserting after the word and punctuation "Governor." the following. "(2) To amend section 7, Article III, to read as follows:"

3. Amend Standing Committee Amendment 1, Sec. 7, line 6 by inserting after the word and punctuation "years." the following: "No member of the Legislature shall be eligible to be elected as a member thereof after the expiration of two consecutive terms for which he was elected."

4. Amend the Standing Committee Amendment 1, Sec. 7, by adding after the last sentence thereof the following: "(3) To amend section 1, Article IV, to read as follows: "Sec. 1. The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of the State, Auditor of Public Accounts, Treasurer, Attorney General, Superintendent of Public Instruction and the heads of such other executive departments as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law create. The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and Treasurer shall be chosen at the general election held in November, 1954, and every four years thereafter, and their term of office shall be four years and until their successors shall be elected and qualified. The Governor shall be ineligible to the office of Governor after the expiration of his term of office and the Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and Treasurer shall be ineligible to their respective office after the expiration of two consecutive terms for which he was elected. The records, books, and papers of all executive officers shall be kept at the seat of government, and such officers, excepting the Lieutenant Governor, shall reside there during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law. The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all the members elected to the Legislature, but officers so appointed may be removed by the Governor. 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.

(4) To repeal section 3, Article IV:

Sec. 3. Repealed."

5. Amend page 3 of the bill, section 2, line 1, by striking the figure "2" and inserting the figure "3".

6. Amend renumbered section 3, lines 12 and 16, by inserting after the word "Legislature" the following: "and certain executive officers with a limitation on the number of terms they shall be eligible for re-election".

7. Amend page 3 of the bill, section 3, line 1, by striking the figure "3" and inserting in lieu thereof the figure "4".

8. Amend the title of the bill, line 8, by striking the words "for four-year terms" and inserting in lieu thereof the following: "and certain executive officers for a term of four years, with a limitation on the number of terms they shall be eligible for re-election;".

Laid over.

Visitors

Mr. Lee introduced a group of students from Fremont, Nebraska.

Mr. Vogt introduced Mr. F. L. Nicolai, and ten students from Lewiston, Nebraska.

SELECT FILE

LEGISLATIVE BILL 401. Laid over.
LEGISLATIVE BILL 541.

Mr. Schroeder's amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment.

Unanimous Consent—Return L. B. 2

Mr. Hoyt asked unanimous consent to return L. B. 2 to Select File for the following Specific amendments.

1. Amend page 3 of the bill by adding a new section, to be numbered 5, reading as follows:

"Sec. 5. That section 10-706, Revised Statutes of Nebraska,

1943, be amended to read as follows:

10-706. The bonds shall specify on their face the date, amount, the purpose for which issued, the time they shall run, and the rate of interest; they . *The bonds* shall be printed on good paper, with coupons attached for each year's or half year's interest, and the amount of each year's interest shall be placed on corresponding coupons until such bonds shall become due, in such manner that the last coupon shall fall due at the same time as the bonds; said . *The* bonds and coupons thereto attached shall be severally signed by the director, moderator *president* and treasurer *secretary* of the district board."

2. Renumber present section 5 as section 6.

3. Amend page 3 of the bill, present section 5, renumbered section 6, line 2, by striking the word "and" and inserting after the punctuation following the figures "10-704" the word, figures, and punctuation "and 10-706,".

4. Amend the title, line 2, by striking the word "and" and inserting after the punctuation following the figures "10-704" the word, figures and punctuation "and 10-706,".

5. Amend the title, line 14, by inserting after the punctuation following the word "districts" the following: "to change terminology of officers required to sign school bonds;".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 2.

Mr. Hoyt's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

GENERAL FILE

Unanimous Consent

Mr. Tvrdik asked unanimous consent to place L. B. 543 at the head of General File.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 543. Considered.

Mr. Tvrdik and Mr. Norman offered the following amendment, which was adopted.

Amend L. B. 543 by adding the emergency clause and amend the title to conform.

Advanced to E and R for review.

Unanimous Consent

Mr. Metzger asked unanimous consent to place L. B. 545 at the head of General File.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 545.

Advanced to E and R for review.

LEGISLATIVE BILL 434. Considered.
LEGISLATIVE BILL 340.

Mr. Hoyt offered the following amendment, which was adopted.

1. Amend Standing Committee Amendment 1 by striking lines 9 to 12 and all amendments thereto and inserting in lieu thereof the following: *"faculty staff and employees; Provided, no money of the University of Nebraska or of the State of Nebraska shall be contributed to or become a part of the said fund so contributed which shall be designated as the Faculty and Employees Retirement Fund; and provided further, the retirement benefits accrued or to accrue to any member of the university faculty staff or to any other employee of the university under the retirement plan now in force shall not be abridged, and as now provided in said plan (1) the minimum retirement age shall be not less than sixty-five years, except in case of physical or mental disability, (2) the maximum retirement allowance to be paid from state funds shall not exceed the amount of a single life annuity which can be purchased at net rates, with due regard to sex and attained age of the person retiring, with eight per cent of the university salary or wage payments, not including extra earnings, such as earnings from services in the summer school or in the University Extension Division, and earnings after attainment of retirement age, accumulated, at*

three per cent compound interest from the date of their respective payments to the date of retirement, computed on the 1937 standard annuity table, with three per cent interest, and (3) the annual benefit payments to any one person shall not exceed twenty-four hundred dollars in any year from state funds."

Advanced to E and R for review.

RECESS

At 11:35 a.m., on a motion by Mr. Tvrdik, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Lee presiding.

The roll was called and all members were present except Messrs. J. Adams, Cretsinger, Larkin, McKnight, Prohs and Tvrdik, who were excused.

Invitation

Mr. Lee read a telegram from Fremont, Nebraska inviting the Legislature to visit Fremont on May 16, 1949.

Visitors

Mr. Vogt introduced Mr. Henry Schepman and his son of Falls City, Nebraska.

Mr. Vogel introduced Mr. Richard C. Boe, Principal, two sponsors and eighteen students from Carter Lake, Iowa.

Mr. Hoyt introduced Dean Bushnell and Loren Vincent of Stamford, Nebraska.

Mr. Bohlke introduced twelve seniors from Minden, Nebraska.

Mr. Holmes introduced Superintendent L. R. Waldmeier and eleven students from Munden, Kansas.

GENERAL FILE

LEGISLATIVE BILL 434. Considered through Section 20.

Mr. Metzger offered the following amendment, which was adopted.

Amend L. B. 434, Section 3, line 7, by striking the figures "$37,800.00" and inserting in lieu thereof the figures "$50,000.00".

Mr. Lillibridge offered the following amendment, which was adopted.

Amend L. B. 434, page 11, Section 14, line 7, by inserting following the designation "Nos." the figure and punctuation "242,".

Members Excused

Messrs. Carson and Davies were excused for the remainder of the day.

Mr. Ogden Presiding

Mr. Carmody offered the following amendment.

Amend L. B. 434, Sec. 20, Page 18, line 14, by striking the figures "$100,000.00" and inserting in lieu thereof the figures, "$25,-000.00".

Mr. Carmody requested a record vote.

Voting in the affirmative, 8:

Burney	Hanna	Hill	Vogt
Carmody	Hern	Schroeder	Weborg

Voting in the negative, 21:

Adams, T.	Callan	Lillibridge	Vogel
Anderson, V.	Cramer	Lusienski	Williams
Babcock	Holmes	Metzger	Wilson, C.
Benesch	Hoyt	Norman	Wilson, W.
Bohlke	Lee	Ogden	Wood
Bridenbaugh			

Not voting, 14:

Adams, J.	Cretsinger	McKnight	Pizer
Anderson, L.	Davies	Nelson	Prohs
Burnham	Larkin	Person	Tvrdik
Carson	Lindgren		

Mr. Carmody's amendment was not adopted.

Visitors

Mr.Lusienski introduced his wife, Mrs. Lusienski.

Mr. Metzger introduced ten students from Murdock, Nebraska.

Member Excused

Mr. T. Adams was excused from 9:00 to 10:30 a.m., Tuesday, May 10, 1949.

MOTION—Adjourn

At 4:10 p.m., Mr. Metzger made a motion to adjourn.

The motion did not prevail.

Member Excused

Mr. Metzger was excused for the remainder of the afternoon.

Visitor

Governor Peterson and Lt. Governor Warner escorted to the rostrum, His Eminence, Cardinal Francis Spellman of New York. Following introduction by Governor Peterson, Cardinal Spellman spoke briefly in greeting to the members.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 146. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Adjournment

At 4:30 p.m., on a motion by Mr. Burney, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETIETH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 10, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Metzger and Prohs, who were excused, and Mr. T. Adams, who was excused until 9:30.

The Journal for the Eighty-ninth Day was approved as corrected.

Communication

Letter, enclosing a copy of the song "SALUTE TO NEBRASKA", from Mrs. Gertrude Leu of Omaha, Nebraska, asking that this song be considered as the state song for Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 544. Placed on Select File as amended.

E and R amendments to L. B. 544:

1. In the bill, section 1, line 3, before "The" insert "*(1)*"; line 15, strike the first word "and" and in lieu thereof insert a comma; line 16, insert a comma after the word "systems"; line 32, before "Any" insert "*(2)*".

2. Section 2, line 3, before "The" insert "*(1)*"; line 6, strike

"; and" and in lieu thereof insert ". *The*"; line 17, before "The" insert "*(2)*".

LEGISLATIVE BILL 433. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 22. Laid over.

Mr. W. Wilson introduced Mr. Swan Carlson, of Funk, Nebraska, a former member of the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 431.

A bill for an act to amend section 88-203, Revised Statutes of Nebraska, 1943, and sections 88-201 and 88-206, Revised Statutes Supplement, 1947, relating to public grain warehouses; to provide who shall comply with Chapter 88, article 2, Revised Statutes of Nebraska, 1943, and amendments thereto; to redefine terms; to increase the license fee; to require that any public warehouseman issuing a receipt to himself as owner shall register the receipt with the Nebraska State Railway Commission; 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, J.	Carmody	Larkin	Pizer
Anderson, L.	Carson	Lillibridge	Schroeder
Anderson, V.	Cramer	Lindgren	Tvrdik
Babcock	Cretsinger	Lusienski	Vogel
Benesch	Davies	McKnight	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hern	Norman	Wilson, C.
Burney	Hill	Ogden	Wilson, W.

Burnham	Holmes	Person	Wood
Callan	Hoyt		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Metzger	Prohs	Williams
Lee			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 533. With emergency.

A bill for an act to amend section 39-784, Revised Statutes of Nebraska, 1943, and section 60-305 and 60-409, Revised Statutes Supplement, 1947, relating to motor vehicles; to provide that the fees collected for approval of each type of device of the prescribed light equipment, reciprocal license fees of nonresident trucks and buses, and the share of the fees remitted to the State Treasurer by the county treasurers from the issuance of motor vehicle operators' licenses shall be credited by the State Treasurer to the General Fund; to eliminate certain provisions thereof in regard to spending of the fees received for the issuance of motor vehicle operators' licenses; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Schroeder
Anderson, L.	Cramer	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Metzger	Prohs		

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 537.

A bill for an act to amend section 36-213, Revised Statutes of Nebraska, 1943, relating to assignment of wages; to provide for deduction of wages or earnings when the payroll deductions so taken are for the items prescribed and are in accordance with a written order of an employee which has been accepted by the employer; 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, J.	Carmody	Larkin	Pizer
Adams, T.	Carson	Lee	Schroeder
Anderson, L.	Cramer	Lillibridge	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Babcock	Davies	Lusienski	Vogt
Benesch	Hanna	McKnight	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood

Voting in the negative, 0.

Not voting, 3:

Callan	Metzger	Prohs

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Lindgren introduced Superintendent J. W. Monfross and two students from Bloomington, Nebraska.

SELECT FILE

LEGISLATIVE BILL 57. Laid over.
LEGISLATIVE BILL 401. Laid over.
LEGISLATIVE BILL 538. Advanced to E and R for engrossment.
LEGISLATIVE BILL 167. E and R amendment found in the Legislative Journal for the Eighty-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 540. Advanced to E and R for engrossment.
LEGISLATIVE BILL 490. E and R amendments found in the Legislative Journal for the Eighty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 436. E and R amendments found in the Legislative Journal for the Eighty-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 492. E and R amendment found in the Legislative Journal for the Eighty-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 539. E and R amendment found in the Legislative Journal for the Eighty-ninth Day was adopted.

Advanced to E and R for engrossment.

Presentation of Corn

Mr. Lee presented to each member of the Legislature a package of Hybrid seed corn, developed by the DeKalb Agricultural Association.

MOTION—Postage

Mr. President: I move that each member of the Legislature and the Lieutenant Governor be allowed $150.00 in postage stamps to take care of the members' correspondence during the balance of their terms after adjournment sine die. (Signed) W. J. Norman

Mr. Burney moved to amend the Norman motion by striking

$150.00 and inserting $50.00.

Mr. Carmody requested a record vote.

Voting in the affirmative, 9:

Babcock	Carmody	Davies	Hoyt
Bridenbaugh	Cramer	Hanna	Lindgren
Burney			

Voting in the negative, 21:

Adams, J.	Hern	Lusienski	Vogel
Adams, T.	Hill	Norman	Vogt
Anderson, L.	Holmes	Pizer	Wilson, C.
Benesch	Larkin	Schroeder	Wilson, W.
Bohlke	Lee	Tvrdik	Wood
Burnham			

Not voting, 13:

Anderson, V.	Lillibridge	Nelson	Prohs
Callan	McKnight	Ogden	Weborg
Carson	Metzger	Person	Williams
Cretsinger			

Mr. Burney's amendment was not adopted.

Mr. L. Anderson moved to amend the Norman motion by striking the figure $150.00 and inserting the figure $100.00.

Mr. L. Anderson's amendment to the motion was adopted.

Mr. Norman's motion, as amended, was adopted.

GENERAL FILE

LEGISLATIVE BILL 434. Considered from Sec. 21 to Sec. 39.

Mr. Schroeder offered the following amendment, which was adopted.

Amend L. B. 434, page 36, Sec. 30, line 6 by striking the figure "110,000.00" and inserting in lieu thereof the figure "170,800.00".

Mr. Burney offered the following amendment, upon which no action was taken.

Amend L. B. 434, Sec. 39, line 33 by striking "$8,000,000.00" and inserting in lieu thereof "$8,695,690.00".

Members Excused

Mr. J. Adams was excused for the balance of the day, until 10:00 a.m., Wednesday, May 11, 1949.

Messrs. Babcock and T. Adams were excused for the balance of the day.

Visitors

Mr. Lillibridge introduced Mrs. Floyd McIlnay, teacher and eight students of rural school, District 1, Crete, Nebraska.

Mr. Burney introduced Mr. John Reynolds, a former member of the Legislature, now residing at Niobrara, Nebraska.

Mr. Bridenbaugh introduced Mr. Donald Yost, Superintendent, and twenty students from Emerson, Nebraska.

Mr. Person introduced Mrs. Beth Hughes, teacher and ten students from District 28, Saunders County, Nebraska.

Mr. Larkin introduced Mrs. Bryant and Mrs. Naylor, with sixty-two pupils from Beals School, Omaha, Nebraska.

RECESS

At 12:00, noon, on a motion by Mr. Lillibridge the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. J. Adams, T. Adams, Babcock and Prohs, who were excused.

Visitors

Mr. Hern introduced Mrs. Ella Olson and Miss Sarah Olson,

mother and sister of Mr. Rex Olson, of Omaha, Nebraska.

SELECT FILE

LEGISLATIVE BILL 401.

Mr. Wood offered the following amendment, which was adopted by unanimous consent.

1. Amend the mimeographed bill, page 2, section 2, by striking lines 27 through 34, and inserting in lieu thereof the following:

"to time, may exceed the rural population of such county by *exceeds* one hundred *fifty* thousand or more persons, thirty *forty* per cent of all said fees paid any such county shall be transmitted by the county treasurer to the State Treasurer to be credited to the "state highway fund"; ~~thirty-three and one-third~~, *in any county in which the population of the cities and incorporated villages therein, as appears from the federal census from time to time, is more than ten thousand and less than one hundred fifty thousand persons, thirty per cent, and in all other counties twenty* per".

Advanced to E and R for engrossment with 24 ayes, 10 nays and 9 not voting.

GENERAL FILE

LEGISLATIVE BILL 434. Considered from Sec. 39 through Sec. 58.

Discussion was continued on the Burney amendment found in this day's Journal.

Mr. V. Anderson offered an amendment to the Burney amendment which was not adopted with 15 ayes, 18 nays and 10 not voting.

Mr. Carmody requested a record vote on the Burney amendment.

Mr. Burney requested a Call of the House.

A Call of the House was ordered and the roll showed 39 members present.

Mr. Lillibridge moved that the Call be raised and the motion prevailed with 21 ayes, 12 nays and 10 not voting.

Voting in the affirmatve, 16:

Anderson, V.	Carson	Lee	Pizer
Burney	Davies	Lusienski	Wilson, C.
Burnham	Holmes	Metzger	Wilson, W.
Carmody	Hoyt	Ogden	Wood

Voting in the negative, 22:

Anderson, L.	Hanna	McKnight	Tvrdik
Benesch	Hern	Nelson	Vogel
Bohlke	Hill	Norman	Vogt
Bridenbaugh	Larkin	Person	Weborg
Callan	Lillibridge	Schroeder	Williams
Cretsinger	Lindgren		

Not voting, 5:

Adams, J.	Babcock	Cramer	Prohs
Adams, T.			

Mr. Burney's amendment was not adopted.

Mr. Metzger offered the following amendment, which was adopted with 19 ayes, 11 nays and 13 not voting.

Amend L. B. 434, Page 31, Sec. 25, Subsection 3, line 20 by striking starting with the word "first" all of lines 20, 21, 22, 23 and the word "biennium" in line 24.

Mr. Vogt offered the following amendment, which was adopted with 20 ayes, 9 nays and 14 not voting.

Amend L. B. 434 by striking Section 38 of the bill.

Laid over.

Adjournment

At 3:00 p.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 11, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke, Holmes and Prohs, who were excused.

The Journal for the Ninetieth Day was approved.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 545. Placed on Select File.
LEGISLATIVE BILL 340. Replaced on Select File as amended.

E and R amendments to L. B. 340:

1. Strike both amendments by Mr. Person to Standing Committee Amendment 1.

2. In amendment by Mr. Hoyt, adopted 5/9/49, line 2 of original, strike "lines 9 to 12" and in lieu thereof insert "commencing with the word "faculty" in line 10 of the original to and including the balance of said amendment"; in said Hoyt amendment strike *"(1)"*, *"(2)"* and *"(3)"* and insert respectively *"(a)"*, *"(b)"* and *"(c)"* and strike the period at the end of said Hoyt amendment.

LEGISLATIVE BILL 1. Replaced on Select File.

E and R amendments to L. B. 1:

1. In the title and in Sec. 515, as amended by E and R 29 and 33, where the list of Legislative Bills repealed are listed, strike the

first one being number "56" and in lieu thereof insert "55", and at the end of said list strike "427, and 473" and in lieu thereof insert "and 427".

2. In the bill, section 2, line 17, strike *"and"*.

3. In the bill, section 13, line 12, strike "or her" at end of line, and in lines 13 and 14 strike "metropolitan cities and cities of the" and in lieu thereof insert *"cities of the* metropolitan and".

4. In section 19, as inserted by amendment, first line after "19." insert *"79-213."* and in subdivision (2) (b) place the period inside the last quotation mark.

5. In section 33 insert a comma in line 21 after "schools" and also at the end of line 22.

6. In section 128, inserted by S.C.A. 22, line 27, insert a period before *"No"*.

7. In section 63, line 4 and also section 64, line 4, strike "sixty" and in lieu thereof insert *"fifty-five"*.

8. In section 66, line 5, strike "or her"; also in section 84, line 17; also section 133, line 11; also section 202, line 5 and line 7; and also section 282, line 12.

9. In section 97, line 14, strike "to" and insert *"in"*.

10. In section 102, line 8, after "meeting" insert *"or election"*.

11. In section 124, line 28, strike "director" and in lieu thereof insert *"secretary"*.

12. In section 127, line 1, after "a" insert *"school board or"*.

13. In section 133, line 28, strike "who" and insert *"which"*.

14. In section 161, line 10, strike "special fund" and in lieu thereof insert *"appropriation"*.

15. In section 239, line 5, strike the semicolon.

16. In specific amendment 1 by Callan, adopted April 29, 1949, line 2, after "matter" insert "except the word *'active'* in line 3". In the new matter inserted by this amendment, last line, strike the period after "6" and in lieu thereof insert a comma.

17. In section 286, line 8, and also line 24, strike "or she".

18. In section 316, line 9, strike "The" and insert *"This"*.

19. In section 334, strike line 15 and in lieu thereof insert *"sec-*

retary of the school district or board of".

20. In section 347, line 22, insert "*and*" at the end of the line after the semicolon.

21. In the line after section 354 and before 355, strike "Fourth and Fifth Class" and in lieu thereof insert "Class IV and V".

22. In section 416, line 14, and also section 417, line 10, strike "towns" and in lieu thereof insert "*villages*".

23. In section 478, line 10, strike "of" and in lieu thereof insert "*for*".

LEGISLATIVE BILL 167. Correctly engrossed.
LEGISLATIVE BILL 182. Correctly engrossed.
LEGISLATIVE BILL 534. Correctly engrossed.
LEGISLATIVE BILL 431. Correctly enrolled.
LEGISLATIVE BILL 533. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 10, 1949 at 8:45 a.m.

L. B. 294	L. B. 430	L. B. 523
L. B. 388	L. B. 484	

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 431	L. R. 15	L. R. 24
L. B. 533	L. R. 17	L. R. 23

Unanimous Consent—L. B. 538 to Select File

Mr. J. Adams asked unanimous consent to return L. B. 538 to Select File.

Objection was offered by Mr. W. Wilson.

Mr. J. Adams moved to return L. B. 538 to Select File for the following specific amendment: "Strike the enacting clause".

Mr. J. Adams requested a record vote.

Voting in the affirmative, 11:

Adams, J.	Cretsinger	Lusienski	Weborg
Benesch	Hill	Pizer	Williams
Burnham	Larkin	Vogt	

Voting in the negative, 15:

Anderson, L.	Hanna	Lindgren	Schroeder
Carmody	Hern	McKnight	Wilson, C.
Cramer	Hoyt	Metzger	Wilson, W.
Davies	Lee	Nelson	

Not voting, 17:

Adams, T.	Burney	Lillibridge	Prohs
Anderson, V.	Callan	Norman	Tvrdik
Babcock	Carson	Ogden	Vogel
Bohlke	Holmes	Person	Wood
Bridenbaugh			

The motion did not prevail with 11 ayes, 15 nays and 17 not voting.

Unanimous Consent—Return L. B. 431

Mr. Williams asked unanimous consent to place L. B. 431 on Final Reading.

Consent was granted and it was so ordered.

FINAL READING

LEGISLATIVE BILL 431.

Mr. Williams moved to reconsider action taken on L. B. 431 on Final Reading.

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

Unanimous Consent—Return to Select File

Mr. Williams asked unanimous consent to return L. B. 431 to Select File for the following specific amendment.

Amend L. B. 431 by adding the emergency clause and amend the title to conform.

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 431.

Mr. Williams' Specific amendment found in this day's Journal was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 57.

Mr. Carson asked unanimous consent to strike amendment No. 3 from his amendments found in the Legislative Journal for the Eighty-ninth Day.

Consent was granted and it was so ordered.

Mr. Carson asked unanimous consent for the adoption of his amendments.

Objection was offered and consent was not granted.

Mr. Norman made a motion to indefinitely postpone L. B. 57 which did not prevail.

Mr. W. Wilson moved to advance L. B. 57 to E and R for engrossment.

Mr. Carmody moved to return L. B. 57 to General File for the following Specific amendment.

Amend L. B. 57 by striking the enacting clause.

Speaker Lee Presiding

Mr. Carmody requested a record vote.

Voting in the affirmative, 12:

Adams, J.	Burnham	Lillibridge	Person
Babcock	Carmody	Nelson	Tvrdik
Benesch	Hill	Norman	Weborg

Voting in the negative, 20:

Anderson, L.	Cretsinger	Lindgren	Schroeder
Bridenbaugh	Davies	McKnight	Vogel
Burney	Hanna	Metzger	Vogt
Carson	Hoyt	Ogden	Williams
Cramer	Lee	Pizer	Wilson, W.

Not voting, 11:

Adams, T.	Callan	Larkin	Wilson, C.
Anderson, V.	Hern	Lusienski	Wood
Bohlke	Holmes	Prohs	

Mr. Carmody's motion did not prevail.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 544. E and R amendments found in the Legislative Journal for the Ninetieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 1. E and R amendments found in this day's Journal were adopted by unanimous consent.

Mr. Hoyt offered the following amendment, which was adopted by unanimous consent.

Add the name of Mr. Burney as co-introducer on L. B. 1.

Advanced to E and R for engrossment.

Visitors

Mr. Vogt introduced Mr. Gaylord Wehmer and eleven students from Lewiston, Nebraska.

Mr. Hill introduced Superintendent Floyd Tillotson and twenty-one students from Chester, Nebraska.

RESOLUTION

LEGISLATIVE RESOLUTION 26.

Mr. Hern made a motion to adopt L. R. 26.

Mr. Ogden requested a record vote.

Voting in the affirmative, 32:

Adams, J.	Cramer	Lindgren	Tvrdik
Adams, T.	Cretsinger	Lusienski	Vogel
Anderson, L.	Davies	McKnight	Vogt
Babcock	Hern	Metzger	Weborg
Benesch	Hill	Ogden	Williams
Bridenbaugh	Larkin	Person	Wilson, C.

Burney	Lee	Pizer	Wilson, W.
Carson	Lillibridge	Schroeder	Wood

Voting in the negative, 0.

Not voting, 11:

Anderson, V.	Callan	Holmes	Norman
Bohlke	Carmody	Hoyt	Prohs
Burnham	Hanna	Nelson	

L. R. 26 was adopted with 32 ayes, 0 nays, and 11 not voting.

Member Excused

Mr. Ogden was excused for the remainder of the day and for Thursday, May 12, 1949.

Unanimous Consent—Executive Session

Mr. W. Wilson asked unanimous consent for the Public Works Committee to hold an executive session at 2:00 p.m. this afternoon.

Consent was granted and it was so ordered.

Adjournment

At 10:50 a.m., on a motion by Mr. Lillibridge, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 12, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke and Ogden, who were excused.

The Journal for the Ninety-first Day was approved.

Communications

Letter from the Nebraska Council of Church Women protesting the suggested cut in requested appropriations for the University.

Telegram from several citizens of Wayne, Nebraska, favoring the Governor's Highway Program.

Telegram addressed to Mr. Hern from the Panhandle County Officials Association supporting the Governor's Road Program.

Telegram from R. F. McNamara, Department Commander of the American Legion stating that the American Legion takes no position with reference to whether rent decontrol is affected by community or state action or on the merits of the question of rent control.

Letter addressed to Mr. Hill from Lions International congratulating the Legislature on passage of L. B. 294.

An article was read from the Osmond Republican, dated Wednesday, May 4, 1949, commenting on the disrespectful attitude of the Legislature during its session.

Approved by the Governor

May 12, 1949

The President, the Speaker, and

Members of the Legislature.

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 10, 1949, he approved L. B. 267, and that on May 11, 1949, he approved L. B. 344 and L. B. 493.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 419. Placed on General File.

(Signed) Harry F. Burnham, Secretary

Government

LEGISLATIVE BILL 546. Placed on General File as amended.

Standing Committee amendments to L. B. 546:

Section 3, strike lines 6 through 10.

Section 4, strike the entire section.

LEGISLATIVE BILL 542. Indefinitely postponed.

(Signed) Arthur Carmody, Chairman

Enrollment and Review

LEGISLATIVE BILL 2. Replaced on Select File as amended.

E and R amendments to L. B. 2:

1. In the bill, section 4, strike commencing with the word "school" in line 4 to and including the comma in line 6 and in lieu thereof in-

sert "*Class I or Class II* school districts".

2. In new section 5 inserted by Hoyt amendment, adopted May 9, 1949, strike each word "the" in line 4 of said section and the first word "the" in line 5.

3. In the bill title, line 12, before the semicolon and after the word "districts" insert "as prescribed".

LEGISLATIVE BILL 1. Correctly engrossed.
LEGISLATIVE BILL 538. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 26

MOTION—L. B. 300

Mr. President: I move to advance L. B. 300 to General File. (Signed) Lester H. Anderson.

After discussion, Mr. Hern moved the previous question.

The President stated the question "Shall the debate now close?"

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Member Excused

Mr. Callan was excused for the remainder of the day.

Mr. L. Anderson requested a record vote.

Mr. L. Anderson moved a Call of the House which did not prevail for lack of seconds.

Voting in the affirmative, 13:

Adams, J.	Burnham	Hanna	Vogt
Adams, T.	Carmody	Holmes	Weborg
Anderson, L.	Cramer	Lusienski	Wilson, W.
Burney			

Voting in the negative, 26:

Anderson, V.	Hern	McKnight	Prohs
Babcock	Hill	Metzger	Schroeder
Benesch	Hoyt	Nelson	Tvrdik
Bridenbaugh	Larkin	Norman	Williams
Carson	Lee	Person	Wilson, C.
Cretsinger	Lillibridge	Pizer	Wood
Davies	Lindgren		

Not voting, 4:

Bohlke	Callan	Ogden	Vogel

Mr. L. Anderson's motion did not prevail.

Visitors

Mr. Tvrdik introduced Mrs. Rigby and thirty-one students from Bancroft School, Omaha, Nebraska.

Mr. Metzger introduced Miss Juanita Johnson, teacher, and five students from Louisville, Nebraska.

Mr. Wood introduced Miss Iva Mulder and twenty-six students from Utica, Nebraska.

MOTION—Bills in Standing Committees

Mr. President: I move that all bills remaining in Standing Committee be indefinitely postponed. (Signed) Harry L. Pizer, Chairman, Committee on Order and Arrangement

Mr. Hern asked unanimous consent to lay Mr. Pizer's motion over until tomorrow.

Consent was granted and it was so ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 292.

A bill for an act to amend sections 23-1102, 23-1103, 23-1104, 23-1105, 23-1106, 23-1107, and 23-1108, Revised Statutes Supplement, 1947, relating to county officers; to increase the salaries of certain county officers in classes (1), (2), (3), (4), (4a), (5), and (6); to provide when such salaries shall become operative; to repeal the original sections and also section 23-1113, Revised Statutes of

Nebraska, 1943, and section 23-1113.01, Revised Statutes Supplement, 1947.

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

Voting in the affirmative, 35:

Adams, J.	Carson	Larkin	Pizer
Adams, T.	Cramer	Lee	Prohs
Anderson, L.	Cretsinger	Lillibridge	Schroeder
Anderson, V.	Davies	Lindgren	Tvrdik
Babcock	Hanna	Lusienski	Vogt
Benesch	Hern	McKnight	Williams
Bridenbaugh	Hill	Metzger	Wilson, C.
Burney	Holmes	Norman	Wilson, W.
Carmody	Hoyt	Person	

Voting in the negative, 3:

Burnham	Nelson	Weborg

Not voting, 5:

Bohlke	Ogden	Vogel	Wood
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 413.

Mr. Cramer asked unanimous consent to return L. B. 413 to Select File for the following Specific amendment.

1. In subsection 3 of section 1 as now shown on the final reading bill and originally appearing in the Pizer amendment of April 25, 1949 as amended by amendment 1 of Mr. Burney on May 2, 1949, strike commencing with the word "land", as shown in the fourth line of the original Pizer amendment, to and including the word *"If"* in said Burney amendment 1, line 5, and being in lines 17 to 21 in the final reading bill and in lieu thereof insert *"school land to be taken is held under lease and is sought to be acquired by any department of the state government for public use, the fair and reasonable value of the interest of the state as trustee for the public schools in said lands so taken shall be ascertained as is provided in section 2 of this act; Provided, if"*.

2. In section 2, line 5, of the bill, strike *"72-232"* and in lieu

thereof insert "*72-222*" to agree with line 4 of section 1.

Consent was granted and it was so ordered.

LEGISLATIVE BILL 536. Laid over.

LEGISLATIVE BILL 146.

A bill for an act to amend sections 23-1109 and 23-1110, Revised Statutes Supplement, 1947, relating to county officers; to increase the salaries of certain officers in classes (7) and (8); to provide when such increases may become operative; 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, J.	Carson	Lee	Prohs
Adams, T.	Cretsinger	Lindgren	Schroeder
Anderson, L.	Davies	Lusienski	Tvrdik
Anderson, V.	Hanna	McKnight	Vogel
Babcock	Hern	Metzger	Williams
Benesch	Hill	Norman	Wilson, C.
Bridenbaugh	Hoyt	Person	Wilson, W.
Burney	Larkin	Pizer	Wood

Voting in the negative, 2:

Carmody	Vogt

Not voting, 9:

Bohlke	Cramer	Lillibridge	Ogden
Burnham	Holmes	Nelson	Weborg
Callan			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Suspend Rules, L. B. 433

Mr. President: I move that we suspend the rules and take up L. B. 433 on Final Reading today. (Signed) Earl J. Lee

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

Member Excused

Mr. Benesch was excused for the remainder of the day.

LEGISLATIVE BILL 433. 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, 1951; to prescribe conditions for payment thereof; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Carson	Lillibridge	Schroeder
Adams, T.	Cretsinger	Lindgren	Tvrdik
Anderson, L.	Davies	Lusienski	Vogel
Anderson, V.	Hanna	McKnight	Vogt
Babcock	Hern	Metzger	Weborg
Benesch	Hill	Nelson	Williams
Bridenbaugh	Holmes	Norman	Wilson, C.
Burney	Hoyt	Person	Wilson, W.
Burnham	Larkin	Pizer	Wood
Carmody	Lee	Prohs	

Voting in the negative, 0.

Not voting, 4:

Bohlke	Callan	Cramer	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.

Member Excused

Mr. Larkin was excused for the remainder of the day.

Visitors

Mr. Weborg introduced Mr. Paul Basler, Superintendent, and fourteen students from Beemer, Nebraska.

Mr. Person introduced Miss Retha Hanke with eighteen students from Swedeburg, Nebraska.

Mr. Lee introduced Mrs. Cain and five pupils from District 82, Saunders County.

Mr. Burney introduced Mr. Darold Bobier with twenty-one students from Hartington, Nebraska.

SELECT FILE

LEGISLATIVE BILL 413.

Mr. Cramer's amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 545. Advanced to E and R for engrossment.
LEGISLATIVE BILL 340. E and R amendments found in the Legislative Journal for the Ninety-first Day were adopted.

Advanced to E and R for engrossment.

Explanation of Vote

Mr. President: Had I been present on Final Reading, I would have voted "yes" on the following: L. B. 100, L. B. 184, L. B. 457, L. B. 499, L. B. 523, L. B. 484, L. B. 430, L. B. 533, L. B. 537, L. B. 294 and L. R. 26. (Signed) Otto J. Prohs

Appreciation

Mr. Prohs thanked the members for the flowers sent to Mrs. Prohs. He reported that Mrs. Prohs is much better.

SELECT FILE

LEGISLATIVE BILL 105.

Mr. Lee offered the following amendments, which were adopted by unanimous consent.

1. Strike Ed Hoyt amendment of April 20, 1949 to the Lester H. Anderson Specific amendments of April 5, 1949.

2. Amend Specific Amendments of Lester H. Anderson adopted April 5, 1949, section 1, line 10, by striking the punctuation after the figures "1947" and inserting in lieu thereof the following: ", or any hospital or home owned or operated by any fraternal organization mentioned in section 21-608, Revised Statutes of Nebraska, 1943, and amendments thereto."

3. Amend Specific Amendments of Lester H. Anderson adopted

April 5, 1949, to the title by inserting before the semicolon in line 4 of the title the following: "except as exempted by this act".

Advanced to E and R for engrossment.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 536. With emergency.

A bill for an act to amend section 77-1601, Revised Statutes Supplement, 1947, relating to taxation; to provide that before levying taxes for any other functions of county government, each county shall first levy a tax sufficient to enable the county board to carry out its duties with regard to old age assistance and aid to dependent children; to provide that such levy shall not exceed five-tenths of a mill; to provide that the money received from the proceeds of this levy shall be known as the county assistance fund; 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, T.	Cramer	Lillibridge	Prohs
Anderson, L.	Davies	Lindgren	Tvrdik
Anderson, V.	Hanna	Lusienski	Vogt
Babcock	Hern	Metzger	Weborg
Bridenbaugh	Hill	Nelson	Williams
Burnham	Holmes	Norman	Wilson, C.
Carmody	Hoyt	Person	Wood
Carson	Lee	Pizer	

Voting in the negative, 1:

Schroeder

Not voting, 11:

Adams, J.	Burney	Larkin	Vogel
Benesch	Callan	McKnight	Wilson, W.
Bohlke	Cretsinger	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—Place L. B. 514 and L. B. 515 on General File

Mr. President: I move that L. B. 514 and L. B. 515 be placed on General File. (Signed) W. J. Williams

No action was taken upon the above motion.

RECESS

At 11:50 a.m., on a motion by Mr. Hern, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Benesch, Callan, Larkin and Ogden, who were excused.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 526. Placed on General File.

(Signed) William Hern, Chairman

Enrollment and Review

LEGISLATIVE BILL 399. Replaced on Select File as amended.

E and R amendment to L. B. 399:

1. In the bill, section 2, line 1, strike the word "original"; and in line 10, strike the word "such" and in lieu thereof insert "*that*".

LEGISLATIVE BILL 543. Placed on Select File as amended.

E and R amendments to L. B. 543:

1. In the bill, section 1, line 48, insert a comma after the word "*designed*".

2. In the bill title, strike the last line and in lieu thereof insert "policies; to repeal the original section; and to declare an emergency.".

LEGISLATIVE BILL 246. Placed on Select File as amended.

E and R amendments to L. B. 246:

1. In General File amendment 1 by Mr. Carson, dated April 28, 1949, line 5 of original, insert a comma after *"Power"*.

2. In section 2, line 13, insert before "the Department" the words *"Roads for"*; amend line 16 of section 2 by inserting after the word *"Irrigation"* the words and punctuation ", *Water Power, and Drainage*"; line 18 of same section strike the words "who shall" at the beginning of that line; line 25 of section 2, strike "; and any" and in lieu thereof insert ". *Any*"; line 26 of section 2, insert a comma after the word "nominated".

3. In General File amendment 3 by Mr. Carson, dated April 28, 1949, newly inserted section 5, line 1 of said section, strike the words *"the Department of"* before the word *"Irrigation"*; line 2, insert a comma after the words *"Water Power"*.

4. In former section 6, now section 7, line 2, strike the comma before the number *"39"*.

5. Amend Specific Amendment 1 of May 5, by Hal Bridenbaugh, new section 12, line 6, by striking *"of* the Department" after the word *"Director"*.

6. Amend Specific Amendment 1, new section 32, line 13, by inserting a comma after *"Power"*.

7. Same amendment 1, new section 34, line 2, after "1943," insert "as amended by section 2, Legislative Bill 401, Sixty-first Session, Nebraska State Legislature, 1949,"; same section 34, line 18, strike the remainder of the sentence after "hours" and also line 19 up to but not including the word "delivery" and in lieu thereof insert ". Upon"; same section, line 23, strike after the word "delivery" and strike line 24 up to but not including the word "card" and in lieu thereof insert ". Such"; section 34, line 25, after "as" insert "shall be"; section 34, line 28 before "dollars" and also line 32 before "dollars" strike "five" and in lieu thereof insert "eight"; same section, line 36, strike the remainder of the line after the word "another" and line 37 up to and including the word *"Subject"* and in lieu thereof insert ". Subject"; same section, line 56, strike commencing with the stricken semicolon in that line and strike line 57 up to but not including the word "demand" and in lieu thereof insert ". Upon".

8. In said amendment 1, new section 43, line 5, insert a comma after the word "adjoins".

9. Amend Specific amendment 4, of May 5, 1949, new section 69, line 4, by striking "60-320,"; in the same section, line 10, after "1947," at the end of the line insert "original section 60-320, Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 401, Sixty-first Session, Nebraska State Legislature, 1949,".

10. In the bill strike all of the title in accordance with amendment 5 by Mr. Bridenbaugh of May 5, 1949, after the word "sections" in line 2, and in lieu thereof insert "23-314, 23-320, 25-1062.01, 25-1064, 25-1065, 25-1066, 25-2159, 25-2160, 39-253, 39-7,103, 39-7,104, 39-7,106, 39-848, 46-106, 46-193, 46-199, 46-277, 46-278, 56-101, 60-433, 60-602, 60-1001, 70-609.01, 70-612, 72-712, 75-227, 75-618, 81-101, 81-102, 81-120, 81-154, 81-701, 81-702, 81-703, 81-704, 81-705, 81-706, 81-709, 83-122, 83-123, 83-435, 86-303.01, 86-308.01, Revised Statutes of Nebraska, 1943, sections 2-1906, 3-116, 18-601, 33-105, 39-603.01, 39-603.02, 39-7,107.05, 39-850, 60-427, 60-601, and 81-103, Revised Statutes Supplement, 1947, section 60-320, Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 401, Sixty-first Session, Nebraska State Legislature, 1949, and section 60-401, Revised Statutes of Nebraska, 1943, as amended by section 10, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949, relating to state administrative departments; to provide for the payment of certain fees for services performed by the Department of Roads and the Department of Irrigation, Water Power, and Drainage; to provide for the allocation and distribution of the present powers and duties of the State Engineer among and between the Director of Roads, the Director of Irrigation, Water Power, and Drainage, the State Engineer, the Administrator of Motor Vehicles, and the Superintendent of Law Enforcement as set forth; to authorize the Revisor of Statutes to make changes in terminology in accordance with the terms of this act; to divide the Department of Roads and Irrigation into two departments to be known as the Department of Roads and the Department of Irrigation, Water Power, and Drainage; to provide for the allocation and distribution of the powers and duties of the Department of Roads and Irrigation among and between the two new departments so created; to provide heads of such departments; to provide the salary and qualifications of the Director of Irrigation, Water Power, and Drainage; to provide for certain reports by the Director of Roads and the distribution thereof; and to repeal the original sections."

LEGISLATIVE BILL 490. Correctly engrossed.
LEGISLATIVE BILL 537. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 11, 1949, at 4:00 p.m.

L. B. 533

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 537

Visitors

Mr. V. Anderson introduced Superintendent Carl Booton and thirty-seven students from Bennet, Nebraska.

Mr. Cramer introduced Mr. and Mrs. R. D. Wilcox, teachers and seventeen students from Elgin, Nebraska.

Mr. Lee introduced Mr. Glen Sloop and twenty-four students from Washington, Kansas.

Mr. Lee introduced Mr. Ambrose Doyle and twelve students from St. Patricks School, Imogene, Iowa.

Point of Order

Mr. Tvrdik raised the point of order that the Public Health Committee acted contrary to the rules in holding its executive session after adjournment this morning.

The Chair ruled the point of order well taken and the bill was referred back to committee.

Unanimous Consent—Hold Meeting

Mr. Hern asked unanimous consent to hold an executive session of the Public Health Committee immediately.

Consent was granted.

MOTION—Place L. B. 526 on General File

Mr. J. Adams moved to place L. B. 526 on General File.

Mr. J. Adams requested a record vote.

Voting in the affirmative, 10:

Adams, J.	Cretsinger	Hoyt	Williams
Babcock	Hanna	Vogt	Wilson, W.
Carson	Hern		

Voting in the negative, 8:

Anderson, V.	Cramer	Person	Prohs
Carmody	Davies	Pizer	Wilson, C.

Not voting, 25:

Adams, T.	Callan	Lindgren	Ogden
Anderson, L.	Hill	Lusienski	Schroeder
Benesch	Holmes	McKnight	Tvrdik
Bohlke	Larkin	Metzger	Vogel
Bridenbaugh	Lee	Nelson	Weborg
Burney	Lillibridge	Norman	Wood
Burnham			

The Chair ruled that the motion did not prevail with 10 ayes, 8 nays and 25 not voting.

Mr. J. Adams, on a question of special privilege, appealed the decision of the Chair in ruling the motion lost, on the assumption that those not voting could be ruled as voting on the prevailing side.

RECESS

At 2:30 p.m., Mr. Lee moved that the Legislature recess until 2:45 p.m., to allow the Public Health Committee to hold an executive session.

The motion prevailed.

AFTER RECESS

At 2:45 p.m. the Legislature reconvened, President Warner presiding.

The roll was called and showed all members present except Messrs. Benesch, Callan, Larkin and Ogden, who were excused.

Appeal Decision of Chair

Mr. J. Adams appealed the decision of the Chair on ruling the

motion to place L. B. 526 on General File as lost.

The Chair stated the question "Shall the Chair be sustained?"

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Unanimous Consent—Withdraw Motion

Mr. W. J. Williams asked unanimous consent to withdraw his motion to place L. B. 514 and L. B. 515 on General File found in this day's Journal.

Consent was granted and it was so ordered.

MOTION—Bills in Standing Committee

Mr. Pizer renewed his motion to indefinitely postpone all bills in Standing Committee.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 546. Read and considered.

Standing Committee Amendments found in this day's Journal were adopted.

Mr. V. Anderson offered the following amendment which was adopted.

Amend the title of the bill to conform to the Standing Committee amendments.

Mr. Fay Wood offered the following amendment which was adopted.

Amend L. B. 546, Sec. 1, Line 5 after the word "actual" by inserting the words "hotel and traveling".

Mr. Hoyt offered the following amendment which was adopted.

Amend L. B. 546, Section 3, by striking subsection No. 4.

Advanced to E and R for review.

Explanation of Vote

Mr. President: I voted "Nay" on L. B. 536 on Final Reading

because I object to the provision which gives one agency priority on tax funds. (Signed) N. F. Schroeder

Amendment to Pizer Motion to Indefinitely Postpone Bills

Mr. Tvrdik asked unanimous consent to amend the Pizer motion to indefinitely postpone all bills in Standing Committee by adding the words "except Enrollment and Review".

Consent was granted and it was so ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 27. Re: Curtailing Federal Expenses

Introduced by W. J. Norman of Douglas.

WHEREAS, it is the general consensus that sources of federal revenue are seeking lower levels and this consensus is supported by all official calculations which have been made of the economic developments of the first calendar quarter of 1949;

WHEREAS, new taxes at such times as these may accelerate a minor business decline into a major depression; and

WHEREAS, if the President's budget were enacted, the federal tax bill would amount to at least a fifth of the individual's income;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature of the State of Nebraska respectfully request the Congress of the United States to make a ten per cent cut in all federal expenditures possible.

2. That Nebraska Senators and Representatives now in the Congress of the United States be and hereby are respectfully requested to use every effort at their command to obtain the reduction in the federal budget for the next fiscal year.

3. That copies of this resolution 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, and to each

member from Nebraska in the Senate of the United States and in the House of Representatives of the United States.

Adjournment

At 3:25 p.m., on a motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 13, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Ninety-second Day was approved as corrected.

Communications

A wire from Melvin H. Wrigh, Commander of V.F.W. post at Beatrice, Nebraska, opposing rent decontrol.

A wire from citizens of Wayne, Nebraska, supporting the Governor's road program.

A wire from Robert G. Mader, V.F.W. post at Omaha, Nebraska, opposing rent decontrol.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 474. Placed on Select File as amended.

E and R amendments to L. B. 474:

1. Amend General File amendment 2 of March 31, 1949 by Mr. Hoyt, line 2 of the original, by inserting after "line 7," the following: "as amended by Hoyt amendment 1 of March 31, 1949,".

2. Amend the bill, section 1, line 37, by striking the word "of" after the word "Nebraska" and in lieu thereof insert "*on*".

3. Amend the bill title by striking commencing with the word "upon" in line 6, to and including the word "act" in line 8, and in lieu thereof insert "during the year of the expiration of the term or the surrender of any school land lease; to provide and change certain procedure and requirements in regard to such sales; to provide for appraisement of said lands by the designated persons before such sale".

LEGISLATIVE BILL 436. Correctly engrossed.
LEGISLATIVE BILL 539. Correctly engrossed.
LEGISLATIVE BILL 146. Correctly enrolled.
LEGISLATIVE BILL 292. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 146 L. B. 292

RESOLUTION

LEGISLATIVE RESOLUTION 27.

L. R. 27 was adopted with 27 ayes, 5 nays and 11 not voting.

SELECT FILE

LEGISLATIVE BILL 2. E and R amendments found in the Legislative Journal for the Ninety-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 399. E and R amendment found in the Legislative Journal for the Ninety-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 543. E and R amendments found in the Legislative Journal for the Ninety-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 246. E and R amendments found in the Legislative Journal for the Ninety-second Day were adopted.

Advanced to E and R for engrossment.

Special Privilege

Mr. Tvrdik announced that Mr. Francis P. Matthews of Omaha, Nebraska, has been appointed as U. S. Secretary of the Navy.

GENERAL FILE

LEGISLATIVE BILL 419. Read and considered.

Mr. Burnham offered the following amendment, which was adopted.

Amend Sec. 2, line 2 after the word "Nebraska" by adding the figure ", 1943,".

Mr. Burnham moved to advance L. B. 419.

Mr. Lusienski made a substitute motion to indefinitely postpone L. B. 419.

Mr. Hill Presiding

Mr. Burnham requested a record vote.

Mr. Burnham requested a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Hern moved that the Call be raised and the motion prevailed with 19 ayes, 15 nays and 9 not voting.

Voting in the affirmative, 19:

Adams, J.	Burney	Lillibridge	Prohs
Anderson, V.	Davies	Lusienski	Schroeder
Babcock	Hern	Metzger	Williams
Benesch	Larkin	Norman	Wilson, C.
Bohlke	Lee	Pizer	

Voting in the negative, 17:

Adams, T.	Cretsinger	Lindgren	Vogt
Burnham	Hanna	McKnight	Weborg

Carmody	Hill	Nelson	Wilson, W.
Carson	Hoyt	Person	Wood
Cramer			

Not voting, 7:

Anderson, L.	Callan	Ogden	Vogel
Bridenbaugh	Holmes	Tvrdik	

The motion to indefinitely postpone prevailed with 19 ayes, 17 nays and 7 not voting.

Visitors

Mr. J. Adams introduced Superintendent Charles Speedie and forty-five students from Pershing School, Omaha, Nebraska.

Mr. W. Wilson introduced Mrs. M. Spitsnogle, Leader, four sponsors and thirteen Camp Fire Girls from Holdrege, Nebraska.

Mr. Cretsinger introduced Coach Clay Richendifer and four students from Oshkosh, Nebraska.

Mr. McKnight introduced Miss Ann Lenke, Principal and ten students from Unadilla, Nebraska.

Mr. Burnham introduced Mr. Emmett Gannon, Principal, three sponsors and seven students from Oconto, Nebraska.

Mr. J. Adams introduced Miss Edith Hall, Principal, and fifty-five students from Kellom School, Omaha, Nebraska.

Mr. Bohlke introduced his daughter, Julie Bohlke.

Mr. Hoyt, in the absence of Mr. Pizer, introduced Coach Paul Maxwell and five students from Sutherland, Nebraska.

Mr. Vogt introduced Mr. Oscar Breethorst, Principal and seven students from Rulo, Nebraska.

Mr. Burney introduced Superintendent H. A. Linn and thirty-two students from Laurel, Nebraska.

Mr. Metzger introduced Mr. Keith Kreglo and twenty-two pupils from a Rural School, Weeping Water, Nebraska.

Mr. Burney introduced Miss Ella Larsen and twenty-one students from Obert, Nebraska.

President Warner Presiding

Unanimous Consent—Return L. B. 57

Mr. Cramer asked unanimous consent to return L. B. 57 to Select File for the following Specific amendments.

1. Amend page 3 of the bill, section 2, by striking all of lines 9 to 16, and all amendments thereof, and substituting in lieu thereof the following:

"for amendment of sections 6 and 7, Article III, of the Constitution of Nebraska, providing for either annual or biennial sessions of the Legislature, providing restrictions on business that may be transacted by the Legislature in even-numbered years, providing for election of members of the Legislature for four-year terms, and providing for payment of compensation to members of the Legislature as may be provided by law. □

Against amendment of sections 6 and 7, Article III, of the Constitution of Nebraska, providing for either annual or biennial sessions of the Legislature, providing restrictions on business that may be transacted by the Legislature in even-numbered years, providing for election of members of the Legislature for four-year terms, and providing for payment of compensation to members of the Legislature as may be provided by law. □"

2. Amend the title of the original bill, line 9, by inserting in lieu of line 9 of the original bill which was stricken by paragraph 4 of the Standing Committee Amendments of April 27, 1949, the following: "to provide for payment of such compensation to members of the Legislature as may be provided by law;".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 57.

Mr. Cramer's Specific amendments found in this day's Journal were adopted by unanimous consent.

Advanced to E and R for engrossment with 27 ayes, 10 nays and 6 not voting.

GENERAL FILE

LEGISLATIVE BILL 425.

Mr. Carmody moved to indefinitely postpone L. B. 425.

The motion prevailed.

Adjournment

At 11:50 a.m., Mr. Ogden moved to adjourn until 9:00 a.m., Monday, May 16, 1949.

The motion prevailed.

MOTION—Reconsider Action

Mr. Metzger moved to reconsider the action in adjourning in order that the Clerk might clear his desk.

The motion prevailed.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 492. Correctly engrossed.
LEGISLATIVE BILL 540. Correctly engrossed.
LEGISLATIVE BILL 544. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. R. 27

Adjournment

At 11:55 a.m., on a motion by Mr. Bohlke, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 16, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lusienski and McKnight, who were excused, and Mr. Bohlke, who was excused until 10:00 a. m.

The Journal for the Ninety-third Day was approved as corrected.

Communications

Telegram from V.F.W. Post No. 610, Sidney, Nebraska, opposing rent decontrol.

Telegram from V.F.W. Post No. 5767, Wisner, Nebraska, opposing rent decontrol.

Letter from Alfred Walesbey, Omaha, Nebraska, enclosing a copy of a song asking that it be considered as the Nebraska State Song.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 105. Replaced on Select File as amended.

E and R amendments to L. B. 105:

1. In section 8 as inserted by amendment, strike after the word "person" in line 1, to and including the first word "manager" in line 2, and in lieu thereof insert ", association, or corporation, whether the owner, manager, agent, officer".

2. In the bill title as inserted by amendment 2 by Mr. Anderson,

adopted April 11, 1949, line 4 of original amendment, after the semicolon insert "to define terms;".

LEGISLATIVE BILL 546. Placed on Select File as amended.

E and R amendments to L. B. 546:

1. In the bill, section 3, lines 2 and 3, strike ": (1) To" and in lieu thereof insert "to"; line 4 strike "the"; and line 5 strike the semicolon and in lieu thereof insert a period.

2. In the bill title, strike after the semicolon in line 4 to but not including the semicolon in line 5 and in lieu thereof insert "to provide for the payment of certain expenses of the members thereof".

LEGISLATIVE BILL 340. Correctly engrossed.
LEGISLATIVE BILL 399. Correctly engrossed.
LEGISLATIVE BILL 401. Correctly engrossed.
LEGISLATIVE BILL 413. Correctly re-engrossed.
LEGISLATIVE BILL 431. Correctly re-engrossed.
LEGISLATIVE BILL 507. Correctly re-engrossed.
LEGISLATIVE BILL 541. Correctly engrossed.
LEGISLATIVE BILL 545. Correctly engrossed.
LEGISLATIVE BILL 433. Correctly enrolled.
LEGISLATIVE BILL 536. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 14, 1949 at 9:30 a.m.

L. B. 146 L. B. 292 L. B. 537

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 433 L. B. 536

Presentation of Butter

Mr. L. Anderson presented to each member of the Legislature a 1 lb. package of Superior Butter manufactured by the Farmers Union

Co-op Creameries in Aurora, Nebraska, compliments of the Aurora Chamber of Commerce.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 167.

A bill for an act to amend sections 32-1172 and 32-1176, Revised Statutes of Nebraska, 1943, and sections 32-1139 and 32-1177, Revised Statutes Supplement, 1947, relating to elections; to regulate the manner in which political parties shall nominate candidates for office and hold political conventions; to provide the manner of preparation of ballots for use at primary elections; to provide for fixing of representation of counties at the party delegate state conventions; to provide for selection at county conventions of political parties of delegates to the pre-primary state and congressional district conventions; to provide for manner of endorsement of candidates by political parties at pre-primary state and congressional district conventions; to provide the manner of holding county, congressional district, and state pre-primary conventions; to prescribe the powers of such conventions; and to repeal original sections 32-1172 and 32-1176, Revised Statutes of Nebraska, 1943, original sections 32-1139 and 32-1177, Revised Statutes Supplement, 1947, and also section 32-1139.01, Revised Statutes Supplement, 1947.

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:

Anderson, L.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Holmes	Ogden	Wilson, C.
Callan	Hoyt	Person	Wilson, W.
Carmody	Larkin	Prohs	Wood
Carson	Lee	Schroeder	

Voting in the negative, 3:

Adams, T.	Davies	Pizer

Not voting, 5:

Adams, J.	Bohlke	Lusienski	McKnight
Anderson, V.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 182. Read and laid over.
LEGISLATIVE BILL 534.

A bill for an act to amend sections 80-301, 80-304, and 80-305, Revised Statutes of Nebraska, 1943, and section 80-302, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 25, Sixty-first Session, Nebraska State Legislature, 1949, relating to Nebraska Soldiers' and Sailors' Home; to change the qualifications for admission to such home; to eliminate the requirement that the county service committee shall forward the application with its findings to the legally authorized board of such home under its seal; to change the manner in which such home shall be managed; to provide that the commandant of such home is empowered to institute guardianship proceedings whenever a member of the home is deemed to have become addicted to the excessive use of alcoholic liquor or a spendthrift; to change the conditions of determining the eligibility of members to remain in such home; to provide for a Board of Inquiry and Review; to provide for the members of such board; to provide the powers and duties thereof; 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, J.	Carmody	Larkin	Prohs
Adams, T.	Carson	Lee	Schroeder
Anderson, L.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel
Benesch	Davies	Metzger	Vogt
Bohlke	Hanna	Nelson	Weborg
Bridenbaugh	Hern	Norman	Williams
Burney	Hill	Ogden	Wilson, C.
Burnham	Holmes	Person	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Anderson, V. Lusienski McKnight

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 474. Laid over.

LEGISLATIVE BILL 105. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 546. E and R amendments found in this day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 240.

Mr. Tvrdik made a motion to indefinitely postpone L. B. 240.

The motion prevailed.

Visitors

Mr. Callan introduced Mrs. W. A. Swain, teacher, and twelve students from Cortland Grade School, District 55.

Mr. Metzger introduced Mrs. Florence Skalla, principal, and seventy-one students from Pleasant Hill School, District 42.

Mr. Burnham introduced Mr. Grant Flint, teacher and six students from the Taylor, Nebraska, Grade School.

GENERAL FILE

LEGISLATIVE BILL 434.

Mr. Hoyt offered the following amendment.

Amend L. B. 434, Sec. 42, Line 6 by striking the figure "7,400,000.00" and inserting in lieu thereof the figure "8,000,000.00".

Mr. Hern moved the previous question.

The President stated the question "Shall the debate now close?"

The motion did not prevail with 17 ayes, 9 nays and 17 not voting.

Mr. Hoyt's amendment was adopted with 25 ayes, 6 nays and 12 not voting.

RECESS

At 12:00 noon, on a motion by Mr. Carmody, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Warner presiding.

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

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 543. Replaced on Select File as amended.

E and R amendment to L. B. 543:

1. In the bill, section 1, line 48, strike the punctuation inserted after the word *"designed"*.

LEGISLATIVE BILL 2. Correctly re-engrossed.
LEGISLATIVE BILL 57. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Vogt introduced Mrs. Arthur Schuster, teacher, and six students from District 22, Johnson County, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 434.

Mr. W. Wilson offered an amendment, which was not adopted with 14 ayes, 21 nays and 8 not voting.

Mr. Holmes offered an amendment, which was ruled out of order.

Mr. Vogt moved to reconsider the action taken in the adoption of his amendment, found in the Legislative Journal for the Ninetieth Day, which struck the Merit System from the bill.

The motion prevailed with 25 ayes, 9 nays and 9 not voting.

Mr. Vogt offered the following amendment, which was adopted.

Reinstate Sec. 38 in L. B. 434.

Mr. Carmody offered the following amendment, which was adopted with 20 ayes, 16 nays and 7 not voting.

Amend L. B. 434, Page 41, Sec. 39, Line 33, by striking the figure "8,000,000.00" and inserting the figure "8,450,000.00".

Mr. Lillibridge offered the following amendment.

Amend L. B. 434, Sec. 14, line 8 by deleting the figures "126,660.00" and inserting in lieu thereof the figures "143,660.00".

Mr. Tvrdik offered the following amendment to the Lillibridge amendment.

Amend the Lillibridge amendment by earmarking the additional $17,000.00 for rate hearings and investigations.

Mr. Tvrdik's amendment received a vote of 16 ayes, 16 nays and 11 not voting.

The Lieutenant Governor voted "aye" and the amendment to the Lillibridge amendment was adopted with 17 ayes, 16 nays and 11 not voting.

The Lillibridge amendment, as amended, was adopted with 20 ayes, 12 nays and 11 not voting.

Mr. L. Anderson offered an amendment, which was not adopted with 11 ayes, 19 nays and 13 not voting.

Mr. Lee offered the following amendment, which was adopted with 23 ayes, 9 nays and 11 not voting.

Amend L. B. 434, page 44, Sec. 41, line 17 by striking the figures "1,890,000.00" and inserting in lieu thereof the figures, "2,000,000.00".

Mr. Norman made a motion to indefinitely postpone L. B. 434,

and the Legislature adopt the Governor's budget, but the motion did not prevail.

Mr. Callan offered the following Standing Committee amendments which were adopted.

1. Amend page 5 of the substitute bill, section 5, line 7, by striking the figures "72,579.00" and inserting in lieu thereof the figures "76,660.00".

2. Amend page 5 of the substitute bill, section 5, line 14, by striking the figures "37,280.00" and inserting in lieu thereof the fgures "45,000.00".

3. Amend page 5 of the substitute bill, section 5, line 17, by striking the figures "5,000.00" and inserting in lieu thereof the fgures "5,500.00".

4. Amend page 5, of the substitute bill, section 5, line 23, by striking the figures "13,000.00" and inserting in lieu thereof the figures "13,500.00".

5. Amend page 6 of the substitute bill, section 6, line 3, by inserting before the word "Necessary" the figure "(1)".

6. Amend page 6 of the substitute bill, section 6, by adding after line 7 the following:

"(2) Actual expenses of court reporters for meals and lodging when they leave the city or village of their residence in the performance of their official duties, appropriate ..... 5,000.00".

7. Amend page 6 of the substitute bill, section 9, line 8, by striking the figures "41,200.00" and inserting in lieu thereof the figures "44,200.00".

8. Amend page 7 of the substitute bill, section 10, line 8, by striking the figures "$240,200.00" and inserting in lieu thereof the figures "$245,550.00".

9. Amend page 7 of the substitute bill, section 10, line 24, by striking the figures "$7,400.00" and inserting in lieu thereof the figures "$9,900.00".

10. Amend page 7 of the substitute bill, section 10, line 37, by striking the following: "State Fire Marshal, not to exceed $100.00;".

11. Amend page 9 of the substitute bill, section 11, line 27,

by inserting before the word "reappropriate" the following: ", including not to exceed $6,000.00 for water litigation and investigation,".

12. Amend page 9 of the substitute bill, section 11, line 29, by striking the figures "15,500.00" and inserting in lieu thereof the figures "21,500.00".

13. Amend page 9 of the substitute bill, section 13, line 14, by striking the word "Mallory" and inserting in lieu thereof the word "Mallery".

14. Amend page 10 of the substitute bill, section 13, line 39, by striking the figures "60,000.00" and inserting in lieu thereof the figures "32,000.00".

15. Amend page 11 of the substitute bill, section 13, line 69, by striking the figures "$30,670.00" and inserting in lieu thereof the figures "$35,000.00".

16. Amend page 13, of the substitute bill, section 15, line 20, by inserting before the word "and" the following: "254,".

17. Amend page 13 of the substitute bill, section 15, line 21, by striking the figures "$76,820.00" and inserting in lieu thereof the figures "$82,920.00".

18. Amend page 16 of the substitute bill, section 17, line 31, by striking the word "balance" and inserting in lieu thereof the word "balances".

19. Amend page 16 of the substitute bill, section 17, line 32, by striking the word and figures "No. 295" and inserting in lieu thereof the following: "Nos. 295 and 295-A".

20. Amend page 16 of the substitute bill, section 17, line 34, by striking the words "George-Bardon (George-Dean)" and inserting in lieu thereof "George-Barden".

21. Amend page 18 of the substitute bill, section 20, line 6, by striking the figures "20,000.00" and inserting in lieu thereof the figures "29,000.00".

22. Amend page 22 of the substitute bill, section 20, line 141, by striking the figures "$7,400.00" and inserting in lieu thereof the figures "29,000.00".

23. Amend page 28 of the substitute bill, section 23, line 6, by striking the figures "24,210.00" and inserting in lieu thereof the figures "29,210.00".

24. Amend page 28 of the substitute bill, section 23, by adding after line 6 the following:
"(2) State Fire Marshal, salaries, wages, maintenance, and expense, appropriate ..... 90,540.00".

25. Amend page 28 of the substitute bill, section 23, line 8, by striking the figure "(2)" and inserting in lieu thereof the figure "(3)".

26. Amend page 29 of the substitute bill, section 23, line 21, by striking the figure "(3)" and inserting in lieu thereof the figure "(4)".

27. Amend page 29 of the substitute bill, section 23, by striking lines 28 to 38.

28. Amend page 30 of the substitute bill, section 24, line 7, by striking the comma after the figure "151" and inserting in lieu thereof the following: "and 151-C,".

29. Amend page 30 of the substitute bill, section 24, lines 14 and 15, by striking the words and punctuation "Placement and Unemployment Insurance, Placement and Unemployment" and inserting in lieu thereof the following: "Employment Security, Employment Security".

30. Amend page 30 of the substitute bill, section 24, lines 21 and 22, by striking the words "Placement and Unemployment Insurance" and inserting in lieu thereof the words and punctuation "Employment Security, Employment Security Administration Fund".

31. Amend page 40 of the substitute bill, section 37, line 18, by striking the figures "$42,500.00" and inserting in lieu thereof the figures "$44,900.00".

32. Amend page 41 of the substitute bill, section 39, line 24, by striking the figures "50,000.00" and inserting in lieu thereof the figures "65,000.00".

33. Amend page 42 of the substitute bill, section 39, by adding after line 46 the following:
"(10) Reimbursement to counties for the cost of care and maintenance of indigent persons having tuberculosis as provided by section 83-361, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 304, Sixty-first Session, Nebraska State Legislature, 1949, appropriate ..... 100,000.00".

34. Amend page 42 of the substitute bill, section 39, line 49, by striking the figure "(10)" and inserting in lieu thereof the figure "(11)"; line 58 by striking the figure "(11)" and inserting in lieu thereof the figure "(12)"; and line 68 by striking the figure "(12)" and inserting in lieu thereof the figure "(13)".

35. Amend page 43 of the substitute bill, section 39, line 80, by striking the figure "(13)" and inserting in lieu thereof the figure "(14)"; line 36 by striking the figure "(14)" and inserting in lieu thereof the figure "(15)"; and line 90 by striking the figure "(15)" and inserting in lieu thereof the figure "(16)".

36. Amend page 43 of the substitute bill, section 39, line 81, by inserting before the word "reappropriate" the following: "including, for purchase of real estate adjacent to the State Reformatory, not to exceed $21,700.00,".

37. Amend page 43 of the substitute bill, section 39, line 83, by inserting after the figures and punctuation "1949," the following: "except the unexpended balance in Auditor Account No. 681,".

38. Amend page 43 of the substitute bill, section 39, line 86, by striking the words "packing plant" and inserting in lieu thereof the words "slaughterhouse and cold storage plant".

39. Amend page 43 of the substitute bill, section 39, by adding after line 96 the following:

"(17) For purchase of real estate adjacent to the State Penitentiary, reappropriate unexpended balance on hand as of June 30, 1949, in Auditor Account No. 681."

40. Amend page 43 of the substitute bill, section 39, line 98, by striking the figure "(16)" and inserting in lieu thereof the figure "(18)".

41. Amend page 51 of the substitute bill, section 48, by striking lines 10, 11, and 12, to and including the semicolon; and inserting in lieu thereof the following:

"Purchasing Department, Revolving Fund, reappropriate $20,000.00 of the unexpended balance on hand as of June 30, 1949, in Auditor Account No. 700; and Meter Postage Fund, reappropriate the unexpended balance on hand as of June 30, 1949, in Auditor Account No. 701;".

42. Amend page 52 of the substitute bill, section 48, line 44,

by striking the word "Insane" and inserting in lieu thereof the words "Mentally Ill".

Mr. Metzger offered the following amendment, which was adopted.

Amend Standing Committee Amendment No. 7, adopted May 16, 1949, as follows: Strike the numbers "44,200.00" in line 8, Sec. 9 and insert in lieu thereof the figures "42,200.00".

Mr. Lillibridge offered the following amendment, which was adopted with 14 ayes, 9 nays and 20 not voting.

Amend L. B. 434, Sec. 22, by adding a new subsection as follows: "Division of Dental Health, salaries, wages and maintenance, appropriate $15,000.00".

Mr. V. Anderson made a motion to reconsider the action of the Legislature in abolishing the Safety Council, which did not prevail wth 18 ayes, 16 nays and 9 not voting.

Visitors

Mr. Lee introduced Mr. Reuben Butzke, Principal and six students from St. Peters School, Snyder, Nebraska.

Adjournment

At 3:10 p.m., on a motion by Mr. Holmes, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 17, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Rev. R. E. Hammer, Bethlehem Covenant Church, Waverly, Nebraska.

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

The Journal for the Ninety-fourth Day was approved as corrected.

Visitors

Mr. T. Adams introduced Mrs. Glenn Updegraft, teacher, and thirty students from the American History Class of Lincoln High School.

Communications

A letter from Mr. Merton Gray, Farm Bureau, Greenwood, Nebraska, opposing the tax increases on gasoline and motor vehicles.

A resolution from the Omaha Tenants League, opposing rent decontrol.

A letter from Mrs. Wm. Tillmann, Howells, Nebraska, recommending a bill making relatives of those confined to state institutions responsible for part of the cost of the patients' maintenance.

A wire from Bernard Rischling, District 16, V.F.W., opposing rent decontrol.

A letter from Mr. Anton Jensen, enclosing an open letter to edi-

tors of the State, opposing the compromise made on the University appropriation.

A letter from Mr. H. F. Schlake, Beatrice, Nebraska, opposing the property lien bill for old age recipients.

Approved by the Governor

May 16, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 13, 1949, he approved L. B. 184, L. B. 499, L. B. 457, and that on May 14, 1949, he approved L. B. 533, L. B. 523 and L. B. 430.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 167. Correctly enrolled.
LEGISLATIVE BILL 534. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 534 L. B. 167

RESOLUTIONS

LEGISLATIVE RESOLUTION 28. Re: Economy in State Government.

Introduced by N. F. Schroeder.

WHEREAS, this legislative body adopted Legislative Resolution

27 and placed itself on record as being opposed to further inroads on the incomes and earnings of the people;

WHEREAS, the necessity for economy in national expenditures is no greater than that which exists in state expenditures;

WHEREAS, additional taxes, whether national, state, or local, will have an adverse effect upon the economy of the people; and

WHEREAS, this Legislature desires to be consistent in all its actions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislature of the State of Nebraska follow the same course as recommended to the Congress of the United States in Legislative Resolution 27 and refuse to levy increased taxes on Nebraska people in these uncertain times.

2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to the Governor of the State of Nebraska, the Lieutenant Governor, the Speaker of the Legislature, and each of the members of the Legislature.

LEGISLATIVE RESOLUTION 29. Re: Congratulations to Mr. Francis P. Matthews.

Introduced by Charles F. Tvrdik of Douglas, Karl E. Vogel of Douglas and John S. Callan of Gage.

WHEREAS, Nebraska has been honored by having one of its outstanding citizens selected by the President of the United States to be Secretary of the Navy; and

WHEREAS, Francis P. Matthews has worked hard in his many civic, church, and patriotic activities and devoted many hours and years to law practice and business interest with utmost success.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That this Legislature extend to Francis P. Matthews its heartiest congratulations for his high honor so recently bestowed upon him.

2. That this Resolution be spread at large upon the pages of

the Journal of this Legislature, and that a copy of the Resolution, suitable engrossed, be forwarded to Francis P. Matthews.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 538.

A bill for an act to declare that federal rent control is no longer necessary in the State of Nebraska, or any part thereof; to provide that the Governor, on or before November 1, 1949, shall notify the Housing Expediter that federal rent control is no longer necessary in Nebraska, or any part thereof; and to terminate federal rent control in accordance with section 6 (j) (2) Public Law 31, 81st Congress, known as "Housing and Rent Act of 1949."

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:

Anderson, L.	Davies	McKnight	Schroeder
Babcock	Hanna	Metzger	Vogel
Bridenbaugh	Hern	Nelson	Vogt
Callan	Hoyt	Norman	Wilson, C.
Carmody	Lee	Ogden	Wilson, W.
Cramer	Lillibridge	Prohs	

Voting in the negative, 13:

Adams, J.	Burnham	Larkin	Weborg
Anderson, V.	Cretsinger	Lusienski	Williams
Benesch	Hill	Pizer	Wood
Burney			

Not voting, 7:

Adams, T.	Carson	Lindgren	Tvrdik
Bohlke	Holmes	Person	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: Due to the fact that I have several rental units and not wanting to use my political office for personal gain, I vote "No". (Signed) Victor Anderson

LEGISLATIVE BILL 490. With emergency.

A bill for an act to amend sections 72-205, 72-234, 72-240.01, 72-240.02, 72-240.03, and 72-240.05, Revised Statutes Supplement, 1947, relating to educational lands; to provide the method for reappraisal of school lands by the Board of Educational Lands and Funds; to provide for reclassification of school lands and for ascertaining the valuation thereof by such board; to provide for changes in classifications under the prescribed conditions; to make it mandatory upon the Board to forfeit a lease upon failure to pay any rental for a period of six months from the time the payment becomes due or failure to perform any of the covenants of the lease; to provide for certain records and procedure; to prohibit leases of school lands to nonresidents of this state and otherwise as prescribed; to provide certain requirements or limitations on assignments of such leases; 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, J.	Callan	Lee	Pizer
Adams, T.	Carmody	Lillibridge	Tvrdik
Anderson, L.	Carson	Lindgren	Vogel
Anderson, V.	Cramer	Lusienski	Vogt
Babcock	Davies	McKnight	Weborg
Benesch	Hanna	Metzger	Williams
Bohlke	Hern	Nelson	Wilson, C.
Bridenbaugh	Hill	Norman	Wilson, W.
Burney	Hoyt	Ogden	Wood
Burnham	Larkin	Person	

Voting in the negative, 1:

Prohs

Not voting, 3:

Cretsinger	Holmes	Schroeder

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.

A bill for an act relating to corporations; to enact a law re-

lating to certain religious associations and corporations; to provide for incorporation of certain religious associations; to provide procedure for selling and encumbering real estate acquired or held by such associations and corporations; to validate certain acts; to fix the fees of the county clerk for certain filings and recordings pertaining thereto; and to repeal sections 21-801, 21-802, 21-803, 21-804, 21-805, 21-807, 21-808, 21-809, 21-810, 21-811, 21-812, 21-813, 21-814, 21-815, 21-831, 21-832, and 21-833, Revised Statutes of Nebraska, 1943, section 76-270.01, Revised Statutes Supplement, 1947, and section 21-806, Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 507, Sixty-first Session, Nebraska State Legislature, 1949.

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, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood
Carson	Lillibridge	Prohs	

Voting in the negative, 1:

Adams, J.

Not voting, 3:

Babcock	Bridenbaugh	Holmes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 543. E and R amendment found in the Legislative Journal for the Ninety-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 474. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Cramer offered the following amendments, which were adopted by unanimous consent.

1. In the bill, section 7, now section 9, strike commencing after the word "sections" in line 4, to but not including the comma before "Revised" in line 5, and in lieu thereof insert "72-240 and 72-240.04".

2. In the bill title strike after the word "sections" in line 22, to but not including the comma before the word "Revised" in line 24, and in lieu thereof insert "72-240 and 72-240.04".

Mr. Babcock moved to return L. B. 474 to General File for the purpose of striking the enacting clause.

Mr. Babcock requested a Call of the House.

A Call of the House was ordered and the roll showed 37 members present.

Mr. Babcock moved that the Call be raised and the motion prevailed with 14 ayes, 13 nays and 16 not voting.

Mr. Babcock's original motion prevailed with 17 ayes, 16 nays and 10 not voting.

LEGISLATIVE BILL 402.

Mr. McKnight offered the following amendment, which was adopted by unanimous consent.

1. Amend Standing Committee amendment 1, section 4, by striking line 6 and inserting in lieu thereof the following:

"Engineer. Five cents from the sale of each such stamp shall be credited forthwith to the general fund of the county, shall be included by the county treasurer in his report of fees as provided by law, and shall be available to reimburse the county treasurer for the services rendered by his office in selling such stamps. The county treasurers shall remit the balance of all money re-".

Mr. Schroeder offered the following amendments which were adopted by unanimous consent.

1. Amend the bill by striking all of sections 1 to 5 of the Stand-

ing Committee Amendments and insert in lieu thereof the following:

"Section 1. In order to match federal-aid funds for the construction of urban, secondary, and primary highways, the State Engineer shall issue annual Highway Use Stamps. The stamps shall be in denominations as follows: Motorcycles, two dollars; cars, five dollars; taxis and ambulances, ten dollars; local trucks, ten dollars; farm trucks, ten dollars; commercial trucks five tons or less, fifteen dollars; commercial trucks in excess of five tons but not more than fifteen tons, twenty dollars; commercial trucks over fifteen tons, twenty-five dollars; bus, local, ten dollars; bus, inter-county, twenty dollars. The money received from the sale of such stamps shall be placed in the State Aid Road Fund except that amount retained by the county treasurers as provided in section 4 of this act.

Sec. 2. The State Engineer shall print and issue Highway Use Stamps according to rules and regulations to be adopted by him.

Sec. 3. Every owner of a motor vehicle shall, for each motor vehicle owned, purchase such a stamp, as provided in section 1 of this act, within thirty days after July 1, 1949. Each person who obtains a license for his motor vehicle after that date shall also purchase such stamp as provided in section 1 of this act, and pay the proper fee to the county treasurer, and affix the license number of such motor vehicle on such stamp as provided by the State Engineer in rules and regulations to be adopted by him.

Sec. 4. The treasurers of the various counties shall be agents of the Department of Roads and Irrigation in such counties for the purpose of selling such Highway Use Stamps subject to the provisions of this act and in accordance with rules and regulations as shall be imposed by the State Engineer. The county treasurers shall make a record in duplicate of all stamps sold giving one copy to the purchaser who shall retain it in the car at all times. The county treasurers shall retain and turn over to the county funds five cents from each certificate sold and shall remit all of the balance of money received from the sale of such stamps as collected into the state treasury, and the State Treasurer shall place all such money in the State Aid Road Fund. Such fund shall be used to match federal funds as provided in section 1 of this act. The Highway Department shall allot this fund to the various highway systems in the following proportions: Ten per cent to the federal-aid urban system; forty-three per cent to the federal-aid secondary system; and forty-seven per cent to the federal-aid primary system.

Sec. 5. Any person failing to purchase a Highway Use Stamp as

provided in section 3 of this act, or any person violating the provisions of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not to exceed twenty-five dollars.

Sec. 6. This act shall expire September 1, 1950.

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."

Laid over.

Member Excused

Mr. Wood was excused for Tuesday afternoon, May 17, 1949.

Visitors

Mr. T. Adams introduced Mrs. Glenn Updegraft, teacher, and twenty students from the American History Class of Lincoln High School.

Mr. Ogden introduced fourteen students from Benson High School, Omaha, Nebraska.

Mr. Person introduced Miss Reed and eighteen students from Dwight, Nebraska.

Mr. Larkin introduced Miss Vaughn and twenty-two Eighth Grade pupils from the Field Club School, Omaha. Nebraska.

Mr. Burney introduced Mr. VanGelder and six pupils from Liberty High School, Cedar County, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 474.

Mr. Babcock moved to amend L. B. 474 by striking the enacting clause.

Mr. Hanna requested a record vote.

Mr. J. Adams requested a Call of the House.

A Call of the House was ordered and the roll showed 40 members present.

Mr. Babcock moved that the Call be raised and the motion prevailed with 18 ayes, 14 nays and 11 not voting.

Voting in the affirmative, 19:

Anderson, L.	Carmody	Hill	Pizer
Anderson, V.	Carson	Lee	Tvrdik
Babcock	Davies	Lindgren	Williams
Burney	Hanna	Nelson	Wilson, C.
Burnham	Hern	Ogden	

Voting in the negative, 16:

Adams, J.	Callan	Lillibridge	Vogt
Benesch	Cramer	McKnight	Weborg
Bohlke	Cretsinger	Prohs	Wilson, W.
Bridenbaugh	Hoyt	Schroeder	Wood

Not voting, 8:

Adams, T.	Larkin	Metzger	Person
Holmes	Lusienski	Norman	Vogel

Mr. Babcock's motion prevailed with 19 ayes, 16 nays and 8 not voting.

LEGISLATIVE BILL 535.

Mr. Carmody moved that L. B. 535 be indefinitely postponed.

The Chair ruled the motion prevailed.

Mr. Vogel appealed the decision of the Chair.

The Chair stated the question "Shall the Chair be sustained?"

The motion did not prevail with 13 ayes, 19 nays and 11 not voting.

Mr. Vogel requested a record vote.

Voting in the affirmative, 25:

Anderson, V.	Carmody	Larkin	Metzger
Babcock	Carson	Lee	Person
Bohlke	Cretsinger	Lillibridge	Schroeder
Bridenbaugh	Davies	Lindgren	Vogt
Burney	Hill	Lusienski	Weborg
Burnham	Hoyt	McKnight	Wilson, C.
Callan			

Voting in the negative, 8:

Anderson, L.	Norman	Tvrdik	Williams
Benesch	Ogden	Vogel	Wilson, W.

Not voting, 10:

Adams, J.	Hanna	Nelson	Prohs
Adams, T.	Hern	Pizer	Wood
Cramer	Holmes		

Mr. Carmody's motion prevailed with 25 ayes, 8 nays and 10 not voting.

MOTION—Return L. B. 195

Mr. President: I move that L. B. 195 be returned to General File for the purpose of striking the enacting clause. (Signed) Thomas M. Davies

The motion prevailed with 23 ayes, 12 nays and 8 not voting.

GENERAL FILE

LEGISLATIVE BILL 195.

Mr. Davies moved to strike the enacting clause.

The motion prevailed.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 246. Correctly engrossed.
LEGISLATIVE BILL 543. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

LEGISLATIVE BILL 434.

Mr. Vogel offered the following amendments, upon which no action was taken.

1. Amend page 16 of the substitute bill, section 18, line 3, by inserting before the word "reappropriate" the following: "and to include not to exceed $20,000.00 for the salaries and expenses of a budget director and assistants in assisting the Governor in making a budget,".

2. Amend page 16 of the substitute bill, section 18, line 6, by striking the figures "169,420.00" and inserting in lieu thereof the figures "189,420.00".

Visitor

Mr. Lee introduced Miss Evelyn Sagehorn and forty students of the Lutheran Parochial School at Scribner, Nebraska.

Member Excused

Mr. Hern was excused for the remainder of the week.

RECESS

At 11:55 a.m., on a motion by Mr. Burney, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Hern, Holmes and Wood, who were excused.

Communication

Telegram from Glenn Junkin Freeburg Post 5304, Bertrand, Nebraska, opposing L. B. 538.

RESOLUTION

LEGISLATIVE RESOLUTION 30. Re: Study by Legislative Council of State School Lands.

Introduced by Clyde F. Cretsinger of Keith.

WHEREAS, the State of Nebraska now owns more than 1,600,000 acres of land held in trust for the common schools of the state; and

WHEREAS, certain controversies have arisen concerning the management of these lands; and

WHEREAS, a question has arisen as to the desirability of selling these lands and investing the proceeds therefrom in bonds to be held as a part of the Permanent School Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE SIXTY-FIRST SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Nebraska Legislative Council be directed to study and to examine into the following matters:

(a) The present system of appraising, leasing and managing school lands.

(b) The desirability of selling such lands.

(c) Methods by which these lands can be most efficiently managed if they are not to be sold.

(d) All other matters pertaining to the state school lands and the protection of the interests of the schools in these lands.

2. That the Legislative Council be further directed to submit a report upon these matters, with recommendations, to the Legislature in January, 1951.

GENERAL FILE

LEGISLATIVE BILL 434.

Mr. Vogel's amendment, found in this Day's Journal was adopted.

Mr. Metzger offered the following amendment, which was adopted.

Amend L. B. 434 (substitute bill, page 4, Sec. 3, Line 7) by inserting before the word "appropriate" the following: "and to include not to exceed $20,000.00 for the salaries and expenses of a comptroller of the budget and assistants under the direction and supervision of the Legislative Council.".

Amend in Line 7, Section 3, by striking the numbers "$50,000.00" and inserting in lieu thereof "$70,000.00".

Laid over.

Unanimous Consent—Return L. B. 399 to Select File

Mr. Carmody asked unanimous consent to return L. B. 399 to Select File for the following specific amendment.

1. Amend page 3 of the bill by inserting immediately after section 2, a new section to be known as section 3 and to read as follows:

"Sec. 3. That section 66-428, Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-428. There is hereby levied and imposed an excise tax of five *six* cents per gallon upon the use of all motor vehicle fuels, as defined by section 66-401, used in this state, except such motor ve-

hicle fuels upon which a tax of five *six* cents per gallon is imposed and due the State of Nebraska under the provisions of section 66-410. Use of motor vehicle fuels subject to taxation under this section shall be allowed the same exemptions, deductions and rights of reimbursement as are authorized and permitted by sections 66-413 and 66-414.".

2. Amend the bill by renumbering sections 3, 4, and 5 as sections 4, 5, and 6 respectively.

3. Amend renumbered section 5, line 1 by striking the word and figures "section 66-410" and inserting in lieu thereof the following: "sections 66-410 and 66-428".

4. Amend the title of the bill, line 2 by striking the word and figures "section 66-410" and inserting in lieu thereof the following: "sections 66-410 and 66-428".

5. Amend the title of the bill, line 6 by inserting after the word "tax" the following: "; to increase the excise tax on motor vehicle fuels".

Consent was granted and it was so ordered.

SELECT FILE

LEGISLATIVE BILL 399.

Mr. Carmody's amendment was adopted by unanimous consent.

Advanced to E and R for re-engrossment.

Visitors

Mr. Larkin introduced five students from St. Mary's High School, Omaha, Nebraska.

FINAL READING

The following bill was read and placed upon Final Passage.

LEGISLATIVE BILL 1. Read through Sec. 216.

Mr. Vogel Presiding

Laid over.

Member Excused

Mr. Norman was excused at 3:10 p.m. for the remainder of the day.

Visitors

Mr. T. Adams introduced Mrs. A. E. Bute, teacher, and ten students from Grandview, District 110, Lancaster County.

Mr T. Adams introduced Mrs. Emma Wismer, teacher, and seven students of the Eighth Grade of District 12, Lancaster County.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval May 17, 1949 at 2:30 p.m.

L. B. 167 L. B. 536 L. B. 433
L. B. 534

LEGISLATIVE BILL 105. Correctly engrossed.
LEGISLATIVE BILL 399. Correctly re-engrossed.

(Signed) Glenn Cramer, Chairman

Adjournment

At 4:30 p.m., on a motion by Mr. Cramer, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 18, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Rev. John Douglas Clyde, Westminster Presbyterian Church, Lincoln, Nebraska.

The roll was called and all members were present except Messrs. Hern and Holmes, who were excused.

The Journal for the Ninety-fifth Day was approved as corrected.

Communications

Letter from the Benedictine Sisters, St. Leonard's School, Madison, Nebraska, expressing gratitude for passage of L. B. 381.

Letter from Mrs. E. C. Sutphen, Omaha, Nebraska, opposing rent decontrol.

Letter from Mrs. F. N. Frederiksen, Fremont, Nebraska, opposing rent decontrol.

Letter addressed to Speaker Lee from Governor Roy Turner of Oklahoma stating that Mr. Larry Turner, introduced to the Legislature sometime ago as Governor Turner's brother, is not his brother.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 182. Correctly enrolled.
LEGISLATIVE BILL 490. Correctly enrolled.
LEGISLATIVE BILL 538. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 182 L. B. 490 L. B. 538

RESOLUTIONS

LEGISLATIVE RESOLUTION 29.

L. R. 29 was adopted with 38 ayes, 0 nays and 5 not voting.

LEGISLATIVE RESOLUTION 30.

L. R. 30 was adopted with 29 ayes, 5 nays and 9 not voting.

Approved by the Governor

May 17, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 16, 1949, he approved L. B. 388, L. B. 484, and L. B. 294.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary.

MOTION—Final Reading

Mr. President: I move to suspend the rules and take up the other bills on Final Reading, postponing the continued reading of L. B. 1, and then take up L. B. 434 on General File. (Signed) Arthur Carmody

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

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. Laid over.

LEGISLATIVE BILL 436.

A bill for an act to provide a reward of fifteen thousand dollars to the owner of the first oil well in each county of the state, except as prescribed, producing a specified amount of crude oil for a period of not less than sixty days; to provide how such reward shall be paid; and to repeal section 57-102, 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, 24:

Adams, J.	Callan	Hoyt	Metzger
Adams, T.	Carmody	Lee	Ogden
Anderson, L.	Cramer	Lillibridge	Pizer
Benesch	Cretsinger	Lindgren	Tvrdik
Bohlke	Davies	Lusienski	Wilson, C.
Bridenbaugh	Hill	McKnight	Wilson, W.

Voting in the negative, 11:

Anderson, V.	Carson	Prohs	Weborg
Babcock	Norman	Schroeder	Williams
Burney	Person	Vogt	

Not voting, 8:

Burnham	Hern	Larkin	Vogel
Hanna	Holmes	Nelson	Wood

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 539.

A bill for an act to amend section 26-1,162, Revised Statutes of Nebraska, 1943, relating to municipal courts in cities of the metropolitan and primary class; to provide the manner of advertising and holding sale of property seized under execution issued out of such courts; 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, J.	Carmody	Lillibridge	Prohs
Adams, T.	Carson	Lindgren	Schroeder

Anderson, L.	Cramer	Lusienski	Tvrdik
Anderson, V.	Cretsinger	McKnight	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hill	Norman	Williams
Bridenbaugh	Hoyt	Ogden	Wilson, C.
Burney	Larkin	Person	Wilson, W.
Burnham	Lee	Pizer	Wood
Callan			

Voting in the negative, 0.

Not voting, 2:

Hern	Holmes

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 492.

A bill for an act to amend sections 60-201, 60-202, and 60-203, Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide for an increase of the equalization fees for motor vehicles propelled by fuels not subject to the motor vehicle fuel laws; to provide for the payment thereof; to provide for credits under the prescribed circumstances; to prescribe the method of imposition of such equalization fee on motor buses as prescribed; to provide for a declaration by a motor vehicle owner, or his agent, of the kind of fuel used to propel such motor vehicle; to provide for the suspension by the Department of Roads and Irrigation of the license or registration of a motor vehicle for failure of payment of the equalization fee; to provide a penalty; 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, J.	Callan	Lee	Prohs
Adams, T.	Carmody	Lillibridge	Vogel
Anderson, L.	Carson	Lindgren	Vogt
Anderson, V.	Cramer	Lusienski	Weborg
Babcock	Cretsinger	Metzger	Williams
Bohlke	Davies	Nelson	Wilson, C.
Bridenbaugh	Hanna	Ogden	Wilson, W.
Burney	Hill	Person	Wood

Burnham	Hoyt	Pizer

Voting in the negative, 0.

Not voting, 8:

Benesch	Holmes	McKnight	Schroeder
Hern	Larkin	Norman	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 540. With emergency.

A bill for an act to amend sections 50-401, 50-404, 50-406, 50-407, 50-408, 50-410, and 50-413, Revised Statutes of Nebraska, 1943, relating to the Legislature; to change the composition of the Legislative Council; to provide for the executive board thereof; to prescribe the functions of the Legislative Council; to extend the powers and duties of the committees of the Legislative Council; to define what shall constitute a quorum of the council; to provide for reports by the council; 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, J.	Callan	Larkin	Pizer
Adams, T.	Carmody	Lee	Schroeder
Anderson, L.	Carson	Lillibridge	Vogel
Anderson, V.	Cramer	Lindgren	Vogt
Babcock	Cretsinger	Lusienski	Weborg
Bohlke	Davies	McKnight	Williams
Bridenbaugh	Hanna	Metzger	Wilson, C.
Burney	Hill	Nelson	Wilson, W.
Burnham	Hoyt	Ogden	Wood

Voting in the negative, 0.

Not voting, 7:

Benesch	Holmes	Person	Tvrdik
Hern	Norman	Prohs	

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 544.

A bill for an act to amend section 17-802, Revised Statutes of Nebraska, 1943, and section 16-691, Revised Statutes Supplement, 1947, relating to cities of the first and second class; to authorize cooperation and participation by such cities in a plan of insurance designed and intended for the benefit of the employees of any public utility employed by such city; 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, T.	Carmody	Lee	Pizer
Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lindgren	Vogel
Babcock	Cretsinger	Lusienski	Vogt
Benesch	Davies	McKnight	Weborg
Bohlke	Hanna	Metzger	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Hoyt	Ogden	Wilson, W.
Burnham	Larkin	Person	Wood
Callan			

Voting in the negative, 1:

Schroeder

Not voting, 5:

Adams, J.	Holmes	Nelson	Prohs
Hern			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

Mr. Wood Presiding

LEGISLATIVE BILL 434.

Mr. Bohlke offered an amendment.

Mr. Bohlke requested a Call of the House.

A Call of the House was ordered and the roll showed 38 members present.

Mr. Burney moved that the Call be raised and the motion pre-

vailed with 33 ayes, 0 nays and 10 not voting.

Mr. Bohlke's amendment was not adopted with 17 ayes, 17 nays and 9 not voting.

Mr. Metzger offered the following amendment to the Metzger amendment, adopted May 17, 1949, which was adopted.

Amend the Metzger amendment adopted May 17, 1949 by striking the words "a comptroller of the budget and assistants under the direction of the Legislative Council." and inserting in lieu thereof the following: "an assistant to the Director and assistants to study the receipts and disbursements of each expending agency under the direction and supervision of the Legislative Council and to report the findings from such study to the next regular session of the Legislature,".

Mr. Callan offered the following Standing Committee amendments to L. B. 434, which were adopted.

1. Amend page 37 of the substitute bill, section 30, line 26 by striking the figures "$1,282,632.00" and inserting in lieu thereof the figures "$1,582,632.00".

2. Amend page 54 of the substitute bill, by adding immediately after section 51 a new section to be known as section 52 and to read as follows:

"Sec. 52. STORM EMERGENCY FUND

Reappropriate $50,000.00 out of the unexpended balance on hand as of June 30, 1949, in Auditor Account No. E 235, to the office of the Governor, in order to defray the cost of alleviating distress growing out of extreme climatic phenomena, floods, or fires, upon proclamation of the Governor."

3. Amend the substitute bill by renumbering sections 52 to 58 as sections 53 to 59, respectively.

4. Amend Standing Committee amendment 17 adopted May 16, 1949, line 3, by striking the figures "$82,920.00" and inserting in lieu thereof the figures "$37,820.00".

5. Amend page 13 of the substitute bill, section 15, by adding after line 21, the following: "(2) Salaries, wages, and expenses for field men, including State Surveyor, appropriate 45,100.00".

6. Amend pages 13 and 14 of the substitute bill, section 15. by renumbering subsections 2 to 10 as subsections 3 to 11, respectively.

7. Amend page 24 of the substitute bill, section 22, line 6, by striking the figures "25,000.00" and inserting in lieu thereof the figures "32,940.00".

8. Amend page 25 of the substitute bill, section 22, line 22, by striking the figures "39,380.00" and inserting in lieu thereof the figures "49,380.00".

9. Amend page 26 of the substitute bill, section 22, line 58, by striking the figures "$97,850.00" and inserting in lieu thereof the figures $102,850.00".

Mr. Williams offered the following amendment.

Amend the bill by reducing each appropriation to be made from tax levies in the amount of ten per cent, and that the Enrollment and Review Committee be directed to make the proper changes of the said amounts.

Mr. Williams requested a record vote.

Voting in the affirmative, 4:

Nelson	Vogt	Weborg	Williams

Voting in the negative, 22.

Adams, T.	Carmody	Hoyt	Metzger
Anderson, V.	Carson	Lee	Ogden
Babcock	Cramer	Lillibridge	Pizer
Bridenbaugh	Cretsinger	Lindgren	Wilson, C.
Burney	Davies	Lusienski	Wilson, W.
Callan	Hill		

Not voting, 17:

Adams, J.	Hanna	McKnight	Schroeder
Anderson, L.	Hern	Norman	Tvrdik
Benesch	Holmes	Person	Vogel
Bohlke	Larkin	Prohs	Wood
Burnham			

Mr. Williams amendment was not adopted with 4 ayes, 22 nays and 17 not voting.

Advanced to E and R for review.

Communication

Mr. Metzger requested the reading of a letter from the office of the Secretary of State, addressed to Mr. Yoder, noting the can-

cellation of a printing contract, due to a cut in the appropriation.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1. Read from Sec. 217 through Sec. 293.

Mr. J. Adams Presiding

Visitors

Mr. Lusienski introduced Mr. and Mrs. Arthur P. Wilson of Columbus, Nebraska and Mr. and Mrs. K. S. Burge of Dallas, Texas.

Mr. Tvrdik introduced Father Michael Lange and twenty-three students from Immaculate Conception School, Omaha, Nebraska.

RECESS

At 12:00, noon, Mr. Tvrdik moved to recess until 1:30 p.m.

The motion prevailed with 24 ayes, 3 nays and 16 not voting.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Hern, Holmes and Wood, who were excused.

Visitors

President Warner introduced Mr. Frank Srb, of Dodge, Nebraska.

Mr. Tvrdik introduced Sister Mary Dolores, Sister Mary Leone, fourteen students from St. Wenceslaus School, and twenty-six students from St. Bernards School, Omaha, Nebraska.

Mr. Larkin Presiding

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1.

A bill for an act to revise, adopt, and establish a code of laws

for the State of Nebraska relating to schools; to provide for their administration and enforcement; to provide penalties; and to repeal all of Chapter 79, Revised Statutes of Nebraska, 1943, all amendments thereof contained in the Revised Statutes Supplement, 1947, Legislative Bills 55, 65, 168, 169, 211, 264, 288, 336, 381, 389, 394, 400, 409, 410, and 427, Sixty-first Session, Nebraska State Legislature, 1949, and section 3, Legislative Bill 327, Sixty-first Session, Nebraska State Legislature, 1949.

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:

Anderson, L.	Carson	Lillibridge	Tvrdik
Anderson, V.	Cramer	Lindgren	Vogel
Bohlke	Cretsinger	Lusienski	Vogt
Bridenbaugh	Hanna	Metzger	Weborg
Burney	Hill	Person	Williams
Burnham	Hoyt	Pizer	Wilson, C.
Callan	Larkin	Prohs	Wilson, W.
Carmody	Lee	Schroeder	

Voting in the negative, 1:

Norman

Not voting, 11:

Adams, J.	Benesch	Holmes	Ogden
Adams, T.	Davies	McKnight	Wood
Babcock	Hern	Nelson	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

President Warner Presiding

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 540. Correctly enrolled.
LEGISLATIVE BILL 436. Correctly enrolled.
LEGISLATIVE BILL 539. Correctly enrolled.
LEGISLATIVE BILL 544. Correctly enrolled.
LEGISLATIVE BILL 492. Correctly enrolled.
LEGISLATIVE BILL 546. Replaced on Select File as amended.

E and R amendment to L. B. 546:

1. Renumber original section 5 as "4".

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 540	L. B. 539	L. B. 492
L. B. 436	L. B. 544	

Mr. Larkin Presiding

Announcement

Mr. President: I wish to announce that I am asking all those interested in the rent control question to join me at 11:00 on Monday, May 23, at which time I have arranged for a hearing with Governor Peterson. The hour for this hearing has been officially set by the Governor's Office. (Signed) John Adams, Sr.

SELECT FILE

LEGISLATIVE BILL 546. E and R amendment found in this day's Journal was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 473.

Mr. Burney moved that the bill be indefinitely postponed.

The motion prevailed.

Adjournment

At 4:15 p.m., on a motion by Mr. Carmody, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 19, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by Rev. R. R. Kreps, Havelock Methodist Church, Havelock, Nebraska

The roll was called and all members were present.

The Journal for the Ninety-sixth Day was approved as corrected.

Communication

A wire from the Nebraska Motor Carriers' Association, Paul Halpine, Secretary, opposing the passage of L. B. 401.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 546. Correctly engrossed.
LEGISLATIVE BILL 1. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 1

Record Vote

Mr. President: If I had been present, I would have voted for L. B. 1. (Signed) Thomas M. Davies

RESOLUTION

LEGISLATIVE RESOLUTION 31. Re: Legislative Council Study of State Constitution.

Introduced by Glenn Cramer of Boone.

WHEREAS, the last constitutional convention was held in 1920 and since that time many changes have taken place as the state has progressively advanced; and

WHEREAS, during the recent years bills have been introduced in the Legislature in an attempt to have the Constitution amended in order to keep pace with these changes; and

WHEREAS, some of the members of the Legislature feel that further changes are necessary and that a constitutional convention should be called to revise the Constitution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

That the Nebraska Legislative Council be instructed:

1. To make a study of the State Constitution with reference to desirable changes.

2. To make a report of their findings to the Legislature in January, 1951.

Announcement

Mr. Metzger announced that there would be an executive session of the Legislative Council held in the East Senate Chamber, Tuesday afternoon, May 24, 1949.

MOTION—Suspend Rules, Final Reading

Mr. President: I move that we suspend the rules and take up Legislative Bills 246, 399, 105 and 543 on Final Reading today. (Signed) John S. Callan

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

The bills were taken up on Final Reading in the following order, by unanimous consent.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

Mr. Lindgren Presiding

President Warner Presiding

LEGISLATIVE BILL 246.

A bill for an act to amend sections 23-314, 23-320, 25-1062.01, 25-1064, 25-1065, 25-1066, 25-2159, 25-2160, 39-253, 39-7,103, 39-7,104, 39-7,106, 39-848, 46-106, 46-193, 46-199, 46-277, 46-278, 56-101, 60-433, 60-602, 60-1001, 70-609.01, 70-612, 72-712, 75-227, 75-618, 81-101, 81-102, 81-120, 81-154, 81-701, 81-702, 81-703, 81-704, 81-705, 81-706, 81-709, 83-122, 83-123, 83-435, 86-303.01, 86-308.01, Revised Statutes of Nebraska, 1943, sections 2-1906, 3-116, 18-601, 33-105, 39-603.01, 39-603.02, 39-7,107.05, 39-850, 60-427, 60-601, and 81-103, Revised Statutes Supplement, 1947, section 60-320, Revised Statutes of Nebraska, 1943, as amended by section 2, Legislative Bill 401, Sixty-first Session, Nebraska State Legislature, 1949, and section 60-401, Revised Statutes of Nebraska, 1943, as amended by section 10, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949, relating to state administrative departments; to provide for the payment of certain fees for services performed by the Department of Roads and the Department of Irrigation, Water Power, and Drainage; to provide for the allocation and distribution of the present powers and duties of the State Engineer among and between the Director of Roads, the Director of Irrigation, Water Power, and Drainage, the State Engineer, the Administrator of Motor Vehicles, and the Superintendent of Law Enforcement as set forth; to authorize the Revisor of Statutes to make changes in terminology in accordance with the terms of this act; to divide the Department of Roads and Irrigation into two departments to be known as the Department of Roads and the Department of Irrigation, Water Power, and Drainage; to provide for the allocation and distribution of the powers and duties of the Department of Roads and Irrigation among and between the two new departments so created; to provide heads of such departments; to provide the salary and qualifications of the Director of Irrigation, Water Power, and Drainage; to provide for certain reports by the Director of Roads and the distribution thereof; and to repeal the original sections.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Adams, T.	Carmody	Larkin	Norman
Anderson, L.	Carson	Lee	Ogden
Anderson, V.	Davies	Lillibridge	Vogt
Babcock	Hanna	Lindgren	Williams
Benesch	Hern	Lusienski	Wilson, C.
Bridenbaugh	Holmes	McKnight	Wilson, W.
Burnham	Hoyt	Nelson	Wood

Voting in the negative, 12:

Bohlke	Cretsinger	Person	Tvrdik
Burney	Hill	Pizer	Vogel
Cramer	Metzger	Schroeder	Weborg

Not voting, 3:

Adams, J.	Callan	Prohs

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 399. With emergency.

A bill for an act to amend sections 66-410 and 66-428, Revised Statutes of Nebraska, 1943, and sections 66-424.01 and 66-452, Revised Statutes Supplement, 1947, relating to motor vehicle fuels; to increase the gasoline tax; to increase the excise tax on motor vehicle fuels; to provide for the allocation and distribution of the increase in the gasoline tax; to fix the proportion of the tax, collected upon gasoline or motor vehicle fuel used for the prescribed agricultural purposes, that shall be refunded; 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, 31:

Adams, T.	Carmody	Hoyt	Prohs
Anderson, L.	Carson	Lee	Vogel
Anderson, V.	Cramer	Lillibridge	Weborg

Babcock	Davies	Lindgren	Williams
Bridenbaugh	Hanna	Lusienski	Wilson, C.
Burney	Hern	Metzger	Wilson, W.
Burnham	Hill	Ogden	Wood
Callan	Holmes	Pizer	

Voting in the negative, 9:

Adams, J.	Cretsinger	Norman	Schroeder
Benesch	Larkin	Person	Vogt
Bohlke			

Not voting, 3:

McKnight	Nelson	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 401.

A bill for an act to amend sections 39-606, 60-311, 60-320, 60-329, 60-330, 60-337, and 60-338, Revised Statutes of Nebraska, 1943, section 60-331, Revised Statutes Supplement, 1947, and section 39-605, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 101, Sixty-first Session, Nebraska State Legislature, 1949, relating to motor vehicles; to provide for increase in the registration fees of all motor vehicles burning fuel subject to motor vehicle fuel tax laws; to increase the amount of such fees allocated for administrative expense and supervision of the maintenance of State Safety Patrol; to change the allocation of such fees for maintenance of highways; 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. Wood requested a Call of the House.

A Call of the House was ordered and the roll showed 43 members present.

Mr. Schroeder moved that the Call be raised and the motion prevailed with 25 ayes, 1 nay and 17 not voting.

Voting in the affirmative, 24:

Adams, T.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lusienski	Vogel
Anderson, V.	Davies	Metzger	Weborg
Bridenbaugh	Hanna	Nelson	Wilson, C.
Burney	Hern	Ogden	Wilson, W.
Carmody	Lee	Pizer	Wood

Voting in the negative, 17:

Adams, J.	Cretsinger	Larkin	Person
Babcock	Hill	Lindgren	Schroeder
Benesch	Holmes	McKnight	Vogt
Bohlke	Hoyt	Norman	Williams
Callan			

Not voting, 2:

Burnham	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 340. With emergency.

A bill for an act to amend section 85-106, Revised Statutes of Nebraska, 1943, relating to the University of Nebraska; to authorize the Board of Regents of such university to elect deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally and remove the same as prescribed; to provide such board may prescribe the duties of such persons; to provide that such board may establish and administer a retirement system for the faculty staff and other employees of such university as prescribed; to provide that any retirement benefits now in effect and operation shall not be abridged, except 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, 38:

Adams, J.	Callan	Hoyt	Ogden
Adams, T.	Carmody	Larkin	Pizer
Anderson, L.	Carson	Lee	Prohs
Anderson, V.	Cramer	Lillibridge	Tvrdik
Babcock	Cretsinger	Lindgren	Vogel

Benesch	Davies	Lusienski	Williams
Bohlke	Hanna	McKnight	Wilson, C.
Bridenbaugh	Hern	Metzger	Wilson, W.
Burney	Hill	Nelson	Wood
Burnham	Holmes		

Voting in the negative, 3:

Person	Schroeder	Vogt

Not voting, 2:

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.

LEGISLATIVE BILL 413. With emergency.

A bill for an act to amend section 72-224, Revised Statutes of Nebraska, 1943, relating to school lands and funds; to provide changes in procedure for the exercise of the power of eminent domain in the taking of the interest of the state as trustee for the public schools in school lands for certain public uses by any department of the state government if such lands are held under outstanding lease; to provide a construction or limitations clause in regard thereto; to provide for the acquiring of the interest of the owner of the outstanding lease on such lands so taken and the determination of his damages if any; to provide for payment and allocation of amounts awarded as damages for taking of school land under eminent domain under the prescribed circumstances; to provide for a board of appraisers of state officers where such land sought to be so acquired is held under an outstanding lease; to provide the procedure before such board of appraisers; 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, 42:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel

Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Burnham	Hoyt	Pizer	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

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 414.

A bill for an act to amend section 72-260, Revised Statutes of Nebraska, 1943, relating to school lands and funds; to eliminate provision that the Board of Educational Lands and Funds may grant easements over school lands for highways; 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, 43:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	McKnight	Vogt
Benesch	Hanna	Metzger	Weborg
Bohlke	Hern	Nelson	Williams
Bridenbaugh	Hill	Norman	Wilson, C.
Burney	Holmes	Ogden	Wilson, W.
Burnham	Hoyt	Person	Wood
Callan	Larkin	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 431. With emergency.

A bill for an act to amend section 88-203, Revised Statutes of Nebraska, 1943, and sections 88-201 and 88-206, Revised Statutes Supplement, 1947, relating to public grain warehouses; to provide who shall comply with Chapter 88, article 2, Revised Statutes of Nebraska, 1943, and amendments thereto; to redefine terms; to increase the license fee; to require that any public warehouseman issuing a receipt to himself as owner shall register the receipt with the Nebraska State Railway Commission; 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, 42:

Adams, J.	Carson	Lillibridge	Prohs
Adams, T.	Cramer	Lindgren	Schroeder
Anderson, L.	Cretsinger	Lusienski	Tvrdik
Anderson, V.	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bohlke	Hern	Nelson	Weborg
Bridenbaugh	Hill	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Person	Wilson, W.
Callan	Larkin	Pizer	Wood
Carmody	Lee		

Voting in the negative, 0.

Not voting, 1:

Babcock

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 507.

A bill for an act to amend sections 10-205, 21-806, 23-1525, 33-109, 33-110, 33-112, 36-208, 39-903, 54-410, 60-115, and 71-187,

Revised Statutes of Nebraska, 1943, and section 33-102, Revised Statutes Supplement, 1947, relating to fees and salaries; to increase the fees certain county officers shall be entitled to for services as prescribed; to increase the fee the Secretary of State shall be entitled to for filing and approving the bond of a general notary public; to provide what a duplicate copy of a certificate of title shall contain; 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, T.	Carmody	Hoyt	Prohs
Anderson, V.	Carson	Larkin	Schroeder
Babcock	Cramer	Lindgren	Tvrdik
Benesch	Cretsinger	Lusienski	Vogel
Bohlke	Davies	McKnight	Vogt
Bridenbaugh	Hanna	Norman	Weborg
Burney	Hern	Ogden	Wilson, C.
Burnham	Hill	Person	Wilson, W.
Callan	Holmes	Pizer	Wood

Voting in the negative, 3:

Anderson, L.	Metzger	Williams

Not voting, 4:

Adams, J.	Lee	Lillibridge	Nelson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Lindgren introduced Mr. Hunter with sixteen students from Lawrence, Nebraska.

Mr. Tvrdik introduced Mrs. Michael Caruso and forty students from Holy Cross School of Omaha, Nebraska.

Mr. Ogden introduced Mrs. Murphy, principal, and ten students from Mount View District No. 38, Douglas County, Nebraska.

Member Excused

Mr. Bohlke was excused for the remainder of the week.

MOTION—Lincoln High School Chorus

Mr. President: I move that the Legislature invite the Lincoln High School Choir, with Robert Anderson, soloist, to present the production "Ballad for Americans" at 3:00 o'clock this P.M. (Signed) Dwight W. Burney

The motion prevailed.

RECESS

At 12:00, noon, on a motion by Mr. T. Adams, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Warner presiding.

The roll was called and all members were present.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 18, 1949, at 4:15 p.m.

L. B. 182	L. B. 492	L. B. 540
L. B. 436	L. B. 538	L. B. 544
L. B. 490	L. B. 539	

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 541. 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, 40:

Adams, J.	Carson	Lillibridge	Prohs
Anderson, L.	Cramer	Lindgren	Schroeder
Anderson, V.	Cretsinger	Lusienski	Tvrdik
Babcock	Davies	McKnight	Vogel
Benesch	Hanna	Metzger	Vogt
Bridenbaugh	Hern	Nelson	Weborg
Burney	Hill	Norman	Williams
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Larkin	Person	Wilson, W.
Carmody	Lee	Pizer	Wood

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Bohlke	Holmes

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 545.

A bill for an act to amend section 68-204, Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 23, Sixty-first Session, Nebraska State Legislature, 1949, relating to public assistance; to provide that the investigation of an application for old age assistance requiring the parents or children of any applicant if within this state to appear in person before the old age assistance board of the county in which the applicant resides or in which they themselves reside and state under oath the facts with reference to inability to support the applicant shall be done only when there is a question of doubt of relative financial responsibility, as ascertained

by the local county director or his agents; 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, 31:

Adams, J.	Carson	Lindgren	Schroeder
Anderson, L.	Cramer	McKnight	Tvrdik
Babcock	Cretsinger	Metzger	Vogel
Bohlke	Hanna	Nelson	Vogt
Burney	Hern	Norman	Weborg
Burnham	Hoyt	Ogden	Wilson, C.
Callan	Lee	Person	Wood
Carmody	Lillibridge	Prohs	

Voting in the negative, 8:

Anderson, V.	Davies	Lusienski	Williams
Benesch	Hill	Pizer	Wilson, W.

Not voting, 4:

Adams, T.	Bridenbaugh	Holmes	Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 2.

A bill for an act to amend sections 10-701, 10-702, 10-703, 10-704, and 10-706, Revised Statutes of Nebraska, 1943, relating to schools; to enlarge the purposes for which all school districts in Nebraska may issue bonds; to provide for submission of proposition to issue bonds by all districts upon resolution of a majority of the members of a school board or board of education; to lower the number of voters required to sign a petition for such an election; to lower the percentage of votes of electors required to authorize issuance of bonds by all school districts; to change limitations upon the amount of bonds that may be issued by school districts as prescribed; to change terminology of officers required to sign school bonds; and to repeal the original sections.

Whereupon the President stated: "All provisions of law rela-

tive to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Anderson, L.	Cramer	Lillibridge	Person
Anderson, V.	Cretsinger	Lindgren	Pizer
Benesch	Davies	Lusienski	Prohs
Bridenbaugh	Hanna	McKnight	Vogel
Burney	Hern	Metzger	Weborg
Burnham	Holmes	Nelson	Wilson, C.
Callan	Hoyt	Norman	Wilson, W.
Carson	Lee	Ogden	Wood

Voting in the negative, 5:

Carmody	Schroeder	Vogt	Williams
Hill			

Not voting, 6:

Adams, J.	Babcock	Larkin	Tvrdik
Adams, T.	Bohlke		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 57.

A bill for an act for submission to the electors of amendments to sections 6 and 7, Article III, of the Constitution of Nebraska, relating to the Legislature; to provide for annual or biennial sessions of the Legislature as provided by law; to place limitations on business that may be transacted in regular sessions held in even-numbered years; to provide for the election of members of the Legislature for four-year terms; to provide for payment of such compensation to members of the Legislature as may be provided by law; to provide for submission of the proposed amendments to the electors at the general election in November, 1950; to provide for the time, manner of submission, and form of ballot; and to provide the effective date of the amendments, if adopted.

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

Mr. Lee requested a Call of the House.

A Call of the House was ordered and the roll showed 43 members present.

Mr. C. Wilson moved that the Call be raised and the motion prevailed with 34 ayes, 0 nays and 9 not voting.

Voting in the affirmative, 27:

Adams, T.	Carson	Larkin	Pizer
Anderson, L.	Cramer	Lee	Schroeder
Anderson, V.	Davies	Lillibridge	Vogel
Bohlke	Hanna	Lindgren	Williams
Bridenbaugh	Hern	McKnight	Wilson, W.
Burney	Holmes	Norman	Wood
Callan	Hoyt	Ogden	

Voting in the negative, 15:

Adams, J.	Carmody	Metzger	Vogt
Babcock	Cretsinger	Nelson	Weborg
Benesch	Hill	Person	Wilson, C.
Burnham	Lusienski	Prohs	

Not voting, 1:

Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I am voting "No" on this measure for reason of apparent non-action by Standing Committee on matter of designating as to when odd and even numbered districts were to be elected as to long and short terms respectively. (Signed) Ed F. Lusienski

LEGISLATIVE BILL 105.

A bill for an act relating to homes for the aged and infirm; to provide for the licensing and regulating of such homes by the Board of Control except as exempted by this act; to define terms; to provide that the Board of Control shall establish such rules as may be necessary to carry out the provisions of this act; to provide for the issuing of licenses; to provide for keeping of records; to provide for inspection of such homes; to provide for revocation of license and hearing thereon; to provide for a penalty; and to repeal sections 68-501 to 68-507, 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, J.	Carmody	Lee	Tvrdik
Adams, T.	Carson	Lusienski	Vogel
Anderson, L.	Cretsinger	McKnight	Vogt
Benesch	Davies	Metzger	Williams
Burney	Hern	Nelson	Wilson, C.
Burnham	Holmes	Ogden	Wilson, W.
Callan	Hoyt	Pizer	Wood

Voting in the negative, 13:

Anderson, V.	Cramer	Lillibridge	Prohs
Babcock	Hill	Lindgren	Schroeder
Bohlke	Larkin	Person	Weborg
Bridenbaugh			

Not voting, 2:

Hanna	Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 543. With emergency.

A bill for an act to amend section 70-624, Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that the board of directors of such districts may establish a plan of insurance, designed and intended for the benefit of the employees of the district, and in the discretion of the board, expend funds of the district for the payment of premiums for such employees' group, franchise, or wholesale insurance policies; 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, J.	Carson	Lee	Pizer
Adams, T.	Cramer	Lillibridge	Tvrdik

Anderson, L.	Cretsinger	Lindgren	Vogel
Anderson, V.	Davies	Lusienski	Vogt
Babcock	Hanna	McKnight	Weborg
Benesch	Hern	Metzger	Wilson, C.
Bohlke	Holmes	Norman	Wilson, W.
Callan	Hoyt	Ogden	
Carmody	Larkin		

Voting in the negative, 7:

Burney	Nelson	Prohs	Williams
Hill	Person	Schroeder	

Not voting, 3:

Bridenbaugh	Burnham	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.

SELECT FILE

LEGISLATIVE BILL 402.

Mr. Wood moved to indefinitely postpone L. B. 402.

The motion prevailed.

MOTION—L. B. 535

Mr. President: I move that we reconsider our action of May 17 to indefinitely postpone L. B. 535. (Signed) Victor Anderson

Mr. Vogel requested a record vote.

Voting in the affirmative, 14:

Anderson, V.	Hill	Pizer	Williams
Benesch	Hoyt	Tvrdik	Wilson, C.
Callan	Norman	Vogel	Wood
Cramer	Ogden		

Voting in the negative, 11:

Babcock	Carmody	Lillibridge	Schroeder

Burney	Cretsinger	Metzger	Vogt
Burnham	Larkin	Prohs	

Not voting, 18:

Adams, J.	Carson	Lee	Nelson
Adams, T.	Davies	Lindgren	Person
Anderson, L.	Hanna	Lusienski	Weborg
Bohlke	Hern	McKnight	Wilson, W.
Bridenbaugh	Holmes		

Mr. V. Anderson's motion did not prevail with 14 ayes, 11 nays and 18 not voting.

Program

Mr. Burney introduced Mr. V. Anderson who presented the Lincoln High School Choir, under the direction of Mr. H. T. Rangeler, with Mr. Robert Anderson as soloist and Mr. Jack Cole as pianist, who sang "The Ballad for Americans" by Earl Robinson.

Visitors

Mr. Person introduced Miss Mercedes Jackson, teacher, several sponsors and ten students from Lothair School, Colon, Nebraska.

Invitation

Mr. Judson Squires and Mr. Dean Jones, on behalf of the Roberts Dairy Company extended an invitation to all members of the Legislature to attend the First Annual Roberts Cheese Snack, to be held in the Persian Room of the Cornhusker Hotel on Tuesday, May 24, 1949, from 5:00 to 7:00 p.m.

MOTION—Suspend Rules, Amendments to L. B. 434

Mr. President: I move that the rules be suspended and the Committee on Enrollment and Review be instructed to make the following amendments to L. B. 434. (Signed) John S. Callan

1. Amend the Metzger amendment of May 17 to section 3 of the substitute bill by striking from line 5 thereof, the words "and supervision"; said amendment to be inserted before the word "reappropriate" in line 5 of said section 3 instead of before the word "appropriate" in line 7 of said section 3.

2. Amend page 9 of the substitute bill, section 13, line 10 by striking the words "State Superintendent" and inserting in lieu thereof the words "Superintendent of Public Instruction".

3. Amend page 11 of the substitute bill, section 14 by striking the Tvrdik amendment of May 16 and inserting in lieu thereof in line 4 of said section 14 before the word "rate" the following: "including the sum of $17,000.00 for"; and in line 5 of said section by inserting after the word "tion" a comma.

4. Amend page 12 of the substitute bill, subheading (d) after line 37 of section 14, strike the word "ex" and insert in lieu thereof the word "Ex".

5. Amend page 15 of the substitute bill, section 17, line 13 by inserting after the word "Nebraska" the word "State".

6. Amend the Lillibridge amendment of May 16 to section 22 of the substitute bill by striking the dollar sign before the figures "15,000.00" and making said amendment as subsection (9) and to insert the same after line 34 of said section, and renumber the subseqent subsections in this section accordingly.

7. Amend page 30 of the substitute bill, section 25, by inserting immediately below the heading "DEPARTMENT OF ROADS AND IRRIGATION" the following: "DEPARTMENT OF IRRIGATION, WATER POWER, AND DRAINAGE DEPARTMENT OF ROADS

The appropriations made by this section shall be available for the use of and may be expended by the Department of Roads and Irrigation until the effective date of Legislative Bill 246, Sixty-first Session, Nebraska State Legislature, 1949, and on and after the effective date of such act the then unexpended balances of the appropriations made by subsections (1) and (4) of this section and all receipts collected during the remainder of the biennium appropriated by subsection (4) of this section, shall be available for the use of and may be expended by the Department of Irrigation, Water Power, and Drainage, and the then unexpended balances of the appropriations made by subsections (2), (3), (5), (6), (7), and (8) of this section and all receipts collected during the remainder of the biennium appropriated by subsections (5), (6), (7), and (8) of this section, shall be available for the use of and may be expended by the Department of Roads."

8. Amend page 30 of the substitute bill, section 25, line 7 by striking the figures "150,000.00" and inserting in lieu thereof the figures "165,000.00".

9. Amend page 32 of the substitute bill, section 25, line 55 by striking the figures "$21,340,000.00" and inserting in lieu thereof the figures "$31,940,000.00".

10. Amend page 32 of the substitute bill, section 25, line 73 by striking the figures "8,322,000.00" and inserting in lieu thereof the figures "17,322,000.00".

11. Amend page 31 of the substitute bill, section 25, line 19 by striking the semicolon.

12. Amend page 32 of the substitute bill, section 25, lines 62 to 64 by striking line 62 beginning with the word "after", striking all of line 63, and by striking "Council," in line 64.

13. Amend page 40 of the substitute bill, section 37 by striking the period after figures "1951" in line 11, by striking line 12 and by striking the words "Safety Council" in line 13.

14. Amend the substitute bill by adding immediately after secton 38, two new sections to be known as sections 39 and 40, and to read as follows:

"Sec. 39. CAPITOL COMMISSION

Expenses of the commission, including salaries and wages of consultants as provided by Legislative Bill 26, Sixty-first Session, Nebraska State Legislature, 1949, appropriate 10,000.00

Sec. 40. STATE BUILDING COMMISSION

Expenses of the commission, including salaries and wages of architects and draftsmen as provided by Legislative Bill 546, Sixty-first Session, Nebraska State Legislature, 1949, appropriate ..... 6,000.00"

15. Amend the substitute bill by renumbering sections 38 to 59 as sections 41 to 61.

16. Amend pages 44 and 47 of the substitute bill, section 41, line 23 and section 42, line 12 by striking the comma in each line.

17. Amend page 3 of the substitute bill, section 1 by inserting after "38 Merit System Council" the following:

"39 Capitol Commission

40 State Building Commission";
by renumbering section numbers 39 to 51 as section numbers 41 to 53; by inserting after "51 State Institutional and Military Department Building Fund" the following:

"54 Storm Emergency Fund"; and by renumbering section numbers 52 to 58 as section numbers 55 to 61.

18. Sec. 20, page 18 of printed bill, line 18, insert the word and punctuation "bovine," following the word "and".

The motion prevailed with 31 ayes, 1 nay and 11 not voting.

Announcement

Mr. Hoyt announced that the ice cream presented to the members was arranged for by Mr. Bob McGinnis of Fremont and was presented with the compliments of the Beatrice Creamery of Lincoln, Nebraska.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 341. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

RESOLUTION

LEGISLATIVE RESOLUTION 32. Re: Calling of a Convention to Propose An Amendment to the Constitution of the United States.

Introduced by Karl E. Vogel of Douglas, Willard M. Wilson of Phelps and Earl J. Lee of Dodge.

WHEREAS, Article V of the Constitution of the United States reads in part as follows: "The Congress * * * on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states - - -"; and

WHEREAS, The Legislature of the State of Nebraska, in view of the increasing tax problems of the state, caused in large part by the invasion of tax sources by the federal government, believes that its problems as well as the problems of other states similarly situated, can be solved only by some restraint upon present unrestrained exercise of the taxing power by the federal government; and

WHEREAS, The federal government is using and has been using for a number of years the taxing power to produce revenue beyond a legitimate necessity of a federal government, other than defense needs, and has been using the funds so raised to invade the province of legislation of the states and to appropriate in many fields that which amounts to a dole to the states of the money raised therefrom to accomplish many purposes, most of them worthy, but by the described process making the money available only under conditions which result in a control by the federal government from centralized agencies in Washington, in many cases unfit, and in other cases unable to administer the laws according to the local needs because of varying conditions in the country as a whole; resulting in inequities in the administration of the very benefits purported to be granted; and

WHEREAS, State and local needs are disadvantaged because the people are already taxed far beyond the real need for any purpose other than forcing the centralization of all government in Washington; and

WHEREAS, The Framers of the Constitution of the United States clearly foresaw the possibility of a condition similar to that herein described, and made provision in the Constitution for safeguarding the states against any oppression or invasion of rights by the federal government.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Nebraska State Legislature hereby and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

ARTICLE.....

Section 1. The power to levy taxes and appropriate the revenues

therefrom heretofore granted to the Congress by the states in the several articles of this constitution is hereby limited.

Sec. 2. This article shall be in effect except during a state of war, hereafter declared, when it shall be suspended. The suspension thereof shall end upon the termination of the war but not later than three months after the cessation of hostilities, whichever shall be earlier. The cessation of hostilities may be declared by proclamation of the President or by concurrent resolution of the Congress or by concurrent action of the legislature of thirty-two states.

Sec. 3. Notwithstanding the provisions of Article V, this article may be suspended for a time certain or amended at any time by concurrent action of the Legislatures of three-fourths of the states.

Sec. 4. There shall be set aside in the treasury of the United States a separate fund into which shall be paid 25 per cent of all taxes collected by authority derived from the sixteenth amendment to this constitution, except as provided in section 5, and 25 per cent of all sums collected by the United States from any other tax levied for revenue.

Sec. 5. There shall be set aside in the treasury of the United States a separate fund into which shall be paid all sums received from taxes levied on personal incomes in excess of 50 per cent thereof and from taxes levied on income or profits of corporations in excess of 38 per cent thereof.

Sec. 6. Before paying any sums into the funds created by sections 4 and 5 hereof, the treasurer of the United States shall deduct therefrom 20 per cent which shall be used in payment of the principal of the national debt of the United States.

Sec. 7. No tax shall hereafter be imposed on that portion of the incomes of individuals which does not exceed, in the case of unmarried persons the sum of $600.00 per annum, and in the case of married persons the sum of $1,200.00 per annum jointly. A minimum deduction of $600.00 per annum shall be allowed for each dependent.

Sec. 8. The treasurer of the United States shall once in each year, from the separate fund created by section 4 hereof, pay to each of the several states ¼ of 1 per cent of said fund and from the remainder of said fund shall pay to each state a portion of such remainder determined by the population of each state in ratio to the

entire population of the several states according to the last federal decennial census or any subsequent general census authorized by law.

Sec. 9. The treasurer of the United States shall, from the separate fund created by section 5 hereof, pay to each state, once in each year, a sum equal to the amount of money in such fund which was collected from persons or corporations within such state.

Sec. 10. Any sums paid hereunder to the several states shall be available for appropriation only by the legislatures thereof. The legislatures may appropriate therefrom for any purpose not forbidden by the constitutions of the respective states and may appropriate therefrom for expenditures within the states for any purpose for which appropriations have heretofore been made by the Congress except such purposes as are specifically reserved by this constitution for the exclusive power of the Congress. The people of each state may limit the expenditures of funds herein made available to the legislature, but shall not direct the appropriation thereof.

Sec. 11. Each legislature shall have power by rule or resolution to provide for the assembly thereof in special sessions for the purpose of considering amendments to, the suspension of, or the ratification of amendments proposed to this article.

Sec. 12. Each legislature shall have power to elect one or more persons to represent such legislature in any council or convention of states created by concurrent action of the legislatures of thirty-two states for the purpose of obtaining uniform action by the legislatures of the several states in any matters connected with the amendment of this article.

Sec. 13. The Congress shall not create, admit, or form new states from the territory of the several states as constituted on the first day of January, 1949, and shall not create, form, or admit more than three states from the territories and insular possessions under the jurisdiction of the United States on the first day of January, 1949, or from territory thereafter acquired without the express consent of the legislatures of 3/4 of the several states.

Sec. 14. On and after January 1, 1949, the dollar shall be the unit of the currency. The gold content of the dollar as fixed on January 1, 1949, shall not be decreased.

Sec. 15. Concurrent action of the legislatures of the several states as used herein shall mean the adoption of the same resolution

by the required number of legislatures. A limit of time may be fixed by such resolution within which such concurrent action shall be taken. No legislature shall revoke the affirmative action of a preceding legislature taken therein.

Sec. 16. During any period when this article is in effect the Congress may, by concurrent resolution adopted by two-thirds of both houses wherein declaration is made that additional funds are necessary for the defense of the nation, limit the amount of money required by this article to be returned to the several states. Such limitation shall continue until terminated by the Congress or by concurrent action of a majority of the legislatures of the several states. Upon termination of any such limitation the Congress may not thereafter impose a limitation without the express consent by concurrent action of a majority of the legislatures of the several states.

Sec. 17. This article is declared to be self-executing.

2. That attested copies of this resolution be sent to the presiding officers of each House of the Congress and to each member of the Nebraska delegation in Congress, and that printed copies thereof, showing that said resolution was adopted by the Legislature of Nebraska, be sent to each House of each legislature of each state of the United States.

3. That this application hereby made by the Legislature of the State of Nebraska shall constitute a continuing application in accordance with Article V, of the Constitution of the United States until at least two-thirds of the legislatures of the several states shall have made similar applications pursuant to said Article V.

4. That since this is an exercise by a state of the United States of a power granted to it under the Constitution, the request is hereby made that the official journals and Record of both Houses of Congress, shall include the resolution or a notice of its receipt by the Congress, together with similar applications from other states, so that the Congress and the various states shall be apprised of the time when the necessary number of states shall have so exercised their power under Article V of the Constitution.

5. That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof

is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Nebraska interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions.

6. That the Legislature of the State of Nebraska does not, by this exercise of its power under Article V, authorize the Congress to call a convention for any purpose other than the proposing of the specific amendment which is a part hereof; nor does it authorize any representative of the State of Nebraska who may participate in such convention to consider or to agree to the proposing of any amendment other than the one made a part hereof.

7. That by its actions in these premises, the Legislature of the State of Nebraska does not in any way limit in any other proceeding its right to exercise its power to the full extent.

8. That the Congress, in exercising its power of decision as to the method of ratification of the proposed article by the legislatures or by conventions, is hereby requested to require that the ratification be by the legislatures.

MOTION—Special Order

Mr. J. Adams moved that the Resolution be made special order for Tuesday, May 24, 1949.

The motion prevailed with 7 ayes, 1 nay and 35 not voting.

Adjournment

At 4:25 p.m., Mr. Carmody moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m., Tuesday, May 24, 1949.

The motion prevailed with 30 ayes, 3 nays and 10 not voting.

Hugo F. Srb

Clerk of the Legislature

NINETY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 24, 1949

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

Prayer was offered by the Chaplain.

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

The Journal for the Ninety-seventh Day was approved as corrected.

Communications

Telegram addressed to Mr. Prohs from citizens of Scottsbluff, Nebraska, bearing approximately 500 signatures urging restoration of the State Safety Council.

Letter from Sr. M. Odila Goss, Norfolk, Nebraska, expressing appreciation for the passage of L. B. 381.

Memorandum to the Legislature from Anton Jensen protesting the appropriation bill.

Card from M. E. Helson, Omaha, Nebraska, opposing L. R. 32.

Words and music to two songs asking that they be considered as the Nebraska State Song.

Letters acknowledging receipt of L. R. 27 from A. L. Miller, M.C., Speaker Sam Rayburn, Carl T. Curtis, MC., Vice President Alben W. Barkley, Karl Stefan, M.C., Kenneth Wherry, U.S.S., and Hugh Butler, U.S.S.

Approved by the Governor

May 20, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 11, 1949, he approved L. B. 100 and L. B. 415.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

May 23, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your honorable body that on May 20, 1949, he approved L. B. 146, L. B. 537, L. B. 292, and that on May 21, 1949, he approved L. B. 492, L. B. 534, L. B. 544, L. B. 182, L. B. 539, L. B. 536, L. B. 433, L. B. 540 and L. B. 1.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 434. Placed on Select File.
LEGISLATIVE BILL 401. Correctly enrolled.
LEGISLATIVE BILL 2. Correctly enrolled.
LEGISLATIVE BILL 57. Correctly enrolled.
LEGISLATIVE BILL 105. Correctly enrolled.
LEGISLATIVE BILL 340. Correctly enrolled.
LEGISLATIVE BILL 413. Correctly enrolled.
LEGISLATIVE BILL 399. Correctly enrolled.
LEGISLATIVE BILL 414. Correctly enrolled.
LEGISLATIVE BILL 431. Correctly enrolled.

LEGISLATIVE BILL 507. Correctly enrolled.
LEGISLATIVE BILL 543. Correctly enrolled.
LEGISLATIVE BILL 541. Correctly enrolled.
LEGISLATIVE BILL 545. Correctly enrolled.
LEGISLATIVE BILL 246. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 401	L. B. 413	L. B. 507
L. B. 2	L. B. 399	L. B. 543
L. B. 57	L. B. 414	L. B. 541
L. B. 105	L. B. 431	L. B. 545
L. B. 340		

Presentation of Whisk Brooms

Mr. Hill presented to each member of the Legislature a whisk broom, compliments of the Deshler Broom Factory, Deshler, Nebraska.

MOTION—L. B. 246

Mr. President: I move that L. B. 246 be placed on Final Reading. (Signed) John S. Callan

The motion prevailed with 25 ayes, 7 nays and 11 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 32.

Mr. J. Adams moved that L. R. 32 not be adopted.

The motion did not prevail with 8 ayes, 18 nays and 17 not voting.

Mr. Vogel moved that L. R. 32 be adopted.

Mr. J. Adams moved a Call of the House which did not prevail for lack of seconds.

L. R. 32 was adopted with 25 ayes, 8 nays and 10 not voting.

LEGISLATIVE RESOLUTION 33. Re: In Memory of Former Legislators

Introduced by Arthur Carmody of Hitchcock, John S. Callan of Gage and Don E. Hanna of Cherry.

WHEREAS, the beginning and end of life are matters of special concern to all of us and to individual families;

WHEREAS, we are grateful that an All-wise Providence has protected the lives of members who have served in the Legislature;

WHEREAS, since the adjournment of the Sixtieth Session of the Nebraska State Legislature, twenty-two former members of this body have gone to that glorious resting place from which no traveler returns; and

WHEREAS, the affairs of this state have been carefully preserved through the tireless efforts of these former members.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA STATE LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That we pause in our deliberations and stand in silent tribute to the memories of Crist Anderson, Delmar S. Anderson, William J. Anderson, Hugh B. Ashmore, E. R. Bee, Peter Beghtol, Dwight S. Dalbey, Robert Grant Douglas, Sr., Joe E. Gunnerson, A. A. Heater, G. C. Hueftle, Andrew G. Jensen, Alfred Johnson, Roy W. Johnson, Karl Kehm, Mark Lukens, William Moore, Julius Olesen, Clifford R. Tefft, James F. Thompson, Andrew L. Ullstrom, A. C. Van Diest, and Raymond H. West, 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.

LEGISLATIVE RESOLUTION 34. Re: Legislative Council Study of the Girls' Training School at Milford and the Nebraska State Trade School at Milford

Introduced by John P. McKnight of Nemaha, William A. Metzger of Cass and John S. Callan of Gage.

WHEREAS, it has been called to the attention of the Legislature that the Girls' Training School at Milford and the Nebraska State Trade School at Milford are no longer necessary; and

WHEREAS, it has been called to the attention of the Legislature that the services and educational facilities offered at the Girls' Training School at Milford and the Nebraska State Trade School at Milford can be obtained elsewhere in the state at no expense to the taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

1. That the Legislative Council investigate the Girls' Training School at Milford and the Nebraska State Trade School at Milford regarding the following matters:

(a) Need for such schools;

(b) Cost of operation of each school;

(c) Alternative institution for the same service and education offered by such schools; and

(d) Appropriate use to the state for the physical plants of such school if the institutions are discontinued.

2. That the Legislative Council make a report of its findings to the next regular session of the Nebraska State Legislature within the first twenty legislative days, which report shall contain recommendations of any changes to be made.

Unanimous Consent—Safety Council Appropriation

Mr. Prohs asked unanimous consent to reconsider the action taken by the Legislature on the vote to eliminate from the Budget the $28,000.00 for the State Safety Council.

Mr. Metzger offered objection and consent was not granted.

MOTION—Reconsider action on L. B. 246

Mr. President: I move that we reconsider our action taken on

Final Reading on L. B. 246. (Signed) John S. Callan

Mr. Bridenbaugh requested a Call of the House.

A Call of the House was ordered and the roll showed 41 members present.

Mr. Metzger moved that the Call be raised and the motion prevailed with 31 ayes, 0 nays and 12 not voting.

The motion to reconsider action prevailed with 27 ayes, 12 nays and 4 not voting.

Visitors

Mr. Vogel introduced his daughter and son-in-law, Mr. and Mrs. Frank Tremont and his grandson, Mr. John Anthony Tremont.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 246.

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, 21:

Adams, T.	Carmody	Hern	Lillibridge
Anderson, L.	Carson	Hill	Vogt
Anderson, V.	Cramer	Holmes	Williams
Benesch	Davies	Hoyt	Wilson, C.
Bridenbaugh	Hanna	Lee	Wood
Callan			

Voting in the negative, 14:

Bohlke	Metzger	Prohs	Vogel
Burney	Norman	Schroeder	Weborg
Cretsinger	Person	Tvrdik	Wilson, W.
Lusienski	Pizer		

Not voting, 8:

Adams, J.	Burnham	Lindgren	Nelson

Babcock	Larkin	McKnight	Ogden

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

Explanation of Vote

Mr. President: Due to the bill now containing two subjects, which should have been in separate bills, I am forced to vote "No", on L. B. 246. (Signed) Ed. F. Lusienski

LEGISLATIVE BILL 546. With emergency.

A bill for an act to create a State Building Commission; to provide for appointment of certain members; to prescribe powers and duties of the commission; to provide for the payment of certain expenses of the members 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, 25:

Adams, J.	Burney	Hanna	Lindgren
Adams, T.	Burnham	Hern	Ogden
Anderson, L.	Callan	Hoyt	Tvrdik
Anderson, V.	Cramer	Larkin	Vogel
Babcock	Cretsinger	Lee	Williams
Benesch	Davies	Lillibridge	Wood
Bohlke			

Voting in the negative, 15:

Bridenbaugh	Lusienski	Pizer	Weborg
Carmody	Nelson	Prohs	Wilson, C.
Hill	Norman	Schroeder	Wilson, W.
Holmes	Person	Vogt	

Not voting, 3:

Carson	McKnight	Metzger

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, 25:

Adams, J.	Burney	Hern	Lindgren
Adams, T.	Callan	Hill	Ogden
Anderson, L.	Carson	Hoyt	Tvrdik
Anderson, V.	Cretsinger	Larkin	Vogel
Babcock	Davies	Lee	Williams
Benesch	Hanna	Lillibridge	Wood
Bohlke			

Voting in the negative, 12:

Carmody	Norman	Prohs	Weborg
Holmes	Person	Schroeder	Wilson, C.
Nelson	Pizer	Vogt	Wilson, W.

Not voting, 6:

Bridenbaugh	Cramer	McKnight	Metzger
Burnham	Lusienski		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 341.

A bill for an act relating to taxation; to provide additional procedure for the determination, collection, and payment of tax upon flight equipment of air transportation carriers; to amend section 77-1244, Revised Statutes Supplement, 1947; to redefine terms; 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, 42:

Adams, J.	Carmody	Lee	Prohs
Adams, T.	Carson	Lillibridge	Schroeder
Anderson, L.	Cramer	Lindgren	Tvrdik
Anderson, V.	Cretsinger	Lusienski	Vogel
Babcock	Davies	Metzger	Vogt
Benesch	Hanna	Nelson	Weborg
Bohlke	Hern	Norman	Williams
Bridenbaugh	Hill	Ogden	Wilson, C.
Burney	Holmes	Person	Wilson, W.
Burnham	Hoyt	Pizer	Wood
Callan	Larkin		

Voting in the negative, 0.

Not voting, 1:

McKnight

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MESSAGES FROM THE GOVERNOR

Approved by the Governor

May 24, 1949

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

Gentlemen:

Governor Peterson has requested me to inform your Honorable Body that on May 24 he approved L. B. 399 and L. B. 401.

Respectfully submitted,

(Signed) Christ J. Petrow
Executive Secretary

Without the Governor's Approval

May 23, 1949

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

Gentlemen:

L. B. 167 is returned without my signature.

Removal from the Democratic and Republican voters, the rank and file, of the right to choose directly those who are to represent them in the delegate pre-primary state conventions is a step backward. It moves toward the evils of the old convention system which was so completely discredited and rejected by the people years ago. Nebraskans are fully capable of making their own choices.

The present act which became law when many of us were overseas has worked reasonably well. Improvements can be made in it. However, it would appear wise to permit it to continue in operation until further experience is gained. Should deficiencies become more

marked, I would recommend sound corrective amendments or its outright repeal and return to the direct primary.

Parties belong to the people not to the officials. We will never go wrong by placing our trust in the people.

Respectfully submitted,

(Signed) Val Peterson
Governor

Member Excused

Mr. Lillibridge was excused for the remainder of the morning.

Speaker Lee Presiding

President Warner Presiding

MOTION—Return L. B. 538 to Final Reading

Mr. President: I move that L. B. 538 be returned from the Governor and placed on Final Reading. (Signed) William A. Metzger

In discussion of his motion Mr. Metzger presented the views of the Governor on rent decontrol and the recommendations of the Governor for its amendment.

RECESS

At 12:00 noon, on a motion by Mr. Ogden, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., President Warner presiding.

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

Visitors

Mr. Lillibridge introduced Mr. and Mrs. John Mackie of London, England, who spoke briefly to the Legislature.

Unanimous Consent—Return L. B. 538

Mr. Metzger asked unanimous consent to return L. B. 538 from the Governor for amendment.

Mr. Benesch offered objection.

SELECT FILE

LEGISLATIVE BILL 434.

Mr. Callan asked unanimous consent for the adoption of the following amendments to L. B. 434 which are corrective amendments and are incorporated in the bill.

1. Amend page 3 of the substitute bill, section 1 by inserting after "25 Department of Roads and Irrigation" the following: "Department of Irrigation, Water Power, and Drainage Department of Roads".

2. Amend page 31 of the substitute bill, section 25 line 19 by inserting after the word "Registrations" the following: ", including payment for motor vehicle license plates".

3. Amend page 31 of the substitute bill, section 25, line 33 by inserting after the word "Engineer" the following: "and the salary of the Director of Roads after the effective date of Legislative Bill 246, Sixty-first Session, Nebraska State Legislature, 1949".

4. Amend page 31 of the substitute bill, section 25, line 46 by striking the word "thirty" and inserting in lieu thereof the word "forty".

5. Amend the Standing Committee amendment 14 adopted May 19, 1949 by inserting after "Sec. 39. Capitol Commission" the following: "Appropriate from General Fund-Property Tax Levy".

6. Amend the Standing Committee amendment 14 adopted May 19, 1949 by inserting after "Sec. 40. State Building Commission" the following: "Appropriate from General Fund-Property Tax Levy".

7. Amend page 52 of the substitute bill, renumbered section 50, line 46 by inserting after the word "Act" the following: "until the effective date of Legislative Bill 246, Sixty-first Session, Nebraska State Legislature, 1949, and on and after the effective date of such act then the Department of Roads, Motor Vehicle Safety Responsibility Act".

8. Amend page 14 of the substitute bill, section 15, line 48, by striking the figures "1943" and inserting in lieu thereof the figures "1949".

9. Amend page 30 of the substitute bill, section 24 line 7 by striking the word "No." and inserting in lieu thereof the word "Nos.".

10. Amend the John S. Callan amendments of May 19, 1949, number 15, line 2 by striking the figures "38" and inserting in lieu thereof the figures "39".

11. Amend page 7 of the substitute bill, section 10, line 19 by inserting after the word "tion" the following: "until the effective date of Legislative Bill 246, Sixty-first Session, Nebraska State Legislature, 1949, and on and after the effective date of such act then the Department of Roads".

12. Amend page 8 of the substitute bill, section 11, line 7 by inserting after the word "Irrigation" the following: "until the effective date of Legislative Bill 246, Sixty-first Session, Nebraska State Legislature, 1949, and on and after the effective date of such act then the Department of Roads".

13. Amend page 10 of the substitute bill, section 13, line 51 by inserting after the word "instructional" the following: "aids and consultative, supervisory, and testing".

14. Amend page 31 of the substitute bill, section 25, line 24, by striking the word "then".

15. Amend page 48 of the substitute bill, section 44, line 42 by inserting before the figures "409" the following: "408-B,".

16. Amend page 52 of the substitute bill, renumbered section 50, line 44, by striking the word "and"; and in line 45 by inserting after the letter "(f)" the following:

"Tax Commissioner, refunds of overpayments of estate taxes pursuant to the provisions of Legislative Bill 307, Sixty-first Session, Nebraska State Legislature, 1949; and (g)".

17. Amend page 51 of the substitute bill, renumbered section 50, line 14, by inserting after the figures, "1947" the following: ", as amended by Legislative Bill 424, Sixty-first Session, Nebraska State Legislature, 1949".

18. Amend page 51 of the substitute bill, renumbered section 50, line 24, by inserting before the word "and" the following: "as amended by Legislative Bill 353, Sixty-first Session, Nebraska State Legislature, 1949,".

Consent was granted and it was so ordered.

Advanced to E and R for engrossment.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 24, 1949, at 10:40 a.m.

L. B. 545	L. B. 414	L. B. 105
L. B. 541	L. B. 399	L. B. 57
L. B. 543	L. B. 413	L. B. 2
L. B. 507	L. B. 340	L. B. 401
L. B. 431		

(Signed) Glenn Cramer, Chairman

MOTION—Pass L. B. 167 Final Reading

Mr. President: I move that L. B. 167 be passed notwithstanding the objection of the Governor. (Signed) Charles F. Tvrdik

Whereupon the President stated: "Shall the bill pass, notwithstanding the objection of the Governor?"

Voting in the affirmative, 29:

Anderson, L.	Carson	Lee	Vogel
Babcock	Cramer	Lindgren	Vogt
Benesch	Cretsinger	Metzger	Weborg
Bridenbaugh	Hern	Norman	Williams
Burney	Holmes	Ogden	Wilson, C.
Burnham	Hoyt	Schroeder	Wilson, W.
Callan	Larkin	Tvrdik	Wood
Carmody			

Voting in the negative, 7:

Adams, J.	Anderson, V.	Hanna	Pizer
Adams, T.	Davies	Hill	

Not voting, 7:

Bohlke	Lusienski	Nelson	Prohs
Lillibridge	McKnight	Person	

A constitutional three-fifths majority having voted in the affir-

mative, the bill was declared passed notwithstanding the Governor's veto.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 434. Correctly engrossed.

(Signed) Glenn Cramer, Chairman

MOTION—Election of Chairman of Legislative Council

Mr. President: I move that we proceed to the election of a Chairman of the Legislative Council, and that we vote by ballot and that the vote of a majority of the elected members of the Legislature be required for election. (Signed) Harry L. Pizer

The motion prevailed.

Nominating Ballot for Chairman of Legislative Council:

Metzger	10
Hoyt	14
Williams	5
Carmody	11
Callan	1
Ogden	1

Mr. President: I move that the three high nominees on the ballot be candidates for Chairman of the Legislative Council. (Signed) Charles F. Tvrdik

The moton prevailed.

Ballot for Chairman of Legislative Council:

Hoyt	19
Metzger	11
Carmody	11

Mr. Carmody asked unanimous consent to withdraw his name from the ballot as a candidate.

Consent was granted and it was so ordered.

Before the vote was announced on Hoyt and Metzger, Mr. Metzger moved that the vote for Mr. Hoyt be made unanimous, and the motion prevailed.

Announcements

Mr. Metzger announced a meeting of the Rules Committee at 3:00 p.m., Wednesday, May 25, 1949.

Mr. Wood announced a meeting of the Committee on Intergovernmental Cooperation at 1:30 p.m., Wednesday, May 25, 1949.

Mr. Hoyt announced a meeting of the Legislative Council to convene directly after the adjournment of the Legislature.

RESOLUTION

LEGISLATIVE RESOLUTION 35. Re: Study by the Legislative Council of the Spending Agencies of the State.

Introduced by John S. Callan of Gage

WHEREAS, the spending agencies of the State of Nebraska should be investigated so that a more complete budget control could be had; and

WHEREAS, the expenses of the state might be reduced if a closer supervision was had over the spending agencies;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA STATE LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED:

That the Legislative Council be directed to study and examine into the following matters:

1. The books and records of all executive and administrative departments, boards, commissions, and other agencies.

2. The manner in which the accounts of such executive and administrative departments, boards, commissions, and other agencies are controlled.

That the Legislative Council report its findings, together with recommendations for improving the budget control of the State of Nebraska, on or before January 1, 1950, and send a copy of its report to the Governor and to each member of the council.

Adjournment

At 3:15 p.m., on a motion by Mr. Person the Legislature adjourned until 9:00 a.m., Wednesday, May 25, 1949.

Hugo F. Srb

Clerk of the Legislature

NINETY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 25, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Ninety-eighth Day was approved as corrected.

MESSAGES FROM THE GOVERNOR

Without Approval

L. B. 436

May 24, 1949

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

Gentlemen:

L. B. 436 is returned without my signature.

In my opinion this bill would not bring the desired results. Further, if it is sound to pay a bonus to those who strike oil, which would seem to carry its own ample reward, then logically we should pay a bonus to countless other enterprisers who make a "strike" in their fields of activity.

Respectfully submitted,

(Signed) Val Peterson
Governor

L. B. 538

May 24, 1949

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

Gentlemen:

I am returning L. B. 538 without my signature.

It has long been an American precept that the people's interests are best served when governmental matters are settled by the unit closest to the people. Under Public Law 31, 81st Congress, known as "Housing and Rent Act of 1949" provision was made for the constituted authorities of local communities presently under rent control to eliminate those controls after investigation and study of housing and rental conditions, and a public hearing, have determined that decontrol is feasible.

In spite of the existence of this procedure, which is strictly in keeping with democratic principles, and without careful investigation and study of the actual situation in the five counties and two cities involved, a majority of the legislators, because of an understandable desire to strike controls, has seen fit to impose its will upon the localities affected. In my judgment, the people of Douglas, Lancaster, Dodge, Sarpy and Adams counties and the citizens of Grand Island and South Sioux City are in a much better position to understand their problems and to make sound decisions with respect to them.

All of us are tired of controls and desire that they be eliminated. Our problem, however, is not that simple. Elimination of controls must be accomplished in an orderly fashion with a minimum amount of hardship to those who rent and with as little disruption as possible in the communities involved.

If there were no other way to rid ourselves of rent control except by L. B. 538, I would sign the bill. However, ample machinery exists to bring about decontrol in the counties and cities concerned if the circumstances warrant.

Today, in spite of my belief in the soundness of settlement of these matters on the local level, in an attempt to further the end of rent control in Nebraska, I suggested to your Honorable Body that I would sign L. B. 538 if you would see fit to set the decontrol date March 1 or April 1, 1950, in order that the transitional period might fall in a favorable weather period. You did not see your way clear

to agree with my suggestion and I now take this action in order that the matter may be returned to the people in the communities directly affected.

Respectfully submitted,

(Signed) Val Peterson
Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 546. Correctly enrolled.
LEGISLATIVE BILL 341. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 19, 1949, at 4:45 p.m.:

L. B. 1

(Signed) Glenn Cramer, Chairman

President Signs

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

L. B. 546 L. R. 29 L. R. 30
L. B. 341

RESOLUTIONS

LEGISLATIVE RESOLUTION 36. Re: Board of Trustees to Work With the Highway Department.

Introduced by N. F. Schroeder of Wayne.

WHEREAS, it is the desire of this Legislature to improve the administration of the Department of Highways; and,

WHEREAS, the Department of Highways, as the trustee of funds provided for the construction and maintenance of highways, should

furnish full and complete information on highway matters; and,

WHEREAS, those groups of highway users who contribute the largest share of highway funds, and who have a personal and economic interest in the policies attending the expenditure of some $50,000,000 in the next biennium, unquestionably are entitled to a voice in the expenditure of such funds; and,

WHEREAS, it is imperative that the information which supports the policies of the Department of Highways shall be authentic and accepted by those with the greatest stake in highway development.

NOW, THEREFORE BE IT RESOLVED, BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-FIRST SESSION ASSEMBLED,

1. That there be established a "Board of Trustees of the Department of Roads and Irrigation."

2. That said "Board of Trustees" shall meet regularly with the Head of the State Department dealing with highways and any other individual or individuals deemed advisable.

3. That said Board shall have presented to it by the Department Head all facts pertaining to the activities of said Department.

4. That said Board shall, at the conclusion of each quarterly meeting, make public all information as to the developments and activities of the Highway Department. Said report shall be known as a "Progress Statement" and shall contain full and factual information of all highway revenues received including all federal funds, contracts let, status of federal aid and state highway funds, progress of work under existing contracts, and itemized reports of all expenditures from highway cash funds. Such reports shall show itemized costs of maintenance, building, equipment and rights-of-way and any additional information deemed by the Board in the Public interest.

5. The Board shall have advisory and consulting authority only.

6. It is the intent and desire of this Legislature that the Governor of Nebraska appoint the "Board of Trustees" of the Highway Department, and that said Board shall be comprised of not less than 12 nor more than 16 persons.

7. That the membership of said "Board" shall be comprised of citizens of the State of Nebraska and shall be nominated by the Boards of Directors of state-wide organizations or associations which

have been organized and shall have held open annual meetings of members for not less than 3 consecutive years and whose members have a definite interest in highway use and pay considerable amounts in taxes for highway maintenance and construction as a part of their businesses. Such organizations to include the Nebraska Motor Carriers' Association, Nebraska Farm Bureau Federation, Nebraska State Grange, Farmers Educational and Cooperative Union, Nebraska Cooperative Council, Nebraska Petroleum Industries Committee, Nebraska Rural Letter Carriers' Association, Nebraska Petroleum Marketers, Inc., Travelers Protective Association, United Commercial Travelers and Farmers Union Co-op Oil Association. Other organizations to be selected by the Governor.

8. Said members of the "Board of Trustees" shall serve without compensation.

9. It is recommended that the Legislative Council appoint a sub-committee to work with said "Board of Trustees" and that said sub-committee make a report including recommendations to the next session of the Legislature, through formal action of the entire Legislative Council.

10. That the term of the "Board of Trustees" shall expire on March 15, 1951.

LEGISLATIVE RESOLUTION 33.

L. R. 33 was adopted with 40 ayes, 0 nays and 3 not voting.

The Legislature stood in silent tribute to the departed members.

MOTION—Pass L. B. 538 Over Veto

Mr. President: I move that L. B. 538 be passed notwithstanding the objection of the Governor. (Signed) John P. McKnight

After discussion, Mr. Hern moved the previous question.

The President stated the question "Shall the debate now close?"

The motion prevailed with 24 ayes, 1 nay and 18 not voting.

Whereupon the President stated: "Shall the bill pass, notwithstanding the objection of the Governor?"

Voting in the affirmative, 30:

Adams, T.	Cramer	Lindgren	Schroeder

Anderson, L.	Davies	McKnight	Tvrdik
Babcock	Hanna	Metzger	Vogel
Bohlke	Hern	Nelson	Vogt
Bridenbaugh	Hill	Norman	Williams
Burney	Hoyt	Ogden	Wilson, C.
Carmody	Lee	Person	Wilson, W.
Carson	Lillibridge		

Voting in the negative, 9:

Adams, J.	Callan	Larkin	Pizer
Anderson, V.	Cretsinger	Lusienski	Weborg
Benesch			

Not voting, 4:

Burnham	Holmes	Prohs	Wood

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed notwithstanding the Governor's veto.

Member Excused

Mr. Lillibridge was excused for the remainder of the day.

Personal Privilege

Mr. J. Adams presented a floral tribute to the President, the Speaker and the Clerk, thanking them for their kindness and consideration shown to him during this session of the Legislature.

MOTION—Pass L. B. 436 Over Veto

Mr. President: I move that L. B. 436 be passed notwithstanding the objection of the Governor. (Signed) W. Halsey Bohlke

Whereupon the President stated: "Shall the bill pass, notwithstanding the objection of the Governor?"

Mr. Bohlke requested a Call of the House.

A Call of the House was ordered and the roll showed 40 members present.

Mr. Babcock moved that the Call be raised and the motion did not prevail with 15 ayes, 16 nays and 12 not voting.

Mr. Prohs moved that the Call be raised and the motion did not

prevail with 14 ayes, 15 nays and 14 not voting.

Mr. Bohlke moved that the Call be raised and the motion prevailed with 32 ayes, 1 nay and 10 not voting.

Voting in the affirmative, 26:

Adams, T.	Carmody	Hoyt	Ogden
Anderson, L.	Carson	Lee	Tvrdik
Anderson, V.	Cretsinger	Lindgren	Vogel
Bohlke	Davies	McKnight	Williams
Bridenbaugh	Hanna	Metzger	Wilson, C.
Burney	Hern	Norman	Wilson, W.
Callan	Hill		

Voting in the negative, 10:

Adams, J.	Nelson	Prohs	Vogt
Babcock	Person	Schroeder	Weborg
Burnham	Pizer		

Not voting, 7:

Benesch	Holmes	Lillibridge	Wood
Cramer	Larkin	Lusienski	

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed notwithstanding the Governor's veto.

President Signs

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

L. B. 167 L. R. 32

Member Excused

Mr. Davies was excused for the remainder of the day.

RECESS

At 11:05 a.m., on a motion by Mr. Hern, the Legislature recessed until 3:00 p.m.

AFTER RECESS

The Legislature reconvened at 3:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Davies and Lillibridge, who were excused, and Messrs. Burney, Ogden and Williams.

MOTION—Amendments to Rules

Mr. President: Your committee on rules met at 2 o'clock, May 25, 1949. Following are suggested changes in the Rules of the Nebraska Legislature:

Rule 6, Sec. 9. Add the following: Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter.

Rule 9, Sec. 6. Add the following: Votes not registered on the electric roll call system or given to the Clerk by voice shall not be counted for or against a proposition.

I move that the above rules be adopted. (Signed) William A. Metzger, Chairman, Rules Committee

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

MOTION—Print and Index Rules

Mr. President: I move that the Clerk be authorized to have a revised copy of the Rules printed and that in preparing it he number the pages and make a complete index in the back. (Signed) Earl J. Lee

The motion prevailed.

Visitors

Mr. Tvrdik introduced Mrs. Bonnie Derker, Teacher, and fifteen students from Gungmann School and Mrs. Helen Witte, Teacher, and twenty-five students from Jefferson School, Omaha, Nebraska.

RESOLUTIONS

LEGISLATIVE RESOLUTION 31.

L. R. 31 was adopted with 33 ayes, 0 nays and 10 not voting.

LEGISLATIVE RESOLUTION 37. Re: Legislative Council Quarters

Introduced by Ed. Hoyt, Chairman, Legislative Council.

BE IT RESOLVED BY THE SIXTY-FIRST 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 Legislative 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, 1950 and extending through the Legislative session of 1951.

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—Suspend Rules, Adopt L. R. 37

Mr. President: I move that the rules be suspended and that we adopt L. R. 37 today. (Signed) Ed. Hoyt

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

LEGISLATIVE RESOLUTION 35.

L. R. 35 was adopted with 36 ayes, 0 nays and 7 not voting.

MOTION—Communication

Mr. Lee moved that the Legislature dispense with the reading of the following communication and have it printed in full in the

Legislative Journal.

The motion prevailed.

HOUSE OF REPRESENTATIVES

Lansing, Michigan

May 20, 1949

Hon. Earl J. Lee, Speaker
House of Representatives
Lincoln, Nebraska

Dear Mr. Speaker:

As you know, the legislature of Michigan has recently adopted a concurrent resolution proposing to amend the constitution of the United States to provide that the various states shall receive a proportionate share of 20 percent of the tax collections of the Federal Government.

Many states are in financial trouble due to the increased costs of Government, largely attributable to inflation of the dollar, as well as other causes, and most of such states find it extremely difficult to locate new sources of taxes which will produce a justifiable return or because the tax sources already have been largely monopolized by the Federal Government.

The committee of sponsors of this resolution have prepared certain material descriptive of purposes and, based upon federal income, an approximation of the net return to each state under that article. Such information already has been forwarded to you. If you have not received the material, additional copies will be furnished to you on request. As a member of a joint committee created by the legislature to advance the cause of adoption of this particular amendment, I am addressing this letter both as an invitation for such additional information as you may need and to emphasize the necessity for thorough consideration of the purposes and the potential accomplishments of the article as well as to urge such speedy action as may provide a test of the power of the states to effectuate an amendment of the Federal Constitution under the right granted by article 5 of that document.

The committee has adopted the following as a short statement of the purposes of the article and we will be glad to elaborate upon any specific point or upon any problems which you may encounter in your consideration of this matter:

1. To limit taxing power of Congress.

2. To return 20 percent of U. S. tax revenues to the states on both an area and population base.

3. To require 5 percent of revenue to be paid on national debt.

4. To limit federal revenue from income tax and corporate income tax to 50 percent and 38 percent respectively. If tax rates thereon exceed ceilings, return of revenue to be made to state in which collected, in addition to revenue return from the 20 percent.

5. To place a floor under personal income tax deductions and exemptions at $600.00.

6. To place a floor under value of the dollar in gold. (Gold content may not be decreased below present level.)

7. To make funds to states available for appropriation for objectives now funded by Congress unless barred by constitutional limitation.

8. To authorize legislatures to call special sessions for amending or ratifying amendments to articles.

9. Safeguard national interests by suspending article in time of war, and authorize states to suspend or amend at any time, also provide for limitation of returns to state for national emergency defense needs.

10. Safeguard article by permitting states to terminate suspension after cessation of hostilities, and terminate limitations on return.

11. Safeguard article by limiting number of new states creatable by Congress.

12. Authorize legislatures to elect delegates to a council of states for uniform action on suspension or amendments of article.

With the constantly declining position of state government in the national picture and with the inevitable subservience of the states to the Federal Government if the present unbalance continues to be enhanced by encroachment of the Federal Government, we believe that now is the time to test the validity of the structure of Government in this country as conceived by the convention which created the United States of America and under which this country has grown great in the eyes of the world.

We would appreciate any expression from you pro or con in regard to this matter, and as stated above, will be happy to aid you in any

manner in your consideration of the proposal.

In closing may we make the unequivocal statement that nowhere in the inception or in the adoption of this resolution by the legislature of Michigan were the sponsors inspired by any special interest or pressure group. The matter was developed in the legislature and by the committee of sponsors aided by the regular technical staff of this legislature. We owe no obligation to any group other than the people of our state and the citizens of each state of this great Union.

Very sincerely yours,

(Signed) Victor A. Knox, Speaker

VAK/b

Members Excused

Mr. Hern was excused for the remainder of the day.

Mr. Holmes was excused for Thursday, May 26, 1949.

MOTION—Legislative Council Study L. R. 22

Mr. President: I move that the Legislative Council be directed to make a study on the subject matter contained in Legislative Resolution 22 and report its findings to the next session of the Legislature. (Signed) W. Halsey Bohlke

The motion did not prevail with 11 ayes, 12 nays and 20 not voting.

To Record Vote

Mr. President: Had I been in the Senate Chamber, I would have voted to pass L. B. 538 notwithstanding the Governor's veto. (Signed) Louis A. Holmes

President Signs

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

L. R. 33

Adjournment

At 3:45 p.m., on a motion by Mr. V. Anderson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

ONE-HUNDREDTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 26, 1949

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bohlke and Holmes, who were excused.

The Journal for the Ninety-ninth Day was approved as corrected.

Communications

Telegrams favoring Legislative Resolution 36 from Nebraska Petroleum Marketers, Inc., Nebraska Motor Carriers Assn., Master State Grange, Nebraska Rural Letter Carriers Assn., and the Nebraska Farmers Union.

President Signs

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

L. B. 538	L. R. 31	L. R. 37
L. B. 436	L. R. 35	

THANKS—To Chaplain

Mr. President: I move that the members of the Legislature extend a standing vote of thanks to the Chaplain for his service during this session. (Signed) John Adams, Sr.

The motion pervailed unanimously and the Chaplain responded.

RESOLUTIONS

LEGISLATIVE RESOLUTION 36.

L. R. 36 was not adopted with 10 ayes, 14 nays and 19 not voting.

Mr. Nelson Presiding

LEGISLATIVE RESOLUTION 34.

Mr. Metzger moved to adopt L. R. 34.

After discussion, Mr. Hanna moved the previous question.

The President stated the question "Shall the debate now close?"

The motion did not prevail with 7 ayes, 9 nays and 27 not voting.

L. R. 34 was not adopted with 10 ayes, 17 nays and 16 not voting.

MOTION—Unicameral Brochure

Mr. President: I move that the Clerk of the Legislature prepare and publish a brochure on the Unicameral and its activities similar to those heretofore prepared. (Signed) Earl J. Lee

The motion prevailed.

MOTION—Seating

Mr. President: I move that previous to the convening of the next regular session, the Clerk of the Legislature be authorized to assign seats in the Legislative Chamber, and that members who served in the previous session be given the first choice of the seat occupied and that if a change of seat is desired, the assignment shall be in the order that the requests are received by the Clerk. (Signed) William A. Metzger

The motion prevailed.

Gift of Appreciation

Speaker Lee presented to Mr. Cramer, Chairman of the Enrollment and Review Committee, a pen and pencil set in appreciation of his work on that committee.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 26, 1949 at 9:15 a.m.

L. B. 341 L. B. 546

(Signed) Glenn Cramer, Chairman

MOTION—Print Expense Reports

Mr. Lusienski moved that the following reports of expenses of the Nebraska Legislature be printed in the Journal in lieu of reading.

The motion prevailed.

LEGISLATIVE ACCOUNTS

Paid to May 31

61st Session 1949

Printing	$ 20,920.71
Employees Salaries	40,464.40
Telephones	486.95
Office Supplies	2,044.60
Repairs	27.80
New Equipment	240.20
Postage	7,100.00
Members Salaries	37,499.87
Members Mileage	564.15
Members Expense Accts.	63.30
Flowers	45.50
Miscellaneous	23.25
Lt. Gov. Salary	726.75
Lt. Gov. Bond	51.00
Clerk of Legislature Salary	1,875.00
	$112,133.48

The above summary does not include printing and other miscellaneous accounts of undetermined amounts in process.

LEGISLATIVE EMPLOYEES WAGES PAID FOR THE PERIOD

JAN. 1-JUNE 1, 1949

L. T. Fleetwood	$1512.00	Marguerite Price	$1050.00
Daniel Garber	792.40	Hazel Schwarz	935.20
George Santo	773.30	Eloise Galloway	846.80
Wauneitta Hansen	649.40	Delpha Taylor	861.50
E. T. Hansen	488.00	Donna Lynch	161.50
Virginia Harrison	787.50	Ida Glaser	841.30
Evelyn Stroy	1036.00	Margaret Smith	869.40
Virginia Olson	834.60	Lorene Haldeman	841.30
Hollis S. Thurber	875.00	Jeanette Wilhoit	802.40
Jo Fisher	995.60	Zita Stone	504.80
John E. Beaver	900.00	Clara Rehn	760.60
Clarence M. Davis	2286.30	Dorothy Scott-Glenn	726.95
Ruth Bordsen	265.65	L. Myrldean Govier	621.50
Myrtle McKay	61.55	Dorothy Fuchs	407.20
Marian Bender	733.70	Gertrude Tyler	$654.40
Norma Stong	372.75	Earle B. Wilson	1182.60
Patricia Jean Beran	381.55	Robt. R. Heinke	760.50
Ula Mae Schall	274.00	Helen Walbrecht	24.30
Dorothy Hubertus	664.60	Chas. Smrha	14.95
G. F. Martin	911.20	Rachelle Van Hoenacker	288.15
Gus Neumann	776.70	Maxine Pivonka	344.60
Willard McShane	601.50	Betty Boilesen	611.60
J. B. Pemberton	711.85	Alyce G. Rocker	93.75
Cal. R. Phillippi	109.65	Jane Dempsey	2.50
Frank R. Miller	720.50	Eugene Tedd, Jr.	127.50
Chas. D. Woods	680.10	Luella M. Wood	40.95
Arthur Srb	478.65	Elizabeth Reger	9.00
Margaret Heim	631.15	Orma Hull Kline	43.65
Lorraine Weiler	566.55	Grace Barnes	520.05
Mary Cochrane	82.75	Ruth Mosby	402.95
Merna Taylor	470.85	Truman H. Porter	405.00
Jean Bogan	526.20	Paula Storch Williams	292.85
Sam Vancanti	2.90	Hazel W. Williams	375.30
George Wilcox	185.30	Mrs. Earle B. Wilson	102.60
Ernest Fouts	800.00		
Velimer Timitch	701.00		
Carl Hoffman	296.00	TOTAL	$ 40,464.40

(Signed) Hugo F. Srb

Clerk of the Legislature

Condolence

Mr. President: I move that the Journal show that this Legislature expresses to Harold Andersen, Press representative, our condolences and heartfelt sympathy in this hour of his bereavement at the death of his father, Mr. A. B. Andersen, Omaha, Nebraska.

The motion prevailed unanimously.

Visitors

Mr. Tvrdik introduced Mr. Dave Shire, Assistant Manager of the Cornhusker Hotel, Lincoln, Nebraska.

Mr. Vogel introduced Miss Catherine Cose, teacher, and 39 students of Walnut Hill School, Omaha, Nebraska.

Mr. Cramer introduced Miss Cleda Randles, teacher, and 13 students of Plum Center, District 9, Boone County, Nebraska.

Speaker Lee Presiding

MOTION—Suspend Rules, Final Reading

Mr. President: I move that the rules be suspended and that we take up L. B. 434 on Final Reading today. (Signed) John S. Callan

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

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 434. With emergency.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1949, and ending June 30, 1951; to prescribe conditions for the determination of the levy of the state taxes for the state General Fund; to recite limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

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

Voting in the affirmative, 32:

Adams, J.	Burnham	Hill	Nelson
Adams, T.	Callan	Hoyt	Ogden
Anderson, L.	Carmody	Larkin	Pizer
Anderson, V.	Carson	Lee	Prohs
Babcock	Cramer	Lillibridge	Tvrdik
Benesch	Davies	Lindgren	Wilson, C.
Bridenbaugh	Hanna	Lusienski	Wilson, W.
Burney	Hern	McKnight	Wood

Voting in the negative, 8:

Cretsinger	Norman	Schroeder	Weborg
Metzger	Person	Vogt	Williams

Not voting, 3:

Bohlke	Holmes	Vogel

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

Explanations of Vote

Mr. President: I do not see my way clear to vote "yes" on the largest Budget in history with falling farm prices and retail sales dropping off. (Signed) W. J. Williams

Mr. President: The bill must obviously be passed. Voting "no" is obviously good campaign material. (Signed) Willard Wilson

Mr. President: Being consistent on appropriations, I, therefore cannot recommend increase over the budget which was offered for consideration to the Legislature. I am unduly alarmed at the increase in the budget. (Signed) William J. Norman

Mr. President: I believe that deflationery news is bound to predominate in all categories while the economic readjustment runs its course,—just as it has in the past.

With this in mind and, trying to be reasonably consistent in my line of thinking, I cannot at this time sanction this great increase in our budget. (Signed) O. H. Person.

Mr. President: Farm income, wage earnings and business profits do not justify the enormous load imposed on the taxpayers as provided for in L. B. 434. I vote "NO". (Signed) Charles Vogt, Jr.

Mr. President: I opposed L. B. 4, L. B. 5, L. B. 399, L. B. 401,

L. B. 184, L. B. 95 and L. B. 96, also the increases beyond the recommendations of the Budget Committee. To be consistent, I must vote "No" on L. B. 434. (Signed) N. F. Schroeder

Appreciation

To the President and Members of the Legislature:

I want to express to the Legislature my sincere appreciation of the many kindnesses, cooperation, patience, and other help which I have received from all the members, officers, and employees of this session of the Legislature. Especially do I want to mention Senator Cramer, chairman of the Enrollment and Review Committee with which Committtee our work is the most closely associated, for his tireless work with the undersigned and especially his efforts to and in contacting the various Senators and other persons in regard to questions pertaining to proposed amendments to various bills; to Hugo F. Srb, Clerk of the Legislature, and others in the clerk's office, for assistance, suggestions, and general cooperation; to John J. Wilson and the others in the Bill Drafting Department, and Walter D. James, Revisor of Statutes for their excellent help and cooperation in our work, which is often very closely related with the work of their departments; to Mrs. Jo Fisher and the others in the Engrossing Room for close cooperation and help; to the clerk and the assistants in our own office, Mrs. Grace Barnes, Mrs. Paula Williams, and Mrs. Hazel Williams; and to many others connected with the Legislature or the state government for advice and suggestions.

It is hard to break, even temporarily, the pleasant associations we have had the past few months. Best of luck and health to you and yours. May we all meet often and may the pleasant associations together forever remain in our memories. Again, sincere thanks and regards.

Sincerely,

(Signed) Clarence M. Davis
Legal Advisor, Sixty-first Session,
Nebraska State Legislature

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 434. Correctly enrolled.

(Signed) Glenn Cramer, Chairman

Visitors

Mr. Lindgren introduced his wife, Mrs. C. R. Lindgren, his son and daughter-in-law, Mr. and Mrs. Charles R. Lindgren, and his grandson, Kenneth.

Mr. Larkin introduced his father and mother, Mr. and Mrs. J. J. Larkin, Sr., and his fiance, Miss Irene Duchey.

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) Harry L. Pizer

The motion prevailed.

THANKS—Officers and Employees

Mr. President: I move that we, the Members of the Sixty-first 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) Glenn Cramer

The motion prevailed.

THANKS—Press

Mr. President: I move that a vote of thanks be given to the newspapers and the press association for their accuracy and fairness in reporting to the people of our State, the activities of this Session of the Legislature. (Signed) John P. McKnight

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) N. F. Schroeder

The motion prevailed.

THANKS—To Speaker

Mr. President: I move that a vote of thanks be extended our Speaker, Mr. Earl J. Lee, for the courteous, unprejudiced and efficient manner in which he has discharged his duties as Speaker during the Sixty-first Session of the Legislature. (Signed) Ed. Hoyt

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 Sixty-first Session, a copy of the permanent Legislative Journal of the Sixty-first 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 Sixty-first 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) John J. Larkin, Jr.

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 Sixty-first Session of the Legislature, and to employ such help as is necessary during the interim. (Signed) C. R. Lindgren

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) Wm. Hern

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) Arthur Carmody

The motion prevailed.

MOTION—Group Picture

Mr. President: I move that the University be requested and authorized to place a group picture of the members of the Sixty-first Session in the West Lounge, and that the Legislature express its appreciation for this service. (Signed) Victor Anderson

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) Hugh Carson

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 and assistant clerk, and the Press, a copy of the Session Laws of Nebraska (51 copies) for 1949, when printed. (Signed) Otto J. Prohs

The motion prevailed.

MOTION—Printing Permanent Journal and Session Laws

Mr. President: I move that the Legislature approve the printing of the permanent Legislative Journal and the Session Laws by the Cornhusker Printing Company and the bills by the Capitol Printing Company. (Signed) John S. Callan

The motion prevailed.

Appreciation

The elective officers and employees of the Sixty-first 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

The motion prevailed.

Speaker Signs

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

L. B. 434

Appreciation

Mr. Callan expressed his appreciation to Mrs. Marguerite Price for her fine work on the Budget Committee.

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 Speaker appointed Messrs. Tvrdik, Chairman; Carmody, L. Anderson, Norman and Williams.

REPORT—Committee to Notify Governor

The Committee returned with Lt. Governor Charles Warner, acting Governor, who was escorted to the rostrum.

THANKS—To Lieutenant Governor

Mr. President: I move that a rising vote of thanks be extended to our Lieutenant Governor, Charles J. Warner, for the fair, impartial and pleasing manner in which he has presided over this Legislative Body and the expeditious method he has consistently followed in assisting us to discharge the duties and responsibilities of this Sixty-First Session of the Legislature. (Signed) John Adams, Sr.

The motion prevailed unanimously and the Legislature gave the Lieutenant Governor a standing vote of thanks.

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 United States flags, similar to those pre-

viously used for such occasions, and present one to Lieutenant Governor Charles J. Warner and the other to Speaker Earl J. Lee. (Signed) Willard M. Wilson

The motion prevailed.

MOTION—Gavel to Lieutenant Governor

Mr. President: I move that our Lieutenant Governor, Charles J. Warner, be presented with the gavel used during the Sixty-first Session of the Nebraska Legislature. (Signed) William A. Metzger

The motion prevailed and Mr. Metzger presented the gavel to the Lieutenant Governor.

STATEMENT FROM THE GOVERNOR

Lt. Governor Charles Warner delivered to the Legislature a statement from Governor Val Peterson.

MOTION—Statement of Governor

Mr. President: I move that the statement of Governor Val Peterson, by Charles J. Warner, be placed in the Journal in full. (Signed) O. H. Person

The motion prevailed.

STATEMENT

The Governor deeply regrets that he was unable to be here today to greet you personally upon your adjournment. However, it was imperative that he attend the Inter-Agency meeting in Rapid City, South Dakota, as Nebraska's representative. As some of you may know, some very important agricultural matters are being discussed in connection with the Missouri River Basin development and it was necessary for the Governor to be present to represent the State of Nebraska.

Governor Peterson has asked me to express to all of you his deep appreciation for the fine public spirited services which you have given in behalf of our state and to wish you all Godspeed. The Governor looks forward to visiting with each of you personally during the ensuing months.

Appreciation

Lt. Governor Charles J. Warner spoke in appreciation of the

cooperation shown him as presiding officer of the Legislature, and thanked the members for the flag and gavel presented to him.

Speaker Lee expressed his thanks for the flag presented to him and the cooperation shown him during the session.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to the Governor for approval on May 26, 1949 at 12:30 p.m.

L. B. 434

(Signed) Glenn Cramer, Chairman

Adjournment

Mr. President: I move that the Journal for the One Hundredth Day, as prepared by the Clerk, be approved and the Sixty-first Session of the Legislature, having finished all business before it, now (12:49 p.m.) adjourn sine die. (Signed) George C. Weborg

The motion prevailed.

Hugo F. Srb

Clerk of the Legislature

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment:

May 24, 1949

Legislative Bill 490

May 28, 1949

Legislative Bill 2
Legislative Bill 57
Legislative Bill 105
Legislative Bill 340
Legislative Bill 341
Legislative Bill 413
Legislative Bill 414
Legislative Bill 431
Legislative Bill 507
Legislative Bill 541
Legislative Bill 543
Legislative Bill 545
Legislative Bill 546

June 1, 1949

Legislative Bill 434