

LEGISLATIVE JOURNAL

SIXTY-SEVENTH SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 4, 1955

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the Sixty-seventh 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, 1955, and was called to order by Mr. Charles J. Warner, Lieutenant Governor.

Prayer was offered by the Reverend E. C. Hansen of the United Lutheran Church, Lincoln, Nebraska.

The roll was called and the following members were present:

Adams, John, Sr.	Bixler, Monroe	Fenske, A. A.
Adams, Tom	Bridenbaugh, Hal	Foote, Kathleen A.
Anderson, Lester H.	Brower, Robert C.	Hoffmeister, George
Aufenkamp, John	Burney, Dwight W.	Hubka, Ernest A.
Bahensky, LeRoy	Cole, D. J.	Klaver, Sam
Beaver, John E.	Cramer, Glenn	Kotouc, Otto, Sr.
Bedford, Mervin V.	Diers, H. K.	Larkin, John J., Jr.

Lee, Earl J.	Nelson, Frank	Ruhnke, Arnold
Liebers, Otto H.	Otto, Norman A.	Shultz, L. M.
McGinley, Donald F.	Perry, Robert	Swanson, Arthur W.
McHenry, William A.	Person, O. H.	Syas, George
Martin, Joseph D.	Peterson, K. W.	Thompson, Don
Metzger, William A.	Pizer, Harry L.	Tvrdik, Charles F.
Morrison, Amos	Purdy, Wm.	Vogel, Karl E.
Moulton, William		

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) Sam Klaver

The motion prevailed.

Appointment of Temporary Officers

The President announced that without objection, he would appoint Hugo F. Srb as temporary Clerk of the Legislature, Francis Robinson as temporary Assistant Clerk of the Legislature, and George Santo as temporary Sergeant-at-arms. There were no objections.

MOTION—Committee on Credentials

Mr. President: I move that a committee of five be appointed on credentials. (Signed) Wm. A. McHenry

The motion prevailed and the President appointed the following members to serve on said committee: McHenry, chairman; T. Adams, Diers, Larkin, Fenske.

NOTICE OF ELECTION CONTEST

TO THE 67th LEGISLATIVE SESSION
OF THE STATE OF NEBRASKA

C. C. LILLIBRIDGE,)
Contestant

) NOTICE OF ELECTION CONTEST

MERVIN V. BEDFORD,)
Incumbent)

Notice is hereby given that C. C. Lillibridge, duly qualified elector of the 23rd Legislative District of the State of Nebraska, has commenced a contest of the election of Mervin V. Bedford as

legislator from said district, by serving a Notice upon him, and by filing a bond and other papers in connection with the contest in the Office of the Secretary of the State of Nebraska, as required by law.
(Signed) C. C. Lillibridge

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-seventh session, and that there is a contest in District Twenty-three.

Dist.

1. Otto Kotouc, Sr.
2. John Aufenkamp
3. William A. Metzger
4. George Syas
5. John Adams, Sr.
6. Sam Klaver
7. Charles F. Tyrdik
8. John J. Jack Larkin, Jr.
9. Karl E. Vogel
10. William Moulton
11. Earl J. Lee
12. John E. Beaver
13. Hal Bridenbaugh
14. Dwight W. Burney
15. Wm. Purdy
16. L. M. Shultz
17. O. H. Person
18. Otto H. Liebers
19. Tom Adams
20. Robert Perry
21. Ernest A. Hubka
22. Arnold Ruhnke

Dist.

23. Mervin V. Bedford
24. H. K. Diers
25. Lester H. Anderson
26. Robert C. Brower
27. Glenn Cramer
28. Frank Nelson
29. LeRoy Bahensky
30. Joseph D. Martin
31. Kathleen A. Foote
32. William A. McHenry
33. Don Thompson
34. Norman A. Otto
35. K. W. Peterson
36. Arthur W. Swanson
37. George Hoffmeister
38. Harry L. Pizer
39. Donald F. McGinley
40. D. J. Cole
41. Monroe Bixler
42. Amos Morrison
43. A. A. Fenske

(Signed) Wm. A. McHenry
Chairman

MOTION—Adopt Report

Mr. President: I move that we adopt the report of the Committee on Credentials. (Signed) Wm. A. McHenry

The motion prevailed.

O. H. Person
Robert C. Brower
D. J. Cole
Norman A. Otto
Geo. Hoffmeister
Amos Morrison

Mervin V. Bedford
Joseph D. Martin
Ernest A. Hubka
Lester H. Anderson
Charles F. Tvrdik

Subscribed in my presence and sworn to before me this fourth day of January, 1955.

(Signed) Robert G. Simmons
Chief Justice

SEAL

MOTION—Appoint Committee on Contest

Mr. President: The Credentials Committee notes that a contest has been filed in the 23rd District by Lillibridge, asking for a recount of the election of Bedford. I move that a committee of five be appointed by the presiding officer to have full charge of this contest in the 23rd District. (Signed) Wm. A. McHenry

The motion prevailed and the President appointed the following members to serve on said committee: McHenry, chairman; T. Adams, Diers, Larkin, Fenske.

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) Don Thompson

The motion prevailed.

MOTION—Informal Ballot

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

The motion prevailed.

MOTION—Election of Speaker

Mr. President: I move that we proceed to vote on a candidate for Speaker. (Signed) Charles F. Tvrdik

The motion prevailed.

Nominating Ballot for Speaker:

Burney	16
Person	12
Pizer	9

Vogel	4
Kotouc	1
Bridenbaugh	1

SUSPEND RULES—Vote on Three High Candidates

Mr. President: I move that the rules be suspended and that we vote on the three high candidates for Speaker. (Signed) K. W. Peterson

The motion prevailed with 41 ayes, 0 nays and 2 not voting.

Person	18
Burney	17
Pizer	8

SUSPEND RULES—Vote on Two Highest Candidates

Mr. President: I move that the rules be suspended and that we vote on the two highest candidates for Speaker. (Signed) Harry L. Pizer.

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

Burney	23
Person	20

The President declared Mr. Burney elected Speaker, and Mr. Tvrdik escorted Mr. Burney to the rostrum.

MOTION—Election of Clerk

Mr. President: I move that we proceed to elect the Clerk of the Legislature. (Signed) John E. Beaver

The motion prevailed.

SUSPEND RULES—Election of Clerk

Mr. President: I move that the rules be suspended and Hugo F. Srb be elected as Clerk of the Legislature unanimously. (Signed) Charles F. Tvrdik

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

Mr. Tvrdik escorted Mr. Srb to the rostrum, and Mr. Srb expressed his appreciation and addressed the members briefly.

MOTION—Election of Postmaster

Mr. President: I move that we proceed to elect a postmaster. (Signed) Monroe Bixler

The motion prevailed.

Nominating Ballot for Postmaster:

Mrs. Ruby B. Nelson	41
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Miss Mabel Fossler	1
Miss Tillie Nefsky	0
Addie L. Pearce	0

Mr. President: I move that the election of Ruby Nelson as Postmaster be declared unanimous. (Signed) Sam Klaver
The motion prevailed.

MOTION—Election of Sergeant-at-arms

Mr. President: I move that we proceed to vote on Sergeant-at-arms. (Signed) Hal Bridenbaugh
The motion prevailed.

SUSPEND RULES—Election of Sergeant-at-arms

Mr. President: I move that the rules be suspended and George L. Santo be elected Sergeant-at-arms unanimously. (Signed) Charles F. Tyrdik

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

Mr. Santo expressed his appreciation to the members.

Speaker Burney addressed the Legislature briefly and introduced his wife to the members.

MOTION—Election of Chaplain

Mr. President: I move that we proceed to elect the Chaplain. (Signed) Glenn Cramer
The motion prevailed.

SUSPEND RULES—Election of Chaplain

Mr. President: I move that the rules be suspended and that Reverend E. C. Hansen be elected Chaplain unanimously. (Signed) Charles F. Tyrdik

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

MOTION—Committee on Committees

Mr. President: I move that we proceed to vote on the Chairman of the Committee on Committees, by ballot. (Signed) John Adams, Sr.
The motion prevailed.

Nominating Ballot for Chairman of Committee on Committees:

Kotouc	35
Liebers	2
Bridenbaugh	2
Person	1
Tyrdik	1
Pizer	1
Tom Adams	1

Mr. Tvrdik escorted Mr. Kotouc to the platform, where he addressed the Legislature briefly.

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) Otto Kotouc, Sr.

The motion prevailed.

EASE

The Legislature was at ease for the caucus for membership on the Committee on Committees.

Member Excused

Mr. McGinley was excused for the remainder of the day.

MOTION—Election of Chairman of Legislative Council

Mr. President: I move that we now proceed to elect the Chairman of the Legislative Council. (Signed) Harry L. Pizer

The motion prevailed.

Nominating ballot for Chairman of the Legislative Council:

Anderson	7
McHenry	1
Diers	7
Beaver	14
Pizer	9
Person	3

SUSPEND RULES—Vote on Four High Candidates

Mr. President: I move that the rules be suspended and we vote on the four high candidates for Chairman of the Legislative Council. (Signed) Charles F. Tvrdik

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

Anderson	9
Diers	7
Beaver	15
Pizer	11

SUSPEND RULES—Vote on Three High Candidates

Mr. President: I move that the rules be suspended and we vote

on the three high candidates for Chairman of the Legislative Council.
(Signed) Charles F. Tvrdik

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

Anderson	12
Beaver	18
Pizer	11

SUSPEND RULES—Vote on Two High Candidates

Mr. President: I move that the rules be suspended and we vote on the two high candidates for Chairman of the Legislative Council.
(Signed) Charles F. Tvrdik

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

Candidacy Withdrawn

Mr. Pizer withdrew his name as a candidate for Chairman of the Legislative Council.

Anderson	17
Beaver	25

The President announced that Mr. Beaver was elected Chairman of the Legislative Council, and Mr. Beaver addressed the Legislature briefly.

MOTION—Election of Vice-Chairman of Legislative Council

Mr. President: I move that we proceed to elect the Vice-Chairman of the Legislative Council. (Signed) Harry L. Pizer

The motion prevailed.

Nominating ballot for Vice-Chairman of the Legislative Council:

Anderson	19
Diers	7
Cole	1
McHenry	9
Foote	1
Pizer	1
Fenske	1
Moulton	1

SUSPEND RULES—Vote on Three High Candidates

Mr. President: I move that the rules be suspended and we vote on the three high candidates for Vice-Chairman of the Legislative Council. (Signed) Charles F. Tvrdik

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

Anderson	19
Diers	9
McHenry	12

SUSPEND RULES—Vote on Two High Candidates

Mr. President: I move that the rules be suspended and we vote on the two high candidates for Vice-Chairman of the Legislative Council. (Signed) Charles F. Tvrdik

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

Anderson	23
McHenry	18

MOTION—To Make Unanimous

Mr. President: I move that the election of Lester H. Anderson as Vice Chairman of the Legislative Council be declared unanimous. (Signed) Wm. A. McHenry

The motion prevailed.

The President announced that Mr. Anderson was elected Vice-Chairman of the Legislative Council, and Mr. Anderson addressed the Legislature briefly.

EASE

The Legislature was at ease from 2:50 to 3:03 p.m.

REPORT OF NOMINATION OF MEMBERS OF COMMITTEE ON COMMITTEES

Nominations from the congressional districts were reported as follows:

First District:

Ernest A. Hubka
Otto H. Liebers
William A. McHenry

Second District:

Charles F. Tvrdik
Sam Klaver
John J. Larkin, Jr.

Third District:

Hal Bridenbaugh
H. K. Diers
L. M. Shultz

Fourth District:

Monroe Bixler

Joseph D. Martin
K. W. Peterson

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) Otto Kotouc, Sr.

The motion prevailed.

Announcement

Mr. Tvrdik announced that the Members of the Legislature had received a gift of oranges from Mr. Frank Lepinski, who was in Florida attending the Orange Bowl Football Game on New Year's Day.

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 1954. (Signed) William Moulton

The motion prevailed and the President appointed the following members to serve on the committee: Moulton, Chairman; Otto, Nelson, Bixler and Anderson.

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

REPORT OF COMMITTEE ON ELECTION RETURNS

DEPARTMENT OF STATE

January 4, 1955

The Speaker of the Legislature
Sixty-Seventh Session of the Legislature of Nebraska

Honorable Speaker:

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, the abstract of votes cast in the ninety-three counties of the State at the general election held on November 2, 1954, for United States Senator and all other candidates and measures that are required by law to be canvassed by the State Board of Canvassers or the Nebraska Legislature, as submitted to us for delivery to the Speaker of the Legislature.

I also deliver to you the list of candidates receiving the highest vote for each particular office together with the vote for the eight Constitutional amendments proposed by the 1953 and 1954 sessions of the Legislature. The certificate of the Secretary of State accompanies the foregoing list.

The original sheets containing the tabulation of votes for all candidates and measures for the ninety-three counties, covering the general election of November 2, 1954, which constitutes a part of the official record of the State Board of Canvassers, are submitted for your examination. Inasmuch as these sheets are part of the records of the office of Secretary of State, we respectfully request that they be returned to our files immediately at the completion of your official canvass.

Respectfully submitted,
(Signed) Frank Marsh
Secretary of State

FM:ms
Enclosures

Mr. Dwight W. Burney, Speaker of the Nebraska Legislature, opened, published and declared the returns of such election, in accordance with the constitutional provision.

CERTIFICATE OF SECRETARY OF STATE

I, Frank Marsh, Secretary of State of the State of Nebraska do hereby certify that the attached twelve 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 the measures voted on at the general election in the State of Nebraska held on November 2, 1954.

I further certify that all of the constitutional amendments, except the following: amendment removing the provision restricting change of salaries of certain officers not more than once in eight years; amendment changing the provisions requiring certain executive officers to reside at the seat of government; amendment permitting the Legislature to provide for appointment of county assessors and boards of equalization and assessment for counties or for other taxing districts; and amendment permitting the Legislature to provide for the appointment of a Tax Commissioner or Tax Commission, and defining their jurisdiction and powers, were adopted and a proclamation making them effective was issued by Governor Robert B. Crosby.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Fourth day of January in the year of our Lord, one thousand nine hundred and Fifty-five.

(SEAL)

(Signed) Frank Marsh
Secretary of State

OFFICERS ELECTED AT 1954 GENERAL ELECTION

	Votes Cast
United States Senator—Carl T. Curtis.....	255,695
(Full Term)	
United States Senator—Mrs. George P. Abel.....	233,589
(Short Term—To Fill Vacancy Expiring January, 1955)	
United States Senator—Roman L. Hruska.....	250,341
(Short Term—To Fill Vacancy Expiring January, 1959)	
Governor—Victor E. Anderson.....	250,080
Lieutenant Governor—Charles J. Warner.....	250,377
Secretary of State—Frank Marsh.....	270,059
Auditor of Public Accounts—Ray C. Johnson.....	253,084
State Treasurer—Ralph W. Hill.....	231,321
Attorney General—Clarence S. Beck.....	246,154
Railway Commissioner—Richard H. Larson.....	234,311

CONGRESSMAN

First District—Phil Weaver.....	68,563
Second District—Jackson B. Chase.....	52,471
Third District—Robert D. Harrison.....	61,124
Fourth District—A. L. Miller.....	68,189

JUSTICE OF THE SUPREME COURT

First District—E. B. Chappell.....	48,790
Third District—Adolph E. Wenke.....	54,638
Fifth District—Paul E. Boslaugh.....	40,080

MEMBER OF STATE BOARD OF EDUCATION

First District—Frank E. Landis.....	27,375
(Two Year Term)	
Second District—Morris E. Jacobs.....	51,081
(Two Year Term)	
Third District—Walter A. Steffen.....	38,943
(Six Year Term)	
Fourth District—W. Ray Hill.....	26,883
(Six Year Term)	
Fifth District—A. J. Crabtree.....	39,146
(Four Year Term)	
Sixth District—Raymond M. Gilmore.....	36,398
(Four Year Term)	

	Votes Cast
MEMBERS OF THE LEGISLATURE	
First District—Otto Kotouc, Sr.....	6,832
Second District—John Aufenkamp.....	7,172
Third District—William A. Metzger.....	4,965
Fourth District—George Syas.....	7,482
Fifth District—John Adams, Sr.....	5,173
Sixth District—Sam Klaver.....	4,870
Seventh District—Charles F. Tvrdik.....	5,714
Eighth District—John J. Jack Larkin, Jr.....	8,080
Ninth District—Karl E. Vogel.....	9,361
Tenth District—William Moulton.....	12,205
Eleventh District—Earl J. Lee.....	9,298
Twelfth District—John E. Beaver.....	4,730
Thirteenth District—Hal Bridenbaugh.....	5,357
Fourteenth District—Dwight W. Burney.....	4,264
Fifteenth District—Wm. Purdy.....	4,795
Sixteenth District—L. M. Shultz.....	4,624
Seventeenth District—O. H. Person.....	5,470
Eighteenth District—Otto H. Liebers.....	8,211
Nineteenth District—Tom Adams.....	3,589
Twentieth District—Robert Perry.....	10,247
Twenty-First District—Ernest A. Hubka.....	4,345
Twenty-Second District—Arnold Ruhnke.....	4,611
Twenty-Third District—Mervin V. Bedford.....	4,251
Twenty-Fourth District—H. K. Diers.....	4,631
Twenty-Fifth District—Lester H. Anderson.....	4,389
Twenty-Sixth District—Robert C. Brower.....	6,637
Twenty-Seventh District—Glenn Cramer.....	3,625
Twenty-Eighth District—Frank Nelson.....	4,232
Twenty-Ninth District—LeRoy Bahensky.....	4,805
Thirtieth District—Joseph D. Martin.....	6,984
Thirty-First District—Kathleen A. Foote.....	5,501
Thirty-Second District—William A. McHenry.....	6,000
Thirty-Third District—Don Thompson.....	6,072
Thirty-Fourth District—Norman A. Otto.....	5,601
Thirty-Fifth District—K. W. Peterson.....	4,575
Thirty-Sixth District—Arthur W. Swanson.....	5,172
Thirty-Seventh District—George Hoffmeister.....	5,836
Thirty-Eighth District—Harry L. Pizer.....	5,585
Thirty-Ninth District—Donald F. McGinley.....	5,344
Fortieth District—D. J. Cole.....	4,442
Forty-First District—Monroe Bixler.....	6,501

		Votes Cast
Forty-Second District—Amos Morrison.....		4,810
Forty-Third District—A. A. Fenske.....		6,252
REGENTS OF THE STATE UNIVERSITY		
First District—Clarence E. Swanson.....		47,739
Second District—J. Leroy Welsh.....		42,144
Sixth District—Frank M. Johnson.....		37,435
(Short Term—To Fill Vacancy Expiring January, 1957)		
1/ PROPOSED AMENDMENTS TO THE CONSTITUTION		
Removing the provision restricting change of salaries of certain officers not more than once in eight years—	300—For	159,361
	301—Against	163,006
2/ Not carried		
Authorizing the Legislature to provide method of appointing members of Board of Educational Lands and Funds—	302—For	163,108
	303—Against	144,743
Carried		
Changing the provisions requiring certain executive officers to reside at the seat of government—	304—For	149,447
	305—Against	149,767
Not carried		
Permitting the Legislature to prescribe standards and methods for the determination of the value of real or other tangible property at uniform and proportionate values—	306—For	167,979
	307—Against	134,006
Carried		
Permitting the Legislature to provide for appointment of county assessors and boards of equalization and assessment for counties or for other taxing districts—	308—For	134,938
	309—Against	175,621
Not carried		

Permitting the exemption of household goods and personal effects in whole or in part, from taxation, and permitting the Legislature to prescribe a formula for the determination of value of household goods and personal effects—	310—For	185,972
Carried	311—Against	139,238
Providing that when a general sales tax, or an income tax, or a combination of a general sales tax and income tax, is adopted by the Legislature as a method of raising revenue, the state shall be prohibited from levying a property tax for state purposes—	312—For	189,444
Carried	313—Against	128,250
Permitting the Legislature to provide for the appointment of a Tax Commissioner or Tax Commission, and defining their jurisdiction and powers—	314—For	149,108
Not carried	315—Against	149,134

- 1/ Thirty-five per cent of total vote required for passage.
Total vote—431,917
- 2/ Failed due to lack of thirty-five per cent of total vote for the amendment, as required by the State Constitution.
35% of Total Vote—151,171

PUBLIC POWER DISTRICTS AND IRRIGATION DISTRICTS

	Votes Received
Burt County Rural Public Power District	
Full Term: (3)	
John G. Moseman	2,788
Lloyd Palmer	2,746
Jasper A. Johnson	2,679

	<u>Votes Received</u>
Butler County Rural Public Power District—	
Subdivision One	
Full Term: (1)	
John R. Stouffer	616
Subdivision Five	
Full Term: (1)	
Joseph Zikmund	482
Subdivision Six	
Full Term: (1)	
V. A. Bartunek	669
Cedar-Knox County Rural Public Power District—	
Full Term: (3)	
Julius Tigges	4,023
Ben F. Banks	3,993
Roy T. Johnsen	3,957
Central Nebraska Public Power and Irrigation District—	
Adams County	
Full Term: (1)	
Moritz Aabel	6,854
Gosper County	
Full Term: (1)	
Winford H. Bossung	521
Kearney County	
Full Term: (1)	
B. H. Bracken	1,530
Phelps County	
Full Term: (1)	
Frank Cole	3,170 (By Petition)
Chimney Rock Public Power District—	
Full Term: (4)	
Glenn E. Dueker	1,324
B. F. Moore	1,242
Lawrence Korell	1,124
Thomas Megas	1,042

	Votes Received
Consumers Public Power District—	
District Three	
Full Term: (1)	
C. C. Sheldon	12,870
District Five	
Full Term: (1)	
R. A. Freeman	10,614
District Seven	
Full Term: (1)	
H. G. Greenamyre	18,171
Cornhusker Rural Public Power District—	
Subdivision One	
Full Term: (1)	
B. H. Hutchinson	2,919
Subdivision Two	
Full Term: (1)	
Robert W. Shonka	1,663
Subdivision Four	
Full Term: (1)	
John A. Zavadil	2,709
Cuming County Rural Public Power District—	
Subdivision Four	
Full Term: (1)	
Arlie Schultz	152
Subdivision Six	
Full Term: (1)	
Julius Behling	224
Custer Public Power District—	
Full Term: (2)	
Ray Kellenbarger	3,180
Vance Smith	2,761 (Write-in)
Dawson County Public Power District—	
Buffalo Subdivision	
Full Term: (1)	
Dale D. Stubblefield	2,877
Two Year Term: (1)	
Fred S. Wallace	2,848 (By Petition)

	Votes Received	
Dawson Subdivision		
Full Term: (1)		
Robert Zeeh	4,131	
Lincoln Subdivision		
Full Term: (1)		
James S. Clark	1,328	
Eastern Nebraska Public Power District—		
Subdivision Seven		
Full Term: (1)		
R. C. Johnson	3,730	
Elkhorn Rural Public Power District—		
Full Term: (3)		
Geo. Klein	3,500	
E. Leo Tiedgen	3,328	
Wm. C. Schulte	3,319	
Franklin County Rural Public Power District—		
Subdivision Two		
Full Term: (1)		
E. Paul Gilgen	366	
Subdivision Three		
Full Term: (1)		
Oville Choquette	417	
Gering Valley Rural Public Power District—		
Gering Precinct		
Full Term: (1)		
Melvin Bennett	199	(Write-in)
Roubadeau Precinct		
Full Term: (1)		
Telford M. Ewing	40	(Write-in)
Howard-Greeley Rural Public Power District—		
Subdivision One		
Full Term: (1)		
Emil Pedersen	240	
Subdivision Two		
Full Term: (1)		
Earl J. Patterson	83	(Write-in)

	Votes Received
Subdivision Three	
Full Term: (1)	
Walter Klein	293
Subdivision Five	
Two Year Term: (1)	
John A. Dingwerth	221
Imperial Public Power District—	
Full Term: (1)	
C. G. Adams	442
KBR Rural Public Power District—	
Keya Paha County	
Full Term: (1)	
Louis Hall	516
Rock County	
Full Term: (1)	
Kenneth Henderson	887
Brown County	
Two Year Term: (1)	
Henry S. Miles	580
Cherry County	
Full Term: (1)	
James S. Kreycik	576
Loup Basin Reclamation District—	
Subdivision One	
Full Term: (1)	
Anders Nielsen	781
Subdivision Two	
Full Term: (1)	
C. S. Lukasiewicz	689
Subdivision Three	
Full Term: (1)	
George R. Semler	916
Subdivision Three	
Four Year Term: (1)	
Steve Smith	906
Loup River Public Power District—	
Full Term: (3)	
Walter A. Boettcher	5,257
John C. Byrnes	4,977
Con H. Keating	4,939

	Votes Received	
Two Year Term: (1)		
Walter D. Behlen	5,627	
McCook Public Power District—		
Full Term: (3)		
B. L. Porter	3,927	
M. L. Search	3,637	
W. A. Meguire	3,275	
Middle Loup Public Power and Irrigation District—		
Subdivision One		
Full Term: (1)		
D. G. Heller	292	
Subdivision Five		
Full Term: (1)		
William Couton	448	
Nebraska Mid-State Public Power and Irrigation District—		
Full Term: (3)		
Ernest Staubitz	21	(Write-in)
Louis Ninegar	17	(Write-in)
Mark McConnell	8	(Write-in)
Four Year Term: (3)		
Arthur Johnson	5	(Write-in)
Gordon Robbins	4	(Write-in)
L. J. Hallas	2	(Write-in)
Two Year Term: (3)		
Tom Michels	5	(Write-in)
Frank Schnoor	2	(Write-in)
Howard Belschner	2	(Write-in)
Nebraska Mid-State Reclamation District—		
Buffalo County Subdivision		
Full Term: (1)		
Oscar Andrew Drake	2,228	
Hall County Subdivision		
Full Term: (1)		
Herman Mader	4,373	
Merrick County Subdivision		
Full Term: (1)		
Theodore C. Reeves	1,491	

	Votes Received	
Merrick County Subdivision		
Two Year Term: (1)		
Herbert L. Wurtz	1,613	
Norris Rural Public Power District—		
Subdivision Two		
Full Term: (1)		
Bernhard Hellbusch	804	
Subdivision Six		
Full Term: (1)		
Henry Freese	766	
Subdivision Seven		
Full Term: (1)		
Carl Aron	519	(By Petition)
Subdivision Ten		
Full Term: (1)		
Herman Hesterman	667	
Subdivision Fourteen		
Full Term: (1)		
Robert Pickel	548	
Subdivision Thirteen		
Four Year Term: (1)		
C. C. Dell	9	(Write-in)
Subdivision Seventeen		
Four Year Term: (1)		
Worth Buel	7	(Write-in)
North Central Nebraska Rural		
Public Power District		
Full Term: (2)		
Harold G. Larson	2,172	
R. E. Paesl	1,829	
Northeast Nebraska Rural Public		
Power District—		
Subdivision Three		
Full Term: (2)		
Frank L. Kennedy	862	
Wymore W. Wallin	763	
North Loup River Public Power		
and Irrigation District		
District One		

	<u>Votes Received</u>
Full Term: (1)	
Ign. Pokraka	72 (Write-in)
District Two	
Full Term: (1)	
J. W. McGinnis	538
Northwest Rural Public Power District—	
Subdivision Two	
Full Term: (3)	
Benton F. Marshall	732
Glen M. Kendrick	675
Willis B. Furman	662
Omaha Public Power District—	
North Subdivision	
Full Term: (1)	
Emil E. Wolf	3,654
Omaha Subdivision	
Full Term: (2)	
Frank A. McDevitt	35,643
Melvin Bekins	35,254
Platte Valley Public Power and Irrigation District—	
Full Term: (3)	
Charles H. Sheets	19,957
Harold Oldfather	18,625
Lloyd Kain	18,068
Polk County Rural Public Power District—	
Full Term: (2)	
George F. Buchta	2,093
James L. Regan	1,891
Roosevelt Rural Public Power District—	
Full Term: (3)	
Ora Randall	1,192
Herb Howell	1,192
Claude Thomas	1,174
Seward County Rural Public Power District—	
Full Term: (2)	

	Votes Received
Rex Alshouse	2,783
Harold F. Sieck	2,701
Southern Nebraska Rural Public Power District—	
Subdivision Two	
Full Term: (2)	
Leonard C. Andersen	1,233
Vern G. Binderup	1,076
Subdivision Five	
Full Term: (1)	
Raymond D. Mesner	1,317
Subdivision Six	
Full Term: (1)	
T. A. Williamsen	1,871
Southwest Public Power District—	
Full Term: (3)	
John J. Kitt	2,672
Fay McKillip	2,411
Norval E. Diehl	2,322
Stanton County Rural Public Power District—	
Full Term: (3)	
W. F. Heermann	1,805
Peter H. Claussen	1,738
Ernest W. Oeltjen	1,678
Twin Loups Reclamation District—	
Subdivision One	
Full Term: (2)	
Donald E. Kilday	448
Fred L. Forbes	422
Subdivision Two	
Full Term: (2)	
Ras J. Rasmussen	213
Charles J. Augustyn	206
Subdivision Three	
Full Term: (2)	
C. Mark Wagner	360
Henry G. Lange	347

	<u>Votes Received</u>
Twin Valleys Public Power District—	
Subdivision One	
Full Term: (1)	
Carl A. Lans	1,228
Subdivision One	
Four Year Term: (1)	
Rastus Rebman	1,197
Subdivision Two	
Full Term: (1)	
Ward Rice	973
Subdivision Three	
Full Term: (1)	
Charles Meyerle	1,011
Wayne County Rural Public Power District—	
Full Term: (2)	
A. G. Sydow	1,733
Edward C. Grubb	1,394
Wheat Belt Public Power District—	
Full Term: (3)	
Wayne E. Bond	3,014
Raymond W. Weed	2,990
Thad Patrick	2,948
York County Rural Public Power District—	
Subdivision One	
Full Term: (2)	
Raymond L. Samson	1,755
Curtis S. Reed	1,748

Speaker Burney Presiding

MOTION—Election Returns

Mr. President: I move that the report of the Secretary of State be approved and that the candidates are duly elected as declared by the Speaker. (Signed) Kathleen A. Foote

The motion prevailed.

Communications
Board of Educational Lands and Funds

Mr. Hugo Srb, Clerk
 Nebraska State Legislature
 Building

January 4, 1955

Dear Mr. Srb:

You are hereby advised that surety bonds covering the following elective officials of the State of Nebraska are on file in the office of the Secretary of State as required by law:

NAME OF OFFICIAL	AMOUNT OF BOND
Victor E. Anderson, Governor	\$ 50,000.00
Charles J. Warner, Lieutenant Governor	50,000.00
Clarence S. Beck, Attorney General	50,000.00
Ralph W. Hill, State Treasurer	1,000,000.00
Ray C. Johnson, Auditor of Public Accounts	50,000.00
Blanket bond covering all Railway Commissioners	10,000.00 each

The bond covering Frank Marsh, Secretary of State, in the amount of \$50,000.00 is on file in the office of the Auditor of Public Accounts as required by law.

Very truly yours
 BOARD OF EDUCATIONAL LANDS
 AND FUNDS

tl (Signed) Robert D. Hiatt, Secretary

January 3, 1955

Mr. Hugo Srb
 Clerk
 Nebraska State Legislature
 Building

Dear Mr. Srb:

To comply with the requirements of Section 3, Legislative Bill 233, Fifty-eighth Session, Nebraska State Legislature, we are attaching a list of elective and appointive officials, and other employees of the state who are bonded showing the amount of each bond.

Very truly yours
 BOARD OF EDUCATIONAL LANDS
 AND FUNDS

tl (Signed) Robert D. Hiatt, Secretary
 enclosure

To comply with Section 3, Legislative Bill 233, Fifty-eighth Session of the Nebraska State Legislature, we submit a list of elective and appointive officials showing the amount of their respective bonds:

OFFICIAL TITLE	AMOUNT OF BOND	
Adjutant General	\$ 5,000.00	
Aeronautics Director	10,000.00	
Agriculture & Inspection Director	50,000.00	
Attorney General	50,000.00	
Deputy Attorney General	5,000.00	
Auditor of Public Accounts	50,000.00	
Deputy Auditor of Public Accounts	10,000.00	
State Accountant	10,000.00	
Banking Director	50,000.00	
Brand Committee Members	1,000.00	each
Board of Control Secretary	10,000.00	
Board of Control Members	25,000.00	each
Board of Educational Lands & Funds Secretary	5,000.00	
Fire Marshal	2,000.00	
Fire Marshal Deputies	2,000.00	each
Game, Forestation & Parks Commission Members	10,000.00	each
Game, Forestation & Parks Secretary	10,000.00	
Custodian	25,000.00	
Governor	50,000.00	
Health Director	10,000.00	
State Board of Health (7 members)	50,000.00	
Insurance Director	50,000.00	
Insurance Securities Clerk	25,000.00	
Labor Commissioner	50,000.00	
Chief Accountant and Treasurer	15,000.00	
Chief Boiler Inspector, Safety Division	2,500.00	
Library Commission Secretary	3,000.00	
Lieutenant Governor	50,000.00	
Liquor Control Commissioners	25,000.00	each
Commissioner of Public Instruction	50,000.00	
Assistant Commissioners	5,000.00	each
Director Education and Registration for Nurses	5,000.00	
Purchasing Agent	10,000.00	
Racing Commission Secretary	5,000.00	
Racing Commission Members	10,000.00	each
State Engineer	50,000.00	
Secretary of State	50,000.00	
Deputy Secretary of State	5,000.00	
Director of Real Estate	5,000.00	

Supreme Court Clerk	10,000.00	
Deputy Supreme Court Clerks	10,000.00	each
Tax Commissioner	50,000.00	
Treasurer	1,000,000.00	
Deputy Treasurer	50,000.00	
United Spanish War Veterans Adjutant General	2,000.00	
University of Nebraska General Business Manager	50,000.00	
Business Manager for Athletics	25,000.00	
Veterans Affairs Director	50,000.00	
Veterans Affairs Members	5,000.00	each
Workmen's Compensation Court Judges	5,000.00	each
Workmen's Compensation Court Clerk	5,000.00	

Employees of the following departments who are not covered by individual bonds as set forth above, are covered by blanket bonds providing for \$10,000.00 coverage for each employee:

Adjutant General
 Aeronautics Commission
 Agriculture and Inspection
 Auditor of Public Accounts
 Banking
 Brand Committee
 Board of Control
 Board of Educational Lands & Funds
 Custodian
 Game, Forestation & Parks Commission
 Health
 Historical Society
 Insurance
 Labor
 Law Library
 Library Commission
 Liquor Control Commission
 Normal Board
 Commissioner of Public Instruction
 Purchasing
 Retirement Systems
 Railway Commission
 Roads & Irrigation: Highways, Bureau of Irrigation,
 Motor Vehicle Division and Safety Patrol.
 Secretary of State
 Tax Commissioner
 Treasurer
 University of Nebraska

All Deputy State Sheriffs are bonded in the amount of \$2,000 for the period of their appointments.

President Warner Presiding
MOTION—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) William A. Metzger

The motion prevailed and the President appointed the following members to serve on the committee: Metzger, Chairman; Foote, Morrison, Bahensky and Purdy.

The committee returned and the Chairman reported that the Governor was not in his office. He stated that a written notice was left in the office, advising the Governor that the Sixty-seventh Legislature was in session.

MOTION—Inaugural

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, 1955. (Signed) K. W. Peterson

The motion prevailed.

The President appointed the following members to serve on a committee to notify the Governor that the inaugural ceremonies have been arranged for Thursday, January 6, 1955, at 2:00 p.m. in the Legislative Chamber: Peterson, Chairman; Anderson, Pizer, Swanson and Hoffmeister.

REPORT OF COMMITTEE ON INAUGURAL

Mr. President: Your committee has notified the Governor that all arrangements have been made for the Inauguration to take place at the time mentioned. (Signed) K. W. Peterson

Mr. J. Adams moved that the report of the committee be adopted. The motion prevailed.

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.

Dwight W. Burney, Speaker
Hugo F. Srb, Clerk of the Legislature
Francis V. Robinson, Assistant Clerk
George L. Santo, Sergeant-at-arms
A. C. Taylor, Assistant Sergeant-at-arms

Ruby B. Nelson, Postmaster

E. C. Hansen, Chaplain

Subscribed in my presence and sworn to before me this fourth day of January, 1955.

(Signed) Robert G. Simmons,
Chief Justice

(SEAL)

Announcement

Mr. Kotouc announced that the Committee on Committees would meet at 7:00 p.m., January 4, 1955, in the West Senate Lounge.

Adjournment

At 3:52 p.m., on a motion by Mrs. Foote, the Legislature adjourned until 10:00 a.m., Wednesday, January 5, 1955.

Hugo F. Srb
Clerk of the Legislature

SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 5, 1955

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

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the First Day was approved as corrected.

Communications

Letter from Ralph E. Clements, Secretary-Treasurer of the Nebraska Sheriffs' and Peace Officers' Association, concerning the date of their banquet.

Resolutions from Northeast Nebraska County Officials' Association, regarding the cigarette and gasoline taxes. Referred to Committee on Revenue.

Resolutions from the Board of Supervisors of Knox County, Nebraska, favoring legislation on secondary roads. Referred to Committee on Public Works.

Letter from Miss E. May Palmer, Fairmont, Nebraska, regarding a teacher's retirement pension. Referred to Committee on Education.

Letter from Mrs. Loyce M. Bell, Secretary of the Texas State Senate, enclosing a copy of Senate Concurrent Resolution No. 1 relative to the Bricker Amendment. Referred to Committee on Judiciary.

Letter from Charles S. Carpentier, Secretary of State, Springfield, Illinois, enclosing a copy of House Joint Resolution No. 37 re-

garding amendments to the Constitution of the United States. Referred to Committee on Judiciary.

Letter from Dan S. Jones, Jr., Secretary of the Nebraska State Irrigation Association, regarding the Nebraska underground water problem. Referred to Committee on Public Works.

Letter from Robert D. Hiatt, Secretary of the Board of Educational Lands and Funds, enclosing a resolution concerning the rental policy on school lands. Referred to Committee on Education.

Joint Resolution No. 57, A. from the State of Wisconsin, regarding withdrawal of the federal government from the field of gasoline taxes. Referred to Committee on Public Works.

House Joint Resolution No. 8 from the State of Delaware, regarding the Bricker Amendment. Referred to Committee on Judiciary.

Letter from W. H. Diers, Chairman, Board of Control, regarding the investigation of Nebraska's Penal Institutions by Mr. Sanford Bates.

Letter from Mr. Lewis C. Sholes, Chairman, Douglas County Tax Appraisal Board, enclosing their report for 1954, as follows:

REPORT OF DOUGLAS COUNTY TAX APPRAISAL BOARD 1954

Report of DOUGLAS COUNTY TAX APPRAISAL BOARD to Hugo Srb as Clerk of the Legislature of Nebraska, Sixty Seventh Session, 1955. Made pursuant to provisions of Sec. 77-2510 Revised Statutes Supplement 1949 and Legislative Bill Number 424 Sixty First Session 1949

The action of the Legislature in changing the valuation basis to 50% of actual value, and also the inequalities resulting from the State Board action made it necessary for this Board to reappraise every property that had previously been appraised.

This was done and the new value on every parcel was reported to the Assessor and County Board for the 1954 assessment.

The 1954 appraisal resulted in the full value of all Omaha properties of \$597,804,540 or a reduction of \$145,623,320 below the full value under the State increase.

The reduction was the result of the over valuations of business and industrial properties due to the State Board increase.

The Tax Appraisal Board valuations on single family dwellings had never been accepted until the 1954 assessment.

There was very little change between the values established by the Tax Appraisal Board for 1954 and the values established under the State increase for 1953.

Due to the change in the valuation basis of 1953 we were required to file new recommendations on all properties with the Assessor and County Board.

We also filed some 12,000 complaints for increases in the value set by the Assessor.

We attended all meetings of the County Board furnishing them with full information on all properties on which complaints were filed.

All of the above set us back about six months in our field work.

Since the 1954 assessment date we have been appraising all towns and suburban areas including farm lands. The total number of properties yet to be appraised is 20,406. It takes more time per property to appraise this type of property than the general run of city properties. All the land must be inspected for all factors affecting its value. All buildings must be inspected, measured and valued separately. All this takes time. Therefore, it does not appear that the work can be fully completed before the 1955 assessment date.

The total number of appraisals on Personal Tangible properties to date is 15,282 and Intangible properties 5,859.

Number of businesses appraised in 1953—1705

Amount Recommended by TAB		1952 Return	Increase
Tangible	\$33,398,687	\$20,993,130	\$12,405,557
Intangible A	10,770,303	7,756,682	3,013,621
Intangible B	11,802,256	11,255,106	547,150

Complained to Board of Equalization on 238. 25 appeared before the Board and were reduced. Approximately 1.4% of the total of 1705 were reduced.

REPORT DOUGLAS COUNTY TAX APPRAISAL BOARD 1954

Report Made Pursuant to Provisions of
Sec. 77-2510 Rev. Statutes Supp. 1949

The Douglas County Tax Appraisal Board has appraised 81,500 real estate properties. The appraisal of all real estate in Omaha, 77,972 properties, was completed for the 1954 assessment. In addition 3528 properties outside the city were included.

The appraised value on every one of the above 81,500 properties was submitted to the County Assessor and also to the County Board of Equalization.

The full appraised value of the real estate in Omaha was \$597,804,540 and that appraised outside of Omaha \$36,291,380. The assessed value at 50% City of Omaha \$298,902,270. Outside of Omaha at 50% \$18,145,690.

The assessed value City of Omaha 1952 was \$236,325,440.

None of the Tax Appraisal Board values were accepted for the 1953 assessment. Assessed values were cut by the assessor to 50% of the 1952 assessed values.

The State Board of Equalization increased the Assessor's assessed values for 1953 202.74% on a 50% of value assessment.

The action of the State Board increase placed a full value on most all of the business and industrial properties far in excess of their actual market values. These were properties on which the value had been accepted by the County Board on Tax Appraisal Board prior year appraisals.

Here are a few examples of the effect of the State Board increases in relation to the actual value. We could cite hundreds of like cases.

The World Insurance Company building sold in 1951 for \$400,000. The State increase for 1953 placed the full value at \$675,100. The Tax Appraisal Board full value for 1954 is \$487,000.

The building at 1415-17 Douglas Street sold in 1952 for \$75,000. The State increase for 1953 placed the full value at \$95,775. The Tax Appraisal full value for 1954 is \$68,000.

The Medical Arts Building sold in 1948 for \$1,250,000. The State increase for 1953 placed the full value at \$2,119,190. The Tax Appraisal Board full value for 1954 is \$1,400,000.

The building at 1111 Douglas Street sold in 1953 for \$15,000. The State increase for 1953 placed the full value at \$25,275. The Tax Appraisal Board full value for 1954 is \$14,500.

The full values resulting from the State increase could not have been sustained in court had the owners been able to appeal on the increased values above actual value.

As a protection against any possible State increase in the 1954 assessed values 483 appeals were taken by the owners to the District Court.

Number of businesses appraised in 1954—1802

Amount Recommended by TAB		1953 Return	Increase
Tangible	\$53,816,579	\$34,630,970	\$19,185,609
Intangible A	32,539,537	15,885,810	16,653,727*
Intangible B	5,718,500	15,170,125	-9,451,625*

Complained to Board of Equalization on 224. 34 appeared before the Board and were reduced. Approximately 1.8% of the total of 1802 were reduced.

*Loss in Intangible B and large increase in Intangible A due to change in the law.

Respectfully submitted

DOUGLAS COUNTY TAX APPRAISAL
BOARD

(Signed) LEWIS C. SHOLES, Chairman

(Signed) SIDNEY A. WATKINS, Board Member

(Signed) ARTHUR B. McCAW, Board Member

Attest: (Signed) John Slavik, County Clerk

December 31, 1954.

MESSAGE FROM GOVERNOR

January 4, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have appointed the following named persons to the following respective offices:

J. Y. Castle	Merit System Council
Leon A. Sprague	Game Commission
Dr. Carl J. Norden, Jr.	State Board of Health
Morris I. Evinger	State Board of Health
Ernest M. Johnson	Board of Education of State Normal Schools
A. D. Majors	Board of Education of State Normal Schools
Sidney A. Watkins	Douglas County Tax Appraisal Board
Arthur B. McCaw	Douglas County Tax Appraisal Board

Respectfully submitted,

(Signed) Robert B. Crosby
Governor

Referred to Committee on Committees.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees submits the following schedule for the selection of the standing committees. (Signed) Otto Kotouc, Sr., Chairman

AGRICULTURE—Nelson, Chairman

Cramer	Purdy	Bahensky
Foote	Moulton	Thompson
Morrison	Ruhnke	

BANKING, COMMERCE, INSURANCE—Larkin, Chairman

Kotouc	T. Adams	Swanson
Klaver	Perry	Bedford
Beaver	J. Adams	

BUDGET—Bridenbaugh, Chairman

Liebers	Pizer	Peterson
Diers	Vogel	Fenske
McHenry	Shultz	

EDUCATION—Cramer, Chairman

Nelson	Purdy	Bahensky
Foote	Moulton	Thompson
Morrison	Ruhnke	

GOVERNMENT—Klaver, Chairman

Larkin	McGinley	Cole
Bixler	Anderson	Person
Syas	Otto	

JUDICIARY—Martin, Chairman

Hubka	J. Adams	Brower
Tvrdik	Kotouc	Perry
Lee	Metzger	

LABOR AND PUBLIC WELFARE—Syas, Chairman

Larkin	McGinley	Klaver
Bixler	Anderson	Person
Cole	Otto	

MISCELLANEOUS APPROPRIATIONS AND CLAIMS—

Aufenkamp, Chairman

T. Adams	Hoffmeister	Bedford
Burney	Beaver	Swanson

PUBLIC HEALTH AND MISCELLANEOUS SUBJECTS—

Person, Chairman

Hoffmeister	Aufenkamp	Otto
Anderson	Cole	Brower

PUBLIC WORKS—Moulton, Chairman

Nelson	Purdy	Bahensky
Ruhnke	Foote	Thompson
Morrison	Cramer	

REVENUE—Bixler, Chairman

Metzger	Burney	Lee
Hubka	Tvrdik	Syas
Martin	McGinley	

RULES—Metzger, Chairman

Brower	Klaver
Perry	Otto

INTERGOVERNMENTAL COOPERATION—Vogel, Chairman

Members:

Peterson	Kotouc
Tvrdik	Anderson

Alternates:

Moulton	Bixler
McHenry	Diers

Lee—delegate at large
Martin—alternate at large

ENROLLMENT AND REVIEW—McGinley, Chairman

(Signed) Otto Kotouc, Sr.,
Chairman

MOTION—Adopt Report

Mr. President: I move the adoption of the committee report.
(Signed) Otto Kotouc, Sr.

The motion prevailed.

MOTION—Escort Governor

Mr. President: I move that the President appoint a committee of five to escort the Governor to the Legislative Chamber for the purpose of delivering his budget message. (Signed) Hal Bridenbaugh

The motion prevailed and the President appointed the following members to serve on said committee: Bridenbaugh, chairman; Person, Metzger, Martin, Aufenkamp.

The committee withdrew and escorted the Governor to the rostrum, where he delivered the following:

**BUDGET MESSAGE
OF
ROBERT B. CROSBY, GOVERNOR**

Delivered to the Sixty-seventh Session of the Legislature of Nebraska

MR. PRESIDENT, MR. SPEAKER AND MEMBERS OF THE
LEGISLATURE:

In presenting this budget I am adopting a theory entirely different from that used in my last budget.

Two years ago I delivered to you a budget based on a point of view that I called "restraint." I defined this as meaning that "Only the essential services of State Government should be maintained, and that must be done with the least outlay of money and employment hours. There should be no expansion of State Government except in the case of a clearly demonstrated need related to a fundamental public service."

This approach to the budget problem emphasized the taxpayers' position. It required a sharp knife. For almost half of the agencies I

recommended a less amount than they had received in the previous biennium. I approved a reduction in my own office budget of almost 25%. I vetoed a number of bills that would have increased State costs. I obtained passage of legislation such as Bills 391, 392, 566, 24, which reduced cost through elimination or consolidation of functions.

It worked.

The average taxpayer during my term has paid \$3.47 less in property taxes to State Government than he paid during the preceding biennium. The over-all cut in the State's share of property taxes during my term has been \$1,641,493.24. This was the first State property tax reduction in 12 years. Admittedly this remains a paradox for most of the landowning class, whose traditional dominance was affronted by the court-mandated equalization of assessments and whose understanding was bemused by the variables and complexities of our property tax system.

However, in some respects it was not a happy role which I assigned to myself two years ago. I cut the budget requests of the agencies and bore the ill will of the numerous groups which have a special interest in those agencies. The Legislature in most instances increased the amounts I had recommended, thus winning the plaudits of those same special-interest groups.

It is not necessary that the Governor play the villain. The roles can be reversed.

In this budget, with a few exceptions, I am applying a different measure. I am recommending for the agencies the amounts of money of which each can make good use in the public interest. I am here emphasizing the service performed by each agency and the public need for that service. I am thinking of the amount of money needed to permit a reasonable performance of the duties that the Legislature has assigned to the agencies.

To be sure, I have applied the above measure conservatively and in most instances I have recommended less than the agency requested. In some cases I have not been consistent. In general, however, this budget is not based on the idea of "restraint."

Some parts of the budget deserve special comment or explanation.

LEGISLATURE

At the beginning of each odd-numbered year it is necessary to dispossess some State agency of two or three of its office rooms in order to provide space for the Legislature. I am indebted to Colonel Harry F. Cunningham for the suggestion that permanent office quarters for Legislative use could be constructed in the two Loggias which are now waste space. An expenditure of about \$30,000.00 would provide 12 modern office rooms, each about 14 feet square, with windows on

the courts like the other office windows, and each room opening through its own door from the Foyer. I suggest that the Legislature investigate this proposal. It should also eliminate the necessity of making unsightly use of the corridor on the south side of the Legislative Chamber.

I have recommended a 25% increase in the appropriation to the Council of State Governments, from \$8,000.00 to \$10,000.00. This is in line with the action being taken in other states.

GOVERNOR

In my budget two years ago I reduced my administrative help from two persons to one, and the secretarial help from three persons to two.

In my judgment the office has been understaffed. Members of the staff and myself have been required to work many evenings and week-ends.

Further, reasonable improvements and replacements in the equipment of the office and the furnishings of the Mansion have had to be deferred.

I have recommended a substantial increase in the Governor's budget, which I think should be allowed in fairness to the incoming Governor.

By the time this budget message is published I expect to have acquired for the State the entire frontage on H Street between 14th and 15th Streets. This makes an adequate and ideal location for a new Mansion. Nebraska needs a new Mansion in keeping with the beautiful State Capitol Building. It should have adequate accommodations for the many public and semi-public meetings for which the First Lady is expected to be hostess. I have recommended an appropriation of \$150,000.00. Probably \$200,000.00 could be justified.

Our State has become a member of the Interstate Oil Compact Commission under the authorization granted by the Legislature in 1953. No provision was made for payment of our share of the expenses of that Commission, and I have included an appropriate amount in the Governor's budget.

RAILWAY COMMISSION

This Agency should be more nearly self-supporting. No fees are charged at all for many services, and many of the fees which are charged are inadequate under the circumstances. The Statutes should be amended so that this Agency charges reasonable fees for the various services which it performs for the public utilities under its supervision.

CUSTODIAN

During the last two years much has been done toward restoring our Capitol Building to a state of good repair. The terraces have

been waterproofed and the offices beneath them have been repaired and redecorated. We have refinished the beautiful woodwork in many parts of the building, and shabby hallways have been cleaned and painted. More remains to be done.

In justice to a great building and as a matter of true economy as well, the Legislature should make provision for the continuous upkeep, repair and general maintenance of the Capitol Building. I fully agree with the recommendation of the Legislative Council Committee on the budget in its Report No. 59 which deals with this subject.

BOARD OF EDUCATIONAL LANDS AND FUNDS

The Statutes should be amended to provide for the direct collection of lease rentals by the staff of this Board and its successor. Collection by County Treasurers is cumbersome, time-consuming and involves needless expense.

With regard to teachers' retirement the appropriation recommended in the bill represents only the amount that probably will be paid out in benefits. A greater amount than this will be collected if the half mill levy is re-enacted. I recommend the re-enactment of this levy so that we can continue toward the goal of making this retirement system solvent.

BOARD OF PARDONS AND PAROLES

I have increased the appropriation for this Board in order to permit the employment of two assistant probation officers. In having only one probation officer Nebraska places an impossible burden on that individual and we fail to supply probation services that are badly needed.

BOARD OF VOCATIONAL EDUCATION

Two years ago I recommended that the Milford Trade School be abolished. The issue was thoroughly debated in the Legislature and the decision was that the school should be retained. This being so, I think the school should be adequately financed. It has not been in the past, and many badly needed improvements have been deferred. I have recommended a substantially increased appropriation so that the school can discharge its full duty to its students. In my judgment this school is well managed and within its very limited budget it has performed a fine service.

In the field of vocational rehabilitation there are many unmet needs in Nebraska and I have recommended a larger appropriation.

TAX COMMISSIONER

Almost every state, through illustrated booklets and other devices, seeks to inform its citizens about the nature of the tax system and the uses to which tax dollars are put. Nebraska has done nothing along this

line. Public information and understanding in this area are as much needed in Nebraska as in other states. I have recommended the addition of \$12,000.00 to the Tax Commissioner's budget so that he can initiate a modest program of public education.

HEALTH DEPARTMENT

Some of the fees in this Department should be increased, such as those for birth certificates and for renewal of some of the professional licenses. I anticipate that the State Board of Health will furnish leadership so that the Statutes can be properly amended.

On reviewing the printed budget, I fear that I may have cut the budget request of this department too much. For instance, the Division of Vital Statistics cannot operate on less than it received the last biennium, but I am hopeful that its cash receipts from fees will be increased by this Legislature. This department faces a problem of declining federal funds.

SAFETY PATROL

At the present time the Highway Department is furnishing the personnel for the weighing stations and the drivers license examinations. I am responsible for this arrangement. As most of you know, the Safety Patrol was relieved of these duties last June so that 26 additional Patrolmen could be placed on highway duty. The result has been a saving of about 90 lives.

However, it is my judgment that the operation of weighing stations and the examination of applicants for drivers licenses can be done more efficiently by the Safety Patrol. If these functions are returned to the Safety Patrol then approximately \$480,000.00 of highway funds which would otherwise be needed for these activities can be freed for highway construction, and can be matched with Federal funds. I am recommending a very substantial increase in the appropriation for the Safety Patrol. The increase is intended to enable the Safety Patrol to add 24 Patrolmen for operation of the weighing stations, and 13 Patrolmen for drivers license examinations. Also, and more important, it is expected to permit the addition of 23 additional Patrolmen for highway duty. This would bring the effective highway patrol force up to 160 Patrolmen from its present number of 137. This is still much less than the 200 Patrolmen recommended for Nebraska by National authorities.

DEPARTMENT OF PUBLIC WELFARE

Forty states are now participating in the Federal program for aid to the permanently and totally disabled. Nebraska citizens are paying in taxes to the Federal Government for the support of this program in the other states the sum of approximately \$700,000.00 each biennium. We get none of this money back. In addition, we care for the permanently and totally disabled through direct county relief. Further, we

are undoubtedly falling far short of our duty to aid in the rehabilitation of these unfortunate fellow citizens. I recommend that appropriate legislation be enacted after the pattern of our state assistance to dependent children, the aged and the blind, so that we can participate in the program for permanently and totally disabled people.

MILITARY DEPARTMENT

In times of disaster parts of the National Guard are called to active duty. During my term the National Guard has rendered excellent service on two such occasions.

It has been the custom for the budget bill to provide the Military Department with a "cushion" in order to have funds available to meet these unforeseeable emergencies. For purposes of better budget control I think this "cushion" should be identified in the budget and should be expended under the direction of the Governor.

CAPITOL BUILDING COMMISSION

In line with my earlier remarks about the necessity for adequate maintenance of the Capitol Building, I think it is wise that the Custodian should be able to avail himself of the advice of an expert. For this reason I have included in the budget bill an additional amount for the employment on a part-time basis of a "building maintenance consultant."

BOARD OF CONTROL

This Board is responsible for the spending of about one-third of the entire state budget. It is my observation that the members of the Board are now engulfed in administrative details. The Board sorely needs the services of highly qualified staff assistants to whom the Board could delegate responsibility. Under the guidance of a special committee appointed by myself, the Board has made significant progress with the institutions related to mental health. At the time this message is dictated there has been substantial improvement at the Penitentiary, and I hope by the time this message is published the Board will have decided to obtain a highly qualified staff assistant to guide it in formulating policies for the penal institutions. In my judgment the Board of Control needs definite direction from the Legislature in assisting it to improve its organization and should have adequate budget allowances for that purpose.

The Board of Control has made excellent progress in its building program and Nebraskans have cause to be proud of what the Board has accomplished. Among the further building needs is the School for the Blind. This is one of the institutions where the need is critical. I think it can be fairly argued that this school should be located in some town where there is a good college so that special educational services could be obtained on a reasonable basis. The plight of these sightless

children is touching and they should be afforded the best possible opportunity. The Board will need legislative direction as to the location of the new building to house this school.

UNIVERSITY OF NEBRASKA

I have recommended a General Fund Appropriation of \$17,800,-000.00. This compares with \$15,000,000.00 budgeted two years ago.

The amount I have recommended is approximately \$1,000,000.00 less than the sum requested by the University. In fairness I must admit that the University could make good use of the entire sum that it requested by developing new programs and strengthening some of its present programs.

It is not easy to fix upon the right amount for an institution such as our only State University. Unquestionably higher education is becoming increasingly important not only to the maintenance of the economy of a State like ours, but also to the maintenance of our western civilization against the threat of Russia and its allies. It is estimated that at this time in Russia there are being graduated two and a half times the engineers that we are producing in this country.

In recommending a General Fund Appropriation of \$17,800,000.00 I am guessing—and it is no better than a guess—that this amount would keep the performance of our University at about the level of the average of other Universities in our region.

During my term I have been disturbed by the fact that it is increasingly difficult for our young people to obtain an education in veterinary. Apparently the only correction for this situation is for the Legislature to authorize the University to enter into a contract with a College of Veterinary in some other State. This is the solution that has been adopted in some other states like ours which have no College of Veterinary. I recommend that the Legislature enact such authorization and make a proper budget provision.

With regard to building funds I attempted to budget the amount that it is anticipated will be spent during the coming biennium. This same method has been followed in connection with other departments which are included in the fixed levies for building purposes.

TURNPIKE AUTHORITY

This Authority was created by the Legislature two years ago. The members have been diligent and effective and I am proud of their performance.

However, they have been handicapped by having no budget allowance whatever. I think they would continue to cheerfully donate their time and pay their own expenses. However, this is not the problem. They should have some independent fund at their disposal so that

they can conduct preliminary engineering surveys. Perhaps this could be accomplished under an authorization which would provide that the fund would be returned to the State when and if revenue bonds are issued. I recommend a budget allowance for this purpose, and I further recommend that the Legislature re-examine the basic statutes which were enacted two years ago with a view to strengthening some sections of this law.

AGRICULTURE DEPARTMENT

The Grade A Milk Law is accomplishing a very useful purpose, but its administration is being conducted at a deficit. The law should be amended to require the payment of proper fees particularly from plants under municipalities.

HUMAN RELATIONS

The work of the volunteer Human Relations Committee has disclosed that there will be a continuing need for public education among the people of Nebraska. It is my recommendation that a staff member be added to the Department of Public Instruction to work on these problems during the coming biennium.

SALARIES

Executive salaries in Nebraska are very inadequate in amount. This is true whether one compares our State salaries with those of other similar states or whether one compares the salaries with those being paid in private enterprise. This is a serious handicap to a Governor in obtaining the quality of executive leadership that he would like to provide for the State. I recommend that the Legislature do what it can under our present Constitution to correct this situation, and further that the Constitutional Amendment eliminating the eight-year limitation be again submitted to the people.

In many branches of State Government the salary classification systems are inadequate, and there is a persistent lack of uniformity among the Departments in the pay for similar classifications of employment. It is suggested that a reasonable merit system be established with authority to enforce uniformity of salary levels and classifications.

The attention of the Legislature is directed to the amendments to the Federal Unemployment Tax Act enacted by the 83rd Congress. Some amendments to our Nebraska Employment Security Law are probably desirable. Further, since Congress has extended unemployment insurance protection to the civilian employees of the Federal Government, consideration should be given to the question of whether employees of State and local government should have similar protection.

I have noticed the recommendation of the Legislative Council Committee on the budget in its Report No. 59 concerning insurance on

state-owned automobiles, and I endorse its suggestion that the statutes be amended to permit blanket insurance coverage of state-owned automobiles.

Because I knew that each of you is aware of the emergency concerning the distribution of gasoline taxes to the counties, I did not include any mention of it in my printed budget message. However, if anything, the situation has become more acute during the last few days. Therefore, I am departing from the printed text to place this emphasis upon that troublesome situation. I have caused to be prepared an emergency bill which would permit the State Treasurer to distribute the money for the time being on the basis of the formula used during the month of July, 1954. This would ease the situation and allow the counties to receive some of the money which they badly need until you have time to enact permanent legislation.

CONCLUSION

The foregoing comments and suggestions leave much unsaid. Further, because of their partial character, it is probable that what has been said creates an unfair emphasis on some points.

I hope that this recommended budget will be of some help to you. I am keenly aware of the fact that the budget problems in this session of the Legislature will be unusually difficult. Speaking both as a Governor and as a citizen, I have every confidence that you will handle these budget problems in the way that will best serve the interests of Nebraska.

Respectfully submitted,

(Signed) Robert B. Crosby

GOVERNOR

The committee retired and escorted the Governor from the Chamber.

RESOLUTION

LEGISLATIVE RESOLUTION 1. Re: Title of Speaker Emeritus for all former Speakers who are currently members of the Legislature.

Introduced by William Moulton of Legislative District 10, John E. Beaver of Legislative District 12 and Glenn Cramer of Legislative District 27.

WHEREAS, by the Rules of the Nebraska Legislature a Speaker is elected at each regular session of the Legislature, and

WHEREAS, many senators serve in the Legislature in sessions after they have had the honor of serving the Legislature in previous sessions as Speaker, and no designation is provided to show the previous honor.

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

1. That all former Speakers currently members of a session of the Legislature be honored by being given the title of "Speaker Emeritus", and that such title be imprinted on any letterheads of such senators or in any roster printed of members of the Legislature while such members are serving in the Legislature.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By Harry L. Pizer of Legislative District 38, Don Thompson of Legislative District 33 and L. M. Shultz of Legislative District 16.

A bill for an act relating to highways; to designate additional highways as state highways, as prescribed; and to declare an emergency.

LEGISLATIVE BILL 2. By Monroe Bixler of Legislative District 41, Dwight W. Burney of Legislative District 14 and Otto H. Liebers of Legislative District 18.

A bill for an act to amend section 72-201, Revised Statutes Supplement, 1953, relating to public lands and buildings; to provide that the Governor shall appoint five persons as members of the Board of Educational Lands and Funds; to provide for the term of office of such members; to provide for the compensation of such members; to provide for electing a chairman of the board; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 3. By L. M. Shultz of Legislative District 16 and H. K. Diers of Legislative District 24.

A bill for an act to amend section 60-335, Revised Statutes Supplement, 1953, relating to motor vehicles; to eliminate the registration fee for school buses and for fire trucks used or owned by any rural fire protection district; and to repeal the original section.

LEGISLATIVE BILL 4. By John E. Beaver of Legislative District 12, Earl J. Lee of Legislative District 11 and L. M. Shultz of Legislative District 16.

A bill for an act to amend section 37-204, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to eliminate the fees for permit and sealing of each hide of a beaver during the open season; and to repeal the original section.

LEGISLATIVE BILL 5. By LeRoy Bahensky of Legislative District 29.

A bill for an act to amend section 3-151, Reissue Revised Statutes of Nebraska, 1943, relating to aeronautics; to extend the time for filing claims for reimbursement of aircraft gasoline tax; and to repeal the original section.

LEGISLATIVE BILL 6. By A. A. Fenske of Legislative District 43 and Monroe Bixler of Legislative District 41.

A bill for an act to amend section 79-1103.04, Revised Statutes Supplement, 1953, relating to schools; to provide for payment of tuition by a school district maintaining an accredited high school located in a county containing more than seven hundred square miles; and to repeal the original section.

LEGISLATIVE BILL 7. By John Adams, Sr. of Legislative District 5.

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; and to provide manner of citation of act.

Communications

Letter from Frank Marsh, Secretary of State, as follows:

January 5, 1955

The Speaker of the Legislature
Sixty-Seventh Session of the
Legislature of Nebraska

Honorable Speaker:

Pursuant to Section 32-1014, Revised Statutes of Nebraska, 1943, as amended, and in compliance with a request from the Honorable Senator William A. McHenry received in this office today, I herewith deliver to you all papers relating to the contested election involving Mervin V. Bedford as incumbent member of the 23rd District of the Nebraska Legislature and C. C. Lillibridge as contestant.

The papers are delivered to you in the chronological order in which they were received in the office of Secretary of State as follows:

1. Bond of contestant C. C. Lillibridge for contest of election as Member of the Legislature, 23rd Legislative District of Nebraska, filed in the office of Secretary of State as of November 22, 1954.

2. Objections of Mervin V. Bedford to election contest of C. C. Lillibridge filed in the office of Secretary of State as of December 28, 1954.

3. Depositions of Joseph J. Ripa and Willard H. Foster in the matter of the election contest for Member of the Legislature of the 23rd Legislative District of the State of Nebraska, C. C. Lillibridge, Contestant v. Mervin V. Bedford, Incumbent, filed in the office of Secretary of State as of December 28, 1954.

The said depositions referred to above were received by the Secretary of State and preserved unopened until this date and are here-with submitted to you under seal.

Inasmuch as Section 32-1014, Revised Statutes of Nebraska, 1943, as amended, referred to above, states that the Secretary of State shall deliver to the Speaker of the Legislature these papers "on the second day after the organization of the Legislature," we have consulted with the Attorney General in order to make certain that we may convey these papers to you on the first day after the organization of the Legislature. A copy of an opinion by the Attorney General dated January 14, 1941, directed to a Senate Committee on an election contest at that time is also attached to the papers being turned over to you at this time which seems to make clear that the matter may be handled in this way.

Respectfully submitted,
(Signed) Frank Marsh
Frank Marsh
Secretary of State

FM:ms

Enclosure: Attorney General's opinion, January 14, 1941

Speaker Burney opened the papers relating to the contested election in the presence of the Legislature.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 8. By William A. Metzger of Legislative District 3, Charles F. Tvrdik of Legislative District 7 and William Moulton of Legislative District 10.

A bill for an act relating to counties; to provide for licensing trailer courts by the county board; to provide the manner and procedure for issuing a license; to provide for the license fee and term of the license; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 9. By Committee on Budget, Hal Bridenbaugh, Chairman.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government and payments to be made as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, for the biennium ending June 30, 1957; to provide for the payment thereof; and to declare an emergency.

LEGISLATIVE BILL 10. By Committee on Budget, Hal Bridenbaugh, Chairman.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1955, and ending June 30, 1957; 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 11. By Committee on Budget, Hal Bridenbaugh, Chairman.

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, the payments as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, and other incidental expenses incurred during the Sixty-seventh Session, Nebraska State Legislature, during the biennium ending June 30, 1955, and for the ad interim activities of said Legislature during the biennium ending June 30, 1957; to appropriate the sum of one hundred twenty-five thousand dollars, and the unexpended balance of twelve thousand two hundred fifty-five dollars and sixty-nine 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, the payments as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, 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-seventh Session, Nebraska State Legislature, commencing January 4, 1955; to appropriate the sum of fourteen thousand dollars and the unexpended balance of three hundred forty-nine dollars and thirty-two cents in Auditor Account No. E6, therefor; and to declare an emergency.

LEGISLATIVE BILL 12. By Committee on Budget, Hal Bridenbaugh, Chairman.

A bill for an act to provide for the payment of the salaries of members of the Sixty-seventh Session, Nebraska State Legislature, and payments to be made as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, for a period of two years commencing the first Tuesday in January, 1955; to appropriate the sum of seventy-six thousand five hundred dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 13. By Dwight W. Burney of Legislative District 14.

A bill for an act relating to cities and villages, particular class; to empower cities of the first and second class and villages to correct and re-establish the corporate limits of such city or village to conform with a plat of such city or village having been on file for more than ten years; to provide a procedure therefore; to provide for notice to interested parties by publication; and to provide for appeal.

Members Excused

Mr. Hubka was excused for Wednesday afternoon, January 5, and Thursday and Friday, January 6 and 7, 1955.

At the request of Mr. McHenry, the members of the Committee on the Contested Election—Messrs. McHenry, T. Adams, Diers, Larkin, and Fenske—were excused for this afternoon.

Recess

At 12:00 noon, on a motion by Mr. McHenry, the Legislature recessed until 2 p.m.

After Recess

The Legislature reconvened at 2:02 p.m., President Warner presiding.

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 14. By Lester H. Anderson of Legislative District 25 and Monroe Bixler of Legislative District 41.

A bill for an act to amend section 77-1231, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that persons required to list property for taxation furnish information concerning himself or members of his family as to service in the armed forces as prescribed; and to repeal the original section.

LEGISLATIVE BILL 15. By Dwight W. Burney of Legislative District 14, George Hoffmeister of Legislative District 37 and Monroe Bixler of Legislative District 41.

A bill for an act to amend section 66-422, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that the Gasoline Tax Fund allocated by subdivision (4) of section 66-424.01, Revised Statutes Supplement, 1953, shall be transferred by the State Treasurer, on the tenth day of each month, proportionately upon the same formula as the Gasoline Tax Fund was distributed during the month of July, 1954; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 16. By Kathleen A. Foote of Legislative District 31.

A bill for an act to amend section 39-713, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to prohibit the depositing, dumping, throwing or causing to be thrown, or cause to be left upon any public road, bridge, street, or alley or in any stream or ditch along or across any public road, street, or alley, except at places designated or set aside for such purpose, any rubbish or other matter as prescribed; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 17. By John Adams, Sr. of Legislative District 5.

A bill for an act relating to cities of the first and second class and villages; to authorize cities and villages to regulate expansion of the city to approve plats of additions thereto; to authorize such cities and villages to regulate and zone the area outside and within one mile of the city limits; and to authorize such cities and villages to regulate the location of trades and industry and the location of buildings in such area.

MOTION—Flowers

Mr. President: I move that flowers be sent to Mr. Thompson's wife at St. Elizabeth Hospital. (Signed) Wm. Moulton

The motion prevailed.

SUSPEND RULES—Refer Bills

Mr. President: I move that the rules be suspended and the Reference Committee refer the bills which have been introduced. (Signed) Dwight W. Burney

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

EASE

The Legislature was at ease from 2:10 to 2:30 p.m. for the purpose of referring bills.

Bills Referred to Standing Committees

LB	Committee
1.....	Public Works
2.....	Government
3.....	Banking, Commerce and Insurance
4.....	Agriculture
5.....	Revenue
6.....	Education
7.....	Labor and Public Welfare
8.....	Government
9.....	Miscellaneous Appropriations and Claims
10.....	Budget
11.....	Budget
12.....	Budget
13.....	Government
14.....	Revenue
15.....	Revenue
16.....	Public Works
17.....	Government

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 18. By Frank Nelson of Legislative District 28.

A bill for an act to prohibit the deposit of any garbage, debris, refuse, or other discarded or waste material, objects or substance, by any person, upon lands, premises or property, not owned, or under the control of such person; to define terms; and to provide a penalty.

LEGISLATIVE BILL 19. By Robert Perry of Legislative District 20 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend section 84-509, Revised Statutes Supplement, 1953, relating to state officers; to provide for the fixing of the salary of the deputy secretary of state within the prescribed limit; to provide when a change in the salary of such deputy shall become operative; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 20. By Donald F. McGinley of Legislative District 39, D. J. Cole of Legislative District 40 and K. W. Peterson of Legislative District 35.

A bill for an act to amend section 23-601, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide that when counties enter into a predatory animal control program the county board by

resolution may suspend the issuance of bounty certificates by the county clerk for payment of individual bounties; and to repeal the original section.

LEGISLATIVE BILL 21. By Don Thompson of Legislative District 33 and George Hoffmeister of Legislative District 37.

A bill for an act to amend sections 23-320.01, 23-320.05, and 23-320.06, Reissue Revised Statutes of Nebraska, 1943, relating to flood control; to authorize counties to appropriate and expend funds to develop and carry out a coordinated program of flood control; to authorize the levy of taxes for such purpose; to authorize counties to employ the services of any nonprofit corporation or organization that has as one of its principal objectives the promotion and development of flood control within such counties to aid and assist in such program; and to repeal the original sections.

LEGISLATIVE BILL 22. By L. M. Shultz of Legislative District 16.

A bill for an act to amend section 66-424.01, Revised Statutes Supplement, 1953, relating to motor vehicle fuels; to increase the percentage of the Gasoline Tax Fund credited to the Department of Agriculture and Inspection to pay the cost of administering and enforcing the motor vehicle fuel tax laws; and to repeal the original section.

EASE

The Legislature was at ease from 2:40 to 3:17 p.m. to allow the committees to meet and organize.

STANDING COMMITTEE REPORTS

Budget

Officers elected:

William A. McHenry.....Vice Chairman
K. W. Peterson.....Secretary

Government

Officers elected:

Norman A. Otto.....Vice Chairman
D. J. Cole.....Secretary

Agriculture

Officers elected:

Amos Morrison.....Vice Chairman
Arnold Ruhnke.....Secretary

Rules

Officers elected:

Robert C. Brower.....Vice Chairman
 Norman A. Otto.....Secretary

Education

Officers elected:

Don Thompson.....Vice Chairman
 Wm. PurdySecretary

Public Works

Officers elected:

Kathleen A. Foote.....Vice Chairman
 LeRoy BahenskySecretary

Public Health and Miscellaneous Subjects

Officers elected:

George Hoffmeister.....Vice Chairman
 Norman A. Otto.....Secretary

Judiciary

Officers elected:

Robert Perry.....Vice Chairman
 Robert C. Brower.....Secretary

Revenue

Officers elected:

Donald F. McGinley.....Vice Chairman
 Earl J. Lee.....Secretary

Labor and Public Welfare

Officers elected:

D. J. Cole.....Vice Chairman
 Lester H. Anderson.....Secretary

Banking, Commerce and Insurance

Officers elected:

John Adams, Sr.....Vice Chairman
 Arthur W. Swanson.....Secretary

Miscellaneous Appropriations and Claims

Officers elected:

Tom AdamsVice Chairman
 George Hoffmeister.....Secretary

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 23. By Earl J. Lee of Legislative District 11 and Robert Perry of Legislative District 20.

A bill for an act to amend section 77-2009, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide the manner of payment of the tax and interest upon property chargeable with inheritance tax when the person beneficially interested does not come into actual possession or enjoyment of the property until a future date; to provide the duration of the lien upon real estate for such tax; to reduce the amount of the bond required for such tax when the property involved is personal property; and to repeal the original section.

LEGISLATIVE BILL 24. By Norman A. Otto of Legislative District 34 and D. J. Cole of Legislative District 40.

A bill for an act relating to cities and villages; to authorize the disposition and destruction of public records when the records are more than five years old, except as specified.

LEGISLATIVE BILL 25. By Norman A. Otto of Legislative District 34 and D. J. Cole of Legislative District 40.

A bill for an act to amend sections 17-704 and 17-925.01, Reissue Revised Statutes of Nebraska, 1943, and section 51-201, Revised Statutes Supplement, 1953, relating to cities of the first and second class and villages; to provide that the levy made by such cities and villages may be used for all city or village purposes and shall not be identified for special uses; and to repeal the original sections, and also sections 17-506, 17-508.02, 17-545, 17-938, 17-951, 17-955, 17-964, 18-1201, 18-1203, 18-1204, 18-1505, and 19-1402, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 26. By Monroe Bixler of Legislative District 41 and D. J. Cole of Legislative District 40.

A bill for an act to amend sections 72-207, 72-212, 72-234, and 72-258, Reissue Revised Statutes of Nebraska, 1943, and section 72-202, Revised Statutes Supplement, 1953, 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 for cash; to provide for investment of funds; to provide for appraisement of improvements and appeals; to provide for leases on unsold land; to provide for reservation of oil and mineral rights in deeds of conveyance; and to repeal the original sections and also sections 72-240.01, 72-240.02, 72-240.03, 72-240.04, 72-240.05, 72-258,

and 72-259, Reissue Revised Statutes of Nebraska, 1943, and section 72-257, Revised Statutes Supplement, 1953.

LEGISLATIVE BILL 27. By Earl J. Lee of Legislative District 11, Robert C. Brower of Legislative District 26 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 7-114, Reissue Revised Statutes of Nebraska, 1943, relating to attorneys at law, to provide for taxing costs in contempt and disbarment proceedings; to define terms; to provide for filing of judgments for costs; to provide that costs shall become a lien and enforceable; and to repeal the original section.

LEGISLATIVE BILL 28. By Earl J. Lee of Legislative District 11, Dwight W. Burney of Legislative District 14 and Norman A. Otto of Legislative District 34.

A bill for an act to amend section 60-407, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that the person to accompany a person who has attained the age of fifteen and one half years and who is operating a motor vehicle on a learner's permit must be at least twenty-one years of age; and to repeal the original section.

NOTICE OF COMMITTEE HEARING

Revenue Committee

LB 14	Tuesday, January 11, 1955	2:00 p.m.
LB 15	Tuesday, January 11, 1955	2:00 p.m.

Adjournment

At 3:40 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Thursday, January 6, 1955.

Hugo F. Srb
Clerk of the Legislature

THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 6, 1955

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. Hubka, who was excused.

The Journal for the Second Day was approved as corrected.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1.

LR 1 was adopted with 34 ayes, 0 nays and 9 not voting.

STANDING COMMITTEE REPORTS

Credentials

Mr. President: Your Committee on Credentials would like the minutes of this Committee in the Legislative Journal as a matter of record.

(Signed) William A. McHenry

COMMITTEE ON CREDENTIALS

The Committee on Credentials met in the West Senate Chamber, January 5, 1955 at 2:45 p.m. The following were present: William A. McHenry, Chairman, Tom Adams, H. K. Diers, John J. Larkin, Jr., and A. A. Fenske.

Senator Adams made the motion and it was seconded that the Attorney be instructed by this Legislative Committee to prepare the necessary notices to inform the County Clerks of Saline and Fillmore Counties to bring the ballots and the poll books from the last election involving the controversy over a final vote count between C. C. Lillibridge and Mervin V. Bedford and deliver same to Senator McHenry, Chairman of the Committee on Credentials, at the State Capitol Building, on or before 9:00 a.m., Friday, January 7, 1955. The motion carried.

Senator Adams made the motion and it was seconded that the Committee hire or authorize to be hired, at least four (4) people to count the ballots under the supervision of this Committee or any members of this Committee, and in the presence of each of the candidates, if they desire to be present, or in the presence of each of the candidates or two representatives that the candidates select. The motion carried.

Senator Adams made the motion and it was seconded that the Chairman of this Committee, Senator McHenry, see that the ballots are locked in one of the State House Vaults when not in the hands of the Credentials Committee. The motion carried.

Senator Adams made the motion and it was seconded that as the count is being made, either party may challenge the validity of a ballot in which event such ballot will be set aside for later determination by the Committee and the Committee may, whenever any legal question is raised, ask the opinion of the Attorney General. The motion carried.

Senator Fenske made the motion and it was seconded that at any time during this recounting, any member of the Legislature may come in and watch the proceedings. The motion carried.

Senator McHenry made the motion and it was seconded that the next meeting of this Committee be held in the East Senate Chamber at 9:00 a.m., Friday, January 7, 1955, to conduct the recounting in the contesting in the 23rd District between C. C. Lillibridge and Mervin V. Bedford. The motion carried.

Senator Adams made the motion and it was seconded that Chairman Senator McHenry be empowered to hire four (4) or more personnel to conduct this recounting. The motion carried.

Senator Adams made the motion and it was seconded that the motions and proceedings that have been passed on by this Committee on Credentials at this hearing shall be the official acts of this Committee to this time and that the Chairman of this Committee, Senator McHenry, have the same shown in the Legislative Journal. The motion carried.

MOTION—Incorporate Minutes

Mr. President: I move that the minutes of the Committee on Credentials be incorporated as a part of the Legislative Journal.

(Signed) Hal Bridenbaugh

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS**Public Works**

LB 1 Thursday, January 13, 1955 2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 29. By Robert Perry of Legislative District 20, Arthur W. Swanson of Legislative District 36 and Norman A. Otto of Legislative District 34.

A bill for an act to amend section 53-180.02, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to make it unlawful for a minor to sell, dispense, or have the physical control of any alcoholic liquor; and to repeal the original section.

LEGISLATIVE BILL 30. By Sam Klaver of Legislative District 6, Frank Nelson of Legislative District 28 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend section 68-202, Revised Statutes Supplement, 1953, relating to assistance; to modify the assistance laws to permit assistance payments in case of family estrangement; and to repeal the original section.

LEGISLATIVE BILL 31. By Sam Klaver of Legislative District 6, Frank Nelson of Legislative District 28 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend section 68-202, Revised Statutes Supplement, 1953, relating to assistance; to modify the assistance laws; to permit assistance payments when relatives are nonresidents of the state and refuse to support the needy person; and to repeal the original section.

LEGISLATIVE BILL 32. By Lester H. Anderson of Legislative District 25 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend section 17-107, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class; to provide which officers of a city of the second class shall be elected and which shall be appointed; and to repeal the original section.

LEGISLATIVE BILL 33. By Lester H. Anderson of Legislative District 25 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend section 17-950, Reissue Revised Statutes of Nebraska, 1943, relating to second-class cities and villages; to increase the amount of bonds that may be issued for the purpose of acquiring title to real estate and for building swimming pools and dams; and to repeal the original section.

LEGISLATIVE BILL 34. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act relating to oil and gas; to define terms; to prohibit the waste of oil and gas or the contamination of water in the State of Nebraska; to create the Nebraska Oil and Gas Conservation Commission; to define the powers and duties of the Oil and Gas Conservation Commission with respect to conservation of oil and gas; to provide for the enforcement of the provisions of this act and the rules, regulations, and orders of the commission; to provide for the filing and hearing of complaints concerning waste of oil and gas; to provide for appeals; to provide for violations; to provide penalties; to provide for a Director of Oil and Gas Conservation and employees, defining their powers and duties; to provide for a method of financing the enforcement of this act; and to repeal sections 57-214, 57-215, 57-216, 57-217, 57-225, and 57-226, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 35. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act relating to oil and gas; to define terms; to provide for liens; to provide for procedure to enforce liens; and to provide how the act may be cited.

LEGISLATIVE BILL 36. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 57-401, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to authorize trustees of trust estates to enter into contracts for easements with pipe line companies, corporations, individuals, or partnerships for construction, operation, and maintenance of oil or gas, and to sell and dispose of an easement under contract for such purposes, upon and across lands, or any interest therein, belonging to the beneficiaries of the trust; and to repeal the original section.

LEGISLATIVE BILL 37. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend sections 57-201, 57-202, 57-203, and 57-204, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to reduce the time for forfeiture of lease and notice thereof; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-Introducer

Mr. Fenske asked unanimous consent that the name of D. J. Cole of Legislative District 40 be added as a co-introducer of LB 34, LB 35, LB 36 and LB 37. No objections. So ordered.

LEGISLATIVE BILL 38. By Otto Kotouc, Sr. of Legislative District 1, Joseph D. Martin of Legislative District 30 and Norman A. Otto of Legislative District 35.

A bill for an act relating to the Chief Justice and Judges of the Supreme Court and judges of the district court; to provide for a retirement system and retirement fund for the Chief Justice and judges; to create a retirement board to administer such funds; to prescribe court fees to be taxed as costs in certain cases and the disposition thereof.

LEGISLATIVE BILL 39. By Dwight W. Burney of Legislative District 14, L. M. Shultz of Legislative District 16 and K. W. Peterson of Legislative District 35.

A bill for an act to amend section 39-7,127, Reissue Revised Statutes of Nebraska, 1943, and section 39-723.05, Revised Statutes Supple-

ment, 1953, relating to motor vehicles; to change the penalties for violations of persons operating motor vehicles, as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 40. By Monroe Bixler of Legislative District 41, Donald F. McGinley of Legislative District 39 and John E. Beaver of Legislative District 12.

A bill for an act to amend sections 66-410, 66-424.01, 66-428, and 66-452, Revised Statutes Supplement, 1953, relating to motor vehicle fuels; to eliminate the provision that the gasoline tax and excise tax on motor vehicles shall be reduced on May 9, 1955; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 41. By K. W. Peterson of Legislative District 35 and Otto H. Leibers of Legislative District 18.

A bill for an act to amend section 81-263.07, Revised Statutes Supplement, 1953, relating to milk and milk products; to provide an inspection fee for "Grade A" raw milk by a certificate holder when the certificate is issued by a political subdivision having a law or regulation as provided by section 81-263.04, Revised Statutes Supplement, 1953; and to repeal the original section.

LEGISLATIVE BILL 42. By Charles F. Tvrdik of Legislative District 7, George Syas of Legislative District 4 and Sam Klaver of Legislative District 6.

A bill for an act to amend section 79-425.01, Revised Statutes Supplement, 1953, relating to schools; to authorize a Class V school district to purchase, own, and hold title to real estate for future sites and the building of school buildings thereon when located outside the boundaries of the district as prescribed; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-Introducers

Mr. Tvrdik asked unanimous consent that the names of John Adams, Sr. of Legislative District 5, John J. Larkin, Jr. of Legislative District 8, Karl E. Vogel of Legislative District 9 and William Moulton of Legislative District 10 be added as co-introducers of LB 42. No objections. So ordered.

Member Excused

Mr. Morrison was excused for Friday, January 7, 1955.

EASE

The Legislature was at ease from 10:40 a.m. to 11:26 a.m.

Bills Referred to Standing Committees

LB	Committee
18	Public Health and Miscellaneous Subjects
19	Miscellaneous Appropriations and Claims
20	Agriculture
21	Public Works
22	Revenue
23	Judiciary
24	Government
25	Government
26	Education
27	Judiciary
28	Judiciary

Visitors

Mr. Burney introduced Mr. LeRoy Orgiesen, Supervisor of Secondary Education of the State Department of Education, and the following foreign High School Teachers and Administrators: Mrs. Martta Homi, Helsinki, Finland; Miss Khin Tint, Bhamo, Burma; Mr. Armand Lams, West Flanders, Belgium; Mr. Marinus Molenaar, Bloemendaal, Holland; Mr. Asoke Sarkar, Calcutta, India; Mr. Mulkh Oberoi, Ajmer, India; Mr. Yoshiro Ueda, Okayama-ken, Japan; Mr. Livio Olivieri, Mantova, Italy; and Mr. Hans Reichardt, Hamburg, Germany.

Mr. Thompson introduced Mr. Tom Coffey, former member of the Legislature, who addressed the members briefly.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 43. By John Aufenkamp of Legislative District 2.

A bill for an act to amend sections 52-501, 52-502, and 52-503, Reissue Revised Statutes of Nebraska, 1943, relating to liens; to extend the provisions of Chapter 52, article 5, Reissue Revised Statutes of Nebraska, 1943, to owners and operators of fertilizer machinery and of material used in fertilizing the ground in which grain or seed is to be grown or is growing; to provide for violations; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 44. By John Aufenkamp of Legislative District 2.

A bill for an act to amend section 33-137, Revised Statutes Supplement, 1953, relating to fees and salaries; to authorize the governing board of cities located in counties having a population of sixty thousand inhabitants or less to fix the compensation of judges and clerks of election when the elections are for city purposes only; and to repeal the original section.

LEGISLATIVE BILL 45. By William Moulton of Legislative District 10, Earl J. Lee of Legislative District 11 and Kathleen A. Foote of Legislative District 31.

A bill for an act relating to the purchase of United States Series E Bonds; to provide for the withholding of portions of the salary or compensation of officers and employees of the State of Nebraska, or any of its governmental subdivisions, when authorized in writing by such officers or employees for the purpose of purchasing for such officers and employees United States Series E Bonds; to provide for the Auditor of Public Accounts or the disbursing officer of the governmental subdivision endorsing warrants for the purpose of purchasing such bonds; to provide that such bonds shall be delivered to such officers or employees or mailed to the address in the written authorization; to provide for the termination of such written authorization; to provide for the return of any money not expended for such bonds upon the termination of the authorization; and to provide that the Auditor of Public Accounts or such disbursing officer shall not be liable under any bond required of them as such official.

LEGISLATIVE BILL 46. By John Adams, Sr. of Legislative District 5.

A bill for an act to amend section 32-249, Reissue Revised Statutes of Nebraska, 1943, relating to elections; to eliminate from the qualifications of an elector, the question as to color of the applicant; and to repeal the original section.

RECESS

At 11:39 a.m., on a motion by Mr. Shultz, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:37 p.m., President Warner presiding.

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

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 47. By Robert C. Brower of Legislative District 26.

A bill for an act relating to cities and villages, all; to empower cities and villages to purchase, condemn, or accept by gift or devise real estate for off-street parking stations and to dispose of improvements thereon; to authorize the erection of the necessary facilities thereon for off-street parking stations; to authorize maintenance of such parking stations; to provide for issuance of bonds and the procedure therefor; and to provide for a levy.

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 Victor E. Anderson, Lieutenant Governor Charles J. Warner, Auditor of Public Accounts Ray C. Johnson, State Treasurer Ralph W. Hill, Attorney General Clarence S. Beck, Railway Commissioner Richard H. Larson have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Frank Marsh, has furnished bond and oath and that both bond and oath are on file with the Auditor of Public Accounts. (Signed) Karl E. Vogel

The motion prevailed and the President appointed the following members to serve on the committee: Vogel, chairman; Otto and Ruhnke.

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 and present the reports of the Auditor of Public Accounts, the Secretary of State and the Board of Educational Lands and Funds. (Signed) Karl E. Vogel

Auditor of Public Accounts

January 5, 1955

Hugo Srb
Clerk of Legislature
State House
Lincoln, Nebraska

Dear Sir:

This is to advise you that the properly approved Surety Bond to the State of Nebraska of Frank Marsh, Secretary of State, of the State of Nebraska, in the amount of \$50,000.00, was filed in this office on January 4, 1955.

The properly approved Surety Bond to the State of Nebraska of Roland A. Luedtke, Deputy Secretary of State, of the State of Nebraska, in the amount of \$5,000.00, was filed in this office on January 4, 1955.

The properly approved Surety Bond to the State of Nebraska of William F. Swanson, Director of Nebraska Real Estate Commission, of the State of Nebraska, in the amount of \$5,000.00, was filed in this office on January 4, 1955.

A blanket bond covering all employees of the office of the Secretary of State, of the State of Nebraska, in the amount of \$10,000.00, was filed in this office on January 4, 1955.

Witness my hand and official seal, this 5th day of January, 1955.

Yours very truly,

(Signed) RAY C. JOHNSON

(Seal)

AUDITOR OF PUBLIC ACCOUNTS

RCJ:lm1

Certificate of Secretary of State

I, Frank Marsh, Secretary of State of the State of Nebraska do hereby certify that Governor Victor E. Anderson, Lieutenant Governor Charles J. Warner, Auditor of Public Accounts Ray C. Johnson, State Treasurer Ralph W. Hill, and Attorney General Clarence S. Beck have filed their bonds and oaths with the Secretary of State as required

by law; and that the Nebraska State Railway Commission has furnished a bond covering each employee of this agency in the amount of \$10,000 to provide automatic coverage.

I further certify that the required oaths have been filed in the office of Secretary of State by Richard H. Larson, Member of the Nebraska State Railway Commission; E. B. Chappell, Judge of the Supreme Court representing the First District; Adolph E. Wenke, Judge of the Supreme Court representing the Third District; and Paul E. Boslaugh, Judge of the Supreme Court representing the Fifth District.

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

(Signed) FRANK MARSH
(Seal) SECRETARY OF STATE

MOTION—Escort Mrs. Crosby, Mrs. Anderson, Mrs. Warner

Mr. President: I move that a committee be appointed to escort Mrs. Crosby, Mrs. Anderson and Mrs. Warner to the front of the Legislative Chamber. (Signed) K. W. Peterson

The motion prevailed and the President appointed the following members to serve on the committee: Peterson and Pizer and Colonel Hobb R. Turner.

MOTION—State Officers

Mr. President: I move that a committee of five 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 oath and being inducted into office. (Signed) Lester H. Anderson

The motion prevailed and the President appointed the following members to serve on the committee: Anderson, chairman; Moulton, Nelson, Bixler, Cramer.

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

Paul E. Pettygrove, Railway Commissioner
Richard H. Larson, Railway Commissioner
Ray C. Johnson, Auditor of Public Accounts

Clarence S. Beck, Attorney General
 Frank Marsh, Secretary of State
 Ralph W. Hill, State Treasurer

The Chief Justice and Associate Justices of the Supreme Court were escorted to the Legislative Chamber.

The Committee escorted Mrs. Crosby and her daughter, Sue, Mrs. Anderson and her son, Roger, and Mrs. Warner to the Legislative Chamber.

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 inaugural ceremonies. (Signed) O. H. Liebers

The motion prevailed and the President appointed the following members to serve on the committee: Liebers, chairman; Thompson, Shultz, Swanson, Hoffmeister.

The committee escorted the Governor-elect to the rostrum.

MOTION—Governor

Mr. President: I move that a committee of five be appointed to escort Governor Crosby to the Legislative Chamber for the purpose of making his farewell address. (Signed) Charles F. Tvrdik

The motion prevailed and the President appointed the following members to serve on the committee: Tvrdik, chairman; Person, Bedford, Pizer, Cole.

The committee escorted the Governor to the rostrum.

Speaker Burney Presiding

Oaths of Office

The oath was administered to Associate Justices E. B. Chappell, Adolph Wenke and P. E. Boslaugh by Chief Justice Robert G. Simmons.

The oath was administered to the State Officers-elect by Chief Justice Robert G. Simmons.

President Warner Presiding

President Warner presented Governor Crosby who delivered his farewell message as follows:

FAREWELL MESSAGE

According to the Legislative Journals of years gone by, it is at this time that the retiring governor says his farewell.

Unlike the Budget Message that I gave to you yesterday, this Farewell Message is not required by law, just by custom. Custom, however, is usually a more gracious master than is law. That is especially so in this instance. To submit a budget placed me in the position of suggesting a pattern for you to follow after I am out of office. That seemed presumptuous. But for me to say farewell to you is appropriate and I am glad for the chance to do so.

As I leave office my heart is warmed by gratitude. To be elected governor in any state at any time is an honor that is deservedly coveted. But I would not trade my term of office in Nebraska for any other term in this or any other state.

There are so many reasons for me to be thankful!

Show me another state where the people in general have such good thoughts about their political affairs. Of course we aren't perfect. But it has been rare for anyone to suggest that I pursue an unworthy or dishonorable course. We have our pressure groups and sometimes they are in sharp conflict. During my term I have kept my office door open to all these groups and almost always they have assumed that the chief executive will act from good motives. Even among those of our citizens (I say this with a little smile) who are styled "politicians", while inevitably there are some who seek only to advance their personal fortunes, far and away the most of them think in terms of the best interests of our beloved state. In short, our folks in Nebraska are cut out of cloth that has good moral fiber and a pattern of deep religious faith.

God has smiled on our state during my term of office. Except for the first few months of 1953, none of our young men has been engaged in a shooting war. On the whole the elements have been kind. To be sure, I have been distressed for a handful of counties in southern and western Nebraska where drouth has continued. Tragedy in the form of tornadoes struck Hebron and Madison County. In general, however, rainfall has been normal or better and no major calamity has befallen us. Our crops have been good in most places. Our herds have maintained their numbers. Our new resource of oil and gas has been developed rapidly. New industries have settled in our state and old ones have expanded. The prices for our commodities have been generally good and some of our disappointment in prices has been because we expected too much. Most of our townspeople have

been prosperous. Unemployment has been small. The health of our people has been good and our population has increased. For these and many other blessings we are grateful.

In state government there have been some sound and fury during my term. Now when we look back it can be seen that state affairs have gone well—better, in fact, than I had any right to expect. To be sure, I hope that my good friend who succeeds me is spared any task as difficult as that handed to me by the Supreme Court on the day after my inauguration. I refer to the mandate directing equalization of tax assessments.

There were times, I confess, when I inwardly cursed the fate that brought that momentous court decision on my second day in office instead of a year earlier or two years later. Now, looking back, I am actually glad it happened. It gave a substance to my governorship that I would not have foregone.

Now I freely admit that no judge's mandate should have been required. For years every student of our tax system had known that the sharp inequity of property assessments across Nebraska was a black blot on our state's escutcheon. As several have remarked, if people generally had ever understood the degree of injustice there would have been rebellion in many parts of Nebraska.

Since it is all over I am humbly proud. I am grateful that God strengthened us against the temptation to evade the task or to plead helplessness. These things we might have done.

Today I deliver to my successor a tax system where, to the best of my knowledge, no county has the advantage of any other in real estate assessments. We made the most earnest effort in the history of our state, perhaps of any state, to cause personal property assessments to be made fairly. We sought the reasons for our failures and we sought the basic reasons for the "tax mess" that had confronted us at the beginning of my term. Where the system seemed wrong we submitted to the people constitutional amendments that we thought would permit the proper corrections to be made. Some of them were adopted so that you in this session of the legislature have the greatest opportunity in thirty-five years to assure equality among taxpayers in the burden of supporting state and local government.

Only one other problem during my term has cost me any sleep. For years the appraisals of school lands had been notoriously illegal. During the 1940's there had been some half-way efforts to obey the law. Already we had tasted the bitterness of the tax assessment problem. It was a short step from there to the school land problem. Last

year for the first time in my memory the State Board in complete good conscience obeyed the law in making appraisals of school land. Here again we sought the corrections for past failures. Two years ago I had recommended a constitutional amendment that would permit more adequate state supervision of school lands. It was adopted. Last year the Board sent you a recommendation for improvement in the rental formula. Here also you have the best opportunity in several decades to assure a fair and businesslike rental of the school lands.

In other areas state government has enjoyed exceptional success with a minimum of controversy.

At long last the pieces of the highway problem began to fall into place and we have made the most rapid progress in twenty years. Right now we are in the biggest construction program in the history of the state. This legislature will bring further advances, I am sure.

Nebraska held its position among the states collecting the least amount of taxes per capita.

We brought about the first reduction in the state's share of property taxes during the last fifteen years.

We have sought to recognize the unmet needs of this state. I believe our efforts will bear fruit in the fields of public education, traffic safety, human relations, juvenile delinquency, mental hospitals and penal institutions. You will be asked to help in each of these fields and I am sure that you will.

I could mention many other activities of the last two years which bear on your coming deliberations, but it would sound too much like an old man's reminiscences.

There is one report which I now make with greater satisfaction than anything else. The last two years have been free from scandal in state government. The heads of every department have insisted upon honesty. In the two or three instances when an employee was discovered to be frail in this regard the situation was immediately corrected. Except for the charge made in the report of the committee on penal institutions, I am not aware of any trouble spots at this time. I believe that I am handing to my successor an organization that ranks at the top among the states in integrity.

I know, as do all of you, that my successor is a man of fine qualities. From my close association with him I have become aware that he wants more than anything to be a good governor of Nebraska —just as I wanted to be at this moment two years ago. There have

not been many times in my life when I have hoped as much for a man's success as I now hope for Vic's. Please help him.

Remember that there will be several times more demands upon his time than there are hours in the day. He will be called upon to make decisions against the advice or wishes of some of his friends. He may be required to make an appointment to high office from among several well qualified persons who seek it and will be affronted if they do not get it. Undoubtedly some who disagree with his policies will impugn his motives. There will be the lash of public criticism. He may encounter the frustration of public misunderstanding or, possibly, failure by a large part of the public to understand some problem at all. There will be some who envy him and begrudge him success from the outset. Probably he will have disgruntled friends who turn cool, and fainthearted friends who become absent when the difficulties are great. To sum it up, like many before him he will from time to time feel the pain of loneliness.

In spite of all these things he is greatly blessed in the office he is about to occupy. As I have learned so will he learn the fundamental goodness of our state—the warmheartedness of its ordinary people and their desire to cooperate. He will gain many more friends than he loses. He will come to love our state with a strength that will surprise him.

And now I step down to the role that several former governors have told me is the happiest one of all: the role of ex-governor. In doing so I leave with you my unqualified good wishes. You may be sure that this legislature and our fine new governor will each have my loyal support and, further, that each will be the frequent subject of my prayers.

(Signed) Robert B. Crosby

Oath of Office

The oath was administered to Governor Victor E. Anderson by Chief Justice Robert G. Simmons.

Invocation

Invocation was pronounced by the Chaplain.

President Warner presented Governor Victor E. Anderson who delivered the following address:

INAUGURAL MESSAGE OF GOVERNOR

Mr. President, Mr. Speaker,

Members of the Senate:

We meet on an occasion characteristic of free people. We meet on an occasion that is denied great segments of the world's population—the inauguration of public officers chosen by free people to conduct their government. It is with a sense of high honor that I accept the responsibilities of the office of Governor. It is with equally high confidence that I join with you, the elected representatives of the people of the great State of Nebraska, in the common objective of preserving sound self-government and the American way of life for our fellow citizens and for future generations. We are, in a sense, the trustees of their freedom.

Except, of course, as the state has its role to play in the federal partnership, it is within the province of neither you as Senators nor me as Governor to assume ultimate responsibility for national and international problems. But I know we are each aware of the seriousness of those problems today, and that each of us in our own way prays to God for a strong free America in a world of lasting peace.

Our primary task here is to preserve sound self-government at the state level. Before touching on the principles that should guide us, I wish to make an observation about the Legislature of Nebraska. One of my most cherished privileges as an American citizen was to represent my home district in this Legislature in 1949.

It has been said that, with certain exceptions, the legislatures of our several states have lagged behind other government institutions. Nebraska is a notable exception. It is common knowledge that your membership is of the highest dignity and ability compared with the legislative bodies of other states. Your method of open proceedings with free debate and individual responsibility, promptly and accurately reported to the people by the press, radio and television has no equivalent in state government. You, members of the Senate, individually and collectively, have my confidence. I seek to work with you as a team member. I am determined that together we shall protect and perpetuate sound self-government for our state. We will do that best by keeping the people well informed of our activities. To that end we may rely upon the press, radio and television of Nebraska, to whose high integrity I pay my respect.

Principles That Should Guide Us

Now, as to principles that should guide us I recommend that we hold fast to those basic concepts on which our forefathers based their

fight to make us free men, and which they preserved by constitutional provision, and that we follow those concepts as trustees of the freedom of our children. In providing the legislation and administration for a sound self-government, let us never forget these fundamental human rights:

First: The fullest opportunity of self expression—freedom of speech and press.

Second: The opportunity to worship, each as he chooses.

Third: The opportunity to enjoy the fruits of our labors, and,

Fourth: The opportunity to provide our own government and choose from among us those who shall be our governmental officers.

These are the characteristic privileges of free men. They must be safeguarded as natural rights in our homes, in our schools, in our businesses and professions and in the operation of our governmental processes. It is by the denial of these rights that the Kremlin enslaves millions of human beings.

I wish to give you an expression of my views, in general terms, with regard to certain fields of legislation with which your honorable body will be concerned. In some of these fields your views may differ from mine. You may differ in opinion with each other, just as many of our best informed citizens differ in opinion with each other. Bear in mind, however, that a fearless expression of our views and a frank debate of the reasons supporting them provides the best tonic for the heritage of freedom. Let us always seek to settle our problems by coming to grips with fundamental issues.

Tax Economy and Efficiency in Government

Now the one issue that confronts every legislature and every governor of every state is taxes. This has to do with how to assess them the most fairly, and how best to hold them within prudent bounds. It has to do with thrift through efficiency in government. I have dedicated myself to be constantly alert to see that the state gets the most out of every tax dollar. As the representatives of our people, you have been vested with the responsibility of determining the amount of tax money needed to carry on the state government and the sources from which it should come. In the discharge of that responsibility you should constantly strive to improve our tax structure. I look for significant benefit from the recently adopted constitutional amendments proposed at your last legislative session. I have confidence in the fairness and wisdom of the determination that you will make regarding the need

and demand of our citizens for state expenditures and their ability to provide tax funds without injury to the economy of our state. My recommendations for the state budget for the next biennium will be the subject of a special message to your body at a later date.

Assessment and collection of taxes and expending of tax monies are among the duties of the executive branch of government. I shall strive to avoid unnecessary expenses in all matters. I shall insist on the examination and re-examination of administrative procedures in order to attain the greatest efficiency. I shall strive to exercise the utmost care in appointment of capable employees, in training them to do their jobs, and in supervising their work to the end that they are neither wasteful nor idle. I believe that every state employee should be properly paid, and should enjoy security against old age under a program comparable to that of employees of other levels of government and employees of sound successful business organizations. I want our employees to be proud to work for the State of Nebraska. I want them to be respected as persons holding important positions of public trust.

Public Welfare

Let me speak of public welfare. Our state government has a primary duty to do everything reasonably within its power for the needy elderly people who cannot work, the unfortunate who are sick or disabled, the dependent children, and for the rehabilitation of the handicapped to prevent or reduce dependency. Particularly, we should take advantage of federal financial assistance provided for by the amendments to the Vocational Rehabilitation Act passed by the 83rd Congress and signed last August by President Eisenhower.

The care and treatment of the mentally ill is primarily a responsibility of the states. The determination by the states to attack this great problem, resulted in the calling of a National Governors' Conference on Mental Health that met last February. Governors, state legislators, mental health officers and professional leaders joined together for the first time to discuss means of attacking this problem which takes a great toll of our resources, both human and material. The Governors attending the conference adopted a 10-point program which I commend to you for consideration in this field of legislation.

As Governor, I shall cooperate fully with you concerning all matters of public welfare. I shall take a direct and personal interest in all institutions that care for our people. It shall be my duty not only to understand how our institutions are operated but to take appropriate action within the scope of my authority to see that they are operated efficiently and that the persons in them receive proper treatment.

Education

Now with reference to education, we all recognize that among our best investments is the education of our children—the citizens who will be charged with providing a sound self government tomorrow. Every child is entitled to an equal opportunity for a good education. That includes the opportunity to attend college as well as high school. We should maintain a strong state university and strong state normal schools. I believe school district reorganization should be accelerated. It results in elimination of duplicated expense, lower cost per pupil, and lower cost per class room, and at the same time brings higher teaching standards with better school facilities.

We can rightfully look with optimism for betterment of the schools of Nebraska under the supervision of the newly elected State Board of Education. I am very grateful for the high calibre of the persons elected to that board last November. We shall join with them in giving support to a sound educational program with adequately trained and properly paid teachers.

Natural Resources

Probably no other area in the world is so abundantly blessed with the fundamental natural resources without which man is helpless—good earth, clear water, pure air and abundant sunshine. Because of these, Nebraska has become a great livestock and agricultural producer, and has attracted business enterprises that process and market those products for human consumption throughout the world. Together with these, Nebraska has many mineral resources (including oil and gas) which are assuming more importance in our economic life.

As elected public servants of the people of Nebraska, we must recognize that we are but trustees of many of these resources. In this capacity we must provide legislation and sound government to encourage development and wisest use of these resources, to prevent their waste and to enable the general public to realize from them the greatest possible good. This is an area of tremendous importance, where a great deal of pioneering remains to be done by Nebraska and her sister states. We must not neglect it.

Nebraska has properly developed many of its resources. We need now to encourage the location of more industry in our state by providing laws and a tax structure that will encourage new industry to come to Nebraska and to keep Nebraska an attractive place for those homegrown industries which are here and are developing our resources.

The greatest "Natural Resource" of the State of Nebraska is its people. A mixing bowl of people of different states and national origin,

Nebraska through 87 years of statehood has closely guarded the dignity of the individual. We must continue to conserve and protect this precious and sacred endowment. I plead with you to scrutinize very closely any legislation which would enmesh our people in more and closer regulation. Instead, strive always to encourage Nebraskans in the ways and rewards of freedom.

Highways

Motor vehicle travel is of concern to all Nebraskans. Safety on our highways is an objective devoutly to be sought. State government alone cannot insure safety, but we must do our part. Safety arises from three factors:

1. Safe roads—we must build them with safety in mind.
2. Reasonable regulations, properly enforced—these we must provide by legislation and administration.
3. Self-discipline—we must instill self-discipline and courtesy in all licensed operators so that safety consciousness steers every vehicle.

All three of these factors together can mean traffic safety. The absence of any one of them will only foster the great tragedy of our time—death, injury and destruction by motor vehicle accidents.

Our law places upon your Honorable Body the task of deciding what overall policies shall govern road building and maintenance. You must determine what sums shall be spent for this purpose. The paramount consideration in this of course should be to balance the needs and demands of our people against their ability to pay. I have faith that your decisions will be for the benefit of all of the people and I promise you that the executive branch of government will do all in its power to carry out your policies and obtain the best roads for every tax dollar spent.

Other Problems

Nebraska has a world famous Capitol. Nebraskans everywhere are rightfully proud of it. With your assistance, I shall insist that it be used for the best interests of the state and that it be properly maintained.

The world situation requires that our people be ever alert against attack and that our civilian defense program be a good one. You wisely placed this function in the Military Department last session. While policy making in civilian defense is in the Federal Government, we should be alert in implementing these policies on the state level.

Also your Honorable Body has long recognized that the State and its citizens should extend a helping hand to those who served their country so well. I trust you will continue to recognize this obligation.

We have a state of fine people with bounteous resources. We in Nebraska are enjoying a heretofore unequalled economic health. I am honored to have been chosen as Governor of this great state. I accept that high office with humility but with eager determination to share with you the responsibility of giving our people sound self-government anchored to fundamental human rights. We shall be guided by the principles of economy and efficiency. Let us ask for tax dollars sparingly and invest them wisely. Let us see that our government is kept close to the people, and that public officials are responsible to the people and responsive to their needs and desires. In that spirit let us strive for the broadest possible understanding of state problems. May God grant us the wisdom and strength to do our job well.

(Signed) Victor E. Anderson

The committee escorted Governor Anderson from the Chamber.

The committee escorted Ex-Governor Crosby from the Chamber.

The Chief Justice and Associate Justices of the Supreme Court were escorted from the Chamber by the following members: Martin, McGinley, Lee, Brower, J. Adams and T. Adams.

The committee escorted the State officers from the Chamber.

The President introduced Governor and Mrs. Anderson's son, Roger, to the members.

The committee escorted Mrs. Crosby, Sue Crosby, Mrs. Anderson, Roger Anderson and Mrs. Warner from the Chamber.

Announcement

The President announced that a reception would be held in the Governor's office immediately following adjournment.

Adjournment

At 3:06 p.m., on a motion by Mr. Klaver, the Legislature adjourned until 10 a.m., Friday, January 7, 1955.

Hugo F. Srb

Clerk of the Legislature

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 7, 1955

Pursuant to adjournment, the Legislature met at 10:12 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hubka, Larkin, Morrison, Purdy, Syas and Thompson, who were excused.

Member Excused

Mr. Lee was excused for Monday and Tuesday, January 10 and 11, 1955.

The Journal for the Third Day was approved as corrected.

Communications

Letter from Lester Bunderson and Billy B. Watkins of Craig, Nebraska, concerning the Federal program for the totally and permanently disabled. Referred to Committee on Revenue.

Letter from the State Treasurer as follows:

January 6, 1955

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

Dear Mr. Srb:

In assuming my duties as State Treasurer I find that there are three law suits pending in the District Court of Lancaster County, Nebraska; one, Langstrom vs. Heintze in which the County of Douglas has

interpleaded, one, Lancaster County vs. Heintze, and one, State of Nebraska ex. rel. Heintze, State Treasurer vs. County of Adams, et. al. The first two cases are actions commenced to recover funds from the Gasoline and Special Fuel Tax Fund claiming that the allocations of tax were improper and the third suit brought by Mr. Heintze as State Treasurer was to decide these specifications:

(1) The validity of section 66-422, Reissue Revised Statutes of Nebraska, 1943, which sets out the formula for distribution of the Gasoline and Special Fuel Tax Funds.

(2) Which census should be followed, the 1940 or the 1950. Some of the counties are now claiming the 1940 census shall be followed.

(3) If the 1950 census is followed, what date did it become available and effective.

(4) Shall the population of Huskerville and Boys Town be counted as farm or nonfarm population.

(5) What types of vehicles should be included in the total motor vehicle registrations for the years 1949 to 1953.

(6) How are the motor vehicle registrations determined for the last fiscal year when the facts are not available for a period of two or three months after the beginning of each year.

Since my attorneys advise me that no compromise can be made with governmental subdivisions and in order to protect myself and my bondsmen I shall continue with the practice followed by my predecessor and continue to withhold the distribution of the Gasoline and Special Fuel Tax Fund until the courts determine the specific questions which I have set forth herein or until the Legislature adopts a new formula for distribution.

In order that this money may be distributed in February I urge the Legislature take action during the month of January to adopt a formula of distribution of the Gasoline and Special Fuel Tax Fund in order that there would be no liability on the State Treasurer or his bondsmen by reason of making distribution.

Yours truly,

(Signed) RALPH W. HILL
State Treasurer

RWH:vr

Referred to Committee on Revenue.

Visitors

Mr. Bedford introduced Mr. John Brenneman, Associate Professor of History and Political Science, Doane College, Crete, Nebraska, and twenty-four students.

Bills Referred to Standing Committees

LB	Committee
29	Judiciary
30	Labor and Public Welfare
31	Labor and Public Welfare
32	Government
33	Government
34	Judiciary
35	Judiciary
36	Judiciary
37	Judiciary
38	Judiciary
39	Public Works
40	Revenue
41	Agriculture
42	Education
43	Judiciary
44	Government
45	Banking, Commerce and Insurance
46	Government
47	Government

NOTICE OF COMMITTEE HEARINGS**Government**

LB 8	Wednesday, January 19, 1955	2:00 p.m.
LB 13	Wednesday, January 19, 1955	2:00 p.m.
LB 17	Wednesday, January 19, 1955	2:00 p.m.
LB 24	Wednesday, January 19, 1955	2:00 p.m.

MOTION—Statutes

Mr. President: I move that the State Librarian be authorized and directed to furnish to each member of the Legislature, the Lieutenant Governor, the Associated Press, the United Press, the World Herald, the Lincoln Journal, the Star, and the Committee on Enrollment and Review, not to exceed 50 copies, of the current Reissue Revised Statutes of 1943 and the 1953 supplement thereto.

(Signed) Earl J. Lee

The motion prevailed.

RESOLUTIONS

**LEGISLATIVE RESOLUTION 2. Re: Committee to Hold Hearings
on Report of Governor's Penal
Committee**

Introduced by Lester H. Anderson of Legislative District 25.

WHEREAS, the Governor of the State of Nebraska felt it necessary to appoint a citizens' committee to investigate conditions in the State's penalogical institutions, and

WHEREAS, the appointment of this committee was brought about by repeated complaints about conditions at the penitentiary which complaints covered a period of several years and came from various reputable sources both inside and outside the prison walls, and

WHEREAS, the Governor's committee, comprised of the Honorable Harry D. Landis, Judge of the Fifth District, Mr. Frank Weygint, Union Insurance Company, and Dr. James M. Reinhardt, Professor of Criminology at the University of Nebraska, after studying the three penal institutions of the State over a period of approximately five months submitted a report highly critical of the penitentiary at Lincoln, which report charged unnecessary brutalities upon inmates, the use of prison inmate labor in the construction of private properties and laxity in the control of the use of narcotics within the prison walls and laxity in the control of the movements and whereabouts of inmates in the prison, and

WHEREAS, these charges are supported by verbal testimony of various reputable citizens and by affidavits and signed and witnessed statements by other reputable citizens both in and out of the prison walls, and

WHEREAS, the committee report was further critical of the incarceration and treatment of insane persons in undescribably horrible conditions in the so-called "hole" and the prolonged incarceration of other inmates defined as troublemakers without formal hearings, and upon the arbitrary action of the present administrators without defined procedures by which such incarcerated inmates could recover normal privileges within the prison walls, and

WHEREAS, the undesirable and bad conditions found in the prison by the Governor's Penal Committee had existed over a period of years, despite the fact that the attention of the present administration had been called to these conditions by reputable officials in the State, after personal inspection of the prison, and

WHEREAS, the present warden acknowledged the existence of these evil conditions and stated his readiness to correct them in a letter to one of these State Officials dated June 16, 1951 and

WHEREAS, these conditions were not only not corrected but appeared to have grown worse, and

WHEREAS, an expert penalogist, Mr. Sanford Bates, who was brought here by the Board of Control at a fee of \$100.00 a day plus expenses to make "An expert and authoritative investigation" of the prison situation, following the submission of the report of the Governor's penal committee to the Governor, and the publication of materials from the files of the Governor's penal committee on which its report was based, and

WHEREAS, the expert penalogist, Mr. Sanford Bates, while admitting that there was opportunity for correcting certain material conditions within the prison walls prior to his appearance at the penitentiary which conditions he found occasion in his report to commend, in no instances challenged the findings of the Governor's committee but in the main supported the charges of inefficiency on the part of the prison administration and specifically supported the recommendations of the Governor's penal committee with respect to the replacement of the chief administrators of the prison by competent and well-trained prison officials, and

WHEREAS, it is noted that the Governor's committee recommends specifically that a change of administration in the prison be effected, and the penalogical expert Sanford Bates supports this recommendation in the following language quoting from his report: "...while I have not gone into matters as to active malfeasance on his or their part, a recital of the deficiencies and inadequacies of the present treatment program must have its reflection upon the adequacy of the administration of the top officers."

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

1. That the Legislature authorize the appointment by the Lieutenant Governor of the State of Nebraska of a committee of seven members of the Legislature to hold hearings on the report of the Governor's penal committee, at which hearings members of the committee and other informed citizens of the State will be requested to appear to offer testimony. Opportunity will be provided for other interested citizens not specifically invited by the legislative committee to appear and to offer testimony before the committee.

2. That the Legislative penal committee, upon the completion and digestion of the testimony offered in the hearings, will then make specific recommendations to the Legislature for action, which recommendations will also be communicated to the Board of Control and the Governor.

UNANIMOUS CONSENT—Lay over Resolution

Mr. Anderson asked unanimous consent that LR 2 be laid over until next Friday, January 14, 1955. No objections. So ordered.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 48. By LeRoy Bahensky of Legislative District 29 and Dwight W. Burney of Legislative District 14.

A bill for an act to amend section 37-502, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to regulate commercial fishing on that portion of the Missouri River, as prescribed; and to repeal the original section.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 23	Wednesday, January 12, 1955	2:00 p.m.
LB 27	Wednesday, January 12, 1955	2:00 p.m.
LB 28	Wednesday, January 12, 1955	2:00 p.m.
LB 29	Wednesday, January 12, 1955	2:00 p.m.
LB 43	Wednesday, January 12, 1955	2:00 p.m.

RECESS

At 10:44 a.m., on a motion by Mr. Burney, the Legislature recessed until 11:30 a.m.

AFTER RECESS

The Legislature reconvened at 11:30 a.m., President Warner presiding.

The roll was called and all members were present except Messrs. J. Adams, Diers, Fenske, Hubka, Klaver, Larkin, McHenry, Morrison, Purdy, Syas and Thompson, who were excused.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 49. By Charles F. Tvrdik of Legislative District 7, Karl E. Vogel of Legislative District 9 and John Adams, Sr. of Legislative District 5.

A bill for an act to amend section 21-1,159, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to reduce the required vote of outstanding shares of each class entitled to vote in authorizing corporations to issue new shares of any class or to change previously issued shares or to classify or re-classify any shares; and to repeal the original section.

LEGISLATIVE BILL 50. By John Aufenkamp of Legislative District 2.

A bill for an act to amend section 79-486, Revised Statutes Supplement, 1953, relating to schools; to except school districts which contract for instruction of pupils of the elementary grades with a state normal school located within the boundaries of the district from the provisions of dissolution on account of such contracting for instruction; and to repeal the original section.

Visitors

Mrs. Foote introduced Mr. Richard Marvel of Hastings, Nebraska, a former member of the Legislature, who addressed the Legislature briefly.

NOTICE OF COMMITTEE HEARINGS**Banking, Commerce and Insurance**

LB 3 Thursday, January 13, 1955 2:00 p.m.

Adjournment

At 11:37 a.m., on a motion by Mr. Shultz, the Legislature adjourned until 10:00 a.m., Monday, January 10, 1955.

Hugo F. Srb

Clerk of the Legislature

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 10, 1955

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. Bridenbaugh, Lee, and Peterson, who were excused.

The Journal for the Fourth Day was approved.

Communication

Letter from Mrs. Paul R. Wyckoff, Mrs. F. H. Jacobsen, Mrs. V. E. Nelson, Mr. and Mrs. O. D. Kruse and I. P. Leonard, concerning a Federal State program for aid to the permanently and totally disabled. Referred to Committee on Miscellaneous Appropriations and Claims.

Member Excused

Mr. Bridenbaugh was excused for Monday and Tuesday, January 10 and 11, 1955.

SUSPEND RULES—Place on General File

Mr. President: I move that the rules be suspended which require a public hearing on Legislative Bills No. 11 and No. 12 as they are simply a matter of routine; and that these two bills be placed on General File. (Signed) William A. McHenry

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

STANDING COMMITTEE REPORTS**Budget**

LEGISLATIVE BILL 11. Placed on General File.

LEGISLATIVE BILL 12. Placed on General File.

(Signed) William A. McHenry,
Vice-Chairman

NOTICE OF COMMITTEE HEARINGS**Agriculture**

LB 4 Monday, January 17, 1955 2:00 p.m.

MOTION—Journals and Session Laws

Mr. President: I move that the State Librarian be authorized and directed to furnish to each member of the Legislature, the Lieutenant Governor, the Associated Press, the United Press, the World Herald, the Lincoln Journal, the Star, and the Committee on Enrollment and Review, not to exceed 50 copies of the Journals and Session Laws of the 65th and 66th Sessions. (Signed) John E. Beaver

The motion prevailed.

Bills Referred to Standing Committees

LB	Committee
48.....	Agriculture
49.....	Judiciary
50.....	Education

MOTION—Assistant Clerk

Mr. President: I move that the appointment of Francis V. Robinson as Assistant Clerk of the Legislature be approved. (Signed) Dwight W. Burney

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 51. By O. H. Person of Legislative District 17.

A bill for an act to amend section 39-7,133, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide that it shall be

unlawful to operate a vehicle after revocation of an operator's license under the provisions of sections 39-7,128 to 39-7,133, Revised Statutes Supplement, 1953; to provide that a license shall be revoked for one year and before another license is issued, the applicant shall furnish proof of financial responsibility as prescribed; and to repeal the original section.

LEGISLATIVE BILL 52. By O. H. Person of Legislative District 17.

A bill for an act to amend section 39-7,130, Revised Statutes Supplement, 1953, relating to motor vehicles; to make it unlawful to refuse to surrender an operator's license on demand in accordance with the provisions of this act; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 53. By Dwight W. Burney of Legislative District 14, A. A. Fenske of Legislative District 43 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend sections 60-408 and 60-409, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to increase the fee of operators' license; to provide for the additional fee and disbursement thereof; and to repeal the original sections.

EASE

The Legislature was at ease from 10:15 a.m. to 11:07 a.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 54. By Robert C. Brower of Legislative District 26.

A bill for an act to amend section 16-310, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the salary of the clerk; to provide when such increase shall become effective; and to repeal the original section.

LEGISLATIVE BILL 55. By Robert C. Brower of Legislative District 26.

A bill for an act to amend section 16-319, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide that

the mayor and city council shall have the right to pay the city attorney additional compensation for legal services performed for the board of public works or to employ additional legal assistance other than the city attorney for such board; and to repeal the original section.

LEGISLATIVE BILL 56. By Robert C. Brower of Legislative District 26.

A bill for an act to amend section 77-1612, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to change the date authorities of cities, villages, townships, and districts shall certify the amounts to the county clerk which they severally will require to be raised by taxation; and to repeal the original section.

LEGISLATIVE BILL 57. By Amos Morrison of Legislative District 42 and Glenn Cramer of Legislative District 27.

A bill for an act relating to junior colleges; to authorize junior colleges to extend their districts; to provide the manner and method of junior colleges to change their boundaries; to provide for elections; to provide for offices and their compensation; to provide the manner of levying taxes; to provide the manner and procedure for issuing bonds; to amend sections 79-1606, 79-1607, 79-1608, 79-1613, 79-1615, 79-1616, 79-1617, and 79-1618, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections and also section 79-1614, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 58. By Robert C. Brower of Legislative District 26, John E. Beaver of Legislative District 12 and Mervin V. Bedford of Legislative District 23.

A bill for an act to amend sections 24-201.01 and 24-301.01, Revised Statutes Supplement, 1953, relating to courts; to increase the salaries of the Chief Justice and Judges of the Supreme Court and the judges of the district court as prescribed; to provide when such increase shall be operative; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Brower asked unanimous consent to add the names of John Adams, Sr. of Legislative District 5 and D. J. Cole of Legislative District 40 as co-introducers of LB 58. Consent was granted and it was so ordered.

LEGISLATIVE BILL 59. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend sections 57-211 and 57-212.01, Reissue Revised Statutes of Nebraska, 1943, and sections 57-210 and 57-212, Revised Statutes Supplement, 1953, relating to oil and gas; to provide that proceedings may be had in the district court of the county in which real estate is located for authority to lease any interest in real estate, or any part thereof, by the legal representative of the estate of a deceased person, trust, minor, or incompetent; to extend the proceedings prescribed in this act to pooling or unitization contracts; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Fenske asked unanimous consent to add the name of D. J. Cole of Legislative District 40 as co-introducer of LB 59. Consent was granted and it was so ordered.

LEGISLATIVE BILL 60. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 25-1008, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for service of the order of attachment of real property which includes mineral or royalty interests; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Fenske asked unanimous consent to add the name of D. J. Cole of Legislative District 40 as co-introducer of LB 60. Consent was granted and it was so ordered.

LEGISLATIVE BILL 61. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 57-402, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to extend the provisions for entering into contracts for pipe line easements to trustees for beneficiaries of trust estates; to provide that the judge may direct to what

persons and in what manner notice of hearing the application by the executor, administrator, trustee, or guardian shall be given; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Fenske asked unanimous consent to add the name of D. J. Cole of Legislative District 40 as co-introducer of L. B. 61. Consent was granted and it was so ordered.

LEGISLATIVE BILL 62. By A. A. Fenske of Legislative District 43, Otto Kotouc, Sr. of Legislative District 1 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend sections 57-222 and 57-223, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to provide that persons having a vested or contingent interest in real estate shall have the same rights as a tenant for life to make application to the district court of the county where the land is located to appoint a trustee for the purpose of leasing the land or entering into pooling or unitization contracts; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Fenske asked unanimous consent to add the name of D. J. Cole of Legislative District 40 as co-introducer of LB 62. Consent was granted and it was so ordered.

LEGISLATIVE BILL 63. By Sam Klaver of Legislative District 6.

A bill for an act to amend section 24-303, Reissue Revised Statutes of Nebraska, 1943, relating to district courts; to extend the time when the judges of the district court shall fix the time of holding terms of court in the counties composing their respective districts during the ensuing year; and to repeal the original section.

LEGISLATIVE BILL 64. By Charles F. Tyrdik of Legislative District 7, Sam Klaver of Legislative District 6 and Karl E. Vogel of Legislative District 9.

A bill for an act to amend sections 19-303 and 19-305, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages of particular class; to provide that the salary of plumbing inspectors, assistant plumbing inspectors, and members of the plumbing board shall be paid such salaries as fixed by the city council; and to repeal the original sections.

LEGISLATIVE BILL 65. By Charles F. Tvrdik of Legislative District 7, John J. Larkin, Jr. of Legislative District 8 and William Moulton of Legislative District 10.

A bill for an act to amend sections 71-1202, 71-1206, and 71-1207, Reissue Revised Statutes of Nebraska, 1943, relating to boxing matches; to redefine to whom a license may be issued for conducting or holding boxing or wrestling matches; to eliminate the provision that the license shall designate the place where the exhibitions are to be held; to provide when boxing or sparring matches or exhibitions may exceed ten rounds in length; to increase the gross receipts tax; to eliminate the provisions that licenses shall not be issued where the mayor, council or governing body has by ordinance forbidden wrestling or boxing matches or where county boards have by resolution forbidden the holding of wrestling or boxing matches or exhibitions; and to repeal the original sections and also section 71-1212, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 66. By Dwight W. Burney of Legislative District 14, D. J. Cole of Legislative District 40 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend section 60-404, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that every person holding an operator's license shall be re-examined every five years and shall have a notation on his certificate by a qualified examiner and found to have the necessary ability to safely operate a motor vehicle on the public highways before a renewal certificate shall be issued; and to repeal the original section.

SELECT COMMITTEE REPORT

Special Committee on Contest

Mr. President: Your Special Committee on Contest submits the following report with reference to the contest of the election for the office of member of the Nebraska State Legislature from the 23rd Legislative District.

Your Committee met at 9:00 o'clock a.m. January 7, 1955 in the East Senate Chamber for the purpose of conducting a re-count of the votes cast at the general election held on November 2, 1954, for the office of member of the Nebraska State Legislature from the 23rd Legislative District. The count was conducted in the presence of the

attorneys for the incumbent, Mervin V. Bedford, and the contestant, C. C. Lillibridge.

During the counting of the ballots either party was given an opportunity to challenge the vote of any ballot, in which case such ballot was laid aside for later determination by the Committee. The counting process continued throughout the entire day and until approximately midnight when the Committee recessed until 8:30 o'clock a.m. January 8. At said time the counting was resumed and the count of all of the ballots cast at the polling places on election day was completed at approximately 2:00 o'clock p.m. This count disclosed that Mervin V. Bedford received a total of 4,187 of such votes and that the contestant, C. C. Lillibridge, received a total of 4,155 of such votes. The Committee then proceeded to count the absentee and disabled voters' ballots, and this count disclosed that Mervin V. Bedford received a total of 56 such votes and the contestant, C. C. Lillibridge, received a total of 59 of such votes.

The Committee then proceeded to determine the validity and count the votes which had been challenged by the attorneys for the respective parties during the course of the ballot counting. There was a total of 84 such challenged votes. The consideration of the same was had in the presence of the counsel for the respective parties, and the Committee was guided with reference to the legal questions involved by a memorandum prepared by the Attorney General. The Committee determined that of the 84 challenged votes, 31 were legally cast for Mervin V. Bedford, 29 were legally cast for the contestant, C. C. Lillibridge, and that 24 were void ballots.

Your Committee therefore found and determined that at the general election held on the 2nd day of November, 1954 for the office of member of the Nebraska State Legislature from the 23rd District, Mervin V. Bedford received a total of 4,274 votes and the contestant, C. C. Lillibridge, received a total of 4,243 votes.

Your Committee therefore recommends that Mervin V. Bedford be declared duly elected as a member of the Nebraska State Legislature from the 23rd Legislative District and that he be seated as a member for said term of office.

Your Committee further recommends that Thomas J. Keenan, attorney for Mervin V. Bedford in these proceedings, be allowed an attorney's fee in the amount of \$100.00 to be taxed as costs in said proceedings and that all costs of these proceedings be taxed against the contestant, C. C. Lillibridge.

(Signed) Wm. A. McHenry
Chairman

(Signed) H. K. Diers

(Signed) John J. Larkin, Jr.

(Signed) Tom Adams

(Signed) A. A. Fenske

MOTION—Adopt Report

Mr. President: I move the adoption of the report of the Special Committee on Contest and that Mervin V. Bedford be declared duly elected to the office of member of the Nebraska State Legislature from the 23rd Legislative District and that he be seated as a member of this body for the term commencing on January 4, 1955. (Signed) Wm. A. McHenry.

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

Mr. McHenry escorted Mr. Bedford to the rostrum where he addressed the Legislature briefly.

GENERAL FILE**UNANIMOUS CONSENT—Waive Reading**

Mr. McHenry asked unanimous consent to waive the reading of LB 11 and LB 12 on General File. No objections. So ordered.

SUSPEND RULES—Advance Bills

Mr. President: I move that the rules be suspended and LB 11 and LB 12 be advanced to E and R for engrossment. (Signed) Wm. A. McHenry

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

Members Excused

Mr. Brower was excused for Tuesday morning, January 11, 1955 and until 11 a.m., Wednesday morning, January 12, 1955.

Mr. Cramer was excused for Tuesday morning, January 11, 1955 at 10 a.m.

BILLS ON FIRST READING

LEGISLATIVE BILL 67. By William Moulton of Legislative District 10, George Syas of Legislative District 4 and LeRoy Bahensky of Legislative District 29.

A bill for an act to amend section 37-706, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to permit the sale of game birds bearing shot marks under certain conditions; and to repeal the original section.

LEGISLATIVE BILL 68. By William Moulton of Legislative District 10, George Syas of Legislative District 4 and LeRoy Bahensky of Legislative District 29.

A bill for an act to repeal sections 28-563 and 28-564, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments.

LEGISLATIVE BILL 69. By O. H. Person of Legislative District 17 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend section 37-513, Reissue Revised Statutes of Nebraska, 1943, relating to fish and game; to eliminate the provision making it unlawful to train or run coon and trail hounds, or grey or wolf hounds as prescribed; and to repeal the original section.

NOTICE OF COMMITTEE HEARINGS

Education

LB 6 Tuesday, January 18, 1955 2:00 p.m.

Petition

Petition from Miss Mabel Fossler, Lincoln, Nebraska, to remove LB 516. Referred to Committee on Miscellaneous Appropriations and Claims.

RECESS

At 11:49 a.m., on a motion by Mr. Beaver, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:03 p.m., President Warner presiding.

The roll was called and all members were present except Mrs. Foote and Messrs. T. Adams, Bridenbaugh, Hubka, Klaver, Lee and Peterson, who were excused.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Person asked unanimous consent that the name of George Syas of Legislative District 4 be added as a co-introducer of LB 69. Consent was granted and it was so ordered.

Announcement—Sundry Claims

Mr. Aufenkamp, Chairman of the Committee on Miscellaneous Appropriations and Claims, announced that all claims to be considered by this session of the Legislature must be filed within or before the first twenty legislative days of the session, in accordance with the rules of the Legislature.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 70. By Mervin V. Bedford of Legislative District 23.

A bill for an act to amend section 17-524, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to change the procedure for making the assessments for streets, sidewalks, and improvements under the provisions of sections 17-509 to 17-523, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 71. By George Syas of Legislative District 4, Joseph D. Martin of Legislative District 30 and Monroe Bixler of Legislative District 41.

A bill for an act to amend section 44-1607, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to provide requirements for group life insurance policies issued to credit unions; and to repeal the original section.

Mr. Tvrdik Presiding

Mr. Burney, Chairman of the Committee on Intergovernmental Cooperation for 1953-1954, gave a report of the activities of the Committee on Intergovernmental Cooperation for the last biennium and asked unanimous consent that the following financial report be placed in the Journal. No objections. So ordered.

ACCOUNT 5—**INTERGOVERNMENTAL COOPERATION COMMISSION**

Balance—June 30, 1953	\$ 2,619.18
New Appropriation—July 1, 1953	10,000.00
Total Appropriation.....	<u>\$12,619.18</u>

Disbursements

7-25-1953 Conference, Council of State Governments
thru
7-30-1953 Mackinac Island, Michigan

Members attending:

Charles F. Tvrdik Hal Bridenbaugh
Karl E. Vogel C. C. Lillibridge
Dwight W. Burney

Total Expenses \$ 937.34

7-31-1953 Dues, Council of State
Governments 4,000.00

9-28-1953 Legislative Service Conference
thru
10- 1-1953 New Orleans, Louisiana
Hugo F. Srb attending 167.12

10-14-1953 Board of Managers,
thru
10-17-1953 Washington, D. C.
Earl J. Lee attending 159.55

12-11-1953 Board of Managers,
and
12-12-1953 Chicago, Illinois
Earl J. Lee attending 32.54

1-30-1954 Executive Committee, Legislative
Service Conference,
Chicago, Illinois
Hugo F. Srb attending 41.45

5-25-1954 Conference, Council of State
thru
5-27-1954 Governments, French Lick, Indiana

Members attending:

Ralph W. Hill Dwight W. Burney
Hal Bridenbaugh Earl J. Lee
Karl E. Vogel W. J. Williams
Charles F. Tvrdik

Total Expenses 982.31

6-28-1954 Drafting Committee, Council of State
thru
6-30-1954 Governments, New York, New York
Earl J. Lee attending 180.80

7-25-1954	Dues, Council of State Governments	4,000.00
9- 7-1954	Legislative Service Conference, San Francisco, California	
9-11-1954	Hugo F. Srb attending	238.35
9-20-1954	Drafting Committee, Council of State Governments, Washington, D. C.	
9-22-1954	Earl J. Lee attending	163.05
12- 1-1954	Conference, Council of State Governments, Chicago, Illinois	
12- 4-1954		

Members attending:

Charles F. Tvrdik	Dwight W. Burney
Hal Bridenbaugh	John E. Beaver
Karl E. Vogel	Earl J. Lee
William Moulton	Frank Nelson
W. J. Williams	

Total Expenses	1,198.51
Total Disbursements	<u>12,101.02</u>

BALANCE—DECEMBER 31, 1954 \$ 518.16

(Signed) DWIGHT W. BURNEY, Chairman
Committee on Intergovernmental
Cooperation

Mr. Burney called on some of the members of the Committee on Intergovernmental Cooperation to present reports on some of the meetings which they had attended.

Mr. Vogel presented a report on the meeting dealing with "Highways: Construction and Financing" which was held on December 2, 1954.

Mr. Nelson presented a report on the meeting dealing with "Problems of the Aging" which was held on December 2, 1954.

Mr. Moulton presented a report on the meeting dealing with "Water Policy and Programs—Use of Interstate Compacts" which was held on December 3, 1954.

Mr. Beaver presented a report on the meeting dealing with "Tax and Fiscal Policy" which was held on December 3, 1954.

In the absence of Mr. Bridenbaugh, Mr. Burney presented a report on the meeting dealing with "Elementary and Secondary Education" which was held on December 4, 1954.

Speaker Burney Presiding

Mr. Tvrdik summarized the purpose and the accomplishments of Council of State Governments activities.

Mr. Moulton Presiding

Mr. Hugo F. Srb, Secretary, discussed his attendance at Legislative Service Conferences and some of the benefits derived therefrom.

MOTION—Vote of Thanks

Mr. Person moved that a vote of thanks be given to the Committee on Intergovernmental Cooperation for its report. The motion prevailed.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 72. By Charles F. Tvrdik of Legislative District 7, Robert Perry of Legislative District 20 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 84-206, Revised Statutes Supplement, 1953, relating to state officers; to provide for the method of fixing the salary of the deputy attorney general; to provide when a change in the salary of such deputy shall become operative; and to repeal the original section.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

LB 18 Tuesday, January 18, 1955 2:00 p.m.

Adjournment

At 3:36 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Tuesday, January 11, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 11, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fifth Day was approved as corrected.

Invitation

Invitation from the University of Nebraska to members of the Legislature and their ladies to be the University's guests at home Cornhusker basketball games.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 20 Wednesday, January 19, 1955 2:00 p.m.

Bills Referred to Standing Committees

LB	Committee
51	Public Health and Miscellaneous Subjects
52	Public Health and Miscellaneous Subjects
53	Revenue
54	Miscellaneous Appropriations and Claims
55	Miscellaneous Appropriations and Claims
56	Revenue

57	.....	Education
58	.....	Miscellaneous Appropriations and Claims
59	.....	Judiciary
60	.....	Judiciary
61	.....	Judiciary
62	.....	Judiciary
63	.....	Judiciary
64	.....	Miscellaneous Appropriations and Claims
65	.....	Public Health and Miscellaneous Subjects
66	.....	Government
67	.....	Agriculture
68	.....	Judiciary
69	.....	Agriculture
70	.....	Government
71	.....	Banking, Commerce and Insurance
72	.....	Miscellaneous Appropriations and Claims

Communication

Letter from the Revisor of Statutes as follows:

January 11, 1955

Hon. Hugo Srb,
Clerk, Nebraska State Legislature,
State House,
Lincoln, Nebraska

Dear Mr. Srb:

I hand you herein, for consideration by the Legislature, the report of the Judges of the Supreme Court as to defects in the Constitution and laws of Nebraska.

Yours truly,

(Signed) Walter D. James

WDJ:jl

Enc.

REPORT OF JUDGES OF THE SUPREME COURT AS TO DEFECTS IN CONSTITUTION AND LAWS OF NEBRASKA

To the Members of the Sixty-seventh Session of the Nebraska Legislature:

Under section 49-702, R. R. S. 1943, it is the duty of the Revisor of Statutes to prepare the report of the Judges of the Supreme Court as to defects in the Constitution and laws of Nebraska as contemplated

by Article IV, section 23, of the Constitution of Nebraska, and to draft in the form of bills proposed legislation to carry out the recommendations contained in the report.

The Supreme Court does not assume to sponsor legislation. Its function is confined to reporting to the Legislature defects in existing laws ascertained by it or by the officers of the court working under its supervision and direction, and making recommendations with reference thereto. The responsibility for reporting the defects and making recommendations is placed upon the court. The responsibility for drafting bills to meet the defects and to put the recommendations in form for legislative action is placed upon the Revisor of Statutes.

In prior years, this report has contained recommendations by the Judicial Council for the improvement of the administration of justice. However, since bills of the Judicial Council do more than call attention to existing defects, it has been deemed advisable by the Supreme Court to have the Judicial Council file a separate report through its secretary, George H. Turner.

As part of the process of ascertaining defects in existing laws, the Revisor of Statutes has requested and encouraged any person who discovers any errors or inconsistencies in existing laws to advise him thereof. When this is done, the Revisor of Statutes investigates the suggestion, and if the suggestion has merit and there is an obvious error or inconsistency in the existing statute, a bill is prepared to correct such defect.

This year the Revisor of Statutes has prepared and is submitting twenty-six bills to correct obvious errors and inconsistencies, arising either from defects discovered by the Supreme Court in its work or reported to the Revisor of Statutes.

Another duty imposed upon the Revisor of Statutes by section 49-702, R. R. S. 1943, is to prepare, arrange, and correlate for publication replacements of the permanent volumes of the statutes. During an eight-year cycle, the four volumes of the original Revised Statutes of Nebraska, 1943, were completely superseded by the issuance of replacement volumes. Volume II, dealing with courts and procedure, and containing the index, was the first volume to be reissued. This was carried out during the 1947-1949 biennium. Volume II contains not only the greatest number of pages of any volume of the Reissue of the Revised Statutes, but the sections therein have received construction by the Supreme Court more often than the sections in other volumes. The index of course has been greatly expanded and changed by the legislation enacted since 1947. Three thousand copies of the Reissue of Volume II and the index were printed. From present supply on hand, it appears that this edition will be completely sold and exhausted with-

in the next two years. To carry on the program of continuous statutory revision, the Revisor of Statutes recommends the reissuance of Volume II and the index during the biennium 1955-1957.

The bills prepared to carry out each of the matters contained in this report will be delivered on request to the Chairman of the Committee to which this report is referred.

Respectfully submitted,
(Signed) Walter D. James
Revisor of Statutes

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

The Committee on Committees will meet at 1:00 p.m. on Thursday, January 20, 1955, in the West Senate Lounge to consider the appointments made by Ex-Governor Crosby to the following respective offices:

J. Y. Castle.....Merit System Council
Leon A. Sprague.....Game Commission
Dr. Carl J. Norden, Jr...State Board of Health
Morris I. Evinger.....State Board of Health
Ernest M. Johnson....Board of Education of State Normal Schools
A. D. Majors.....Board of Education of State Normal Schools
Sidney A. Watkins....Douglas County Tax Appraisal Board
Arthur B. McCaw.....Douglas County Tax Appraisal Board

(Signed) Otto Kotouc, Sr., Chairman

Banking, Commerce and Insurance

LB 45 Tuesday, January 18, 1955 2:00 p.m.

Speaker Burney Presiding

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 73. By Sam Klaver of Legislative District 6.

A bill for an act to amend section 24-316, Reissue Revised Statutes of Nebraska, 1943, relating to legal holidays; to redefine court holidays; to provide holidays for state offices and offices of political subdivisions; and to repeal the original section.

EASE

The Legislature was at ease from 10:18 a.m. until 11:28 a.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 74. By William Moulton of Legislative District 10, William A. McHenry of Legislative District 32 and H. K. Diers of Legislative District 24.

A bill for an act relating to labor; to prohibit employing females requiring frequent or repeated lifting of objects weighing more than twenty-five pounds; and to provide penalties.

LEGISLATIVE BILL 75. By L. M. Shultz of Legislative District 16, Mervin V. Bedford of Legislative District 23 and K. W. Peterson of Legislative District 35.

A bill for an act to amend section 77-112, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that state and federal excise taxes shall not constitute any part of the value of motor vehicle fuels for assessment purposes; and to repeal the original section.

LEGISLATIVE BILL 76. By Robert Perry of Legislative District 20 and Charles F. Tvrdik of Legislative District 7.

A bill for an act to amend section 23-1115, Revised Statutes Supplement, 1953, relating to county judges; to increase the salaries of county judges in counties having a population of more than sixty thousand inhabitants; to provide when such increases shall become effective; and to repeal the original section.

LEGISLATIVE BILL 77. By LeRoy Bahensky of Legislative District 29 and Tom Adams of Legislative District 19.

A bill for an act to amend sections 37-101, 37-307, and 37-308, Revised Statutes Supplement, 1953, relating to game and fish; to include the mourning dove as a game bird in the provisions of Chapter 37, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof; and to repeal the original sections.

LEGISLATIVE BILL 78. By Amos Morrison of Legislative District 42 and LeRoy Bahensky of Legislative District 29.

A bill for an act to amend section 2-1604, Reissue Revised Statutes of Nebraska, 1943, relating to agriculture; to remove the restrictions on the amount of money that may be raised by the levy of three-tenths of a mill on the dollar upon the assessed value of all the taxable property in the county, except intangible property for county extension work; and to repeal the original section.

NOTICE OF COMMITTEE HEARING

Public Works

LB 16 Friday, January 28 2:00 p.m.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Klaver asked unanimous consent that the name of Charles F. Tvrđik of Legislative District 7 be added as a co-introducer of LB 73. Consent was granted and it was so ordered.

RECESS

At 11:36 a.m., on a motion by Mr. Tvrđik, the Legislature recessed until 4:00 p.m.

AFTER RECESS

The Legislature reconvened at 4:06 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Anderson, Bridenbaugh, Brower, Hubka, Lee and Perry, who were excused.

Visitor

Mr. Vogel introduced Mr. Marvin Fast, Midwestern Representative of the Council of State Governments, who addressed the Legislature briefly.

President Warner expressed the appreciation of the members for Mr. Fast's remarks.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 79. By Donald F. McGinley of Legislative District 39, Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

A bill for an act relating to state institutions; to locate and establish a Nebraska School for the Blind; and to provide for a building site.

LEGISLATIVE BILL 80. By Charles F. Tvrdik of Legislative District 7 and Otto H. Liebers of Legislative District 18.

A bill for an act to amend sections 23-283, 32-4,104, 32-4,110, 32-504, 32-518, 32-519, 32-711, 32-1037, 32-1041, and 32-1043, Reissue Revised Statutes of Nebraska, 1943, and sections 32-420, 32-424, 32-535, 32-537, 32-538, and 32-1042, Revised Statutes Supplement, 1953, relating to elections; to clarify and make changes in provision in regard to vacancies; to reduce the number of votes required for a write-in candidate that his name may be placed on the general election ballot; to provide the number of petition candidates for a nonpolitical office after a primary election; to clarify the manner of canvass and return as prescribed; to harmonize provisions with previous legislation; to change the form of primary ballot; to change times for declination; and to repeal the original sections.

LEGISLATIVE BILL 81. By Monroe Bixler of Legislative District 41.

A bill for an act relating to state parks; to authorize the erection of cabins thereon and the payment of the construction by issuing revenue bonds securing the earnings; and to provide that no tax shall be levied for the payment of the bonds.

LEGISLATIVE BILL 82. By William Moulton of Legislative District 10 and William A. Metzger of Legislative District 3.

A bill for an act to amend sections 35-501, 35-502, 35-503, 35-513, and 35-516, Reissue Revised Statutes of Nebraska, 1943, and sections 35-509, 35-509.01, 35-510, and 77-1603, Revised Statutes Supplement, 1953, relating to fire protection districts; to provide that the provisions of Chapter 35, article 5, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, and section 77-1603, Revised Statutes Supplement, 1953, shall be extended to areas situated outside the corporate limits of any city or village in which there are at least two hundred homes and having an assessed valuation of at least one million dollars; to provide for levies; to provide for limitations on indebtedness; to pro-

vide for procedure and conditions of withdrawal from or annexation of a suburban fire protection district; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 83. By Dwight W. Burney of Legislative District 14 and Donald F. McGinley of Legislative District 39.

A bill for an act for submission to the electors of an amendment to Article III, section 7, of the Constitution of Nebraska, relating to the Legislature; 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, 1956; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

President Signs

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

LR 1

UNANIMOUS CONSENT—Add Co-introducer

Mr. Tvrdik asked unanimous consent that LB 11 be returned to Select File for the following specific amendment:

Amend the bill, Section 1, line 1, by striking the word "ten" and inserting in lieu thereof the word "twenty-five".

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 11. The Tvrdik amendment, found in this day's Journal, was adopted.

Advanced to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 11. Correctly engrossed.

LEGISLATIVE BILL 12. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

MOTION—Stationery

Mr. President: I move that a committee be appointed to study and report an improved form of Legislative stationery. (Signed) Tom Adams

The motion lost with 11 ayes, 19 nays and 13 not voting.

Adjournment

At 4:31 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10 a.m., Wednesday, January 12, 1955.

Hugo F. Srb

Clerk of the Legislature

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 12, 1955

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. Brower, who was excused.

The Journal for the Sixth Day was approved as corrected.

Communication

Invitation to the members and their wives to attend the sixty-seventh anniversary of the January 12th, 1888 blizzard.

Unanimous Consent—Withdraw Names

Mr. McHenry asked unanimous consent to have his name withdrawn as co-introducer of LB 74.

No objections. So ordered.

Mr. Diers asked unanimous consent to have his name withdrawn as co-introducer of LB 74.

No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS**Government**

LB 2	Friday, January 21, 1955	2:00 p.m.
LB 25	Friday, January 21, 1955	2:00 p.m.

Judiciary

LB 49	Wednesday, January 19, 1955	2:00 p.m.
LB 63	Wednesday, January 19, 1955	2:00 p.m.
LB 68	Wednesday, January 19, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Revenue****LEGISLATIVE BILL 15.** Placed on General File.

(Signed) Monroe Bixler, Chairman

Bills Referred to Standing Committees

LB	Committee
73	Banking, Commerce and Insurance
74	Labor and Public Welfare
75	Revenue
76	Miscellaneous Appropriations and Claims
77	Agriculture
78	Agriculture
79	Public Health and Miscellaneous Subjects
80	Government
81	Banking, Commerce and Insurance
82	Agriculture
83	Judiciary

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 84. By William A. McHenry of Legislative District 32, George Syas of Legislative District 4 and William Moulton of Legislative District 10.

A bill for an act to amend sections 29-2901, 29-2902, 29-2903, 29-2904, 29-2905, 29-2906, and 29-2907, Revised Statutes Supplement, 1953, relating to criminal procedure; to redefine terms; to provide procedure for observation, treatment, care, hospitalization, commitment, parole, and release of sex deviates; to provide for voluntary admission to the state hospitals by sex deviates; to provide for treatment of persons convicted of violent crimes that appear to be sex deviates; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducer

Mr. McHenry asked unanimous consent that the name of Charles F. Tvrdik of Legislative District 7 be added as a co-introducer of LB 84. Consent was granted and it was so ordered.

LEGISLATIVE BILL 85. By William A. McHenry of Legislative District 32, George Syas of Legislative District 4 and William Moulton of Legislative District 10.

A bill for an act to amend section 28-929, Revised Statutes Supplement, 1953, relating to crimes and punishments; to change the penalties for debauching the person or depraving the morals of any boy or girl under the age of twenty-one years as prescribed; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-introducer

Mr. McHenry asked unanimous consent that the name of Charles F. Tvrdik of Legislative District 7 be added as a co-introducer of LB 85. Consent was granted and it was so ordered.

LEGISLATIVE BILL 86. By Glenn Cramer of Legislative District 27 and John E. Beaver of Legislative District 12.

A bill for an act for submission to the electors of an amendment to Article VII, section 5, of the Constitution of Nebraska, relating to education; to change the allocation of fines and penalties for violation of laws for overloading of vehicles used upon the public roads and highways of this state; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

Blue Book

Mr. Beaver addressed the Legislature briefly regarding the distribution and information contained in the Nebraska Blue Book.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Burney asked unanimous consent that the name of Charles F. Tvrdik of Legislative District 7 be added as a co-introducer of LB 83. Consent was granted and it was so ordered.

BILL ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 87. By Robert Perry of Legislative District 20, Hal Bridenbaugh of Legislative District 13 and LeRoy Bahensky of Legislative District 29.

A bill for an act relating to agriculture; to provide for the regulation, sale, and distribution of mixed fertilizers and fertilizer materials; to provide powers and duties for the Director of the Department of Agriculture and Inspection; to define terms; to provide violations; to provide penalties; and to repeal sections 81-2158, 81-2159, 81-2160, 81-2161, and 81-2162, Reissue Revised Statutes of Nebraska, 1943.

EASE

The Legislature was at ease from 10:32 a.m. until 11:44 a.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 88. By Frank Nelson of Legislative District 28, LeRoy Bahensky of Legislative District 29 and Dwight W. Burney of Legislative District 14.

A bill for an act to amend section 81-831, Reissue Revised Statutes of Nebraska, 1943, relating to State Zoning Agency; to redefine powers of State Zoning Agency; and to repeal the original section.

LEGISLATIVE BILL 89. By John Aufenkamp of Legislative District 2.

A bill for an act to repeal Chapter 39, article 11, Revised Statutes Supplement, 1953, relating to highways.

LEGISLATIVE BILL 90. By Charles F. Tvrdik of Legislative District 7, Joseph D. Martin of Legislative District 30 and Donald F. McGinley of Legislative District 39.

A bill for an act relating to accountants; to define the practice of public accountancy; to create a State Board of Public Accountancy; to prescribe duties and powers of the board; to require persons in the

practice of public accountancy to register and obtain licenses; to restrict the use of the words registered public accountant and certified public accountant and abbreviations thereof; to restrict the use of partnership and company names; to provide for revocation and suspension of licenses; to provide procedure for revocation of licenses; to provide for review; to provide for violations and penalties; to provide for examination of applicants and issuance of certificates of proficiency; to provide for registration and issuance of licenses to successful applicants; to provide for fees; to provide for ownership and possession of certain papers and records; and to repeal Chapter 1, article 1, Reissue Revised Statutes of Nebraska, 1943.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 83 Wednesday, January 19, 1955 2:00 p.m.

Adjournment

At 11:48 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Thursday, January 13, 1955.

Hugo F. Srb

Clerk of the Legislature

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 13, 1955

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

Prayer was offered by the Chaplain.

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

The Journal for the Seventh Day was approved.

Invitations

Invitation from W. V. Lambert, Dean and Director, College of Agriculture of the University of Nebraska, to the members, to attend the "Ag Days" program of the college.

Invitations from Edwin Schultz, Secretary of the State Fair Board, and C. N. Moon, Director, Division of Athletics, to the members and their ladies, to attend the wrestling match at the State Fair Grounds this evening.

MESSAGE FROM THE GOVERNOR

January 10, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have appointed the following named persons to the following respective offices:

Ed Hoyt	Director, Dept. of Agriculture and Inspection
James L. Weasmer	Commissioner of Labor

L. N. Ress	State Engineer
J. F. McLain	Director of Banking
Thomas R. Pansing	Director of Insurance
W. H. Hulsizer	Board of Control (Member)
Louis R. Eby	Director of Veterans' Affairs
James D. Ramsey	Director of Aeronautics
Carl A. Rosenlof	Purchasing Agent
F. A. Herrington	Tax Commissioner

(To fill the unexpired term of George Peterson, resigned.)

Bernard M. Spencer Board of Education of State Normal Schools
(Member)

(To fill the unexpired term of J. Hyde Sweet, resigned.)

Respectfully submitted,

(Signed) Victor E. Anderson

Governor

Referred to Committee on Committees.

Bills Referred to Standing Committees

LB	Committee
84	Judiciary
85	Judiciary
86	Education
87	Agriculture
88	Government
89	Public Works
90	Judiciary

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 9 Wednesday, January 19, 1955 2:00 p.m.

Public Health and Miscellaneous Subjects

LB 51 Thursday, January 20, 1955 2:00 p.m.

LB 52 Thursday, January 20, 1955 2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 91. By George Syas of Legislative District 4.

A bill for an act relating to state institutions; to relocate and establish the Nebraska School for the Blind; and to provide for a building site.

LEGISLATIVE BILL 92. By Otto Kotouc, Sr. of Legislative District 1, H. K. Diers of Legislative District 24 and John Aufenkamp of Legislative District 2.

A bill for an act relating to eggs; to provide for the promulgation of rules and regulations for the sale of shell eggs; to provide for license fees; to provide for violations; to provide for penalties; and to repeal sections 81-268, 81-269, 81-270, 81-271, 81-272, 81-273, and 81-275, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 93. By Robert C. Brower of Legislative District 26 and Joseph D. Martin of Legislative District 30.

A bill for an act relating to decedents' estates; to change the manner of vesting a devise or any legacy when the devisee or legatee shall die before the testator; and to repeal sections 30-228.01 and 30-228.02, Revised Statutes Supplement, 1953.

LEGISLATIVE BILL 94. By Robert C. Brower of Legislative District 26 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend section 42-202, Reissue Revised Statutes of Nebraska, 1943, relating to married women; to provide that a married woman, while the marriage relation subsists, may bargain, sell, and convey her real and personal property, and enter into any contract in the same manner, to the same extent, and with like effect as a married man, and the obligations of her contracts shall be the same; and to repeal the original section.

LEGISLATIVE BILL 95. By Sam Klaver of Legislative District 6 and John Adams, Sr. of Legislative District 5.

A bill for an act to amend sections 25-1010 and 25-1011, Revised Statutes Supplement, 1953, relating to garnishment; to restate the man-

ner of obtaining service in proceedings in garnishment before judgment; to provide for issuance of summons instead of service of copy of order; to require the garnishee to hold property and credits of the defendant in his possession at time of service of the summons until further order of the court; to require service of copy of the summons upon the defendant; and to repeal the original sections.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and we consider LB 11 and LB 12 on Final Reading.

(Signed) Charles F. Tvrdik

The motion prevailed 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 11. 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, the payments as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, and other incidental expenses incurred during the Sixty-seventh Session, Nebraska State Legislature, during the biennium ending June 30, 1955, and for the ad interim activities of said Legislature during the biennium ending June 30, 1957; to appropriate the sum of one hundred twenty-five thousand dollars, and the unexpended balance of twelve thousand two hundred fifty-five dollars and sixty-nine 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, the payments as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, 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-seventh Session, Nebraska State Legislature, commencing January 4, 1955; to appropriate the sum of fourteen thousand dollars and the unexpended balance of three hundred forty-nine dollars and thirty-two 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, 41:

Adams, J.	Hoffmeister	Otto
Adams, T.	Hubka	Perry
Anderson	Klaver	Person
Aufenkamp	Kotouc	Peterson
Bahensky	Larkin	Pizer
Beaver	Lee	Purdy
Bedford	Liebers	Ruhnke
Bridenbaugh	McGinley	Shultz
Brower	McHenry	Swanson
Burney	Martin	Syas
Cole	Metzger	Thompson
Cramer	Morrison	Tvrdik
Diers	Moulton	Vogel
Foote	Nelson	

Voting in the negative, 0.

Not voting, 2:

Bixler	Fenske
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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 12. With emergency.

A bill for an act to provide for the payment of the salaries of members of the Sixty-seventh Session, Nebraska State Legislature, and payments to be made as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, for a period of two years commencing the first Tuesday in January, 1955; to appropriate the sum of seventy-six thousand five hundred dollars therefor; and to declare an emergency.

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

Voting in the affirmative, 40:

Adams, J.	Brower	Klaver
Adams, T.	Burney	Kotouc
Anderson	Cole	Larkin
Aufenkamp	Cramer	Lee
Bahensky	Diers	Liebers
Beaver	Foote	McHenry
Bedford	Hoffmeister	Martin
Bridenbaugh	Hubka	Metzger

Morrison	Peterson	Syas
Moulton	Pizer	Thompson
Nelson	Purdy	Tvrdik
Otto	Ruhnke	Vogel
Perry	Shultz	
Person	Swanson	

Voting in the negative, 0.

Not voting, 3:

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 96. By K. W. Peterson of Legislative District 35, A. A. Fenske of Legislative District 43 and H. K. Diers of Legislative District 24.

A bill for an act to amend section 81-290, Reissue Revised Statutes of Nebraska, 1943, relating to oleomargarine and butterine; to increase the license for retail dealers in imitation butter or imitation cheese; and to repeal the original section.

LEGISLATIVE BILL 97. By William Moulton of Legislative District 10, LeRoy Bahensky of Legislative District 29 and Amos Morrison of Legislative District 42.

A bill for an act to amend sections 71-101, 71-102, 71-112, 71-116, 71-117, and 71-122, Reissue Revised Statutes of Nebraska, 1943, and sections 71-110 and 71-162, Revised Statutes Supplement, 1953, relating to professional and occupational licenses; to include the practice of massage among the professions and occupations for which a license is required; to prescribe the fees for the prescribed licenses and the renewal thereof; to create a Board of Examiners in Massage; to provide term of office, salary, and qualifications for members of such board; to eliminate obsolete matter; to define terms; to prescribe the terms under which a license to practice massage shall be issued; to provide for apprenticeship and a registration fee therefor in lieu of attendance at an accredited school of massage; to provide for the licensing of persons who have been engaged in the practice of massage for one

year preceding the effective date of this act and those authorized to practice massage in any other state, territory, or the District of Columbia as prescribed; to provide for licensing massage schools and massage establishments, and fees therefor; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 15. Read and considered.

Mr. Metzger moved that LB 15 be returned to the Revenue Committee for further consideration. The motion lost with 16 ayes, 22 nays and 5 not voting.

Mr. Metzger moved that LB 15 be laid on the table. The motion lost with 9 ayes, 27 nays and 7 not voting.

Advanced to E and R for review with 25 ayes, 17 nays and 1 not voting.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Moulton asked unanimous consent to withdraw LB 74. No objections. So ordered.

Birthday

The President announced that today is Mr. Hoffmeister's birthday. Mr. Martin escorted Mr. Hoffmeister to the rostrum and the members sang Happy Birthday to him. Mr. Hoffmeister addressed the Legislature briefly.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Cramer asked unanimous consent that the name of L. M. Shultz of Legislative District 18 be added as a co-introducer of LB 86. No objections. So ordered.

Members Excused

Mr. McGinley was excused for Friday, January 14, 1955.

Mr. Klaver was excused for Friday, January 14, 1955.

Mr. Lee Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 11. Correctly enrolled.

LEGISLATIVE BILL 12. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Warner Presiding**President Signs**

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

LB 11

LB 12

Mr. Lee Presiding**BILLS ON FIRST READING**

The following bill was read the first time by title:

LEGISLATIVE BILL 98. By Glenn Cramer of Legislative District 27 and Kathleen A. Foote of Legislative District 31.

A bill for an act to amend section 79-1209, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide that Nebraska Third Grade Elementary School Certificate and Nebraska General Elementary School Certificate shall be issued only until September 15, 1960; and to repeal the original section.

Adjournment

At 11:38 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 10:00 a.m., Friday, January 14, 1955.

Hugo F. Srb

Clerk of the Legislature

NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 14, 1955

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cole, Fenske, Hubka, Klaver and McGinley, who were excused.

The Journal for the Eighth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 22 Thursday, January 20, 1955 2:00 p.m.

LB 40 Thursday, January 20, 1955 2:00 p.m.

LB 53 Thursday, January 20, 1955 2:00 p.m.

Bills Referred to Standing Committees

LB	Committee
91	Public Health and Miscellaneous Subjects
92	Agriculture
93	Judiciary
94	Judiciary
95	Judiciary
96	Agriculture
97	Public Health and Miscellaneous Subjects
98	Education

STANDING COMMITTEE REPORTS**Enrollment and Review****Presented to the Governor**

Presented to the Governor for approval on January 13, 1955, at 1:55 p.m.:

LB 11

LB 12

(Signed) Joseph D. Martin
Acting Chairman

Approved by the Governor

January 14, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on January 13, 1955, he approved LB 11 and LB 12.

Respectfully submitted,

(Signed) A. C. Eichberg

Administrative Assistant

STANDING COMMITTEE REPORTS**Judiciary****LEGISLATIVE BILL 27.** Placed on General File.**LEGISLATIVE BILL 29.** Placed on General File.**LEGISLATIVE BILL 28.** Placed on General File.

(Signed) Joseph D. Martin, Chairman

UNANIMOUS CONSENT—Re-refer Bill

Mr. Aufenkamp asked unanimous consent that LB 9 be re-referred to the Budget Committee, and that the notice of hearing in yesterday's journal be withdrawn. No objections. So ordered.

OBJECTION—Reference of Bill

Mr. Syas objected to the reference of LB 91 to the Committee on Public Health and Miscellaneous Subjects and asked unanimous consent that the bill be re-referred to the Committee on Budget.

Mr. Burney and Mr. Aufenkamp objected and Mr. Syas made a motion that LB 91 be referred to the Budget Committee.

The motion lost with 1 aye, 23 nays and 19 not voting.

RESOLUTIONS**LEGISLATIVE RESOLUTION 2.**

Mr. Anderson moved that the rules be suspended and LR 2 be adopted.

Mr. Moulton and more than four other members objected. The President announced that LR 2 would be referred to a standing committee.

LEGISLATIVE RESOLUTION 3. Re: State Support to Application of the Northern Natural Gas Company for Additional Gas.

Introduced by William A. Metzger of Legislative District 3, Charles F. Tvrdik of Legislative District 7 and Karl E. Vogel of Legislative District 9.

WHEREAS, the Nitrogen Division, Allied Chemical & Dye Corporation of New York, proposes to double the capacity of its plant at La Platte, Nebraska, for the manufacture of nitrogen products for use in fertilizers, animal feeds, and

WHEREAS, the Northern Natural Gas Company of Omaha has made application, Docket No. G-2458, to supply the Nitrogen Division, Allied Chemical & Dye Corporation, with 12,000,000 cubic feet of firm natural gas daily, to be used for raw material and process purposes in the manufacture of the above products, and

WHEREAS, there is a real need in the Midwest for increased supplies of fertilizer to help this great food-producing area to meet its responsibilities to the nation, and to permit its farmers to compete on equal terms with other sections of the nation where nitrogen fertilizers from natural gas are available, giving the farmers of those areas cost advantages over our farmers, and

WHEREAS, nitrogen has great military significance and is a component of all military explosives with the exception of atomic bombs,

and its increased production is essential to our national welfare and security.

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

1. That the State of Nebraska give its full support and endorsement to the application of the Northern Natural Gas Company before the Federal Power Commission for additional gas, and strongly urge that the application be given prompt and favorable consideration.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Tyrdik asked unanimous consent that the names of George Syas of Legislative District 4, John Adams, Sr. of Legislative District 5, Sam Klaver of Legislative District 6, John J. Larkin, Jr. of Legislative District 8 and William Moulton of Legislative District 10 be added as co-introducers of Legislative Resolution 3. No objections. So ordered.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 1. Placed on General File.

(Signed) William Moulton, Chairman

Visitors

Speaker Burney introduced Mr. Joseph Shalla, Beatrice, Nebraska, a former member of the Legislature.

The Clerk introduced Sister Bernadette, teacher, and eleven students from St. Patrick's School, Havelock, Lincoln, Nebraska.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 99. By George Syas of Legislative District 4.

A bill for an act for submission to the electors of an amendment to Article IV, section 19, of the Constitution of Nebraska, relating to the Board of Control; to abolish the Board of Control; to provide that the Legislature shall provide for the management, control and government of all state charitable, mental, reformatory, and penal institutions; to provide for the submission of the proposed amendment to

the electors at the general election in November, 1956; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 100. By Don Thompson of Legislative District 33 and H. K. Diers of Legislative District 24.

A bill for an act to amend section 35-509, Revised Statutes Supplement, 1953, relating to rural fire protection districts; to provide that when rural fire protection districts are located in more than one county, county treasurers shall remit taxes collected for the rural fire protection district to the county treasurer of the county in which the greater portion of the district is located; and to repeal the original section.

LEGISLATIVE BILL 101. By Don Thompson of Legislative District 33 and K. W. Peterson of Legislative District 35.

A bill for an act to amend sections 46-165 and 46-168, Reissue Revised Statutes of Nebraska, 1943, relating to irrigation; to eliminate provisions required to be set out in order changing boundaries of an irrigation district; and to repeal the original sections.

LEGISLATIVE BILL 102. By O. H. Person of Legislative District 17.

A bill for an act relating to crimes and punishments; to make it unlawful for any person, association, partnership, or corporation to have in his or its possession any fireworks prohibited from sale, use or discharge as provided by the provisions of sections 28-1003, 28-1003.01, and 28-1003.02, Revised Statutes Supplement, 1953; and to provide for confiscation thereof.

LEGISLATIVE BILL 103. By K. W. Peterson of Legislative District 35.

A bill for an act to amend section 54-104, Reissue Revised Statutes of Nebraska, 1943, relating to livestock; to increase the renewal fee for registering brands or marks; and to repeal the original section.

LEGISLATIVE BILL 104. By K. W. Peterson of Legislative District 35.

A bill for an act relating to motor vehicles; to redefine the authority of the Department of Roads and Irrigation to construct, maintain,

and operate weighing stations for weighing and inspection of buses, motor trucks, truck-tractors, and trailers; to provide that the Nebraska Safety Patrol shall be charged with the administration and enforcement of the provisions of this act under the supervision of the State Engineer; to provide for notice or summons for a violation before a magistrate on the violation; to provide for violations; to provide penalties; to amend sections 39-603.03 and 39-603.04, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 27. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 29. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 28. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 1. Read and considered.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARINGS

Education

LB 50	Tuesday, January 25, 1955	2:00 p.m.
LB 57	Tuesday, January 25, 1955	2:00 p.m.
LB 86	Tuesday, January 25, 1955	2:00 p.m.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 105. By O. H. Person of Legislative District 17 and Otto H. Liebers of Legislative District 18.

A bill for an act to amend sections 54-753.01, 54-753.02, and 54-753.03, Revised Statutes Supplement, 1953, relating to livestock;

to extend the provisions of sections 54-753.01 to 54-753.03, Revised Statutes Supplement, 1953; to change the requirements for feeding of garbage to animals; to require a permit for processing public or commercial garbage for swine; to provide procedure for issuing permit; to provide permit fee; to provide for violations; to provide penalties; and to repeal the original sections.

Adjournment

At 12:03 p.m., on a motion by Mr. Aufenkamp, the Legislature adjourned until 10:00 a.m., Monday, January 17, 1955.

Hugo F. Srb

Clerk of the Legislature

TENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 17, 1955

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 Ninth Day was approved as corrected.

Communications

Invitation from Harry Henkens, Vice-President of the Crete Chamber of Commerce, to the Members and elected state officials to attend the annual American Legion Coon Feed at the Sokol Hall in Crete, on Thursday, January 27th, at 6:30 p.m.

Letter from Marvin Fast, Midwestern Representative of the Council of State Governments, Chicago, Illinois, concerning a bulk supply of materials for distribution to the Members.

UNANIMOUS CONSENT—Print Editorial

Mr. Klaver asked unanimous consent that the following editorial, dated January 17, 1955, be printed in this day's Journal. No objections. So ordered.

Omaha World-Herald

Nebraska's Larger Problem: to End 'Disgraceful' Roads

Dispatches from Lincoln indicate that LB 15, the gas-tax allocation bill, may be the hottest issue of the Legislative session, and it's easy to see why.

It's a matter of dollars.

Under present law, the 93 counties receive, altogether, almost half of the state gasoline tax revenues. This is divided among them according to a complex formula, in which population is a big factor.

For 10 years the 1940 census figures were used, and the counties became accustomed to a division on that basis. Then the 1950 census changed matters drastically. Some counties had grown bigger, some smaller, some had gained in both rural and urban populations while others had lost. The resulting shakeup in gasoline-tax allocations was costly to some 69 counties, while the other 24 gained by it.

LB 15 proposes to go back to the 1940 population figures, thereby restoring the status quo.

On this issue a good many if not all of the senators appear to be using a slide rule as a substitute for judgment and conscience. They are calculating whether their county (or counties) would gain or lose by enactment of LB 15—and taking sides accordingly.

We venture to suggest that that is not a sound way in which to decide public policy.

While it is true that senators are elected by districts, their salaries are paid by Nebraska taxpayers as a whole and they ought to work for the best interests of the entire state.

In this instance, the aim of responsible legislators ought not be to try to milk a few extra dollars for their districts but rather to improve and strengthen Nebraska's highway system so that it will better serve all of the people.

If the members approach the matter in that spirit, we rather imagine they may decide to go beyond the provisions of LB 15, and take a long searching look at the whole system of splitting motor vehicle taxes (gas tax, licenses, etc.) between the state and the counties.

* * *

According to the Tax Economics Bulletin, published by the American Petroleum Institute, Nebraska in 1953 allocated \$15,926,000 of motor vehicle tax money to the State Highway System, while the 93 counties were given \$14,257,000—almost an even division.

Elsewhere in the United States the story was vastly different.

The average for the 48 states was \$6 spent on state highways for every \$1 kicked back to the counties.

It might be argued that Nebraska is in a different position than most, because it is an agricultural state and rather sparsely settled. However, Nebraska's adjoining states—Iowa, Missouri, Kansas, Colorado, Wyoming and South Dakota—are also agricultural, and they have roughly the same mileage ratio between state highways and country roads.

And according to the Bulletin quoted above, those six states, on average, spend \$5 of state auto taxes on state highways to every \$1 refunded to the counties.

* * *

The fact that most states handle their highway business in a certain way does not, of course, prove that that is the best way to do it.

But in Nebraska it is common knowledge that many counties—we would not except Douglas—are inefficient and wasteful in their road spending.

In some cases the County Commissioners divide the road money evenly among themselves. Each has his own equipment and road gang, and spends his share where he thinks it will do the most good. Or perhaps where it will do *him* the most good.

Some of the more populous counties have more money than they really need, and throw it around extravagantly. Stories along that line have appeared quite frequently in The World-Herald.

On the other hand the State Highway Department is generally considered to be well run. It buys by bid, and it builds roads where, according to its sufficiency rating system, they are needed. Cries of "political roads" are seldom heard in Nebraska any more. The Highway Department's shortcomings generally may be traced to the fact that it doesn't have enough money to do what is needed.

* * *

State Engineer Ress said the other day that Nebraska's highways are "a disgrace," and we think most people agree with him.

They are disgraceful in spite of the fact that Nebraska's gasoline tax is one of the highest in the land.

It seems evident this state is not getting its money's worth. And there is good reason to believe that the trouble lies, not in the *little split* between the 93 counties, but in the *big split* between the counties and the State Highway Department.

We hope the Legislature will not be satisfied merely to pass or reject LB 15, but will give earnest attention to the larger problem.

Referred to Committee on Public Works.

MESSAGE FROM THE GOVERNOR

January 13, 1955

Mr. Hugo Srb, Clerk
Nebraska Legislature

Dear Mr. Srb:

This is to notify you that, if it is agreeable with the members of the Legislature, I plan to deliver my Budget Message on January 20, 1955, at 10:30 A.M. I will appreciate your confirmation of this time.

Very truly yours,

(Signed) Victor E. Anderson

MOTION—Notify Governor

Mr. President: I move that Governor Anderson be notified that January 20, 1955 at 10:30 a.m. is a satisfactory time for receiving his budget message. (Signed) Hal Bridenbaugh

The motion prevailed and Mr. Bridenbaugh was appointed to notify the Governor.

REPORT—Special Committee

Mr. Bridenbaugh made a report of the committee appointed during the 1953 session of the Legislature to study legislative accommodations. He pointed out what had been accomplished as a result of their study—providing secretarial and bill drafting quarters on the same floor as the legislative chamber and providing additional working space for the members under the balconies on either side of the legislative chamber. New loud speaker equipment has been installed and additional loud speakers will be available within the next few days, making a total of twenty-two loud speakers.

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 84	Monday, January 24, 1955	2:00 p.m.
LB 85	Monday, January 24, 1955	2:00 p.m.
LB 95	Monday, January 24, 1955	2:00 p.m.
LB 93	Monday, January 24, 1955	2:00 p.m.
LB 94	Monday, January 24, 1955	2:00 p.m.

Bills Referred to Standing Committees

LB	Committee
99.....	Government
100.....	Agriculture
101.....	Agriculture
102.....	Public Health and Miscellaneous Subjects
103.....	Agriculture
104.....	Public Works
105.....	Agriculture

Resolutions Referred to Standing Committees

LR	Committee
2.....	Public Health and Miscellaneous Subjects

MOTION—Refer Resolution

Mr. President: I move that Legislative Resolution 3 be referred to the proper standing committee for public hearing. (Signed) William A. Metzger

The motion prevailed.

MOTION—Approve Printing

Mr. President: I move that the Legislature approve the printing of the permanent Legislative Journal, the Session Laws and Separates, and the letterheads and envelopes by the Journal-Star Printing Company, and the bills by the Capitol Printing Company. (Signed) Hal Bridenbaugh

The motion prevailed.

MOTION—Print List of Employees

Mr. President: I move that the list of legislative employees and proposed salaries be printed in the Legislative Journal. (Signed) Dwight W. Burney

The motion prevailed.

ELECTED OFFICERS AND PROPOSED LIST**OF LEGISLATIVE EMPLOYEES****67th SESSION, 1955****Proposed Schedule**

George L. Santo, Sergeant-at-arms	\$230.00 month
A. C. Taylor, Assistant Sergeant-at-arms	190.00 month
Ruby B. Nelson, Postmaster	180.00 month
E. C. Hansen, Chaplain	140.00 month
Jane Kenner, Receptionist, Lieutenant Governor	200.00 month
LaVerne Obermeyer, Journal Clerk.....	325.00 month
Florence Graham, Assistant Journal Clerk	260.00 month
Jo Fisher, Engrossing and Enrolling Clerk	325.00 month
Melba Richling, Bookkeeper.....	275.00 month
Lorraine Anderson, Docket Clerk	250.00 month
Donna Cleavenger, Office Assistant and Secretary	250.00 month
Eloise Galloway, Supervisor, Secretarial Pool	275.00 month
Eunice V. Bradley, Supervisor, Secretarial Pool	275.00 month
Barbara Nelson, Agriculture Committee Clerk	250.00 month
Ruth Theobald, Banking, Commerce and Insurance Committee Clerk	250.00 month
Dorothea Fuchs, Budget Committee Clerk	250.00 month
Betty Koch, Education Committee Clerk	250.00 month
Ruby Black, Government Committee Clerk	250.00 month
Ruth Turner, Judiciary Committee Clerk	250.00 month
Richard Thoene, Miscellaneous Appropriations and Claims Committee Clerk	250.00 month
Darlene Custer, Public Health and Miscellaneous Subjects Committee Clerk	250.00 month
Sue Steenson, Public Works Committee Clerk	250.00 month
Marjorie Hines, Revenue Committee Clerk	250.00 month
Adelaide Eichelberger, Stenographer	235.00 month
Mary Kroese, Stenographer	235.00 month
Shirley Walker, Stenographer	235.00 month
Ruth Styer, Stenographer	235.00 month
G. F. Martin, Chief Clerk, Bill Room	240.00 month
F. R. Miller, Assistant Clerk, Bill Room	195.00 month
C. A. Mohrman, Assistant Clerk, Bill Room.....	195.00 month
Charles E. Keefer, Assistant Clerk, Bill Room	195.00 month

John D. Curtis, Assistant Clerk, Bill Room	195.00 month
C. C. Pinkerton, Assistant Clerk, Bill Room	195.00 month
Charles W. Touzalin, Assistant Clerk, Bill Room	195.00 month
William Burley, Page	165.00 month
Clara Lewis, Page	165.00 month
Ethel Pattison, Page	165.00 month
Ralph Reger, Page	165.00 month
Ernest Fouts, Chief Custodian	200.00 month
Carl Hoffman, Assistant Custodian	185.00 month
Ralph Stouffer, Assistant Custodian	185.00 month
Gertrude Tyler, Telephone Operator	180.00 month
Elizabeth Reger, Proof Reader	1.40 hour
Edna Scott, Proof Reader	1.40 hour
Ramona T. Hansen, Proof Reader	1.40 hour
Mary Smetter, Proof Reader	1.40 hour
Clarence M. Davis, Legal Advisor, E and R	900.00 month

Set by Statute

Hugo F. Srb, Clerk of the Legislature	520.83 month
Francis Robinson, Assistant Clerk of the Legislature ...	18.00 day

(Signed) Hugo F. Srb

Clerk of the Legislature

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 3. Placed on General File as amended.

Standing Committee amendments to LB 3:

1. Amend page 2 of the bill, section 1, line 6 by striking the word "or" and inserting the word "and".
2. Amend page 2 of the bill, Section 1, line 5 by inserting the word, "park" after the word "street,".
3. Amend page 2 of the bill by adding a new section immediately following 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."

4. Amend the title of the bill, line 5 by striking the word "or" and inserting the word "and", line 6 by striking the word "and", and line 7 by inserting after the word "tion" the following:

"; and to declare an emergency".

(Signed) John J. Larkin, Jr., Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 106. By Lester H. Anderson of Legislative District 25 and L. M. Shultz of Legislative District 16.

A bill for an act relating to motor vehicles; to provide that it shall be unlawful to stand in a roadway or street, or along any roadway or street for the purpose of soliciting a ride from the driver of any privately owned motor vehicle; and to provide a penalty.

LEGISLATIVE BILL 107. By Sam Klaver of Legislative District 6, Charles F. Tvrdik of Legislative District 7 and Hal Bridenbaugh of Legislative District 13.

A bill for an act to repeal section 66-425, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Klaver asked unanimous consent that the name of Dwight W. Burney of Legislative District 14 be added as a co-introducer of LB 107.

No objections. So ordered.

LEGISLATIVE BILL 108. By Sam Klaver of Legislative District 6.

A bill for an act relating to aid for the disabled; to provide aid for the disabled, as prescribed; to provide for administration of the aid for the disabled; to define who shall be eligible to receive aid, and their rights thereto; to provide for reimbursement as prescribed; to provide for appeal procedure; to provide for violations; to provide penalties; and to provide that the provisions of sections 68-301 to 68-328, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, shall be applicable to aid to the disabled.

LEGISLATIVE BILL 109. By John E. Beaver of Legislative District 12 and Hal Bridenbaugh of Legislative District 13.

A bill for an act to amend section 72-1006, Revised Statutes Supplement, 1953, relating to public lands and buildings; to remove the restrictions on the use of the State Institutional and Military Department Building Fund; and to repeal the original section.

LEGISLATIVE BILL 110. By William Moulton of Legislative District 10.

A bill for an act to amend sections 10-717 and 10-718, Reissue Revised Statutes of Nebraska, 1943, relating to school district bonds; to provide for sale of bonds for cash where such bonds heretofore issued are subject to the right of redemption at the time the refunding bonds are issued; and to repeal the original sections.

LEGISLATIVE BILL 111. By Otto Kotouc, Sr. of Legislative District 1.

A bill for an act to authorize the Department of Banking to dispose of unclaimed funds acquired through the operation of the former Bankers Conservation Fund; to provide for transfer of such funds to the State Treasurer; to require claimants to any part of such funds to file claim therefor with the Sundry Claims Board within a limited time; and to provide for hearing, consideration, and report on any claims so filed.

LEGISLATIVE BILL 112. By Otto Kotouc, Sr. of Legislative District 1.

A bill for an act to amend section 8-103, Reissue Revised Statutes of Nebraska, 1943, relating to banks and banking; to change the manner of examination of any institution in which the examiner or other assistants are interested; and to repeal the original section.

LEGISLATIVE BILL 113. By Kathleen A. Foote of Legislative District 31 and Lester H. Anderson of Legislative District 25.

A bill for an act to amend section 54-134, Revised Statutes Supplement, 1953, relating to livestock; to increase the brand inspection area; and to repeal the original section.

LEGISLATIVE BILL 114. By Harry L. Pizer of Legislative District 38.

A bill for an act to amend section 37-418, Revised Statutes Supplement, 1953, relating to fish and game; to establish a game refuge

in Lincoln County along the banks of the North Platte River; and to repeal the original section.

LEGISLATIVE BILL 115. By Earl J. Lee of Legislative District 11 and Robert C. Brower of Legislative District 26.

A bill for an act to amend section 16-622, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide for collection of delinquent installments of a special tax for improvements; and to repeal the original section.

LEGISLATIVE BILL 116. By Joseph D. Martin of Legislative District 30, Norman A. Otto of Legislative District 34 and Dwight W. Burney of Legislative District 14.

A bill for an act relating to juvenile courts; and to provide for the privacy of hearings and records in juvenile court.

LEGISLATIVE BILL 117. By Hal Bridenbaugh of Legislative District 13 and Donald F. McGinley of Legislative District 39.

A bill for an act to amend section 16-726, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide for filing claims against the city as prescribed; to repeal the original section, and also section 16-725, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 118. By Amos Morrison of Legislative District 42, Joseph D. Martin of Legislative District 30 and Hal Bridenbaugh of Legislative District 13.

A bill for an act to repeal section 53-181, Reissue Revised Statutes of Nebraska, 1943, relating to liquors.

LEGISLATIVE BILL 119. By Charles F. Tvrdik of Legislative District 7, George Syas of Legislative District 4 and Karl E. Vogel of Legislative District 9.

A bill for an act relating to schools; to authorize the sale under certain conditions of real estate deeded by the State of Nebraska to a metropolitan city for school purposes, on which the Class V school district within such city has constructed school buildings, and the maintenance and operation of which are no longer for the best educa-

tional interests of such city and school district; to provide for a judicial determination of the legal and beneficial title to such real estate, and the right of the school district to the proceeds of the sale thereof together with the improvements thereon; to authorize the sale of such real estate and improvements at public auction to the highest cash bidder, but in no event for less than ninety per cent of the appraised value thereof; to authorize the district court of the county in which the property is situated to terminate the trust under which such property is held by the metropolitan city, and to direct the city to convey the title to such real estate to the purchaser; and to require that the proceeds of such sale be placed by the board of education of the district in the fund set aside by law for the sole purpose of purchasing school sites and the erection of school buildings, to be used for the construction of a high school.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Tyrdik asked unanimous consent that the names of John J. Larkin, Jr. of Legislative District 8 and William Moulton of Legislative District 10 be added as co-introducers of LB 119. No objections. So ordered.

LEGISLATIVE BILL 120. By Donald F. McGinley of Legislative District 39 and Hal Bridenbaugh of Legislative District 13.

A bill for an act to amend section 17-714, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to eliminate the provision requiring claims against a city of the second class or village to be verified by the oath of the claimant, or his agent, that the same is correct, reasonable, and just; and to repeal the original section.

LEGISLATIVE BILL 121. By William A. McHenry of Legislative District 32 and George Hoffmeister of Legislative District 37.

A bill for an act relating to cities of the first class; to provide the procedure for introduction of fluoride compound into the water supply of such city; and to eliminate certain liabilities.

LEGISLATIVE BILL 122. By William A. McHenry of Legislative District 32 and George Hoffmeister of Legislative District 37.

A bill for an act relating to cities of the primary class; to provide

the procedure for introduction of fluoride compound into the water supply of such city; and to eliminate certain liabilities.

LEGISLATIVE BILL 123. By William A. McHenry of Legislative District 32 and George Hoffmeister of Legislative District 37.

A bill for an act relating to cities of the second class and villages; to provide the procedure for introduction of fluoride compound into the water supply of such a city or village; and to eliminate certain liabilities.

LEGISLATIVE BILL 124. By K. W. Peterson of Legislative District 35.

A bill for an act to amend section 81-168, Reissue Revised Statutes of Nebraska, 1943, relating to state administrative departments; to provide the hours the central mailing room shall be open and when the mail received shall be processed and delivered to the post office; and to repeal the original section.

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 39 Friday, January 28, 1955 2:00 p.m.

Agriculture

LB 48 Monday, January 24, 1955 2:00 p.m.

LB 67 Monday, January 24, 1955 2:00 p.m.

LB 69 Monday, January 24, 1955 2:00 p.m.

Adjournment

At 11:04 a.m., on a motion by Mr. Burney, the Legislature adjourned until 10:00 a.m., Tuesday, January 18, 1955.

Hugo F. Srb
Clerk of the Legislature

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 18, 1955

Pursuant to adjournment, the Legislature met at 10:02 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 as corrected.

Communication

Letter from Ernesto Ramos Antonini, President of the House of Representatives of the Legislative Assembly, San Juan, Puerto Rico, enclosing a copy of a Concurrent Resolution, condemning the aggression against democracy in Costa Rica.

Referred to the Committee on Government.

UNANIMOUS CONSENT—Withdraw Bills

Mr. Klaver asked unanimous consent to withdraw LB 30 and LB 31. No objections. So ordered.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 4. Placed on General File.

(Signed) Frank Nelson, Chairman

Bills Referred to Standing Committees

LB	Committee
106.....	Public Health and Miscellaneous Subjects
107.....	Government
108.....	Labor and Public Welfare
109.....	Public Works
110.....	Education
111.....	Banking, Commerce and Insurance
112.....	Banking, Commerce and Insurance
113.....	Agriculture
114.....	Agriculture
115.....	Government
116.....	Judiciary
117.....	Government
118.....	Public Health and Miscellaneous Subjects
119.....	Education
120.....	Government
121.....	Public Health and Miscellaneous Subjects
122.....	Public Health and Miscellaneous Subjects
123.....	Public Health and Miscellaneous Subjects
124.....	Labor and Public Welfare

Resolution Referred to Standing Committee

LR	Committee
3.....	Judiciary

NOTICE OF COMMITTEE HEARINGS**Government**

LB 32	Wednesday, January 26, 1955	2:00 p.m.
LB 33	Wednesday, January 26, 1955	2:00 p.m.
LB 46	Wednesday, January 26, 1955	2:00 p.m.

Banking, Commerce and Insurance

LB 81	Tuesday, January 25, 1955	2:00 p.m.
LB 73	Thursday, January 27, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 1. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 125. By Lester H. Anderson of Legislative District 25 and William Moulton of Legislative District 10.

A bill for an act relating to motor vehicles; to provide for the inspection of motor vehicles at least each six months, as prescribed; to provide for fees and the disposition thereof; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 126. By Joseph D. Martin of Legislative District 30, Norman A. Otto of Legislative District 34 and Dwight W. Burney of Legislative District 14.

A bill for an act relating to juvenile courts; and to provide for the protection of evidence in the disposition of cases in juvenile court.

LEGISLATIVE BILL 127. By A. A. Fenske of Legislative District 43, Donald F. McGinley of Legislative District 39 and Otto Kotouc, Sr. of Legislative District 1.

A bill for an act to amend sections 76-404 and 76-406, Reissue Revised Statutes of Nebraska, 1943, relating to real property; to provide additional rights for foreign corporations; to remove certain restrictions for corporations in electing aliens as members of its board of directors or board of trustees; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-Introducer

Mr. Fenske asked unanimous consent that the name of D. J. Cole of Legislative District 40 be added as a co-introducer of LB 127. No objections. So ordered.

LEGISLATIVE BILL 128. By Sam Klaver of Legislative District 6 and Frank Nelson of Legislative District 28.

A bill for an act to amend sections 68-202 and 68-402, Revised Statutes Supplement, 1953, relating to assistance; to provide other conditions of eligibility for old age and blind assistance; and to repeal the original sections.

LEGISLATIVE BILL 129. By Sam Klaver of Legislative District 6, Charles F. Tyrdik of Legislative District 7 and John J. Larkin, Jr. of Legislative District 8.

A bill for an act to amend section 77-1735, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide for refund when any taxes or assessment levied after the effective date of this act are determined by a court to be illegal; and to repeal the original section.

LEGISLATIVE BILL 130. By Sam Klaver of Legislative District 6, by request.

A bill for an act to amend section 60-409, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to eliminate the provision that any part of the operator's license fee shall be available to the county treasurer to reimburse him for clerical services rendered issuing such licenses; and to repeal the original section.

LEGISLATIVE BILL 131. By Sam Klaver of Legislative District 6, by request.

A bill for an act to amend section 25-1626, Revised Statutes Supplement, 1953, relating to procedure in the district court; to eliminate the salary of the jury commissioner in counties having a population of not to exceed two hundred thousand inhabitants; and to repeal the original section.

LEGISLATIVE BILL 132. By Sam Klaver of Legislative District 6, by request.

A bill for an act to amend section 77-2315, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that the interest received by the county treasurers on any investments authorized by section 77-2315 or 77-2340, Reissue Revised Statutes of Nebraska, 1943, shall be credited to the general fund of the county; to change the method of determining the amount of certificates of deposit a county treasurer may invest funds of the county in banks; and to repeal the original section.

LEGISLATIVE BILL 133. By Sam Klaver of Legislative District 6, by request.

A bill for an act to amend sections 39-501 and 39-514, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to eliminate the provisions that members of the county board may be appointed as

county highway commissioner and receive compensation, salary, or office and traveling expenses; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 3. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Tenth Day were adopted.

Mr. Nelson offered the following amendment, which was adopted:

Amend LB 3, line 8, by adding the word "public" before the word "school", and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 4. Read and considered.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Beaver asked unanimous consent to add the name of D. J. Cole of Legislative District 40 as a co-introducer of LB 4. No objections. So ordered.

Advanced to E and R for review with 38 ayes, 0 nays and 5 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 134. By Earl J. Lee of Legislative District 11, William A. Metzger of Legislative District 3 and Hal Bridenbaugh of Legislative District 13.

A bill for an act to amend sections 22-111, 22-113, 22-122, 22-128, 22-166, 22-177, 22-187, and 22-189, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to redefine the eastern boundary line of counties bordering on the State of Iowa to conform to the Iowa-Nebraska Boundary Compact of 1943; and to repeal the original sections.

LEGISLATIVE BILL 135. By Charles F. Tvrdik of Legislative District 7, George Syas of Legislative District 4 and Karl E. Vogel of Legislative District 9.

A bill for an act to amend section 79-1007, Reissue Revised Statutes of Nebraska, 1943, and sections 79-1007.01 and 79-1007.02, Revised Statutes Supplement, 1953, relating to schools; to remove the requirements for certification of the number of mills to be levied during the month of July; to provide when the board of education of a Class V school district shall certify the amount of money necessary to the county board of equalization; to remove the limitations on levies for general operations of the district and to extend the provision with no limitation for levies for the site and building fund to the fiscal year ending August 31, 1959; to provide that the maximum levy after August 31, 1959, for general building operations shall be such number of mills as the Legislature shall provide and four mills for site and building purposes; to repeal the original sections; and to declare an emergency.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Tvrdik asked unanimous consent that the names of John Adams, Sr. of Legislative District 5, John J. Larkin, Jr. of Legislative District 8 and William Moulton of Legislative District 10 be added as co-introducers of LB 135. No objections. So ordered.

LEGISLATIVE BILL 136. By Charles F. Tvrdik of Legislative District 7 and Karl E. Vogel of Legislative District 9.

A bill for an act to amend sections 48-603, 48-610, 48-618, 48-628, and 48-633, Reissue Revised Statutes of Nebraska, 1943, and sections 48-606.01, 48-624, 48-627, 48-649, 48-661, and 48-669, Revised Statutes Supplement, 1953, relating to Employment Security Law; to redefine terms; to authorize the acquiring of office space as prescribed; to increase the penal provisions of the bond of the treasurer of the fund; to increase maximum weekly benefit; to revise wage requirement for benefit rights; to eliminate certain disqualifications for benefits; to increase the per diem of advisory council and appeal tribunal members; to provide for special appeal examiner; to change period of benefit experience for reduced rate; to change termination of coverage requirements; to provide for transition from former law to law as amended; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 137. By John J. Larkin, Jr. of Legislative District 8, Charles F. Tvrdik of Legislative District 7 and William Moulton of Legislative District 10.

A bill for an act to amend section 53-186, Revised Statutes Sup-

plement, 1953, relating to liquors; to provide that the prohibition of consumption or sale of alcoholic liquors as prescribed in this section shall not apply to municipal auditoriums located in cities having a population of one hundred fifty thousand inhabitants, or more when regulated by ordinance; to provide that the provisions set forth in this section shall also apply to sale of alcoholic liquors; and to repeal the original section.

LEGISLATIVE BILL 138. By Otto H. Liebers of Legislative District 18, Norman A. Otto of Legislative District 34 and Monroe Bixler of Legislative District 41.

A bill for an act relating to the State University and Normal Schools; to provide for the construction, purchase, or otherwise acquiring, remodeling, repairing, equipping, and furnishing of dormitories, residence halls, single or multiple dwelling units, and other facilities for the housing and boarding of students, faculties and employees of the institutions under the control of said boards, and the building of structures for athletic purposes, student and faculty unions or centers and for the medical care and physical development and other activities of the students of said institutions on the real estate owned or controlled by said boards, or purchased, leased, or otherwise acquired for such purposes, and to pay the cost thereof by issuing revenue bonds pledging and hypothecating the revenue, earnings and fees derived therefrom; to provide for the issuance of refunding bonds; to provide that such bonds shall not be the obligation of the State of Nebraska; to provide that said boards shall maintain a schedule of rates, fees, or charges sufficient to pay the principal and interest of such bonds; to provide that utilities may be furnished without charge against the revenues received; to provide that such bonds shall be exempt from taxation; and to declare an emergency.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Liebers asked unanimous consent that the names of John Aufenkamp of Legislative District 2, L. M. Shultz of Legislative District 16 and John E. Beaver of Legislative District 12 be added as co-introducers of LB 138. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

LB 65	Tuesday, January 25, 1955	2:00 p.m.
LB 97	Thursday, January 27, 1955	2:00 p.m.

Revenue

LB 56	Tuesday, January 25, 1955	2:00 p.m.
LB 75	Tuesday, January 25, 1955	2:00 p.m.

Miscellaneous Appropriations and Claims

LB 54	Wednesday, January 26, 1955	2:00 p.m.
LB 55	Wednesday, January 26, 1955	2:00 p.m.
LB 19	Monday, January 24, 1955	2:00 p.m.

Adjournment

At 11:08 a.m., on a motion by Mr. Cole, the Legislature adjourned until 10:00 a.m., Wednesday, January 19, 1955.

Hugo F. Srb
Clerk of the Legislature

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 19, 1955

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.

Communications

Letter from Mrs. Don Thompson, thanking the Members for the flowers sent to her during her recent illness.

Letter from E. C. Morrison, Sales Director of the Communication Equipment and Engineering Corporation, Chicago, Illinois, concerning the Electric Roll Call System now in use in the Chamber.

Referred to the special committee appointed during the 1953 session to study legislative accommodations.

Letter from Arthur L. Coad, Chairman of the Nebraska State Highway Commission, Lincoln, as follows:

Hon. Charles Warner
Lieutenant Governor
State of Nebraska
State House
Lincoln 9, Nebraska

January 19, 1955

Dear Mr. Warner:

Pursuant to the Provisions of Section 39-1110, Revised Statutes of Nebraska for 1943, Cumulative Supplement of 1953, which was also contained in Legislative Bill No. 4 of the 1953 Legislature, we here-

with submit through you, to the 1955 Legislature, a report of the Nebraska State Highway Commission in reference to its study and findings relative to the layout of a trunk highway system and a state-aid highway system.

Also accompanying this letter is a brief explanatory written statement, by the Commission, of its study of this matter, together with sixty copies of a map showing a suggested trunk highway system and a suggested state-aid highway system, which has been the result of the study and consideration of the Commission.

We will thank you to please obtain the filing and submission of this letter, and accompanying documents, with the 1955 Legislature now in session, for its consideration, approval and adoption, in accordance with said above described law, and in accordance with appropriate legislative procedure.

Respectfully submitted,

NEBRASKA STATE HIGHWAY COMMISSION

By: (Sgd) Arthur L. Coad, Chairman

By: (Sgd) L. N. Ress, Secretary

A.L.Coad:ec

**STATEMENT OF THE NEBRASKA STATE HIGHWAY COMMISSION
IN REFERENCE TO LAYING OUT A STATE HIGHWAY SYSTEM,
PURSUANT TO SECTION 39-1110, REVISED
STATUTES OF NEBRASKA**

The 1953 Nebraska Legislature, by the passage of LB 4, which is now designated as Section 39-1101 to Section 39-1111, inclusive, of the Revised Statutes of Nebraska, made it the responsibility and duty of this Highway Commission to prepare and submit to the Legislature, for its consideration, approval and adoption, a layout of a state trunk highway system and a state-aid highway system.

Said law provides as follows:

“(a) The trunk highway system shall not exceed sixty-five hundred miles of the more important through highways which shall connect principal centers of population and places of interest, and shall provide connections with the principal highways of adjoining states; and

(b) The state-aid highway system shall supplement the trunk system and serving other than predominantly local traffic and

which, when considered in conjunction with the trunk highway system, will result in a connected and integrated state network of highways;"

The commission has made such a study and herewith submits the results thereof to the Legislature for its consideration, together with a map showing thereon a suggested trunk highway system and a suggested state-aid highway system, all as required by said law. In making its study of the State Highway system, the commission, for the obvious reasons of lack of time, facilities and finances, was not able to make a personal inspection of each mile of the entire system. Such study has been based quite largely on information available from the State Highway Department. The advice and recommendations of the eight field division engineers, of the State Engineer, the Planning Engineer, and other engineering information and data of the State Highway Department, have been asked for and received on each part and parcel of the presently maintained state highway system.

The commission has found it difficult to specifically apply the general definition and language of the law, as it defines the trunk and state-aid highway systems, to the present state highway system of about 9,750 miles, but nevertheless, has conscientiously endeavored to initiate the study of such a system, which, after further legislative study and consideration, it is hoped will result in an improved and adequate state highway system.

In its study of the state highway system, the commission has recognized many considerations, including the following:

1. The intense and proper interest of local communities, organizations and citizens in all parts of the state, as well as the over-all general public interest in the establishment of a state highway system.
2. The state highway system, when finally established by the Legislature, in our opinion, should be one that the State of Nebraska can economically afford to construct and maintain, as determined by present and reasonably foreseeable revenues available for that purpose and which will, to the maximum extent, provide adequate highway service to each and every part of the state, giving just recognition to local highway needs, as well as taking into account the over-all interest of the travelling public.

It would appear that in some instances state highway facilities are presently being duplicated without apparent justification; and that other miles of presently maintained state highways do not seem to come within the legislative definition of either trunk or state-aid high-

ways. It would therefore appear that such present highway facilities should properly be dropped from the system.

In other instances, it appears that an extension of the present system is justified and required to provide an adequate, connected and integrated state highway system, and such has been advised.

The commission, as a result of its study and consideration of the state highway system, during the past year, is well aware of the magnitude and importance of the task of laying out a state highway system as defined in the law, which law is now Section 39-1110 of the Revised Statutes of Nebraska. The study of the commission has been as extensive and detailed as time and facilities would permit, however, it is recognized that the magnitude and importance of this undertaking requires that the study initiated by the commission should be continued by the Legislature before final adoption and determination of a new state highway system, in order that the system, as finally established, will best serve this state and its highway needs, and be within the financial ability of this state to construct and maintain.

The commission has not been able to fully understand the Legislative intent, reasons or the need for a state highway system composed of a trunk system and a state-aid system, as presently defined and called for in Section 39-1110 of the Nebraska Statutes. The commission recommends that the Legislature give consideration to the adoption of one state highway system instead of a state trunk highway system and a state-aid highway system.

It is further respectfully advised that the commission's study and its present recommendations be considered as a guide and starting point for the 1955 Legislature to further study and consider the matter of a state highway system, and as a result thereof, that the Legislature finally determine and establish a state highway system which will adequately serve the State of Nebraska and be within the financial ability of this state to construct and maintain, with revenue produced by highway-user taxes.

Referred to the Committee on Public Works.

MOTION—Lincoln's Day Program

Mr. President: I move that the Speaker arrange a short program on Friday, February 11, 1955, commemorating the birthday of Abraham Lincoln. (Signed) Charles F. Tvrdik

The motion prevailed.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects**

LEGISLATIVE BILL 18. Placed on General File as amended.

Standing Committee amendments to LB 18:

1. Amend page 2 of the bill by adding a new section immediately following Section 3 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."

2. Amend the title of the bill by inserting in line 7 after the word penalty. strike the period and add the following: ", and to declare an emergency."

(Signed) O. H. Person, Chairman

Bills Referred to Standing Committees

LB	Committee
125.....	Public Health and Miscellaneous Subjects
126.....	Judiciary
127.....	Judiciary
128.....	Labor and Public Welfare
129.....	Revenue
130.....	Revenue
131.....	Miscellaneous Appropriations and Claims
132.....	Revenue
133.....	Public Works
134.....	Judiciary
135.....	Education
136.....	Labor and Public Welfare
137.....	Public Health and Miscellaneous Subjects
138.....	Revenue

NOTICE OF COMMITTEE HEARINGS**Agriculture**

LB 87 Wednesday, January 26, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 15. Placed on Select File.

LEGISLATIVE BILL 27. Placed on Select File.

LEGISLATIVE BILL 29. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 4. Re: Invitation to Dr. Sandritter and Phillip H. Vogt to address Legislature regarding mentally ill persons and state mentally ill institutions.

Introduced by John Adams, Sr. of Legislative District 5.

WHEREAS, the people of the state and the members of the Legislature are not familiar with the existing conditions of our mental institutions or the treatment afforded mentally ill patients, and

WHEREAS, the Legislature is responsible to the people for furnishing adequate legislation to improve the mental institutions whenever possible and to see that modern methods of treatment to mentally ill persons are available, and

WHEREAS, unless the institutions are equipped and facilities are made available to mentally ill persons of this state, we are weakening our race and thereby affecting the strength of our government.

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

1. That the Speaker invite Dr. G. Lee Sandritter, Superintendent of the Hastings State Hospital, and Phillip H. Vogt of Omaha to address us on the needs and conditions of mentally ill persons and the state mentally ill institutions.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 139. By Charles F. Tvrdik of Legislative District 7, Sam Klaver of Legislative District 6 and William Moulton of Legislative District 10.

A bill for an act to amend section 14-1022, Reissue Revised Statutes of Nebraska, 1943, and section 68-602, Revised Statutes Supplement, 1953, relating to cities of the metropolitan class; to authorize retirement, insurance, and annuity benefits for employees and appointees of metropolitan utilities districts; to redefine terms; to provide that sections 68-601 to 68-619, Revised Statutes Supplement, 1953, shall be applicable to such employees and appointees of metropolitan utilities districts; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 140. By George Syas of Legislative District 4, Frank Nelson of Legislative District 28 and O. H. Person of Legislative District 17.

A bill for an act relating to cities and villages; to authorize cities and villages to make a special levy for the purpose of creating a fund out of which anti-pollution of water measures may be financed.

LEGISLATIVE BILL 141. By LeRoy Bahensky of Legislative District 29, Norman A. Otto of Legislative District 34 and D. J. Cole of Legislative District 40.

A bill for an act to amend sections 37-515 and 37-516, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to authorize the Game, Forestation and Parks Commission to use chemicals and other substances in lakes, streams, ponds, and other waters for fish management purposes; to prohibit dumping or draining waste sand and silt from sand and gravel pump operations into any waters of this state except as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 142. By John J. Larkin, Jr. of Legislative District 8, George Syas of Legislative District 4 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend sections 53-118, 53-161, 53-162, and 53-172, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the tax on beer shall be paid to the Nebraska Liquor Control Commission on the auditing basis rather than by affixing stamps to the package; and to repeal the original sections.

LEGISLATIVE BILL 143. By Charles F. Tvrdik of Legislative District 7, William A. Metzger of Legislative District 3 and John J. Larkin, Jr. of Legislative District 8.

A bill for an act to amend section 48-816, Reissue Revised Statutes of Nebraska, 1943, relating to labor; to provide for bargaining in the

event of an industrial dispute which involves governmental service in a proprietary capacity; and to repeal the original section.

LEGISLATIVE BILL 144. By Lester H. Anderson of Legislative District 25 and Arthur W. Swanson of Legislative District 36.

A bill for an act relating to county courts; to provide qualifications for county judges in counties having a population of five thousand inhabitants or more.

LEGISLATIVE BILL 145. By John J. Larkin, Jr. of Legislative District 8, Tom Adams of Legislative District 19 and William Moulton of Legislative District 10.

A bill for an act relating to state administrative departments; to provide for a minimum number of hours of labor by heads of departments of the state and their deputies, assistants, and employees during a week, except as prescribed; to provide that regular work by such persons shall not be performed on Saturdays, Sundays, and days declared by law to be holidays, except as prescribed; to permit the staggering of the hours and days of work by employees as prescribed; to provide for the payment of overtime; to repeal section 81-115, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 146. By William Moulton of Legislative District 10 and John J. Larkin, Jr. of Legislative District 8.

A bill for an act relating to civil procedure; to make municipalities liable for accidents arising in the performance of their business from the operation by officers, agents, and employees of motor vehicles, motor equipment, highway machinery and equipment, machinery and equipment in the performance of all other business, for liabilities arising from services rendered for municipalities in all their business by officers, agents and employees.

LEGISLATIVE BILL 147. By Amos Morrison of Legislative District 42.

A bill for an act to amend section 39-631, Revised Statutes Supplement, 1953, relating to highways; to change the jurisdiction of the Department of Roads and Irrigation of warning signs, stop signs, and other safety devices or safety regulations on state highways; and to repeal the original section.

LEGISLATIVE BILL 148. By Otto H. Liebers of Legislative District 18, Otto Kotouc, Sr. of Legislative District 1 and Karl E. Vogel of Legislative District 9.

A bill for an act to amend section 77-112, Reissue Revised Statutes of Nebraska, 1943, and section 77-201, Revised Statutes Supplement, 1953, relating to revenue and taxation; to define basic value; to provide that the basic value of property shall be used as the basis of assessment; and to repeal the original sections.

LEGISLATIVE BILL 149. By Otto H. Liebers of Legislative District 18, Joseph D. Martin of Legislative District 30 and Monroe Bixler of Legislative District 41.

A bill for an act relating to revenue and taxation; to provide for the use of average inventories in determining the value of certain personal property for taxation, as prescribed; and to declare an emergency.

LEGISLATIVE BILL 150. By Otto H. Liebers of Legislative District 18, Joseph D. Martin of Legislative District 30 and Otto Kotouc, Sr. of Legislative District 1.

A bill for an act to amend section 77-202, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to change the property that is exempt from taxation; to repeal the original section; and to declare an emergency.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Liebers asked unanimous consent that the name of Karl E. Vogel of Legislative District 9 be added as a co-introducer of LB 150. No objections. So ordered.

LEGISLATIVE BILL 151. By Otto H. Liebers of Legislative District 18, Otto Kotouc, Sr. of Legislative District 1 and Karl E. Vogel of Legislative District 9.

A bill for an act to amend sections 21-1749, 68-230, 77-407, 77-708, 77-710, 77-713, 77-720, 77-721, 77-727, 77-1201, 77-1205, 77-1211, 77-1220, 77-1226, 77-1231, and 77-1405, Reissue Revised Statutes of Nebraska, 1943, and sections 77-1209.01, 77-1212, 77-1242, 77-1301, 77-1303, and 77-1611, Revised Statutes Supplement, 1953, relating to taxation; to change the dates of reporting and assessing property for taxation; and to repeal the original sections.

LEGISLATIVE BILL 152. By Otto H. Liebers of Legislative District 18, Charles F. Tvrdik of Legislative District 7 and O. H. Person of Legislative District 17.

A bill for an act to amend section 77-303, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that the State Tax Commissioner shall formulate and promulgate rules and regulations pertaining to the valuation and assessment of property; to provide for employees to assist the Tax Commissioner in the administration of the property tax laws of the counties; and to repeal the original section.

LEGISLATIVE BILL 153. By Otto H. Liebers of Legislative District 18, Robert C. Brower of Legislative District 26 and O. H. Person of Legislative District 17.

A bill for an act for submission to the electors of amendment of Article IV, section 28, of the Constitution of Nebraska, relating to revenue and taxation; to permit the Legislature to provide for appointment of a Tax Commissioner or a Tax Commission; to provide for the jurisdiction and powers of such Tax Commissioner or Tax Commission; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; to provide the effective date thereof; and to declare an emergency.

LEGISLATIVE BILL 154. By Otto H. Liebers of Legislative District 18, Earl J. Lee of Legislative District 11 and Don Thompson of Legislative District 33.

A bill for an act for submission to the electors of an amendment to Article VIII of the Constitution of Nebraska, relating to revenue; to authorize the Legislature to substitute for ad valorem taxes other taxes upon grain and seed produced or handled in this state; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Liebers asked unanimous consent that additional names may be added as co-introducers of LB 148, 149, 150, 151, 152, 153 and 154. No objections. So ordered.

The following names were added as co-introducers of LB 148: O. H. Person of Legislative District 17, Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

The following names were added as co-introducers of LB 149: O. H. Person of Legislative District 17 and Otto Kotouc, Sr. of Legislative District 1.

The following names were added as co-introducers of LB 150: O. H. Person of Legislative District 17 and Monroe Bixler of Legislative District 41.

The following names were added as co-introducers of LB 151: Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

The following names were added as co-introducers of LB 152: Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

The following names were added as co-introducers of LB 153: Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

The following names were added as co-introducers of LB 154: Monroe Bixler of Legislative District 41 and Joseph D. Martin of Legislative District 30.

LEGISLATIVE BILL 155. By Charles F. Tvrđik of Legislative District 7.

A bill for an act relating to motor vehicles; to provide for an additional method for checking the speed of motor vehicles by use of radiomicro waves or other electrical device; to provide the use in evidence and effect thereof; and to provide for powers of arrest.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Tvrđik asked unanimous consent that the names of Sam Klaver of Legislative District 6 and George Syas of Legislative District 4 be added as co-introducers of LB 155. No objections. So ordered.

LEGISLATIVE BILL 156. By Charles F. Tvrđik of Legislative District 7.

A bill for an act to amend section 39-1206, Revised Statutes Supplement, 1953, relating to Nebraska Turnpike Authority; to authorize

the authority to borrow money; to authorize the Department of Roads and Irrigation to loan money to the Nebraska Turnpike Authority, as prescribed; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Tvrdik asked unanimous consent to add the name of Tom Adams of Legislative District 19 as a co-introducer of LB 156. No objections. So ordered.

LEGISLATIVE BILL 157. By Tom Adams of Legislative District 19 and Norman A. Otto of Legislative District 34.

A bill for an act relating to crimes and punishments; to make it unlawful to shoot a firearm while on any public road or highway; and to provide penalties.

LEGISLATIVE BILL 158. By Sam Klaver of Legislative District 6.

A bill for an act relating to motor vehicles; to provide for the manner and method of registration of motor vehicles and the assignment of distinctive registration numbers; to establish a system of issuance of motor vehicle registration licenses and numbers upon a monthly basis upon all motor vehicles of seven-passenger capacity or less and not used for hire in counties in which more than twenty-five thousand motor vehicles are registered; to provide the manner of issuance of number plates for motor vehicles upon original registration and renewal thereof; to provide for semi-permanent number plates and issuance of metal tags to be affixed thereto showing the license year of registration or renewal thereof; to provide for promulgation by the Department of Roads and Irrigation of appropriate regulations to carry out and supplement the policy of issuance of semi-permanent number plates and for administering this act; to amend sections 60-309, 60-310, 60-311, 60-340, and 60-341, Reissue Revised Statutes of Nebraska, 1943, and section 60-329, Revised Statutes Supplement, 1953; and to repeal the original sections.

LEGISLATIVE BILL 159. By John Adams, Sr. of Legislative District 5.

A bill for an act to amend sections 48-128 and 48-148, Reissue Revised Statutes of Nebraska, 1943, and sections 48-121, 48-122, and 48-126.01, Revised Statutes Supplement, 1953, relating to Nebraska Workmen's Compensation Law; to increase disability and death bene-

fits, as prescribed; to eliminate obsolete matter; to clarify provisions; and to repeal the original sections.

LEGISLATIVE BILL 160. By D. J. Cole of Legislative District 40, Dwight W. Burney of Legislative District 14 and Norman A. Otto of Legislative District 34.

A bill for an act relating to land surveyors; to provide for the registration of land surveyors; to provide that the Board of Educational Lands and Funds shall be the State Board of Examiners of Land Surveyors; to provide for meetings of the board, its powers and duties, and secretary; to provide compensation for members of such board; to provide for examination and license fees, and their disposition; to create the Land Surveyor Examiner's Fund in the state treasury and to designate the use thereof; to provide qualifications of applicants; to provide for violations; and to provide penalties.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Cole asked unanimous consent to add the name of Tom Adams of Legislative District 19 as a co-introducer of LB 160. No objections. So ordered.

LEGISLATIVE BILL 161. By Charles F. Tvrdik of Legislative District 7, John J. Larkin, Jr. of Legislative District 8 and Joseph D. Martin of Legislative District 30.

A bill for an act to amend section 53-141, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide the manner of determining the number of signatures required for remonstrance petitions; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 5. Re: Study of Existing Laws Relative to County Roads and Recommendations for Necessary Changes.

Introduced by Glenn Cramer of Legislative District 27.

WHEREAS, the laws pertaining to county roads were adopted before the need for a more modern and adequate system of county roads became apparent, and

WHEREAS, the need for adequate laws to govern the construction, maintenance and improvement of county roads exists at this time.

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

1. That the Legislative Council make a study of existing laws and recommend to the next regular session of the Nebraska State Legislature the necessary changes which will provide for the efficient and economical operation of the counties of Nebraska with respect to county roads.

NOTICE OF COMMITTEE HEARING

Judiciary

LR 3 Wednesday, January 26, 1955 2:00 p.m.

SELECT FILE

LEGISLATIVE BILL 1. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 18. Read and considered.

Standing Committee amendments, found in this day's Legislative Journal, were adopted.

Advanced to E and R for review.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 162. By A. A. Fenske of Legislative District 43, Monroe Bixler of Legislative District 41 and George Hoffmeister of Legislative District 37.

A bill for an act to amend section 79-486, Revised Statutes Supplement, 1953, relating to schools; to provide that the county superintendent shall not be required to dissolve and attach to neighboring districts any school district which borders another state and which has for five consecutive years contracted for the instruction of its pupils with a school district in an adjoining state; and to repeal the original section.

LEGISLATIVE BILL 163. By Ernest A. Hubka of Legislative District 21 and Mervin V. Bedford of Legislative District 23.

A bill for an act to amend section 43-201, Reissue Revised Statutes of Nebraska, 1943, relating to infants; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 164. By Otto Kotouc, Sr. of Legislative District 1 and John J. Larkin, Jr. of Legislative District 8.

A bill for an act to amend section 44-301, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to redefine powers, privileges, immunities, duties, and liabilities of corporations; to define the powers and privileges of an assessment association which maintains reserves and surplus or contingency funds at least equal to those required of a stock or mutual insurance company; and to repeal the original section.

LEGISLATIVE BILL 165. By Tom Adams of Legislative District 19, Otto H. Liebers of Legislative District 18 and Robert Perry of Legislative District 20.

A bill for an act relating to sanitary districts; to provide for the enlargement of a sanitary drainage district heretofore created under sections 31-501 to 31-523, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, so as to include municipalities formerly within the boundaries of such sanitary district, but which have enlarged beyond the boundaries of such sanitary district; to provide for filing of a description of such enlarged district together with a certified copy of the resolution so adopted with the county board of the county wherein such district is situated; to provide for the continuance in office of the trustees until their successors are duly elected and qualified; and to declare an emergency.

LEGISLATIVE BILL 166. By Tom Adams of Legislative District 19, Otto H. Liebers of Legislative District 18 and Robert Perry of Legislative District 20.

A bill for an act to amend section 31-513, Revised Statutes Supplement, 1953, relating to sanitary districts; to extend the additional levy of one mill for another four years; to repeal the original section; and to declare an emergency.

Adjournment

At 11:20 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Thursday, January 20, 1955.

Hugo F. Srb
Clerk of the Legislature

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 20, 1955

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.

Announcement

Mr. Metzger announced to the Members the birth of a daughter to Mrs. Metzger and himself.

MOTION—Flowers

Mr. President: I move that flowers be sent to Mrs. Metzger and to Mrs. McGinley, who are in the hospital. (Signed) George Hoffmeister.

The motion prevailed.

Communications

Letter from Russell Brehm, Chairman, Lancaster County Board, Lincoln, advising that the Legislative Committee of the Nebraska County Officials Association favors LB 83.

Referred to Committee on Judiciary.

Message from the Governor

January 11, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have appointed Donald F. Robertson of North Platte, Nebraska, to the Game, Forestation and Parks Commission.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

Referred to the Committee on Committees.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 124 Monday, January 31, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 28. Placed on Select File as amended:

E and R amendments to LB 28:

1. Amend page 2 of the bill, Section 1, line 15 by inserting the article "the" before the word "effect";

2. Amend page 2 of the bill, Section 1, line 27 by striking the punctuation "," after the word "highways" and inserting in lieu thereof the punctuation ".";

3. Amend page 3 of the bill, Section 1, line 48 by inserting the article "a" after the word "such";

LEGISLATIVE BILL 3. Placed on Select File as amended:

E and R amendments to LB 3:

1. Amend the Nelson amendment appearing on page 146 of the Journal to read as follows:

1. Amend page 2 of the bill, Section 1, line 8, by inserting the word "public" before the word "school".

2. Amend the title of the bill, line 4, by inserting the word "public" before the word "school".

LEGISLATIVE BILL 4. Placed on Select File.

LEGISLATIVE BILL 1. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Agriculture

LEGISLATIVE BILL 20. Placed on General File.

(Signed) Frank Nelson, Chairman

Bills Referred to Standing Committees

LB	Committee
139.....	Banking, Commerce and Insurance
140.....	Revenue
141.....	Agriculture
142.....	Public Health and Miscellaneous Subjects
143.....	Labor and Public Welfare
144.....	Judiciary
145.....	Labor and Public Welfare
146.....	Judiciary
147.....	Public Works
148.....	Revenue
149.....	Revenue
150.....	Revenue
151.....	Revenue
152.....	Revenue
153.....	Judiciary
154.....	Judiciary
155.....	Public Works
156.....	Banking, Commerce and Insurance
157.....	Agriculture
158.....	Public Works
159.....	Banking, Commerce and Insurance
160.....	Agriculture
161.....	Public Health and Miscellaneous Subjects
162.....	Education
163.....	Labor and Public Welfare
164.....	Banking, Commerce and Insurance
165.....	Public Health and Miscellaneous Subjects
166.....	Public Health and Miscellaneous Subjects

RESOLUTIONS

Mr. J. Adams asked unanimous consent that LR 4 be referred to a standing committee. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 167. By Lester H. Anderson of Legislative District 25 and Norman A. Otto of Legislative District 34.

A bill for an act relating to state institutions; to provide for a Director of Penal and Correctional Institutions under the Board of Control; to provide the powers and duties of the director; and to provide the salary of the director.

LEGISLATIVE BILL 168. By John E. Beaver of Legislative District 12 and Otto Kotouc, Sr. of Legislative District 1.

A bill for an act to amend sections 17-534 and 18-1502, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide when such bonds shall become due and when interest is payable; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 169. By Frank Nelson of Legislative District 28 and O. H. Person of Legislative District 17.

A bill for an act to amend sections 17-156, 17-157, 17-159, 17-160, and 17-161, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class; to extend the provisions of sections 17-156 to 17-162, Reissue Revised Statutes of Nebraska, 1943, to include joint school and city recreational and athletic fields; to provide when a bond issue or approval of the electors not required; and to repeal the original sections.

LEGISLATIVE BILL 170. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act relating to procedure in civil actions with respect to garnishment; to provide for transfer to the district court of garnishment proceedings pending before any justice of the peace or in any county or municipal court whenever it appears that the amount in controversy or the value of the property in controversy is in excess of the maximum amount of the jurisdiction of the justice of the peace or of the county or municipal court, as the case may be; and to prescribe the procedure to effect such transfer and the further proceedings to be had in the district court.

LEGISLATIVE BILL 171. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act relating to decedents' estates; to provide for the transfer of personal property of a deceased person without judicial proceedings where the value of the entire estate of the decedent, less liens and encumbrances, does not exceed seven hundred dollars; to prescribe the procedure necessary to accomplish such transfer; to provide additional requirements where it is sought to transfer title to a motor vehicle; to declare the effect of the procedure provided by this act; and to repeal sections 60-111.01, 60-111.02, and 60-111.03, Revised Statutes Supplement, 1953.

LEGISLATIVE BILL 172. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 25-1315.03, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court and in the Supreme Court; to provide the time and manner of taking an appeal to the Supreme Court from a ruling of the district court on a motion for judgment notwithstanding the verdict; and to repeal the original section.

LEGISLATIVE BILL 173. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 25-1140.06, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to provide that the clerk of the district court may settle and sign a bill of exceptions whenever for any cause the judge of the district court before whom the cause was tried has ceased to hold that office; and to repeal the original section.

LEGISLATIVE BILL 174. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend sections 30-1102 and 30-1106, Reissue Revised Statutes of Nebraska, 1943, and sections 30-1104 and 30-1105, Revised Statutes Supplement, 1953, relating to decedents' estates; to provide that on petition for license to sell real estate for payment of debts, the district court or a judge thereof in chambers shall find and determine whether or not the real estate is exempt from sale by reason of having been the family homestead or for any other reason; to provide for continuance of hearings in such proceedings from day to day without order of court until the same can be heard; to provide when,

where, and under what conditions such petition shall be heard by the district court or a judge thereof; and to repeal the original sections.

LEGISLATIVE BILL 175. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend sections 25-1601, 25-1626, 25-1627.01, and 25-1629, Revised Statutes Supplement, 1953, relating to civil procedure in the district court; to restate the qualifications of jurors, and the grounds for disqualification and exemption from jury service; to extend the range of employees of the county from which a deputy jury commissioner may be selected; to provide for the drawing of additional key numbers in counties having a population of less than three thousand inhabitants; to provide for striking of women from key number lists in counties where women may not be called to serve as jurors; and to repeal the original sections.

LEGISLATIVE BILL 176. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 35-101, Reissue Revised Statutes of Nebraska, 1943, relating to firemen; to confine the exemption from jury service of volunteer firemen in any fire company or hook and ladder company to members of such company in good standing; and to repeal the original section.

LEGISLATIVE BILL 177. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 38-201, Reissue Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide for the appointment of a guardian of the estate of a mentally ill or incompetent person who is a nonresident of the state and is possessed of property in a county of this state; to provide for the manner of giving notice of the appointment of a guardian for a mentally ill or incompetent person; and to repeal the original section.

LEGISLATIVE BILL 178. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 38-605, Reissue Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide that investment or reinvestment of the proceeds of sale of real estate of a ward shall be made by the guardian in accordance with laws existing at the time of such investment or reinvestment, and subject to the ap-

proval of the county court having jurisdiction of the guardianship; and to repeal the original section.

LEGISLATIVE BILL 179. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend sections 77-1734, 77-1735, 77-1736, and 77-1737, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide one method of procedure for the recovery of taxes, or any part thereof, that for any reason are invalid; and to repeal the original sections and also sections 77-1728, 77-1729, 77-1730, 77-1731, 77-1732, and 77-1733, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 180. By Earl J. Lee of Legislative District 11, Donald F. McGinley of Legislative District 39 and Robert C. Brower of Legislative District 26.

A bill for an act to amend section 25-1558, Reissue Revised Statutes of Nebraska, 1943, relating to exemption of wages; to provide that an employer shall pay to the surviving dependent spouse of a deceased employee wages or salary owing to the deceased at the time of his death, not exceeding five hundred dollars; and to repeal the original section.

LEGISLATIVE BILL 181. By Monroe Bixler of Legislative District 41, William A. McHenry of Legislative District 32 and Earl J. Lee of Legislative District 11.

A bill for an act to amend sections 2-1906, 3-116, 18-601, 23-314, 23-320, 25-1062.01, 25-1064, 25-1065, 25-1066, 25-2159, 25-2160, 33-105, 39-253, 39-603.02, 39-7,103, 39-7,106, 39-848, 39-850, 46-106, 46-193, 46-199, 46-277, 46-278, 56-101, 60-1001, 70-609.01, 70-612, 75-618, 81-101, 81-702, 81-703, 81-704, 81-705, 81-706, 81-709, 86-303.01, and 86-308.01, Reissue Revised Statutes of Nebraska, 1943, and sections 39-7,107.05, 81-102, 81-103, 83-122, and 83-123, Revised Statutes Supplement, 1953, relating to state administrative departments; to divide the Department of Roads and Irrigation into two new departments and to transfer the duties pertaining to highways, roads, and bridges to the newly created and established Bureau of Roads; to provide for allocation and distribution of powers; to provide for heads of the new departments and Bureau of Roads, their qualifications, and appointment; to provide for payment of fees as prescribed in the act; to authorize the Revisor of Statutes to make changes in terminology in accordance with the terms

of this act; to provide salaries; and to repeal the original sections, and also section 81-701, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 182. By George Hoffmeister of Legislative District 37 and Karl E. Vogel of Legislative District 9.

A bill for an act relating to state institutions; to provide for an advisory board for each mental health facility in Nebraska; to provide for the members of such boards, their qualifications, appointment, terms of office, organization, and compensation; and to provide for meetings and duties of the boards.

LEGISLATIVE BILL 183. By Joseph D. Martin of Legislative District 30, Norman A. Otto of Legislative District 34 and Dwight W. Burney of Legislative District 14.

A bill for an act relating to juvenile courts; and to provide for the transfer of juvenile cases from one county to another.

Committee to Escort Governor

The President appointed the following members, who comprise the Budget Committee, to escort the Governor to the Legislative Chamber for the purpose of delivering his Budget Message: Bridenbaugh, Chairman, Liebers, McHenry, Vogel, Shultz, Diers, Pizer, Peterson and Fenske.

The committee withdrew and escorted the Governor to the rostrum, where he delivered the following:

BUDGET MESSAGE HONORABLE VICTOR E. ANDERSON TO THE LEGISLATURE OF NEBRASKA SIXTY-SEVENTH SESSION JANUARY 20, 1955

Mr. President,
Mr. Speaker,
Members of the Legislature:

Foremost among my duties as Governor is the task of presenting to you my proposed budget for the biennium 1955-57. My energies have been limited to the creation of a realistic budget. Of help in

my deliberations has been my experience as a member of the Budget Committee of the Legislature in 1949.

The State Government of Nebraska is a multi-million dollar business. It is the state's largest. Nearly 11,500 people are on its payroll. It comprises 44 departments and branches. These are divided into nearly 170 divisions and sections. Some of these departments are big businesses in themselves.

It is your responsibility to go to the people of Nebraska and through the power of taxation obtain from them the tax dollars to operate this huge business. It is the responsibility of you and me to see that these tax funds are used wisely to meet the needs of our people for governmental services evaluated in the light of our people's ability to pay for them. Together, also, we must assure a dollar's worth of value for every tax dollar spent.

Never forget—government is created by the people to do those things for the people that they cannot do individually. Every demand of the people for government services must be evaluated by weighing the apparent need for them against the people's capacity and willingness to bear the cost.

I said that state government is big business, but it differs from private business in this respect: When private business expands by building more plants and hiring more employees, the result is more income from the operation. When the services of government are expanded, there is not necessarily an increased monetary return. Instead, the people, themselves, have to pay the cost, retaining a diminished income for their own use. Today, government on all levels takes approximately one-third of the income of the people of Nebraska.

By its very nature the making of a budget for such a big business is an inexact science. A realistic budget that will not become operative for five months and that covers the succeeding two years can only be an educated guess at best. In this world of rapidly changing economic conditions, who among us can accurately forecast his own dollar requirements for the next two years?

Therefore, I say to you that my proposed budget is not the final word and is not so intended. Rather, it is a framework within which you and I, working as a team, must examine and re-examine every department and agency to determine the cost of its performance of the duties imposed upon it by law.

You have by law provided an orderly process for this examination. Your budget committee will examine every department to determine

such things as: How many employees do you need—how much equipment? What is the minimum of tax dollars necessary for the performance of your duties?

Throughout these examinations I will confer with you, and all information available to me as Governor I will make available to you. As these examinations reveal the facts, I will welcome the opportunity to give you my further recommendations.

Because of the difficulties inherent in a two-year budget period, I propose a new fiscal management policy for the State of Nebraska. In the past Nebraska's has been a hand-to-mouth financial existence. The Legislature appropriated a specific amount of money for a biennial period—sometimes it was too much—sometimes it was inadequate. Many times "Cash Funds"—sources other than property taxes—have been inadvertently underestimated, resulting in excessive revenue for some departments. In other cases appropriations were limited to specific amounts which proved to be inadequate. In both tax and non-tax funds there are frequently unexpended balances which now must be estimated in advance for the purpose of reappropriation. Occasionally, there are deficiencies requiring a special appropriation at the beginning of the legislative session. Furthermore, emergencies have arisen which have required a special session of the Legislature to make emergency appropriations. As a result of these conditions there has been waste in some departments, an unnecessary curtailment of services in other departments, and an unwarranted burden upon the Legislature in being called into special sessions.

To remedy these conditions, to better our fiscal management, and to encourage thrift and saving in our government, I propose the creation of an Operating Reserve Fund. This fund shall not require additional revenues, but shall be a withholding of funds at the time of appropriation until a true necessity arises at a future time. The fund should be administered by an agency vested with the authority to allocate parts of the fund for the performance of necessary and lawful functions of any state agency not reasonably foreseeable at the time of the adoption of the budget.

You might consider placing in this fund the properly available unexpended balances, proceeds derived from the sale of surplus property, and a reasonable percentage of the regular appropriation.

The Attorney General assures me that this can be accomplished legally under our Constitution. I have in mind certain details to implement this plan which I should like to take up with your Budget Committee at the earliest possible time. I am confident that your Honor-

able Body will act on this matter in the interest of better fiscal management for our state.

There has not been the opportunity for me to analyze critically the needs of every department of our government. However, I have found areas where reductions of approximately \$1 million should be made in the budget of the outgoing Governor. These reductions are from the general fund which is derived from direct taxation and will be reflected in my budget document. These recommended reductions I have made in five of the 44 departments. I am confident that critical analysis by the Budget Committee and myself of the remaining departments will disclose further areas where reductions may be effected.

By the studied use of sound business practices our agencies of State Government can render improved performance. By that I mean such things as:

1. Standardization of engineering, construction, and maintenance in the Department of Roads and Irrigation;
2. Use of private industry where that will result in the job being done cheaper than with state employees and equipment;
3. Use of a personnel director: It has come to my attention that different departments pay different salaries for similar duties, and that some departments have requested pay raises while others have not. I have in mind a central personnel office for the recruitment, job classification, and schedules for the various departments. We must guard against waste through idleness;
4. Scrutiny of travel costs: We should scrutinize our cost of travel by state employees to the end that it be reduced to a minimum. The operation, maintenance, and repair of state-owned vehicles must be at the lowest unit cost.

I recommend that you continue to place the Teacher Retirement Program on a sound financial basis.

In 1947 this Legislature wisely established an Institutional Building Fund by imposing an annual tax levy of 1.1 mills. This was a ten-year program which terminates in 1956. Admittedly, the Legislature in 1947 was unable to foresee the accomplishments over that period. Substantial benefits have resulted from this fixed and steady source of revenue over the past eight years.

For example, the total collections as of June 30, 1954, were \$21.1 millions. The University of Nebraska received 40% of 1 mill amounting

to \$7.6 millions. The Board of Control received 45% of 1 mill amounting to \$3.6 millions. The State Teachers Colleges received 15% of 1 mill amounting to \$2.8 millions. The Military Department received 10% of one mill amounting to \$1.9 millions.

I recommend that you review and re-examine the achievement to date of this Institutional Building Fund Levy with the view of determining:

1. Whether it should be continued;
2. If so, at what cost to the taxpayers;
3. What, if any, change should be made in the distribution.

CONCLUSION

These budgetary recommendations are not all-conclusive for the purpose of your appropriations bill. They are indicative of the principles that I believe should reflect our fiscal policy.

I am sure that by our combined effort we shall adequately provide for the cost of our State Government for the next biennium with responsiveness to the needs of our people and by means consistent with our sound economy.

Let us share our efforts with diligence and sincerity of effort.

(Signed) Victor E. Anderson
Governor

The Committee escorted the Governor from the Chamber.

GENERAL FILE

LEGISLATIVE BILL 20. Read and considered.

Mr. McGinley offered the following amendment, which was adopted:

Amend LB 20 by adding the emergency clause and amending the title to conform.

Advanced to E and R for review.

SELECT FILE

LEGISLATIVE BILL 15. Mr. Bixler asked unanimous consent that LB 15 be laid over until Monday, January 24, 1955. No objections. So ordered.

LEGISLATIVE BILL 27. Advanced to E and R for engrossment.

LEGISLATIVE BILL 29. Advanced to E and R for engrossment.

Adjournment

At 11:07 a.m., on a motion by Mr. McGinley, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 21, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Thirteenth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

LB 111	Tuesday, February 1, 1955	2:00 p.m.
LB 112	Tuesday, February 1, 1955	2:00 p.m.
LB 71	Thursday, February 3, 1955	2:00 p.m.

Labor and Public Welfare

LB 7	Monday, February 7, 1955	2:00 p.m.
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Committee on Committees

The Committee on Committees will meet at 1 PM on Thursday, January 27, 1955 in the West Senate Lounge to consider the appointments made by Governor Anderson to the following respective offices:

Ed Hoyt.....	Director, Dept. of Agriculture and Inspection
James L. Weasmer.....	Commissioner of Labor
L. N. Ress.....	State Engineer
J. F. McLain.....	Director of Banking
Thomas R. Pansing.....	Director of Insurance
W. H. Hulsizer.....	Board of Control (Member)

(2) Amend the title of the bill, line 6, by striking the conjunction "and"; and in line 7 by inserting after the word "penalty" the following: "; and to declare an emergency";

2. Amend the bill, page 2, section 2, line 6, by striking the word "such" and inserting in lieu thereof the word "any".

LEGISLATIVE BILL 29. Correctly engrossed.

LEGISLATIVE BILL 27. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Judiciary

LEGISLATIVE BILL 63. Placed on General File as amended.
Standing Committee amendment to LB 63:

1. Amend Sec. 1, line 4, "the last two months in each year" instead of "between the dates of January 1 and January 10".

LEGISLATIVE BILL 68. Placed on General File.

LEGISLATIVE BILL 49. Placed on General File as amended.
Standing Committee amendment to LB 49:

1. Amend section 1, line 8 to read "three-fifths" instead of "two-thirds".

(Signed) Joseph D. Martin, Chairman

Bills Referred to Standing Committees

LB	Committee
167.....	Government
168.....	Banking, Commerce and Insurance
169.....	Education
170.....	Judiciary
171.....	Judiciary
172.....	Judiciary
173.....	Judiciary
174.....	Judiciary
175.....	Judiciary
176.....	Judiciary
177.....	Judiciary
178.....	Judiciary
179.....	Judiciary

180.....	Labor and Public Welfare
181.....	Public Works
182.....	Public Health and Miscellaneous Subjects
183.....	Judiciary

Resolution Referred to Standing Committee

LR

Committee

4.....Public Health and Miscellaneous Subjects

RESOLUTIONS

LEGISLATIVE RESOLUTION 6. Re: New Platte River Bridge to be Named "Motter Memorial Bridge".

Introduced by Earl J. Lee, 11th District; O. H. Person, 17th District.

WHEREAS, a new bridge is to be constructed across the Platte River on Highway U.S. 77 which has never been designated by name, and

WHEREAS, it is desirable that the new bridge be designated by name and suitable markers be erected for the purpose of identification, and

WHEREAS, C. W. Motter has always so generously contributed his energy, time and talents in the public interest.

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

1. That the new bridge across the Platte river on Highway U.S. 77 be known as "Motter Memorial Bridge."

2. That a suitable plaque, approved by the Department of Roads and Irrigation, be placed on the bridge identifying it as the "Motter Memorial Bridge."

SELECT FILE

LEGISLATIVE BILL 28. E and R amendments, found in the Legislative Journal for the Thirteenth Day, were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 3. E and R amendments, found in the Legislative Journal for the Thirteenth Day, were adopted.

Mr. T. Adams asked unanimous consent that LB 3 be laid over until Monday, January 24, 1955. No objections. So ordered.

LEGISLATIVE BILL 4. Advanced to E and R for engrossment.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 184. By George Syas, 4th District.

A bill for an act for submission to the electors of an amendment to Article VII, section 5, of the Constitution of Nebraska, relating to education; to change the allocation of fines and penalties for violation of laws for overloading of vehicles used upon the public roads and highways of this state; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 185. By George Syas, 4th District.

A bill for an act relating to public health; to designate a state water pollution control agency; to create a state water pollution control council; to provide for the appointment of the members thereof, their terms of office, salaries, and duties; to control, prevent, and abate pollution of the surface and underground waters of the state; to provide for hearings and the procedure therefor; to provide penalties; to provide a savings clause; to provide a construction clause; and to repeal section 37-516, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 186. By George Syas, 4th District; Karl E. Vogel, 9th District.

A bill for an act to amend section 71-1631, Revised Statutes Supplement, 1953, relating to public health and welfare; to provide that the county treasurer shall be ex officio treasurer of a city-county board of health where the county treasurer is ex officio treasurer of the city in which the city-county board of health is located; and to repeal the original section.

LEGISLATIVE BILL 187. By Dwight W. Burney, 14th District; Karl E. Vogel, 9th District; Lester H. Anderson, 25th District.

A bill for an act relating to highways; to define terms; to provide powers and duties of the Department of Roads and Irrigation and the

State Engineer in connection with highways; to provide for establishing a system of state highway system; to provide for condemnation of property; to provide for construction and maintenance of the state highway system; and to repeal Chapter 39, article 6, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, and sections 81-701 and 81-709, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 188. By Dwight W. Burney, 14th District; Karl E. Vogel, 9th District; A. A. Fenske, 43rd District.

A bill for an act relating to highways; to re-enact the provisions for careless operation of motor vehicles upon state highways, for regulation of advertising signs along highways, for regulation of safety devices and signs; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 189. By Dwight W. Burney, 14th District; Karl E. Vogel, 9th District; A. A. Fenske, 43rd District.

A bill for an act relating to state administrative departments; to provide powers and duties of the State Engineer; and to re-enact the provisions of the Department of Roads and Irrigation making reports as prescribed.

LEGISLATIVE BILL 190. By Dwight W. Burney, 14th District; Karl E. Vogel, 9th District; A. A. Fenske, 43rd District.

A bill for an act relating to state administrative departments; to re-enact the provisions authorizing the Department of Roads and Irrigation to formulate rules and regulations in regard to use and travel upon the state highways; to provide for publication of such rules and regulations; and to designate such rules and regulations as official.

LEGISLATIVE BILL 191. By Dwight W. Burney, 14th District; A. A. Fenske, 43rd District.

A bill for an act relating to motor vehicles; to re-enact the provisions for collection and allocation of motor vehicle registration fees.

LEGISLATIVE BILL 192. By H. K. Diers, 24th District; Glenn Cramer, 27th District.

A bill for an act to amend section 79-328, Revised Statutes Supplement, 1953, relating to schools; to provide for additional powers and duties of the State Board of Education; and to repeal the original section.

LEGISLATIVE BILL 193. By Robert Perry, 20th District; Otto H. Liebers, 18th District; Tom Adams, 19th District.

A bill for an act to amend section 79-904, Revised Statutes Supplement, 1953, relating to schools; to extend the time of the school tax levy without restriction for Class IV school districts; to repeal the original section; and to declare an emergency.

Visitor

Mrs. Foote introduced her daughter, Karen Jo.

RESOLUTIONS

LEGISLATIVE RESOLUTION 7. Re: Visitation of Nebraska City School for the Blind by the Legislature and Appointment of Study Committee to Report on Specific Questions Pertaining to a State School for the Blind.

Introduced by Donald F. McGinley, 39th District.

WHEREAS, Legislative Bill 79 and Legislative Bill 91 have been introduced to allow the Board of Control to establish a School for the Blind in Kearney, Nebraska, and Omaha, Nebraska, respectively; both of said bills presupposing the desirability of discontinuing the existing School for the Blind, partially or completely, in Nebraska City; and

WHEREAS, by the introduction of said bills, the Legislature is vested with a deep and serious responsibility for the special education and training of Nebraska's blind children, whose rights and welfare are sacred and superior to such factors as political convenience, regional favoritism, or location, per se, within the State of Nebraska; and

WHEREAS, the determination of such questions as the real need for a new physical plant for the School for the Blind, and the desirability of relocating the School in a city other than Nebraska City should ultimately be made by the Legislature as a whole, upon an unbiased, impartial and non-political basis, and solely with regard for the best interest and welfare of our blind children; and

WHEREAS, the postponement of new construction and/or relocation of said School to a subsequent Legislative Session could possibly

be contrary to the welfare of our school-age and pre-school-age blind children, and could possibly constitute a neglect of the Legislature's responsibility in this matter.

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

1. That all Members of the Legislature of the 67th Session shall visit and inspect the present building and grounds of the Nebraska City State School for the Blind; and that the Lieutenant Governor shall appoint an Arrangements Committee for this purpose.

2. That during and after such visit, the standing Committee on Public Health and Miscellaneous Subjects shall make a study of and recommendations on the following specific points:

A. The adequacy, safety, suitability and general condition of existing physical facilities in Nebraska City for the housing, education and training of blind children.

B. Whether or not construction of new physical facilities for said School is necessary or desirable within the current biennium.

C. If such new construction is necessary or desirable, whether or not a relocation of said School elsewhere than Nebraska City would be in the best interest and welfare of our blind children.

3. That a timely report of said study committee shall be made available to the Legislature during the 67th Session of the Legislature, for its use in considering the subject Legislative Bills 79 and 91.

GENERAL FILE

LEGISLATIVE BILL 51. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 52. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 13. Laid over.

LEGISLATIVE BILL 24. Read and considered.

Standing Committee amendment, found in this day's Legislative Journal, was adopted.

Mr. Brower offered the following amendment, which was adopted:

Amend Line 1, Section 1 of LB 24 by inserting after the word "villages" the words "by resolution of the Council or Board of Trustees,".

Mr. Diers asked unanimous consent that LB 24 be laid over. No objections. So ordered.

LEGISLATIVE BILL 63. Read and considered.

Standing Committee amendment, found in this day's Legislative Journal, was adopted with 31 ayes, 0 nays and 12 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 13. Read and laid over.

LEGISLATIVE BILL 68. Laid over.

LEGISLATIVE BILL 49. Laid over.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 194. By Robert Perry, 20th District; K. W. Peterson, 35th District; H. K. Diers, 24th District.

A bill for an act to amend sections 60-703, 60-705, 60-706, 60-707, 60-708, 60-709, 60-710, 60-711, 60-712, 60-713, and 60-715, Reissue Revised Statutes of Nebraska, 1943, relating to itinerant merchants; to redefine terms; to transfer the administration and enforcement of Chapter 60, article 7, Reissue Revised Statutes of Nebraska, 1943, to the State Railway Commission; to provide for bond penalties; to provide for disposition of funds; and to repeal the original sections.

LEGISLATIVE BILL 195. By Robert Perry, 20th District; Joseph D. Martin, 30th District; Robert C. Brower, 26th District.

A bill for an act to amend section 25-1151, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide that in any case in which negligence in any degree is an element of recovery or defense, its degree shall be a question for the jury; and to repeal the original section.

MOTION—Employees' Salary Schedule

Mr. President: I move that the report of the Clerk of the Legislature submitted January 17th with the names and salaries of the employees of the Legislature be approved. (Signed) Hal Bridenbaugh

The motion prevailed.

Member Excused

Mr. Liebers was excused for Monday, Tuesday and Wednesday, January 24, 25 and 26, 1955.

Adjournment

At 10:34 a.m., on a motion by Mr. McGinley, the Legislature adjourned until 10:00 a.m., Monday, January 24, 1955.

Hugo F. Srb

Clerk of the Legislature

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 24, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fourteenth Day was approved.

Communications

Letter from Melvin Rothmiller, Corresponding Secretary, Nebraska Association of Workers of the Blind, Lincoln, submitting a resolution concerning the Nebraska School for the Blind. Referred to the Committee on Public Health and Miscellaneous Subjects.

Letter from M. J. Dineen, Jr., City Clerk, Omaha, enclosing a copy of Resolution No. 210, series of 1955, with reference to city zoning. Referred to Committee on Government.

Invitation

Mr. Aufenkamp extended an invitation to the Members to come to Nebraska City as guests of the city on February 1, 1955, for an inspection of the Nebraska City School for the Blind.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Burney asked unanimous consent that the names of William A. McHenry, 32nd District, and A. A. Fenske, 43rd District, be added as co-introducers of LB 187. No objections. So ordered.

MOTION—Invitation to General Maas

Mr. President: I move that General Maas be invited to speak to the Legislature on rehabilitation and employment of the handicapped. (Signed) Dwight W. Burney

The motion prevailed.

Visitor

Mr. Bedford introduced Dr. Clara Owen from Exeter, Nebraska, a former Member of the Legislature.

NOTICE OF COMMITTEE HEARINGS**Agriculture**

LB 100 Monday, January 31, 1955 2:00 p.m.

LB 101 Monday, January 31, 1955 2:00 p.m.

Bills Referred to Standing Committees**LB****Committee**

184.....	Education
185.....	Public Health and Miscellaneous Subjects
186.....	Government
187.....	Public Works
188.....	Public Works
189.....	Public Works
190.....	Public Works
191.....	Public Works
192.....	Education
193.....	Education
194.....	Judiciary
195.....	Judiciary

RESOLUTIONS**LEGISLATIVE RESOLUTION 5.**

LR 5 was adopted with 35 ayes, 0 nays and 8 not voting.

LEGISLATIVE RESOLUTION 7.

Mr. McGinley asked unanimous consent to refer LR 7 to the Committee on Public Health and Miscellaneous Subjects. No objections. So ordered.

MOTION—Accept Invitation

Mr. President: I move that the Legislature accept the invitation of the businessmen of Nebraska City to visit the School for the Blind on February 1, 1955. (Signed) John Aufenkamp

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 196. By Lester H. Anderson, 25th District.

A bill for an act to amend section 60-311, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide for one registration plate for motor vehicles; and to repeal the original section.

LEGISLATIVE BILL 197. By Robert C. Brower, 26th District.

A bill for an act relating to decedents estates; to make all jointly held property both personal and real, including bank deposits in accordance with section 8-167, Reissue Revised Statutes of Nebraska, 1943, and building and loan accounts in accordance with section 8-317, Reissue Revised Statutes of Nebraska, 1943, liable for all the debts and obligations of the joint owners, both their joint debts and obligations and their separate and individual debts and obligations, and on the death of either or any of the joint owners to make the property that was held jointly at the time of his or her death liable for all the debts and obligations of the deceased.

LEGISLATIVE BILL 198. By Ernest A. Hubka, 21st District; Amos Morrison, 42nd District.

A bill for an act to amend sections 57-201, 57-202, 57-203, and 57-204, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to reduce the time for forfeiture of lease and notice; to provide for notice; and to repeal the original sections and also section 57-205, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 199. By Sam Klaver, 6th District; Charles F. Tvrdik, 7th District.

A bill for an act to amend section 60-310, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to change the date for the renewal of motor vehicle registrations; and to repeal the original section.

LEGISLATIVE BILL 200. By Sam Klaver, 6th District.

A bill for an act relating to motor vehicles; to provide for the manner and method of registration of motor vehicles and the assignment of distinctive registration numbers; to establish a system of issuance of motor vehicle registration licenses and numbers upon a monthly basis upon all motor vehicles of seven-passenger capacity or less and not used for hire; to provide the manner of issuance of number plates for motor vehicles upon original registration and renewal thereof; to provide for semi-permanent number plates and issuance of metal tags to be affixed thereto showing the license year of registration or renewal thereof; to provide for promulgation by the Department of Roads and Irrigation of appropriate regulations to carry out and supplement the policy of issuance of semi-permanent number plates and for administering this act; to amend sections 60-309, 60-310, 60-311, 60-340, and 60-341, Reissue Revised Statutes of Nebraska, 1943, and section 60-329, Revised Statutes Supplement, 1953; and to repeal the original sections.

LEGISLATIVE BILL 201. By Mervin V. Bedford, 23rd District.

A bill for an act specifically to appropriate the sum of six thousand thirty dollars and ten cents, or so much thereof as may be necessary, out of the General Fund of the State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy state treasurer for the term commencing January 6, 1955; 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 3, 1957; and to declare an emergency.

LEGISLATIVE BILL 202. By Kathleen A. Foote, 31st District.

A bill for an act to amend sections 18-501 and 18-506, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that the provisions of Chapter 18, article 5, Reissue Revised Statutes of Nebraska, 1943, shall include storm sewer systems and combination storm and sanitary sewer systems; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 203. By Robert Perry, 20th District; Tom Adams, 19th District.

A bill for an act to amend section 23-135, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to eliminate the requirement for verification of claims against a county; to provide the effect of false statement or representation or obtaining or receiving money or warrant for money on false statements or representations; to provide penalties; and to repeal the original section.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Bixler asked unanimous consent that the following names be added as co-introducers of LB 181: Tom Adams, 19th District; K. W. Peterson, 35th District; William Moulton, 10th District; Sam Klaver, 6th District. No objections. So ordered.

MOTION—Flowers

Mr. President: I move that flowers be sent to the family of the late John Knickrehm and that a suitable resolution expressing sympathy be prepared for introduction. (Signed) Joseph D. Martin

The motion prevailed.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1. With emergency.

A bill for an act relating to highways; to designate additional highways as state highways, 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, 35:

Adams, J.	Brower	McHenry	Pizer
Adams, T.	Burney	Martin	Purdy
Anderson	Cole	Metzger	Ruhnke
Aufenkamp	Fenske	Morrison	Shultz
Bahensky	Foote	Moulton	Swanson
Beaver	Hoffmeister	Nelson	Syas
Bedford	Klaver	Otto	Thompson
Bixler	Kotouc	Perry	Tvrdik
Bridenbaugh	McGinley	Person	

Voting in the negative, 0.

Not voting, 8:

Cramer	Hubka	Lee	Peterson
Diers	Larkin	Liebers	Vogel

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

SELECT FILE

LEGISLATIVE BILL 15. Mr. Kotouc asked unanimous consent that LB 15 be bracketed on Select File until Thursday, January 27, 1955. No objections. So ordered.

LEGISLATIVE BILL 3. Advanced to E and R for engrossment with 31 ayes, 3 nays and 9 not voting.

LEGISLATIVE BILL 18.

Mr. Moulton asked unanimous consent that LB 18 be held on Select File until a hearing is held on LB 16. No objections. So ordered.

GENERAL FILE**LEGISLATIVE BILL 13.**

Standing Committee amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 24. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 49. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fourteenth Day was adopted.

Advanced to E and R for review.

Explanation of Vote

Mr. President: Had I been present, I would have voted "aye" on LB 1 on final reading. (Signed) K. W. Peterson

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 170	Monday, January 31, 1955	2:00 p.m.
LB 171	Monday, January 31, 1955	2:00 p.m.
LB 172	Monday, January 31, 1955	2:00 p.m.
LB 173	Monday, January 31, 1955	2:00 p.m.
LB 174	Monday, January 31, 1955	2:00 p.m.

LB 175	Monday, January 31, 1955	2:00 p.m.
LB 176	Monday, January 31, 1955	2:00 p.m.
LB 177	Monday, January 31, 1955	2:00 p.m.
LB 178	Monday, January 31, 1955	2:00 p.m.
LB 179	Monday, January 31, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 14. Placed on General File as amended.

Standing Committee amendments to LB 14:

Amend Section 1, line 52 by striking the word "is" and inserting the word "if".

Amend Section 1, lines 46 and 47 by striking the words "or has any member of your family".

Amend Section 1, line 47 by striking the words "or any member of your family".

Add Section 3 as follows: "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law" and amend the title to conform.

(Signed) Monroe Bixler, Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Bridenbaugh, the Legislature adjourned until 10:00 a.m., Tuesday, January 25, 1955.

Hugo F. Srb

Clerk of the Legislature

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 25, 1955

Pursuant to adjournment, the Legislature met at 10:05 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Fifteenth Day was approved as corrected.

Communication

Letter from the Board of Directors of the Nebraska Association of the Deaf, Omaha, submitting a resolution concerning any move to transfer the state School for the Blind to the state School for the Deaf. Referred to Committee on Public Health and Miscellaneous Subjects.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 82	Wednesday, February 2, 1955	2:00 p.m.
LB 78	Wednesday, February 2, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 67. Placed on General File as amended.

Standing Committee amendments to LB 67:

(1) Amend page three of the bill by adding a new section immediately following 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 by inserting in line 6 after the word section. strike the period and add the following: ", and to declare an emergency."

LEGISLATIVE BILL 69. Placed on General File as amended.

Standing Committee amendments to LB 69:

(1) Amend page two of the bill by adding a new section immediately following 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 by inserting in line 6 after the word section. strike the period and add the following: ", and to declare an emergency."

(Signed) Frank Nelson, Chairman

Enrollment and Review

LEGISLATIVE BILL 1. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 6.

LR 6 was adopted with 37 ayes, 0 nays and 6 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 204. By George Syas, 4th District; Otto H. Liebers, 18th District; L. M. Shultz, 16th District.

A bill for an act to amend sections 66-447, 66-461, and 66-462, Reissue Revised Statutes of Nebraska, 1943, and section 66-453, Revised Statutes Supplement, 1953, relating to motor vehicle fuels; to extend the provisions of the act providing for refund of tax on motor vehicle fuels to include industrial and non-highway purposes; and to repeal the original sections.

LEGISLATIVE BILL 205. By O. H. Person, 17th District, by request.

A bill for an act to amend sections 71-155 and 71-405, Reissue Revised Statutes of Nebraska, 1943, and sections 71-110 and 71-162, Revised Statutes Supplement, 1953, relating to public health and welfare; to increase certain license fees, as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 206. By O. H. Person, 17th District.

A bill for an act to amend section 19-904, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first and second class; to provide for mailing of notice to property owners advising them of a hearing upon an application to zone or rezone property; and to repeal the original section.

LEGISLATIVE BILL 207. By O. H. Person, 17th District; George Hoffmeister, 37th District.

A bill for an act to amend sections 28-452 and 28-458, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the unlawful use of narcotic drugs; to reduce the number of grains of codeine or any of its salts or derivatives that may be administered, dispensed, or sold at retail of any medicinal preparation exempted from the provisions of sections 28-451 to 28-472, Reissue Revised Statutes of Nebraska, 1943; to eliminate the provisions for issuing a license to a wholesaler by the Department of Health to manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare narcotic drugs; and to repeal the original sections, and also sections 28-453, 28-454, and 28-455, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 208. By Frank Nelson, 28th District.

A bill for an act to amend section 23-1306, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to change the date when the county clerk shall report the names of county officers with their official signatures and seals of their respective officers to the Secretary of State; and to repeal the original section.

LEGISLATIVE BILL 209. By Frank Nelson, 28th District.

A bill for an act to amend section 49-207, Reissue Revised Statutes of Nebraska, 1943, relating to constitutional amendments; to provide the order in which amendments to the Constitution of Nebraska shall be submitted to the people; and to repeal the original section.

LEGISLATIVE BILL 210. By Joseph D. Martin, 30th District; Dwight W. Burney, 14th District; Norman A. Otto, 34th District.

A bill for an act relating to a state probation system; to establish a state probation division within the Department of Justice; to provide duties for the Attorney General and an advisory committee; to provide for the appointment, term of office, and compensation of the members of such committee; to provide for probation districts; to provide for personnel, their salaries, qualifications, and duties; to provide for rules and regulations; and to provide for office space.

LEGISLATIVE BILL 211. By Norman A. Otto, 34th District; D. J. Cole, 40th District; William A. Metzger, 3rd District.

A bill for an act relating to crimes and punishments; to make it unlawful to willfully and maliciously deface, mutilate, or destroy any flag of the United States owned by any other person, association, or corporation; and to provide a penalty.

LEGISLATIVE BILL 212. By Amos Morrison, 42nd District; Monroe Bixler, 41st District; and A. A. Fenske, 43rd District.

A bill for an act to amend section 60-331, Revised Statutes Supplement, 1953, relating to motor vehicles; to exempt truck-tractors and trailers owned and used exclusively by irrigation districts for hauling heavy equipment from payment of registration fee; and to repeal the original section.

LEGISLATIVE BILL 213. By Dwight W. Burney, 14th District; Otto Kotouc, Sr., 1st District; Earl J. Lee, 11th District.

A bill for an act to appropriate the sum of two hundred thousand dollars to supplement the appropriation heretofore made for the construction and equipping of a Governor's mansion; and to declare an emergency.

LEGISLATIVE BILL 214. By Charles F. Tvrdik, 7th District; John Aufenkamp, 2nd District; H. K. Diers, 24th District.

A bill for an act relating to motor vehicles; to redefine the authority of the Department of Roads and Irrigation to construct, maintain, and operate weighing stations for weighing and inspection of buses, motor

trucks, truck-tractors, and trailers; to authorize the State Engineer to designate employees of the Department of Roads and Irrigation as peace officers to operate the weighing stations; to provide for bonds and payment of premiums of such bonds of the employees designated as peace officers; to provide for the powers, uniform, and badge of such peace officers; to provide for notice or summons for a violation of this act and hearing before a magistrate on the violation; to provide for violations; to provide penalties; to amend sections 39-603.03 and 39-603.04, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections.

LEGISLATIVE BILL 215. By John Adams, Sr., 5th District.

A bill for an act to amend section 42-303, Reissue Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to provide for residence requirements for persons serving in any military branch of the United States government stationed in Nebraska; and to repeal the original section.

LEGISLATIVE BILL 216. By Sam Klaver, 6th District; Norman A. Otto, 34th District; Charles F. Tvrdik, 7th District.

A bill for an act relating to revenue and taxation; to levy an excise tax upon oils and natural gas severed from the soil of the State of Nebraska; to establish the rates thereof; to provide for the allocation and distribution of tax money; to establish procedure for the collection thereof; to define terms; and to provide penalties.

LEGISLATIVE BILL 217. By K. W. Peterson, 35th District.

A bill for an act to repeal section 75-240.03, Revised Statutes Supplement, 1953, relating to State Railway Commission.

LEGISLATIVE BILL 218. By William Moulton, 10th District; William A. Metzger, 3rd District.

A bill for an act to amend sections 39-359, 39-360, and 39-362, Revised Statutes Supplement, 1953, relating to road improvement districts; to provide the procedure for the appointment of a temporary board of trustees for a road improvement district by the county board; to provide for powers and duties of the temporary board; to provide for effect of contracts executed by the temporary board; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 219. By Kathleen A. Foote, 31st District.

A bill for an act relating to cities; to confer power upon all cities in

the State of Nebraska to own, purchase, construct, equip, lease, operate, and make rules and regulations governing off-street motor vehicle parking facilities; to provide for acquisition of property for this purpose by grant, contract, purchase, or condemnation; to provide for the issuance of revenue bonds to pay for such purchase, construction, lease, or condemnation; to provide that revenue bonds are payable only from revenues of the system and not from taxes; to provide for pledge of revenue from "on-street" parking meters to the payment of the revenue bonds; to provide for plans and specifications by an independent firm of engineers; to provide for the creation of off-street parking districts; to provide for the levy of a tax within the district only for the payment of operating expenses of any parking facilities; to provide for the inclusion under this act of any city under a separate charter; and to declare an emergency.

LEGISLATIVE BILL 220. By A. A. Fenske, 43rd District.

A bill for an act to amend section 19-1009 and 19-1010, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, particular classes; to change the provisions of housing project rentals; to provide for disposition of surplus funds; and to repeal the original sections.

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 53-180.02, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to make it unlawful for a minor to sell, dispense, or have the physical control of any alcoholic liquor; and to repeal the original section.

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

Voting in the affirmative, 32:

Adams, T.	Brower	Kotouc	Perry
Anderson	Burney	Lee	Person
Aufenkamp	Cole	McGinley	Purdy
Bahensky	Cramer	McHenry	Ruhnke
Beaver	Fenske	Metzger	Shultz
Bedford	Foote	Morrison	Swanson
Bixler	Hoffmeister	Nelson	Syas
Bridenbaugh	Hubka	Otto	Thompson

Voting in the negative, 9:

Adams, J.	Klaver	Moulton	Pizer
Diers	Larkin	Peterson	Tvrdik
			Vogel

Not voting, 2:

Liebers Martin

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 to amend section 7-114, Reissue Revised Statutes of Nebraska, 1943, relating to attorneys at law; to provide for taxing costs in contempt and disbarment proceedings; to define terms; to provide for filing of judgments for costs; to provide that costs shall become a lien and enforceable; and to repeal the original section.

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

Voting in the affirmative, 41:

Adams, J.	Burney	Larkin	Person
Adams, T.	Cole	Lee	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Diers	McHenry	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
			Vogel

Voting in the negative, 0.

Not voting, 2:

Liebers Martin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. McGinley introduced Mr. Robert Howard, Secretary, Nebraska Stock Growers Association, Alliance, Nebraska, and Mr. Charles Mueller, Ogallala, Nebraska.

RESOLUTIONS**LEGISLATIVE RESOLUTION 8.** Re: In Memory of John Knickrehm.

Introduced by Joseph D. Martin of Legislative District 30.

John Knickrehm, a member of the Nebraska Unicameral Legislature for the years 1937 and 1939, died at Lincoln, Nebraska, January 22, 1955. He was born at Grand Island, Nebraska, on January 18, 1890. He leaves a wife and three children to mourn his death. Mr. Knickrehm was educated in the public schools at Grand Island. He entered into the retail grocery business and served as President of the Nebraska Grocers and Meat Dealers Association in 1927 and 1928. He was active in civic affairs, masonic lodges, and the English Lutheran Church. At the time of his death he was serving as Custodian of the State Capitol, where everyone with whom he came in contact, had a good word to say about 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-SEVENTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, John Knickrehm, 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.

SUSPEND RULES—Adopt LR 8

Mr. President: I move that the rules be suspended and LR 8 be adopted. (Signed) Joseph D. Martin

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

GENERAL FILE

LEGISLATIVE BILL 68. Read and considered.

Mr. Hubka moved that LB 68 be indefinitely postponed.

The motion lost with 16 ayes, 22 nays and 5 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 14. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifteenth Day were adopted.

Mr. Anderson offered the following amendments, which were adopted:

Amend line 48 by striking the word "services" and inserting the word "FORCES".

Strike all of lines 57 and 58 and insert:

"Date of enlistment _____ Date of Discharge _____."

Advanced to E and R for review.

Member Excused

Mr. Vogel was excused for Wednesday, Thursday and Friday, January 26th, 27th and 28th, to attend his sister's funeral.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Lee asked unanimous consent to withdraw LB 23. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 4. Correctly engrossed.

LEGISLATIVE BILL 28. Replaced on Select File as amended.

E and R amendments to LB 28:

1. In the bill page 4, section 1, line 73, strike said line and in lieu thereof insert "by the Superintendent of Public Instruction Commissioner of Education."

2. In the bill title line 7, after the semicolon insert "to harmonize said section with previous legislation;"

(Signed) Donald F. McGinley, Chairman

Education

LEGISLATIVE BILL 6. Placed on General File as amended.

Standing Committee amendment to LB 6:

Amend the bill by adding the emergency clause and changing title to conform.

(Signed) Glenn Cramer, Chairman

UNANIMOUS CONSENT—Flowers

Mr. John Adams asked unanimous consent to send flowers to the funeral of Mr. Vogel's sister, Mrs. Alvin Marriott. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS**Revenue**

LB 129	Tuesday, February 1, 1955	2:00 p.m.
LB 130	Tuesday, February 1, 1955	2:00 p.m.
LB 132	Tuesday, February 1, 1955	2:00 p.m.

Speaker Signs

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

LR 8

LR 5

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 221. By Robert Perry, 20th District; Earl J. Lee, 11th District; Ernest A. Hubka, 21st District.

A bill for an act relating to civil actions; to provide a remedy for damages from the sale, issuance, exchange, or transfer of securities or interest in violation of sections 81-302 to 81-346, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof; and to provide the procedure for such remedy.

LEGISLATIVE BILL 222. By Earl J. Lee, 11th District; John E. Beaver, 12th District; Hal Bridenbaugh, 13th District.

A bill for an act relating to revenue and taxation; to provide that the tax on cigarettes as provided by the provisions of section 77-2602, Reissue Revised Statutes of Nebraska, 1943, shall be collected from the person, firm, or corporation to whom cigarettes are sold along with the selling price thereof.

LEGISLATIVE BILL 223. By Earl J. Lee, 11th District; Robert Perry, 20th District.

A bill for an act to amend section 77-2009, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide the manner of payment of the tax and interest when the rights, interests or estates of the transferees, legatees, devisees or beneficiaries are uncertain or contingent; to provide for a bond to assure payment of the tax with interest when the contingency has occurred or the uncertainty has been resolved; to dispense with such bond to the extent that the tax results from the inheritance or transfer of real property; to provide a method of releasing the real property from the lien for said tax; and to repeal the original section.

LEGISLATIVE BILL 224. By Earl J. Lee, 11th District; Robert C. Brower, 26th District.

A bill for an act to amend section 77-2002, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide the date when transfer shall be treated as having been made in contemplation of death for the purpose of determining inheritance tax; and to repeal the original section.

LEGISLATIVE BILL 225. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 14-514, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to harmonize authorized maximum rate of levy in any such city located in a county containing a duly constituted and functioning health district with maximum rate of levy in other cities within such class; and to repeal the original section.

LEGISLATIVE BILL 226. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 2-915, Reissue Revised Statutes of Nebraska, 1943, relating to weed eradication and control; to specify the contents of published notice of hearing of the formation of a weed eradication district; and to repeal the original section.

LEGISLATIVE BILL 227. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 48-128, Reissue Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to provide that any deficit to meet payments out of the Second Injury Fund shall be payable out of the state General Fund; to correct limiting internal references; and to repeal the original section.

LEGISLATIVE BILL 228. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 81-242, Reissue Revised Statutes of Nebraska, 1943, relating to dairy products; to increase the license fee of wholesale and retail manufacturers of ice cream to correspond with similar fees charged to wholesale and retail manufacturers of frozen desserts and ice cream mix; and to repeal the original section.

LEGISLATIVE BILL 229. By Charles F. Tvrdik, 7th District; John Aufenkamp, 2nd District.

A bill for an act to amend section 60-407, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that examiners for operator's license need not be patrolmen; to provide for reexamination of the holder of an operator's license to operate a motor vehicle; to provide for violations; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 230. By Tom Adams, 19th District; Robert C. Brower, 26th District; Joseph D. Martin, 30th District.

A bill for an act to amend section 25-21,108, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for the payment of fees to attorneys of record in partition proceedings; to provide the method by which the court shall determine and award fees to attorneys of record in such proceedings to be taxed as costs; to provide for allowance of fees of the referee to be charged as costs; and to repeal the original section.

LEGISLATIVE BILL 231. By Tom Adams, 19th District; Kathleen A. Foote, 31st District; Joseph D. Martin, 30th District.

A bill for an act relating to labor; to prohibit discrimination between employees in the rate or method of payment of wages because of the sex of such employees; to define terms; to provide penalties; to give an employee a cause of action against his employer for a violation

of this act; to provide that an agreement to accept such wages shall not be a defense to such action; and to provide limitation upon suit.

Adjournment

At 11:48 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Wednesday, January 26, 1955.

Hugo F. Srb
Clerk of the Legislature

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 26, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Sixteenth Day was approved as corrected.

Members Excused

Messrs. Nelson and Hubka were excused for Thursday and Friday, January 27th and 28th.

Communications

Card from Mrs. William A. Metzger expressing appreciation for the flowers sent to her by the Legislature.

Letter from Melvin Rothmiller, Corresponding Secretary, Nebraska Association of Workers of the Blind, Lincoln, submitting a resolution concerning the Nebraska School for the Blind. Referred to Committee on Public Health and Miscellaneous Subjects.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 128 Monday, February 14, 1955 2:00 p.m.

Government

LB 70	Wednesday, February 2, 1955	2:00 p.m.
LB 88	Wednesday, February 2, 1955	2:00 p.m.
LB 117	Wednesday, February 2, 1955	2:00 p.m.
LB 120	Wednesday, February 2, 1955	2:00 p.m.

Agriculture

LB 114 Monday, February 14, 1955 2:00 p.m.
LB 141 Monday, February 14, 1955 2:00 p.m.

UNANIMOUS CONSENT—Executive Session

Mr. Cramer asked unanimous consent for the Committee on Education to meet in executive session immediately following adjournment of the Committee on Agriculture this afternoon. No objections. So ordered.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects**

LEGISLATIVE BILL 65. Placed on General File.

(Signed) O. H. Person, Chairman

UNANIMOUS CONSENT—Re-refer Bill

Mr. Lee asked unanimous consent that LB 180 be re-referred to the Committee on Judiciary. No objections. So ordered.

UNANIMOUS CONSENT—Withdraw Bills

Mr. Syas asked unanimous consent that LB 91 and LB 184 be withdrawn. No objections. So ordered.

President Signs

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

LB 1 LR 6

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 27. Correctly enrolled.

LEGISLATIVE BILL 29. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 27 LB 29

Bills Referred to Standing Committees

LB	Committee
196	Public Health and Miscellaneous Subjects
197	Judiciary
198	Judiciary
199	Public Health and Miscellaneous Subjects
200	Public Health and Miscellaneous Subjects
201	Miscellaneous Appropriations and Claims
202	Government
203	Judiciary
204	Agriculture
205	Public Health and Miscellaneous Subjects
206	Government
207	Public Health and Miscellaneous Subjects
208	Government
209	Judiciary
210	Judiciary
211	Judiciary
212	Government
213	Miscellaneous Appropriations and Claims
214	Public Works
215	Judiciary
216	Revenue
217	Public Works
218	Public Works
219	Government
220	Government
221	Banking, Commerce and Insurance
222	Revenue
223	Judiciary
224	Judiciary
225	Judiciary
226	Agriculture
227	Banking, Commerce and Insurance
228	Agriculture
229	Government
230	Judiciary
231	Labor and Public Welfare

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 94. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

J. Y. Castle.....	Merit System Council
Leon A. Sprague.....	Game Commission
Dr. Carl J. Norden, Jr...	State Board of Health
Morris I. Evinger.....	State Board of Health
A. D. Majors.....	Board of Education of State Normal Schools
Sidney A. Watkins.....	Douglas County Tax Appraisal Board
Arthur B. McCaw.....	Douglas County Tax Appraisal Board

(Signed) Otto Kotouc, Sr., Chairman

MOTION—Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted and that each appointee be voted upon separately. (Signed) Otto Kotouc, Sr.

The motion prevailed.

Vote on Mr. Castle

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. Castle confirmed.

Mr. President: Had I been present, I would have voted to confirm the appointment of J. Y. Castle. (Signed) John Adams, Sr.

Vote on Mr. Sprague

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. Sprague confirmed.

Mr. President: Had I been present, I would have voted "aye" on the confirmation of the appointment of Leon A. Sprague. (Signed) Tom Adams

Vote on Dr. Norden

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. Norden confirmed.

Vote on Mr. Evinger

Voting in the affirmative, 33.

Voting in the negative, 0.

Not voting, 10.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Evinger confirmed.

Vote on Mr. Majors

Voting in the affirmative, 37.

Voting in the negative, 0.

Not voting, 6.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Majors confirmed.

Vote on Mr. Watkins

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. Watkins confirmed.

Vote on Mr. McCaw

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. McCaw confirmed.

NOTICE OF COMMITTEE HEARINGS**Public Health and Miscellaneous Subjects**

LB 106	Thursday, February 3, 1955	2:00 p.m.
LB 102	Thursday, February 3, 1955	2:00 p.m.
LB 118	Thursday, February 3, 1955	2:00 p.m.

Judiciary

LB 134	Wednesday, February 2, 1955	2:00 p.m.
LB 144	Wednesday, February 2, 1955	2:00 p.m.
LB 146	Wednesday, February 2, 1955	2:00 p.m.
LB 225	Wednesday, February 2, 1955	2:00 p.m.
LB 34	Wednesday, February 9, 1955	2:00 p.m.
LB 35	Wednesday, February 9, 1955	2:00 p.m.
LB 36	Wednesday, February 9, 1955	2:00 p.m.
LB 37	Wednesday, February 9, 1955	2:00 p.m.
LB 59	Wednesday, February 9, 1955	2:00 p.m.
LB 60	Wednesday, February 9, 1955	2:00 p.m.
LB 61	Wednesday, February 9, 1955	2:00 p.m.
LB 62	Wednesday, February 9, 1955	2:00 p.m.
LB 127	Wednesday, February 9, 1955	2:00 p.m.

Miscellaneous Appropriations and Claims

LB 58	Monday, January 31, 1955	2:00 p.m.
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STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 3. Replaced on Select File as amended.

E and R amendments to LB 3:

1. Amend the title of the bill, line 4 by inserting after the word "buses" the following "motor vehicles owned by any city or village of this state for the use of the park department,".

2. In the Banking, Commerce & Insurance Committee's amendment number 2, second line, insert "," after the word "park".

LEGISLATIVE BILL 24. Placed on Select File as amended.

E and R amendment to LB 24:

In the Brower Amendment 1, last line, insert a comma before the word "by".

LEGISLATIVE BILL 68. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

Revenue

LEGISLATIVE BILL 56. Placed on General File.

(Signed) Donald F. McGinley, Vice Chairman

SELECT FILE

LEGISLATIVE BILL 28. E and R amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Advanced to E and R for engrossment.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 232. By Norman A. Otto, 34th District; Glenn Cramer, 27th District; K. W. Peterson, 35th District.

A bill for an act relating to schools; to authorize a tax levy of one half mill upon the assessed value of all the taxable property in this state, except intangible property, for the years 1955 and 1956 as prescribed; to provide the purpose of the levy and that the proceeds of such tax levy shall be placed in the Service Annuity Fund of this state; and to declare an emergency.

LEGISLATIVE BILL 233. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 13-113, Reissue Revised Statutes of Nebraska, 1943, and sections 83-107.01 and 83-107.02, Revised Statutes Supplement, 1953, relating to state institutions; to eliminate therefrom reference to the Nebraska Maternity Home, which has been abolished; to include official name of Nebraska Psychiatric Institute, which has been established as a state hospital; and to repeal the original sections.

LEGISLATIVE BILL 234. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to repeal section 68-515, Reissue Revised Statutes of Nebraska, 1943, relating to boarding homes for the aged and infirm.

LEGISLATIVE BILL 235. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 17-938, Reissue Revised Statutes of Nebraska, 1943, relating to second-class cities and villages; to provide the effect of the failure to pay charges and liens upon burial lots upon which no interments shall have been made; and to repeal the original section.

LEGISLATIVE BILL 236. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 46-541, Revised Statutes Supplement, 1953, relating to reclamation districts; to clarify the provisions thereof with respect to disposition of the assets of such a district upon dissolution thereof; to harmonize the provisions thereof with the procedure prescribed generally for the exercise of the power of eminent domain; and to repeal the original section.

LEGISLATIVE BILL 237. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 79-426.09, Revised Statutes Supplement, 1953, relating to schools; to clarify the provisions thereof; and to repeal the original section.

LEGISLATIVE BILL 238. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 23-1204.02, Reissue Revised Statutes of Nebraska, 1943, relating to county officers; to harmonize the classification of counties in which the county attorney may appoint a deputy county attorney with previous legislation; and to repeal the original section.

LEGISLATIVE BILL 239. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to repeal section 23-330, Reissue Revised Statutes of Nebraska, 1943, relating to county government and officers.

LEGISLATIVE BILL 240. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 25-1064, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to conform terminology to change in title of officer administering irrigation water; and to repeal the original section.

LEGISLATIVE BILL 241. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to repeal sections 23-701 to 23-709, Reissue Revised Statutes of Nebraska, 1943, relating to county board of public welfare.

LEGISLATIVE BILL 242. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 32-535, Revised Statutes Supplement, 1953, relating to elections; to harmonize the provisions relating to the amount of the filing fee of candidates for the office of county judge; and to repeal the original section.

LEGISLATIVE BILL 243. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 53-131, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to reconcile conflict in statutory provisions with respect to length of time a retail licensee is permitted to have merchandising credit in the ordinary course of business; and to repeal the original section.

LEGISLATIVE BILL 244. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 14-555, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to reconcile conflict in statutory provisions by eliminating power of city council to remove city treasurer, since county treasurer is by law designated as ex officio city treasurer; and to repeal the original section.

LEGISLATIVE BILL 245. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 14-1325, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to eliminate inconsistent restriction on amount that municipal uni-

versity may contribute to insurance and retirement plan; and to repeal the original section.

LEGISLATIVE BILL 246. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend sections 15-111, 19-404, 19-414, 19-601, and 19-1003, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the primary class and to cities and villages of particular classes; to correct the population limits therein stated of cities of the primary class; and to repeal the original sections.

LEGISLATIVE BILL 247. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 16-613, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to eliminate therefrom the references to a state highway over bridges exceeding sixty feet in length in such cities; and to repeal the original section.

LEGISLATIVE BILL 248. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 79-420, Revised Statutes Supplement, 1953, relating to schools; to harmonize the provisions thereof as to required minimum length of time of school year with other statutory provisions; and to repeal the original section.

LEGISLATIVE BILL 249. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend sections 18-1505, 18-1506, 18-1507, 18-1508, and 18-1509, Reissue Revised Statutes of Nebraska, 1943, relating to all cities and villages; to extend the provisions thereof to all cities and villages to correspond with amendments heretofore made to the same act; and to repeal the original sections.

LEGISLATIVE BILL 250. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 18-1604, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to clarify the provisions of the form of bond issued by a municipality for industrial development; and to repeal the original section.

LEGISLATIVE BILL 251. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 19-1403, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages of particular classes; to restate the limit on the amount of bonds that may be issued for municipal heat, light, and ice plants to agree with the actual value of property assessed for taxation; and to repeal the original section.

LEGISLATIVE BILL 252. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 66-519, Reissue Revised Statutes of Nebraska, 1943, relating to transportation of motor vehicle fuels; to provide that service of process upon the Secretary of State shall constitute valid legal service upon nonresidents and foreign corporations applying for permits to transport motor vehicle fuels in Nebraska; and to repeal the original section.

LEGISLATIVE BILL 253. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to repeal sections 23-420, 23-421, 23-422, and 23-423, Reissue Revised Statutes of Nebraska, 1943, relating to work-house commission in counties having more than one hundred thousand inhabitants.

LEGISLATIVE BILL 254. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to amend section 77-711, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide that the tax imposed on the capital stock of banks, industrial loan and investment companies, and trust companies shall be in lieu of all other taxes on the intangible property of such banks or companies; and to repeal the original section.

LEGISLATIVE BILL 255. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to repeal section 32-701, Reissue Revised Statutes of Nebraska, 1943, relating to elections.

LEGISLATIVE BILL 256. By Committee on Judiciary, Joseph D. Martin, Chairman.

A bill for an act to authorize the Revisor of Statutes to reissue and bring up-to-date the 1948 reissue of Volume II of and the index

to the Revised Statutes of Nebraska, 1943; to provide for the sale and distribution of the reissued volumes; and to provide an appropriation.

LEGISLATIVE BILL 257. By William A. Metzger, 3rd District.

A bill for an act to amend section 80-401.01, Revised Statutes Supplement, 1953, relating to soldiers and sailors; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 258. By John E. Beaver, 12th District; H. K. Diers, 24th District.

A bill for an act to amend section 80-401.04, Reissue Revised Statutes of Nebraska, 1943, relating to soldiers and sailors; to provide additional duties for the Department of Veterans' Affairs; to provide duties for the State Department of Education; and to repeal the original section.

LEGISLATIVE BILL 259. By William Moulton, 10th District; Charles F. Tvrdik, 7th District; George Syas, 4th District.

A bill for an act to amend sections 79-1036, 79-1049, and 79-1056, Revised Statutes Supplement, 1953, relating to retirement systems in Class V school districts; to provide that meetings of the trustees of the retirement system shall be held annually and at such other times as may be deemed necessary; to eliminate the provisions for refunds to the general fund of the district in cases of severance of employment by members of the retirement system; to provide for a reduction as of December 31, 1954 of contributions by members and by the district from five to three per cent of salary not in excess of six thousand dollars and of service credits from one and one half to nine-tenths of one per cent of the salary of members who may become eligible to the benefits of Old Age and Survivors Insurance under the provisions of section 218d of the Social Security Act as amended by Public Law 761, 83rd Congress; to provide for a similar proportionate reduction of contributions and benefits for employees eligible to social security who have elected under the provisions of section 79-1041 not to become members of the retirement system and to continue under pre-existing systems; to include in any agreement for social security services performed by employees in positions not covered by an existing retirement system but otherwise eligible to the benefits of Old Age and Survivors Insurance; to repeal the original sections; and to declare an emergency.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Tvrdik asked unanimous consent that the following names be added as co-introducers of LB 259: John Adams, Sr., 5th District; Sam Klaver, 6th District; John J. Larkin, Jr., 8th District; Karl E. Vogel, 9th District. No objections. So ordered.

LEGISLATIVE BILL 260. By Ernest A. Hubka, 21st District; William Moulton, 10th District; Amos Morrison, 42nd District.

A bill for an act relating to game and fish; to provide for game breeding and controlled shooting areas by persons having possession of areas for a term of five years or more and an area of not less than three hundred twenty acres and not more than twelve hundred eighty acres; to provide for an application for a permit and an inspection of the area by the Game, Forestation and Parks Commission; to provide when the permit shall expire and the fee thereof; to provide for the posting of the licensed area at intervals of not more than five hundred feet, which signs are to be prescribed by the commission; to provide for designated boundaries; to provide that a per cent of the game birds released may be taken by shooting; to provide that all birds released shall be at least twelve weeks of age before liberation and shall possess full plumage; to provide that the commission may prescribe the manner of releasing game birds and for a register showing the number of birds released and propagated each year as well as the number and kind of birds taken and other statistics; to provide for a season between October 1 and January 31, of each year; to provide that the commission may appoint a special representative to enforce the game laws; to provide that the commission may make rules and regulations to carry out, administer, and enforce this act; and to provide for the revocation of the permit.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Hubka asked unanimous consent that the name of D. J. Cole, 40th District, be added as a co-introducer of LB 260. No objections. So ordered.

LEGISLATIVE BILL 261. By Tom Adams, 19th District; Earl J. Lee, 11th District; Norman A. Otto, 34th District.

A bill for an act to amend sections 68-115, 68-228, and 68-419, Revised Statutes Supplement, 1953, relating to paupers and public assistance; to redefine legal settlement; to provide the county that shall

be liable for old age and blind assistance; and to repeal the original sections.

LEGISLATIVE BILL 262. By Tom Adams, 19th District; Joseph D. Martin, 30th District; Ernest A. Hubka, 21st District.

A bill for an act to amend section 39-7,128, Revised Statutes Supplement, 1953, relating to motor vehicles; to change the point system dealing with traffic violations; and to repeal the original section.

LEGISLATIVE BILL 263. By Robert C. Brower, 26th District; Joseph D. Martin, 30th District.

A bill for an act relating to decedent's estate; to provide a procedure for determination of heirship when a person shall die intestate or testate without leaving any estate to administer and it becomes necessary to determine the heirs-at-law, devisees, legatees, or surviving issue of such deceased person.

LEGISLATIVE BILL 264. By Robert C. Brower, 26th District; Joseph D. Martin, 30th District.

A bill for an act to amend section 39-740, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to provide that the provisions of this section shall not effect the rights of any guest who is a minor under the age of twenty-one years who accepts an invitation to ride in a motor vehicle; to provide that ordinary rules of negligence shall apply to such minor; and to repeal the original section.

LEGISLATIVE BILL 265. By Sam Klaver, 6th District.

A bill for an act to amend section 28-572, Revised Statutes Supplement, 1953, relating to crimes and punishments; to redefine the offense of destroying or injuring property in the sum of one hundred dollars, or more; and to repeal the original section.

LEGISLATIVE BILL 266. By Sam Klaver, 6th District.

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; to provide for enforcement of this act; to provide for payment of medical examination when requested by an employer; and to provide a penalty.

LEGISLATIVE BILL 267. By Sam Klaver, 6th District.

A bill for an act relating to railroads; to provide for the Nebraska State Railway Commission to adopt rules and regulations and for enforcement of same for the safety, sanitation, shelter, and health of railroad maintenance-of-way employees; to provide for drinking water for such employees; and to provide for settlement of disputes.

LEGISLATIVE BILL 268. By Ernest A. Hubka, 21st District; Mervin V. Bedford, 23rd District.

A bill for an act relating to criminal procedure; to create probation officers districts; and to provide for the appointment, tenure, salary, and duties of probation officers appointed under the provisions of this act.

LEGISLATIVE BILL 269. By Ernest A. Hubka, 21st District; Robert C. Brower, 26th District.

A bill for an act to amend section 30-339, Revised Statutes Supplement, 1953, relating to decedent's estates; to limit the amount of claim for burial expense; and to repeal the original section.

LEGISLATIVE BILL 270. By Earl J. Lee, 11th District; Dwight W. Burney, 14th District; Donald F. McGinley, 39th District.

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 271. By William A. Metzger, 3rd District; K. W. Peterson, 35th District; O. H. Person, 17th District.

A bill for an act to repeal Chapter 39, article 12, Revised Statutes Supplement, 1953, relating to highways.

LEGISLATIVE BILL 272. By Tom Adams, 19th District; Joseph D. Martin, 30th District; William Moulton, 10th District.

A bill for an act relating to schools; to provide for licensing of business or trade schools; to define terms; to provide for a State Board of Approval for Business and Trade Schools; to provide for members of such board, their appointment, tenure of office, salary, expenses and duties; to provide for powers and duties of the board; to provide duties for the State Department of Education; to provide duties for the Commissioner of Education; to provide for fees and disposition thereof; to

provide for rules and regulations; to provide for revocation of licenses; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 273. By D. J. Cole, 40th District; Monroe Bixler, 41st District; Frank Nelson, 28th District.

A bill for an act relating to water compacts; to provide for the appointment of a commissioner to act on behalf of the State of Nebraska to negotiate a compact among the States of Wyoming, South Dakota, and Nebraska; to provide an equitable division and apportionment among the states of the waters of the Niobrara River and its tributaries; to negotiate a compact between the States of South Dakota and Nebraska; to provide for the equitable division and apportionment between the states of the waters of Ponca Creek and its tributaries; to negotiate a compact with the States of South Dakota and Wyoming, or either of them, relating to the extraction and use of ground waters from sources common to the compacting states; and to declare an emergency.

LEGISLATIVE BILL 274. By John J. Larkin, Jr., 8th District; Tom Adams, 19th District; William Moulton, 10th District.

A bill for an act relating to state departments; to provide for a minimum number of hours of labor by state officers, heads of departments and all boards and commissions, and state institutions of the state and their deputies, assistants, and employees during a week, except as prescribed; to provide that regular work by such persons shall not be performed on Saturdays, Sundays, and days declared by law to be holidays, except as prescribed; to permit the staggering of the hours and days of work by employees as prescribed; to provide for the payment of overtime; to repeal section 81-115, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 275. By Earl J. Lee, 11th District; Robert Perry, 20th District.

A bill for an act to amend sections 77-2101 and 77-2102, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide for an estate tax upon the transfer of property from resident decedents to others; to provide for the method and time of payment of the tax and the limitation of time in which the return is open to inspection; to fix the liability for the payment of the tax; to provide that the tax shall constitute a lien on the property subject thereto; to provide for interest on delinquent tax payments; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 276. By Robert Perry, 20th District; Earl J. Lee, 11th District.

A bill for an act relating to taxation; to provide a method and manner of taxing powers of appointment for inheritance tax purposes; to provide that the exercise or nonexercise of a power of appointment shall not be subject to inheritance tax; to provide for the elimination of the inheritance tax exemption relating to previously taxed property; to repeal section 77-2007, Revised Statutes Supplement, 1953, and to declare an emergency.

LEGISLATIVE BILL 277. By D. J. Cole, 40th District; Monroe Bixler, 41st District; George Hoffmeister, 37th District.

A bill for an act to amend section 72-204, Revised Statutes Supplement, 1953, relating to school lands; to provide that the valuation of school land for rental purposes within each county shall be the same as the assessed valuation of deeded land of the same class in the county; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 67. 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 69. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixteenth Day were adopted.

Mr. Metzger offered the following amendment, which was adopted:

Amend LB 69, Section 1, add line 24: "Provided that no dog under the provisions of this act shall be run upon private property at any time without the express permission of the landowner or tenant."

Advanced to E and R for review.

LEGISLATIVE BILL 6. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixteenth Day was adopted.

Mr. Fenske offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 1, line 5 by striking the new matter and reinstating the stricken matter, and by striking lines 11 to 18 and inserting the following:

"the school maintained by such school district ; Provided, that the school board of any school district of the sixth class maintaining an accredited high school located in a county containing less than nine hundred square miles may, in its discretion, pay the regular high school tuition for any pupil residing in such school district and attending an accredited high school outside such school district when such high school shall be located closer to the place of residence of such pupil than the school maintained by such school district, and when in the opinion of the board of education, the best interest of said pupil or said school district may so require."

2. Amend the title of the bill, line 6 by striking "seven" and inserting "nine".

Advanced to E and R for review.

Invitation

Governor Anderson extended an invitation to the Members of the Legislature to come to his office Thursday, January 27th, at 4:30 p.m., for coffee.

Adjournment

At 11:57 a.m., on a motion by Mr. Shultz, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 27, 1955

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. Hubka, Nelson and Vogel, who were excused.

The Journal for the Seventeenth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 163 Monday, February 14, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on January 26, 1955 at 2:30 p.m.

LB 1

LB 27

LB 29

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

January 26, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on January 26, 1955, he approved L. B. 1, 27 and 29.

Respectfully submitted

(Signed) A. C. Eichberg
Administrative Assistant

Communication

Letter from E. C. Morrison, Sales Director, Communication Equipment & Engineering Corporation, Chicago, Illinois, concerning the servicing of the electric roll call system. Referred to Committee on Budget.

Mr. Martin Presiding.

Mr. Moulton extended an invitation to the Members and their wives to attend the evening performance of "Hippodrome of 1955" at the new Auditorium in Omaha on Wednesday, February 2nd.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 2. Placed on General File as amended.

Standing Committee amendments to LB 2:

1. Amend page 2 of the bill, section 1, line 6 by inserting after the word "Governor" the words and punctuation ", subject to the approval of the Legislature,,"; line 7 by inserting after "1955" the following: "One member shall be appointed from each congressional district and one member shall be appointed from the state at large,,"; line 8 by striking "fifty" and inserting "twenty", and by striking lines 42, 43 and 44 and inserting in lieu thereof the following: "not to exceed five thousand dollars per annum fixed by the board, payable monthly, as fixed by the board at the time of the nomination of the secretary."

2. Amend the title of the bill, line 6 by inserting after the word "Funds" the words and punctuations ", subject to the approval of the Legislature, as prescribed", and line 9 by inserting after the word "board" the words and punctuation "; to provide that the salary of the secretary shall be fixed by the board".

(Signed) Sam Klaver, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 278. By Ernest A. Hubka, 21st District; Tom Adams, 19th District; John Adams, Sr., 5th District.

A bill for an act to amend section 25-530, Revised Statutes Supplement, 1953, relating to civil procedure; to provide for service upon the Secretary of State as agent of nonresident owners of motor vehicles when the Secretary of State is not found in his office; and to repeal the original section.

LEGISLATIVE BILL 279. By Ernest A. Hubka, 21st District; Tom Adams, 19th District; John Adams, Sr., 5th District.

A bill for an act to amend sections 21-192 and 21-1201, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to provide for service upon the Secretary of State when the Secretary of State is not found in his office; to provide for certain information to be furnished in the process; to provide for fees; and to repeal the original sections.

LEGISLATIVE BILL 280. By John Adams, Sr., 5th District.

A bill for an act to amend section 20-101, Reissue Revised Statutes of Nebraska, 1943, relating to civil rights; to provide for damages from any person, partnership, association, or corporation refusing the full and equal enjoyment to any person of the accommodations, advantages, facilities, and privileges as prescribed in this act; and to repeal the original section.

LEGISLATIVE BILL 281. By Lester H. Anderson, 25th District.

A bill for an act to amend sections 81-535 and 81-536, Reissue Revised Statutes of Nebraska, 1943, relating to State Fire Marshal; to prescribe the constructional requirements, manner and location of fire escapes for hotels, rooming houses, apartment houses, and dormitories; to provide for exit designations and notice pertaining thereto; and to repeal the original sections.

LEGISLATIVE BILL 282. By George Syas, 4th District.

A bill for an act relating to schools; to authorize the board of education in Class V school districts to enter into contracts for the construction of school buildings to be completed during the next succeeding fiscal year; and to provide for payments thereunder out of the unpledged balance in the site and building fund and the unexpended balance of the current levy for said fund as now authorized by law, and in addition thereto payable out of the next succeeding four mill levy for site and building purposes, but in an amount not exceeding seventy-five per cent of the current site and building levy.

LEGISLATIVE BILL 283. By Dwight W. Burney, 14th District; Monroe Bixler, 41st District; Don Thompson, 33rd District.

A bill for an act to amend section 83-226, Reissue Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for levy of taxes by counties instead of the state to meet the cost of care and maintenance of inmates of the Beatrice State Home; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 284. By Dwight W. Burney, 14th District; Monroe Bixler, 41st District; Don Thompson, 33rd District.

A bill for an act to amend sections 83-329.04 and 83-347, Reissue Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for tax levies by counties instead of the state to meet the cost of care and maintenance of mentally ill persons; to repeal the original sections, and also section 83-329.01, Revised Statutes Supplement, 1953; and to declare an emergency.

LEGISLATIVE BILL 285. By Charles F. Tvrdik, 7th District; Earl J. Lee, 11th District; Robert Perry, 20th District.

A bill for an act to amend section 77-706, Revised Statutes Supplement, 1953, relating to taxation; to provide a new formula for determination of intangible property tax of domestic and domesticated corporations; and to repeal the original section.

LEGISLATIVE BILL 286. By Robert Perry, 20th District; Charles F. Tvrdik, 7th District.

A bill for an act relating to industrial loan and investment companies; to provide the effect of a certificate of indebtedness issued by an industrial loan and investment company issued in the name of two or more persons, deliverable or payable to either or to their survivor or survivors.

LEGISLATIVE BILL 287. By Arnold Ruhnke, 22nd District; LeRoy Bahensky, 29th District; Kathleen A. Foote, 31st District.

A bill for an act to amend section 66-461, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to reduce the time for filing claims for refund; and to repeal the original section.

LEGISLATIVE BILL 288. By Don Thompson, 33rd District.

A bill for an act to amend section 70-639, Revised Statutes Supplement, 1953, relating to public power and irrigation districts; to eliminate the provision requiring the Department of Roads and Irrigation to assist and supervise lettings of contracts by public power and irrigation districts; and to repeal the original section.

LEGISLATIVE BILL 289. By Joseph D. Martin, 30th District; D. J. Cole, 40th District.

A bill for an act to amend section 39-745, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to change internal references; and to repeal the original section.

LEGISLATIVE BILL 290. By Joseph D. Martin, 30th District; D. J. Cole, 40th District.

A bill for an act to amend section 39-7,107.01, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to increase the minimum penalty for reckless driving; and to repeal the original section.

LEGISLATIVE BILL 291. By Ernest A. Hubka, 21st District; A. A. Fenske, 43rd District; Donald F. McGinley, 39th District.

A bill for an act relating to cities of the first class; to authorize partial payment as work progresses in water and sewer districts of such cities; to provide for issuance of warrants, rate of interest, and provisions for payment; and to declare an emergency.

LEGISLATIVE BILL 292. By Charles F. Tvrdik, 7th District; Sam Klaver, 6th District; John Adams, Sr., 5th District.

A bill for an act to amend sections 14-115 and 14-116, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide for laying out and dedicating parks and playgrounds to the public; to provide for acceptance of plats for parks and playgrounds; to provide for fees; to extend powers of such cities over areas within three miles of corporate limits; and to repeal the original sections.

LEGISLATIVE BILL 293. By Donald F. McGinley, 39th District; Charles F. Tvrdik, 7th District; John E. Beaver, 12th District.

A bill for an act to amend section 60-311, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that the

number plates shall have displayed thereon the words "The Beef State" in suitable letters to be attractive; and to repeal the original section.

LEGISLATIVE BILL 294. By Joseph D. Martin, 30th District.

A bill for an act to amend sections 19-1801, 19-1802, 19-1803, 19-1804, 19-1805, 19-1808, and 19-1823, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that the provisions of sections 19-1801 to 19-1823, Reissue Revised Statutes of Nebraska, 1943, shall be applicable to policemen; to make creation of a civil service commission optional in cities or villages having a population of five thousand inhabitants or less; to redefine terms; and to repeal the original sections.

LEGISLATIVE BILL 295. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-412, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide collection of tax on motor vehicle fuels imported by barge or pipe lines; to provide for exemptions; and to repeal the original section.

LEGISLATIVE BILL 296. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-426, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to change the requirements of contents of reports of common carriers of motor vehicle fuels; and to repeal the original section.

LEGISLATIVE BILL 297. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-432, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide for additional tax evasions; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 298. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-503, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to change the conditions for revocation of a Liquid Fuel Carriers' Permit; and to repeal the original section.

LEGISLATIVE BILL 299. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-512, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide violations

and penalties for the transportation of motor vehicle fuels; and to repeal the original section.

LEGISLATIVE BILL 300. By L. M. Shultz, 16th District.

A bill for an act to amend section 66-304, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide for inspection of motor vehicle fuels used, and books, records and other data relating to the use of the same; and to repeal the original section.

LEGISLATIVE BILL 301. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to repeal Chapter 44, article 9, Reissue Revised Statutes of Nebraska, 1943, relating to physicians' and dentists' insurance associations.

LEGISLATIVE BILL 302. By Committee on Education, Glenn Cramer, Chairman.

A bill for an act relating to schools; to provide for the payment of tuition by the board of education of any school district of Class II or III when the best interests of the pupil or the school district may so require.

LEGISLATIVE BILL 303. By Committee on Education, Glenn Cramer, Chairman.

A bill for an act pertaining to vocational rehabilitation of the physically and mentally impaired; to establish a Division of Rehabilitation Services in the State Department of Education under the administration of the State Board of Education; to provide for cooperation with the federal government; to define terms; to amend section 79-1422, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 304. By Committee on Education, Glenn Cramer, Chairman.

A bill for an act to amend section 43-609, Reissue Revised Statutes of Nebraska, 1943, relating to physically handicapped children; to provide that a school district qualifies for excess cost reimbursement for the education and care of handicapped children when the education and care have been secured within the State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 305. By Committee on Education, Glenn Cramer, Chairman.

A bill for an act to amend sections 79-105, 79-450, and 79-458, Reissue Revised Statutes of Nebraska, 1943, and sections 79-311, 79-402, 79-420, 79-486, and 79-490, Revised Statutes Supplement, 1953, relating to schools; to provide another method of determining the inhabitants of a school district; to provide when the superintendent of schools shall make the reports and assume the duties of the county superintendent; to provide that changes in boundaries affecting cities and villages may be made by the board of education; to change the conditions and notice required for distribution of assets when a depopulated district is annexed to adjoining territory; to eliminate the requirement of the president keeping record of warrants countersigned by him; to include children from birth in the school census; to provide conditions for reopening a school when the district has been contracting for instruction for two or more consecutive years, and the effect thereof; to provide that a family shall be reimbursed for transportation on a per family basis; and to repeal the original sections and also sections 79-518.01, 79-518.02, and 79-518.03, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 306. By William Moulton, 10th District.

A bill for an act to amend section 32-231, Revised Statutes Supplement, 1953, relating to elections; to increase the salaries of the election commissioner and chief deputy commissioner in counties having a population of more than two hundred thousand inhabitants; to provide when such increases shall be effective; and to repeal the original section.

LEGISLATIVE BILL 307. By Hal Bridenbaugh, 13th District; Robert Perry, 20th District; Donald F. McGinley, 39th District.

A bill for an act for submission to the electors of an amendment to Article VIII, section IV, of the Constitution of Nebraska, relating to revenue; to authorize the Legislature to absolve real properties of tax and assessment charges unpaid for any period equal to or greater than the period fixed by law authorizing the taking of title to real property by prescription; to provide for the submission of the proposed amendment to the electors at the general election in November 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 308. By John Aufenkamp, 2nd District.

A bill for an act to amend section 39-625, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to provide that certain experience and financial resources shall be required to bid on the con-

struction, reconstruction, improvement, maintenance, or repair of roads, bridges, and their appurtenances which the Department of Roads and Irrigation proposes to let whenever the contract is twenty-five hundred dollars, or more; and to repeal the original section.

LEGISLATIVE BILL 309. By Joseph D. Martin, 30th District; Norman A. Otto, 34th District; Amos Morrison, 42nd District.

A bill for an act to amend section 19-612, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that cities having a population of not more than forty thousand inhabitants which operate under the city manager plan shall elect councilmen from districts as determined by the city council, as prescribed; and to repeal the original section.

President Warner Presiding

Bills Referred to Standing Committees

LB	Committee
232.....	Revenue
233.....	Judiciary
234.....	Judiciary
235.....	Judiciary
236.....	Judiciary
237.....	Judiciary
238.....	Judiciary
239.....	Judiciary
240.....	Judiciary
241.....	Judiciary
242.....	Judiciary
243.....	Judiciary
244.....	Judiciary
245.....	Judiciary
246.....	Judiciary
247.....	Judiciary
248.....	Judiciary
249.....	Judiciary
250.....	Judiciary
251.....	Judiciary
252.....	Judiciary
253.....	Judiciary
254.....	Judiciary
255.....	Judiciary
256.....	Judiciary

257.....	Public Health and Miscellaneous Subjects
258.....	Public Health and Miscellaneous Subjects
259.....	Education
260.....	Agriculture
261.....	Labor and Public Welfare
262.....	Judiciary
263.....	Judiciary
264.....	Judiciary
265.....	Judiciary
266.....	Labor and Public Welfare
267.....	Labor and Public Welfare
268.....	Judiciary
269.....	Judiciary
270.....	Judiciary
271.....	Public Works
272.....	Education
273.....	Public Works
274.....	Labor and Public Welfare
275.....	Revenue
276.....	Revenue
277.....	Education

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 57. Placed on General File as amended.

Standing Committee amendments to LB 57:

1. Amend page 3 of the bill, section 4 by striking lines 12 and 13 and inserting in lieu thereof the following:

"Verifying the signatures on the petitions and satisfying himself that the signatures of the Petition are sufficient, shall submit the question for determination at an election of the electors of the school district proposing to annex to the college district, in substantially the manner described in section 3 of this."

2. Amend page 3 of the bill, section 5, by striking line 2 and inserting *"with boundaries identical with the boundaries of any county of this state."*, and line 7 on page 4 by striking *"coterminous with"* and inserting *"with boundaries identical with the boundaries of"*.

3. Amend page 5 of the bill, section 6 by striking lines 16 to 19 and inserting *"posed annexation. The county superintendent of schools, after verifying the signatures on the petitions and satisfying himself that the signatures of the petitions are sufficient, shall submit the question for determination at an election of the electors of the area"*.

proposing to annex to the college district in substantially the manner described in section."

4. Amend page 9 of the bill, line 4, section 12 by striking the word "all". No insertions.

(Signed) Glenn Cramer, Chairman

SELECT FILE

LEGISLATIVE BILL 15. Advanced to E and R for engrossment.

LEGISLATIVE BILL 3. E and R amendments found in the Legislative Journal for the Seventeenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 24. E and R amendment found in the Legislative Journal for the Seventeenth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 65. Read and considered.

Mr. Tvrdik asked unanimous consent that the name of Sam Klaver, 6th District, be added as a co-introducer of LB 65. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 94. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 56. Read and considered.

Mr. Brower moved that the emergency clause be added to the body and title of LB 56.

The motion prevailed.

Advanced to E and R for review.

UNANIMOUS CONSENT—Withdraw Notice of Hearing

Mr. Martin asked unanimous consent that the notice of hearing

of LB 34 be withdrawn from yesterday's Legislative Journal. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 310. By William E. Purdy, 15th District; Dwight W. Burney, 14th District; LeRoy Bahensky, 29th District.

A bill for an act to amend section 79-402, Revised Statutes Supplement, 1953, relating to schools; to eliminate the requirement that the plan of reorganization must be submitted to the state committee for school district reorganization and obtain its approval before a hearing is held; and to repeal the original section.

LEGISLATIVE BILL 311. By Earl J. Lee, 11th District; John E. Beaver, 12th District; George Hoffmeister, 37th District.

A bill for an act to appropriate the sum of four hundred eighty thousand dollars out of the General Fund of the state to the University of Nebraska for the purpose of acquiring an addition to the site of the College of Medicine for the establishment of a medical center for professional training in the care and rehabilitation of children; to provide for the payment thereof to the Board of Regents, as prescribed.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Lee asked unanimous consent that the name of Donald F. McGinley, 39th District, be added as a co-introducer of LB 311. No objections. So ordered.

LEGISLATIVE BILL 312. By John Adams, Sr., 5th District.

A bill for an act relating to civil rights; to establish the division of civil rights in the State Department of Education; to provide for the executive and the employees of the division; to provide for the members of the division, their appointment, terms of office, compensation, and expenses; to provide for an advisory committee, its members and their appointment; and to provide the powers and duties of the division.

LEGISLATIVE BILL 313. By John Adams, Sr., 5th District.

A bill for an act to repeal section 42-103, Reissue Revised Statutes of Nebraska, 1943, relating to husband and wife.

LEGISLATIVE BILL 314. By John Adams, Sr., 5th District.

A bill for an act to repeal Chapter 48, article 8, Reissue Revised Statutes of Nebraska, 1943, relating to Court of Industrial Relations.

Members Excused

Messrs. Lee, Otto, Martin, Fenske and Hoffmeister were excused for Friday, January 28, 1955.

SUSPEND RULES—Final Reading

Mr. President: I move that the rules be suspended and we consider LB 4 on Final Reading. (Signed) John E. Beaver

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

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 4.

A bill for an act to amend section 37-204, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to eliminate the fees for permit and sealing of each hide of a beaver during the open season; 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.	Burney	Lee	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	McHenry	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Hubka	Liebers	Nelson	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 15. Correctly engrossed.

LEGISLATIVE BILL 28. Correctly engrossed.

LEGISLATIVE BILL 20. Placed on Select File as amended.

E and R amendment to LB 20:

Amend Section 1, line 3, by inserting “,” after the word “foxes”, line 10, after the word “coyote” and line 17, after the word “program”.

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 109	Thursday, February 3, 1955	2:00 p.m.
LB 133	Thursday, February 3, 1955	2:00 p.m.
LB 89	Friday, February 4, 1955	2:00 p.m.
LB 155	Friday, February 4, 1955	2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 315. By Otto Kotouc, Sr., 1st District.

A bill for an act to amend section 24-601, Revised Statutes Supplement, 1953, relating to trusts; to redefine the investments trustees may invest funds; and to repeal the original section.

LEGISLATIVE BILL 316. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to amend section 44-379, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to require a cancellation clause be incorporated in certain types of insurance policies filed for approval with the Department of Insurance; and to repeal the original section.

LEGISLATIVE BILL 317. By Charles F. Tvrdik, 7th District; William Moulton, 10th District.

A bill for an act to amend section 60-305.03, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for reciprocity of trucks, truck-tractors, semitrailers, trailers, and buses from other states to be used in Nebraska; to provide for registration of such vehicles by resident and nonresident owners when operating two or more such vehicles interstate, as prescribed; and to repeal the original section.

LEGISLATIVE BILL 318. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to amend sections 44-333 and 44-334, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to provide for the issuance of agents' licenses upon application and the procedure therefor; to permit the issuance of brokers' licenses without formal application therefor; to require each application for an agent's license or renewal to contain certain minimum information in addition to any other information requested by the Department of Insurance; to prescribe additional duties of the Department of Insurance pertaining to original or renewal licenses of insurance agents; to provide that stated percentages of commissions and underwriting fees received during a license year constitute either presumptive or conclusive evidence of violation of the anti-rebate laws; to prescribe penalties therefor; and to repeal the original sections.

LEGISLATIVE BILL 319. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to amend sections 44-116 and 44-117, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to prescribe the fund to which money collected for examinations and valuations shall be deposited; to provide for expenditures from such fund and the purpose therefor; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 320. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to amend section 44-119.01, Revised Statutes Supplement, 1953, relating to insurance; to recognize credit for past service in excess of the minimum service qualification requirements for certain personnel of the actuarial and examining staff; to increase the maximum number of salary increases which may be permitted to cer-

tain personnel of the actuarial and examining staff; to permit the Director of Insurance to decrease salaries of the actuarial and examining staff; to provide when a change in such salaries shall become effective; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 321. By Monroe Bixler, 41st District; Donald F. McGinley, 39th District.

A bill for an act to amend section 72-234, Reissue Revised Statutes of Nebraska, 1943, relating to school lands; to reduce the rental per cent of the appraised value; and to repeal the original section.

LEGISLATIVE BILL 322. By Monroe Bixler, 41st District.

A bill for an act to amend sections 10-409 and 17-953, Reissue Revised Statutes of Nebraska, 1943, relating to bonds of indebtedness; to authorize cities of the second class and villages to issue bonds for the erection of a fire station when approved by the electors as required; and to repeal the original sections.

EASE

The Legislature was at ease from 10:50 a.m. until 11:28 a.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 323. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act relating to insurance; to prescribe a uniform schedule of fees and charges to be paid to and collected by the Department of Insurance; to amend sections 21-1514, 44-114, 44-139, 44-341, 44-1019, 44-1031, 44-1213, 44-1418, and 44-1461, Reissue Revised Statutes of Nebraska, 1943, and section 44-332, Revised Statutes Supplement, 1953; to prescribe the fees and charges to be due and payable to the Department of Insurance; to establish and prescribe the account to which all such fees and charges shall be deposited by the State Treasurer; to permit a reduction of fees and charges paid by mistake; to prescribe the manner of remitting payments of fees and charges made by mistake; to prescribe the method of collecting delinquent statutory fees and charges; to require the Department of Insurance to prescribe the manner in which and the time within which fees and charges shall be paid subject to the approval of the Tax Commissioner; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 324. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act to repeal Chapter 44, Article 11, Reissue Revised Statutes of Nebraska, 1943, relating to employers' mutual liability insurance associations.

LEGISLATIVE BILL 325. By Otto Kotouc, Sr., 1st District; John J. Larkin, Jr., 8th District.

A bill for an act relating to insurance; to provide for the issuance of individual life insurance contracts on a wholesale basis; and to prescribe limitations and conditions pertaining thereto.

LEGISLATIVE BILL 326. By William Moulton, 10th District; Charles F. Tvrdik, 7th District; George Syas, 4th District.

A bill for an act to amend section 14-134, Reissue Revised Statutes of Nebraska, 1943, relating to public library employees' retirement fund of cities of the metropolitan class; to provide for determining the termination of the need of such fund; to provide for a method of distribution of such fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 327. By William A. Metzger, 3rd District; George Hoffmeister, 37th District; William A. McHenry, 32nd District.

A bill for an act to amend sections 28-473, 28-474, 28-475, and 28-476, Reissue Revised Statutes of Nebraska, 1943, relating to hypnotic drugs; to provide for labelling containers in which sympathomimetic agents or drugs are kept; to redefine terms; to provide restrictions for sale of sympathomimetic agents or drugs; to provide for violations; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 328. By A. A. Fenske, 43rd District; Hal Bridenbaugh, 13th District.

A bill for an act to amend section 19-701, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, particular classes; to extend the power of eminent domain to cities of the primary, first and second classes and villages to acquire a gas system, including a natural or bottled gas plant, gas distribution system, or gas pipelines; and to repeal the original section.

LEGISLATIVE BILL 329. By Mervin V. Bedford, 23rd District; Earl J. Lee, 11th District; Robert C. Brower, 26th District.

A bill for an act to amend section 71-1,136, Reissue Revised Statutes of Nebraska, 1943, relating to public health and welfare; to increase the requirements of an accredited school of optometry; and to repeal the original section.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 55. Placed on General File as amended.

Standing Committee amendments to LB 55:

Amend Section 1, Page 2, line 6 by inserting after the word "authorized," the word "THEY,".

Amend Section 1, Page 2, line 8 by striking "*the board of public works*" and inserting the words "*the city*".

Amend Section 1, Page 2, lines 10 and 11 by striking the words "disbursed under the orders of the board of public works." and inserting the words "*disbursed under the order of the mayor and city council.*".

Amend the title to conform.

(Signed) John Aufenkamp, Chairman

UNANIMOUS CONSENT—Re-refer Bill

Mr. Larkin asked unanimous consent that LB 159 be re-referred to the Committee on Labor and Public Welfare. No objections. So ordered.

Adjournment

At 11:35 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m. Friday, January 28, 1955.

Hugo F. Srb

Clerk of the Legislature

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 28, 1955

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

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Fenske, Hoffmeister, Hubka, Lee, Martin, Nelson, Otto and Vogel, who were excused.

The Journal for the Eighteenth Day was approved as corrected.

Communications

Telegram from Charles E. Ellithrope, President, Nebraska Highway No. 92 Association, Broken Bow, concerning LB 40. Referred to Committee on Public Works.

Letter from Arthur M. Davis, President, County Assessors' Association of Nebraska, Lincoln, inviting the Governor and Lieutenant Governor and their wives, the Members of the Legislature and their spouses, and the Clerk of the Legislature and his wife, to their annual dinner on Thursday, February 3rd, at the Lincoln Hotel.

Letter from John M. Clema, Secretary, Nebraska Rural Electric Association, Lincoln, inviting the Members and their wives to the annual banquet of the Association on Monday, March 14th.

Visitors

Mr. Burney introduced Mrs. Tom Pansing, Mrs. Frank Rail, one boy scout and six cub scouts, from Lincoln, Nebraska.

Mr. Diers introduced Mrs. Wilton Stouffer and seven students from District 47, Milford, and Mrs. Herman Heinz and nine students from District 18.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 136	Monday, February 21, 1955	2:00 p.m.
LB 159	Monday, February 21, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 51. Placed on Select File as amended.

E and R amendment to LB 51:

1. In the title, lines 8 and 9, strike the words "before another license is issued, the applicant" and in lieu thereof insert "at the expiration thereof such person".

LEGISLATIVE BILL 52. Placed on Select File as amended.

E and R amendment to LB 52:

Amend Section 1, line 7, by inserting "(1)" after the word "shall"; lines 11 and 12, by striking ". Such notice shall further" and inserting in lieu thereof ". Such notice shall further ,(2)"; line 12, by striking the word "and" and inserting in lieu thereof "and ,(3)"; line 14, by striking ". Such notice shall" and in lieu thereof inserting ". Such notice shall , and (4)"; line 16, by striking the comma after the word "person" and show the same as stricken matter; line 24, by inserting the word "thereof" after the word "conviction" and before the comma; line 27, by inserting "a" after the word "such"; line 30, by striking the comma after the word "resides" and show the same as stricken matter; and in the same line by inserting "a" after the word "of".

LEGISLATIVE BILL 63. Placed on Select File as amended.

E and R amendments to LB 63:

1. Strike the Standing Committee Amendment 1 and in lieu thereof in the bill Section 1, lines 4 and 5, strike starting with the word "*between*" to but not including the word "each" and in lieu thereof insert "*January the last two months in*".

2. In the bill title, line 4, strike the word "extend" and in lieu thereof insert the word "change".

LEGISLATIVE BILL 13. Placed on Select File as amended.

E and R amendments to LB 13:

1. In Section 1, page 2, line 5, strike "being" and insert in lieu thereof "having been"; page 2, line 13, strike the word "the" before "corporate" and on page 2, line 26, also strike the word "the" before "city" and in lieu thereof in each place insert the word "such".

2. In Section 2, page 2, line 6, strike the word "and" and in lieu thereof insert a comma; page 3, line 8, insert the word "and" after the comma; page 3, line 19, after "of the" and before the new matter inserted by the Standing Committee Amendment to such line insert "city or" and at the end of such Standing Committee Amendment strike the period after the word "village".

3. In Section 3, page 3, line 3, strike the comma after the word "order"; page 4, line 18, strike the words "published notice must be made" and insert in lieu thereof "notice must be published".

4. In Section 4, page 4, line 5, strike the word "and" and in lieu thereof insert a comma; page 4, line 6, insert a comma after the word "village".

5. In the title, line 6, strike the word "having" and insert in lieu thereof "which has"; line 7, insert after the word "years" and before the semicolon the following "under the prescribed conditions".

LEGISLATIVE BILL 49. Placed on Select File.

LEGISLATIVE BILL 14. Placed on Select File as amended.

E and R amendments to LB 14:

1. Insert "," in Section 1, line 11, after the word "association"; line 12, after the words "torney" and "loaning"; line 24, after the word "exchange"; line 27, after the word "exchange" and line 30, after the word "exchange".

2. In Section 1, strike lines 50 to 55 inclusive after the word "state" on line 50 and amendments thereto and in lieu thereof insert "*the branch of service; date you entered such service in the armed forces; and the date of discharge, unless you are presently in such armed forces.*"

3. In the Standing Committee Amendment, last paragraph, insert "Sec. 3." after the quotation marks and before the word "Since"; and insert a period after the word "law" and before the closing quotation marks.

4. Amend the title, lines 5 and 6, by striking the words "himself or members of his family as to" and inserting in lieu thereof the word "his".

LEGISLATIVE BILL 4. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 4

STANDING COMMITTEE REPORTS

Committee on Committees

January 27, 1955

Mr. President:

Your Committee on Committees reports favorably on the appointments listed below and suggests that they be voted upon for confirmation separately.

Appointments made by Governor Anderson:

Ed Hoyt.....Director, Department of Agriculture and
Inspection
James L. Weasmer.....Commissioner of Labor
L. N. Ress.....State Engineer
J. F. McLain.....Director of Banking
Thomas R. Pansing.....Director of Insurance
W. H. Hulsizer.....Board of Control (Member)
Louis R. Eby.....Director of Veterans' Affairs
James D. Ramsey.....Director of Aeronautics
Carl A. Rosenlof.....Purchasing Agent
F. A. Herrington.....Tax Commissioner (To fill the unexpired
term of George Peterson, resigned.)
Bernard M. Spencer.....Board of Education of State Normal
Schools (Member) (To fill the unex-
pired term of J. Hyde Sweet, resigned.)

Appointment made by Ex-Governor Crosby:

Ernest M. Johnson.....Board of Education of State Normal
Schools (Member)

(Signed) Otto Kotouc, Sr., Chairman

Motion to adopt the report prevailed.

Vote on Mr. Hoyt

Voting in the affirmative, 31.

Voting in the negative, 0.

Not voting, 12.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hoyt confirmed.

Vote on Mr. Weasmer

Voting in the affirmative, 29.

Voting in the negative, 0.

Not voting, 14.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Weasmer confirmed.

Vote on Mr. Ress

Voting in the affirmative, 29.

Voting in the negative, 0.

Not voting, 14.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Ress confirmed.

Vote on Mr. McLain

Voting in the affirmative, 31.

Voting in the negative, 0.

Not voting, 12.

Having received a majority of the votes of all members, the President declared the appointment of Mr. McLain confirmed.

Vote on Mr. Pansing

Voting in the affirmative, 32.

Voting in the negative, 0.

Not voting, 11.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Pansing confirmed.

Vote on Mr. Hulsizer

Voting in the affirmative, 32.

Voting in the negative, 0.

Not voting, 11.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hulsizer confirmed.

Vote on Mr. Eby

Voting in the affirmative, 32.

Voting in the negative, 0.

Not voting, 11.

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. Rosenlof

Voting in the affirmative, 33.

Voting in the negative, 0.

Not voting, 10.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Rosenlof confirmed.

Vote on Mr. Herrington

Voting in the affirmative, 33.

Voting in the negative, 0.

Not voting, 10.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Herrington confirmed.

Vote on Mr. Spencer

Voting in the affirmative, 32.

Voting in the negative, 0.

Not voting, 11.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Spencer confirmed.

Vote on Mr. Johnson

Mr. Bixler requested a Call of the House.

A Call of the House was ordered and showed 34 members present.

Mr. Bixler moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 23.

Voting in the negative, 4.

Not voting, 16.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Johnson confirmed.

Bills Referred to Standing Committees

LB	Committee
278.....	Judiciary
279.....	Judiciary
280.....	Labor and Public Welfare
281.....	Banking, Commerce and Insurance
282.....	Education
283.....	Government
284.....	Government
285.....	Revenue
286.....	Banking, Commerce and Insurance
287.....	Agriculture
288.....	Public Works
289.....	Public Works
290.....	Public Works
291.....	Government
292.....	Government
293.....	Agriculture
294.....	Government
295.....	Revenue
296.....	Revenue
297.....	Revenue
298.....	Revenue
299.....	Revenue
300.....	Revenue
301.....	Banking, Commerce and Insurance
302.....	Education
303.....	Education
304.....	Education
305.....	Education
306.....	Miscellaneous Appropriations and Claims

307.....	Judiciary
308.....	Public Works
309.....	Government
310.....	Education
311.....	Miscellaneous Appropriations and Claims
312.....	Government
313.....	Held over on request of the Introducer
314.....	Judiciary
315.....	Banking, Commerce and Insurance
316.....	Banking, Commerce and Insurance
317.....	Judiciary
318.....	Banking, Commerce and Insurance
319.....	Banking, Commerce and Insurance
320.....	Banking, Commerce and Insurance
321.....	Education
322.....	Government
323.....	Banking, Commerce and Insurance
324.....	Banking, Commerce and Insurance
325.....	Banking, Commerce and Insurance
326.....	Miscellaneous Appropriations and Claims
327.....	Public Health and Miscellaneous Subjects
328.....	Judiciary
329.....	Public Health and Miscellaneous Subjects

UNANIMOUS CONSENT—Substitute Bill

Mr. J. Adams asked unanimous consent to withdraw LB 313 and substitute another bill to have the same number in lieu thereof. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 313. By John Adams, Sr., 5th District.

A bill for an act to amend section 42-103, Reissue Revised Statutes of Nebraska, 1943, relating to marriages; to remove the provision that when one party is a white person and the other is possessed of one-eighth or more negro, Japanese, or Chinese blood the marriage shall be void; and to repeal the original section.

LEGISLATIVE BILL 330. By Glenn Cramer, 27th District; Charles F. Tvrdik, 7th District; Earl J. Lee, 11th District.

A bill for an act to amend sections 68-601, 68-602, 68-603, 68-604, 68-605, 68-608, 68-609, 68-610, 68-612, 68-613, 68-615, 68-616, 68-617,

68-618, 68-619, and 68-620, Revised Statutes Supplement, 1953, relating to social security; to define and redefine terms; to extend the policy to other employees, as prescribed; to provide the expense for administering the act and of referendums as prescribed; to provide for referendum procedure by groups to be included under the provisions of this act; to provide an effective date for modification of the state agreement; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 331. By George Syas, 4th District.

A bill for an act relating to state institutions; to relocate and establish the Nebraska School for the Blind; and to provide for a building site.

LEGISLATIVE BILL 332. By Earl J. Lee, 11th District; George Hoffmeister, 37th District; Robert C. Brower, 26th District.

A bill for an act relating to expert medical evidence; to provide procedure for obtaining medical expert witnesses; to provide for appointment of medical expert witness, his duties, and compensation; to provide for the credibility of such witnesses; and to provide the effect of appointing such witnesses.

LEGISLATIVE BILL 333. By Dwight W. Burney, 14th District; Charles F. Tvrdik, 7th District.

A bill for an act to repeal sections 85-172.01 and 85-172.02, Revised Statutes Supplement, 1953, relating to the University of Nebraska Hospital.

LEGISLATIVE BILL 334. By Robert C. Brower, 26th District; O. H. Person, 17th District.

A bill for an act for submission to the electors of an amendment to Article IV, section 1, of the Constitution of Nebraska, relating to the executive; to provide that the executive officers of the state shall be chosen for a term of four years; to provide for the submission of the proposed amendment to the electors at the general election in November 1956; to provide the manner of submission and form of ballot; and to provide the effective date.

LEGISLATIVE BILL 335. By Charles F. Tvrdik, 7th District; William Moulton, 10th District.

A bill for an act to amend section 39-719, Reissue Revised Stat-

utes of Nebraska, 1943, relating to highways; to authorize the Department of Roads and Irrigation to issue permits for the operation of a bus for transportation of passengers on designated highways when the width of the vehicle is not more than eight feet six inches and the designated highway is at least twenty feet in width; and to repeal the original section.

LEGISLATIVE BILL 336. By William Moulton, 10th District; John J. Larkin, Jr., 8th District; Sam Klaver, 6th District.

A bill for an act to amend section 23-1114, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide when and by whom salaries of deputies in offices of elected officers of the county may be determined; and to repeal the original section.

LEGISLATIVE BILL 337. By LeRoy Bahensky, 29th District.

A bill for an act to amend section 54-134, Revised Statutes Supplement, 1953, relating to livestock; to provide the brand inspection area shall consist of all of the State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 338. By Sam Klaver, 6th District, by request.

A bill for an act relating to unemployment compensation; to extend to the employees of the state and its political subdivisions the basic protection accorded to others by the Employment Security Law; to amend section 48-604, Revised Statutes Supplement, 1953; and to repeal the original section.

LEGISLATIVE BILL 339. By Charles F. Tvrdik, 7th District; William Moulton, 10th District.

A bill for an act to amend section 39-723.08, Revised Statutes Supplement, 1953, relating to highways; to exempt vehicles loaded with livestock from being stopped for weighing while in transit; and to repeal the original section.

LEGISLATIVE BILL 340. By William Moulton, 10th District; D. J. Cole, 40th District; K. W. Peterson, 35th District.

A bill for an act relating to game and fish; to require persons over sixteen years of age to purchase a stamp to hunt, take or kill any upland game birds; to provide for issuance of such stamps, the fee there-

for, and disposition of the proceeds thereof; to provide powers of the Game, Forestation and Parks Commission; to provide violations; and to provide penalties.

LEGISLATIVE BILL 341. By Earl J. Lee, 11th District; Mervin V. Bedford, 23rd District.

A bill for an act to amend section 8-318, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to provide that minors regardless of age, may transact business as though such person were of full age; and to repeal the original section.

LEGISLATIVE BILL 342. By Robert Perry, 20th District; Norman A. Otto, 34th District; Joseph D. Martin, 30th District.

A bill for an act to amend sections 52-104 and 52-112, Reissue Revised Statutes of Nebraska, 1943, and sections 52-101, 52-102, and 52-103, Revised Statutes Supplement, 1953, relating to mechanics' and materialmen's liens; to entitle a person to a lien for furnishing television apparatus; to provide a lien for planning; to provide for filing a written statement, and its contents; to provide the procedure for enforcement of liens; to provide for costs, interest, damages, and attorney fees; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 343. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 25-1801, Revised Statutes Supplement, 1953, relating to civil procedure; to provide for attorney fees on recovery of certain judgments not to exceed one thousand dollars; to provide the amount of such fees; and to repeal the original section.

LEGISLATIVE BILL 344. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 52-103, Revised Statutes Supplement, 1953, relating to mechanics' and materialmen's liens; filings; requirements; duration; lien other than subcontractor's lien; time for filing; and to repeal the original section.

LEGISLATIVE BILL 345. By L. M. Shultz, 16th District; O. H. Person, 17th District; LeRoy Bahensky, 29th District.

A bill for an act relating to liens; to create a lien upon crops in favor of any person who furnished motor fuel to be used in the production of such crops.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Shultz asked unanimous consent to add the name of K. W. Peterson, 35th District, as a co-introducer of LB 345. No objections. So ordered.

LEGISLATIVE BILL 346. By Otto Kotouc, Sr., 1st District.

A bill for an act to amend section 44-219.06, Revised Statutes Supplement, 1953, relating to insurance; to reduce the allowable rate of interest on guaranty capital certificates; to provide the legal effect of such certificates and the rights of the holders thereof; and to repeal the original section.

LEGISLATIVE BILL 347. By John J. Larkin, Jr., 8th District; Otto Kotouc, Sr., 1st District.

A bill for an act to amend section 44-221, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to provide for repayment of surplus notes upon approval by the board of directors or upon order by the Director of Insurance; and to repeal the original section.

LEGISLATIVE BILL 348. By John J. Larkin, Jr., 8th District; Otto Kotouc, Sr., 1st District.

A bill for an act relating to insurance; to require domestic and foreign insurers and assessment associations to deposit securities with the Department of Insurance; to define terms; to describe the securities eligible for deposit; to specify the amount of securities which must be deposited; to prescribe conditions upon which securities may be withdrawn; to define the nature of the liability of the Director of Insurance for funds deposited with the Department of Insurance; to prescribe and limit the beneficiaries of the deposited funds; and to repeal sections 44-317, 44-318, and 44-319, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 349. By Otto H. Liebers, 18th District; Otto Kotouc, Sr., 1st District; Robert Perry, 20th District.

A bill for an act to amend section 28-589, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide that it shall be unlawful to enter land set aside for parking of motor vehicles without the consent of the owner or occupant thereof; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 350. By Donald F. McGinley, 39th District; Robert Perry, 20th District.

A bill for an act to establish liability of the State of Nebraska for torts of its officers or employees; to provide procedure for hearings, determination and payment of claims; to grant district courts jurisdiction to hear and determine claims against the state accruing after January 1, 1955, on account of damage, injury, or death caused by negligence or wrong of a state officer or employee acting in the scope of his employment in cases where the state, if a private person, would be liable, and permitting suit against the state therefor; to provide where such actions may be brought; to provide for service of process and authorizing the Attorney General to enter voluntary appearance and waive issuance of service of summons; to provide for taxing costs; to permit the Attorney General to compromise such claims after institution of suit and with the approval of the district court; to provide for certifying judgment against the state and how same shall be paid; to provide for limitation of actions; to eliminate from consideration of the Sundry Claims Board claims cognizable under this act; to provide how this act may be cited; to amend section 81-858, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 351. By William Moulton, 10th District; Monroe Bixler, 41st District.

A bill for an act to amend section 70-637, Reissue Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to clarify the scope of contracts for construction, building, alteration, extension, or improvement of any power plant or system and fixing the estimated cost of the engineer; and to repeal the original section.

LEGISLATIVE BILL 352. By John J. Larkin, Jr., 8th District; William Moulton, 10th District.

A bill for an act to amend section 81-115, Revised Statutes Supplement, 1953, relating to state administrative departments; to provide for holiday pay for hourly employees in the Department of Roads and Irrigation; and to repeal the original section.

SELECT FILE

LEGISLATIVE BILL 68. Mr. Metzger asked unanimous consent that LB 68 be laid over until Monday, January 31, 1955. No objections. So ordered.

LEGISLATIVE BILL 20. E and R amendment found in the Legislative Journal for the Eighteenth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 2. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Eighteenth Day, to Section 1, line 6 and Section 1, line 7 were adopted.

Standing Committee amendments, found in the Legislative Journal for the Eighteenth Day, to Section 1, line 8 and lines 42, 43 and 44 were not adopted with 13 ayes, 16 nays and 14 not voting.

Mr. Metzger moved to reconsider action in rejecting the above amendments. The motion lost with 14 ayes, 17 nays and 12 not voting.

Mr. Beaver offered the following amendment, which was adopted with 15 ayes, 2 nays and 26 not voting:

Strike in line 42, page 3, subsection 4, the words "five thousand" and insert "seven thousand five hundred".

Mr. Ruhnke offered the following amendment, which was adopted:

Amend LB 2, line 8 by deleting "fifty" and inserting "twenty" in lieu thereof.

Mr. Klaver moved that the title of LB 2 be amended to conform with the body of the bill. The motion prevailed.

Advanced to E and R for review.

LEGISLATIVE BILL 57. Laid over.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Peterson asked unanimous consent to withdraw LB 124. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 24. Correctly engrossed.

LEGISLATIVE BILL 3. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 72 Wednesday, February 2, 1955 2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 353. By L. M. Shultz, 16th District.

A bill for an act relating to counties; to provide for licensing the use of stamps, coupons, tickets, certificates, cards, or other similar devices; to provide the manner and procedure for issuing a license; to provide for the license fee and term of the license; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 354. By H. K. Diers, 24th District; Arthur W. Swanson, 36th District.

A bill for an act to amend sections 71-195 and 71-196, Reissue Revised Statutes of Nebraska, 1943, relating to embalming; to change the requirements for a license in embalming; to change the name of the Conference of Embalmers Examining Boards of the United States, Inc., to the Conference of Funeral Service Examining Boards of the United States, Inc.; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 355. By Monroe Bixler, 41st District.

A bill for an act to amend section 18-211, Reissue Revised Statutes of Nebraska, 1943, relating to police magistrates; to provide that the salary of police magistrate in all cities and villages shall be fixed by the mayor and council or board of trustees by ordinance; and to repeal the original section.

LEGISLATIVE BILL 356. By Monroe Bixler, 41st District; Don Thompson, 33rd District.

A bill for an act to amend section 60-333, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for annual registration fee for construction equipment and implements of husbandry and certain trailer trucks or trailers or hauling such construction equipment and implements of husbandry upon the highways of the state; and to repeal the original section.

LEGISLATIVE BILL 357. By Monroe Bixler, 41st District.

A bill for an act to amend section 70-650, Reissue Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide the valuation for acquiring a distribution plant and system by a city or village; and to repeal the original section.

Adjournment

At 12:01 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Monday, January 31, 1955.

Hugo F. Srb
Clerk of the Legislature

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, January 31, 1955

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

Prayer was offered by the Chaplain.

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

The Journal for the Nineteenth Day was approved as corrected.

Communications

Letter from Mrs. J. H. Paine of Lyons, Nebraska, protesting replacement of mechanical targets with live pigeons. Referred to Committee on Agriculture.

Letter from Robert A. Lowe, Adjutant, Department of Nebraska Veterans of Foreign Wars, Lincoln, concerning LB 14. Referred to Committee on Revenue.

Card from Mrs. John Knickrehm and family expressing appreciation for the floral piece sent in memory of John Knickrehm.

Card from Henry Ericksons of Mead, Nebraska, opposing the proposed turnpike. Referred to Committee on Public Works.

MOTION—Reconsider Confirmation of Appointment

Mr. President: I move to reconsider the action of the Legislature, taken January 28th, on the confirmation of Ernest M. Johnson for State Normal Board. (Signed) Monroe Bixler.

The motion prevailed with 33 ayes, 1 nay and 9 not voting.

MOTION—Appointment of Ernest M. Johnson

Mr. President: I move that the appointment of Ernest M. Johnson as a member of the Board of Education of State Normal Schools not be confirmed. (Signed) Monroe Bixler.

The motion prevailed with 29 ayes, 1 nay and 13 not voting.

SUSPEND RULES—Consider Bill on Final Reading

Mr. President: I move that the rules be suspended and we consider LB 15 on Final Reading. (Signed) Dwight W. Burney

The motion prevailed with 30 ayes, 7 nays and 6 not voting.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 15. With emergency.

A bill for an act to amend section 66-422, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that the Gasoline Tax Fund allocated by subdivision (4) of section 66-424.01, Revised Statutes Supplement, 1953, shall be transferred by the State Treasurer, on the tenth day of each month, proportionately upon the same formula as the Gasoline Tax Fund was distributed during the month of July, 1954; to repeal the original section; and to declare an emergency.

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

Mr. Burney requested a Call of the House.

A Call of the House was ordered and showed 41 members present.

Mr. Burney moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 28:

Adams, J.	Diers	Liebers	Pizer
Adams, T.	Fenske	McGinley	Purdy
Anderson	Foote	Martin	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bixler	Klaver	Morrison	Syas
Burney	Larkin	Moulton	Tvr dik
Cramer	Lee	Perry	Vogel

Voting in the negative, 14:

Aufenkamp	Brower	Nelson	Peterson
Bahensky	Cole	Otto	Ruhnke
Bedford	Kotouc	Person	Thompson
Bridenbaugh	McHenry		

Not voting, 1:

Hubka

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

MOTION—Indefinitely Postpone Bill

Mr. President: I move that LB 15 be indefinitely postponed.
(Signed) Dwight W. Burney

The President declared that the motion was not in order.

Whereupon the President stated: "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 8:

Adams, T.	Larkin	Metzger	Syas
Klaver	Liebers	Perry	Tvrđik

Voting in the negative, 29:

Anderson	Burney	Kotouc	Person
Aufenkamp	Cole	McGinley	Peterson
Bahensky	Cramer	McHenry	Pizer
Beaver	Diers	Martin	Ruhnke
Bedford	Fenske	Morrison	Shultz
Bixler	Foote	Nelson	Swanson
Bridenbaugh	Hoffmeister	Otto	Thompson
Brower			

Not voting, 6:

Adams, J.	Lee	Purdy
Hubka	Moulton	Vogel

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

Explanation of Vote

Mr. President: I voted "Aye" on LB 15 as an emergency measure to release funds to the counties, knowing that a new formula bill is being introduced. (Signed) Donald F. McGinley

MOTION—Reconsider Action on Confirmation

Mr. President: I move that we now reconsider our action taken on the Johnson confirmation. (Signed) John Adams, Sr.

The motion lost with 4 ayes, 4 nays and 35 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on January 29, 1955 at 11:00 a.m.

LB 4

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

January 31, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on January 30, 1955, he approved L. B. 4.

Respectfully submitted,

(Signed) A. C. Eichberg

Administrative Assistant

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 103 Monday, February 7, 1955 2:00 p.m.

LB 105 Monday, February 7, 1955 2:00 p.m.

UNANIMOUS CONSENT—Lay Over LB 28

Mr. Bridenbaugh asked unanimous consent that LB 28 be laid over on Final Reading until Wednesday, February 2, 1955. No objections. So ordered.

Members Excused

Mr. Bridenbaugh asked unanimous consent that the members of the

Budget Committee be excused tomorrow morning. No objections. So ordered.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Lee asked unanimous consent that the name of Karl E. Vogel, 9th District, be added as a co-introducer of LB 311. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 20. Correctly engrossed.

LEGISLATIVE BILL 67. Placed on Select File as amended.

E and R amendments to LB 67:

1. In the Standing Committee Amendment 2, line 3, before the word "and" strike the comma and in lieu thereof insert a semicolon.

2. In section 1, page 2, line 11, strike ", and the secretary" and in lieu thereof insert " *and the . The secretary of such commission*"; line 21, strike the comma after the words "two parts" and show as stricken matter; line 22, insert "," after the word "thereof"; line 23, strike the comma after the word "purchaser" and show as stricken matter; and in the same line, insert "," after the word "number"; line 43, page 3, strike the words "or mutilate" and in lieu thereof insert ", or mutilate,"; line 44, strike the words "or bird" and in lieu thereof insert ", or bird,"; line 49, insert "," after the word "removing"; line 50, insert the word "the" before the word "premises"; line 52, insert the word "any" after the word "from", as in the statute; line 53, strike the words "or purchase" and in lieu thereof insert ", or purchase,"; line 62, after the word "fine" insert the word "of".

3. In the title, line 5, strike the word "and".

LEGISLATIVE BILL 69. Placed on Select File as amended.

E and R amendments to LB 69:

1. In the Standing Committee Amendment 2, strike the comma before the word "and" and insert in lieu thereof a semicolon.

2. In the Metzger General File Amendment adopted January 26, 1955, strike the first line of the amendment commencing with the word "add" to and including the word "Provided" and in lieu thereof insert "strike the period at the end of section 1 and in lieu thereof insert: '*Provided,*'".

3. In the title, line 6, strike the word "and" and in lieu thereof insert "to require the express permission of the landowner or tenant to so run such dogs upon private property;"

LEGISLATIVE BILL 65. Placed on Select File as amended.

E and R amendments to LB 65:

1. In section 1, line 4, insert "," after the word "association" and strike the comma in the same line after the word "organization" and show the same as stricken matter; line 13, insert "," after the word "tion".

2. In section 2, lines 5 and 6, strike ", and no" and insert in lieu thereof "~~and no~~ . No" ; line 6, strike ", and at" and in lieu thereof insert ", and at . At".

3. In section 4, page 3, line 3, after the word "also" strike the word "original".

4. In the title, line 12, insert a comma after the word "council".

(Signed) Donald F. McGinley, Chairman

Agriculture

LEGISLATIVE BILL 48. Placed on General File as amended.

Standing Committee amendments to LB 48:

(1) Amend page 2 of the bill, section 1, line 27 by inserting after the word "Reservoir" the following: "*if the State of South Dakota enacts a similar law*".

(2) Amend the bill by adding a new section immediately following 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."

(3) Amend the title of the bill, line 5 by striking the word "and", and insert in line 6 after the word "tion" the following: "; and to declare an emergency".

(Signed) Frank Nelson, Chairman

Bills Referred to Standing Committees

LB

Committee

313.....Public Health and Miscellaneous Subjects
330.....Banking, Commerce and Insurance

331.....	Public Health and Miscellaneous Subjects
332.....	Judiciary
333.....	Miscellaneous Appropriations and Claims
334.....	Judiciary
335.....	Public Works
336.....	Miscellaneous Appropriations and Claims
337.....	Agriculture
338.....	Banking, Commerce and Insurance
339.....	Public Works
340.....	Agriculture
341.....	Banking, Commerce and Insurance
342.....	Judiciary
343.....	Judiciary
344.....	Judiciary
345.....	Judiciary
346.....	Banking, Commerce and Insurance
347.....	Banking, Commerce and Insurance
348.....	Banking, Commerce and Insurance
349.....	Judiciary
350.....	Judiciary
351.....	Public Works
352.....	Banking, Commerce and Insurance
353.....	Government
354.....	Public Health and Miscellaneous Subjects
355.....	Miscellaneous Appropriations and Claims
356.....	Agriculture
357.....	Public Works

UNANIMOUS CONSENT—Print Letter

Mr. Larkin asked unanimous consent that the following letter be made a part of the Legislative Journal. No objections. So ordered.

STATE OF NEBRASKA DEPARTMENT OF JUSTICE LINCOLN

January 28, 1955

Hon. John J. Larkin, Jr.
State Senator
Building

Dear Senator:

We have your inquiry concerning a possible refund of taxes paid by individuals prior to the decision in *Fromkin v. State*.

On March 30, 1954, this question was specifically answered by an official opinion of this office to the effect that such refunds could only be made by compliance with Sec. 77-1735, R.R.S., 1943. This Statute permits refund of taxes, but requires that a demand for such refund be made in writing within thirty days of the payment, and if the refund be not made within ninety days the taxpayer may sue to recover same.

This statute has been before the Supreme Court in many cases and the court has uniformly sustained the position that unless the written demand be made as the statute requires, no refund could be made.

Sincerely,

(Signed) C. S. Beck

CLARENCE S. BECK

Attorney General

CSB:dnj

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 358. By Hal Bridenbaugh, 13th District.

A bill for an act to repeal section 28-1002, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments.

LEGISLATIVE BILL 359. By Hal Bridenbaugh, 13th District.

A bill for an act to amend section 39-603, Revised Statutes Supplement, 1953, relating to highways; to provide that no highway designated as a state highway shall be relocated so as to place its situs more than one half mile from its original location without the consent of the county board of the county or counties where such relocation is to be made; and to repeal the original section.

LEGISLATIVE BILL 360. By Hal Bridenbaugh, 13th District.

A bill for an act relating to cemeteries; to provide that every cemetery association, after the effective date of this act, organized under the provisions of Chapter 12, article 5, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, shall provide and initial minimum perpetual care and maintenance guarantee fund; and to provide for the withdrawal thereof upon certain conditions.

LEGISLATIVE BILL 361. By Committee on Budget, Hal Bridenbaugh, Chairman.

A bill for an act to amend sections 72-1007, Reissue Revised Statutes of Nebraska, 1943, and sections 72-1005 and 72-1006, Revised Statutes Supplement, 1953, relating to State Industrial and Military Department Building Fund; to provide that two hundred thousand dollars of the fund out of the share of the Board of Control shall be transferred to the Governor for a Governor's Mansion; and to repeal the original sections.

LEGISLATIVE BILL 362. By Lester H. Anderson, 25th District; George Hoffmeister, 37th District; D. J. Cole, 40th District.

A bill for an act relating to highways; to provide a highway use tax on commercial vehicles licensed under the laws of the State of Nebraska to transport ten or more tons, and buses weighing over twenty-eight thousand pounds; to provide a similar highway use tax on vehicles of the same nature operated over the highways of the state but not licensed in the State of Nebraska; to require permits for such operation; to provide penalties for operation without such permits; to amend sections 60-305.02 and 60-305.03, Revised Statutes Supplement, 1953, and to repeal the original sections.

LEGISLATIVE BILL 363. By H. K. Diers, 24th District; Glenn Cramer, 27th District.

A bill for an act to amend section 23-148, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide for the manner and procedure for changing to the commissioner system and the number of commissioners; to provide for the appointment of commissioners from commissioner districts; and to repeal the original section.

LEGISLATIVE BILL 364. By Dwight W. Burney, 14th District; Monroe Bixler, 41st District; John E. Beaver, 12th District.

A bill for an act to amend sections 66-422 and 66-423, Reissue Revised Statutes of Nebraska, 1943, and section 66-424.01, Revised Statutes Supplement, 1953, relating to motor vehicle fuels; to provide a new formula for allocation of the Gasoline Tax Fund; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 365. By Dwight W. Burney, 14th District.

A bill for an act to amend sections 39-119, 39-252, 39-253, and 39-254, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to eliminate the provisions referring to the Department of Roads and Irrigation therefrom; to remove the provision for payment of damages for installation or removal of snow fences if done by the Department of Roads and Irrigation; and to repeal the original sections.

LEGISLATIVE BILL 366. By Sam Klaver, 6th District.

A bill for an act to amend section 68-206, Revised Statutes Supplement, 1953, relating to assistance; to increase assistance grants; and to repeal the original section.

LEGISLATIVE BILL 367. By Sam Klaver, 6th District.

A bill for an act to amend sections 83-242 and 83-245, Reissue Revised Statutes of Nebraska, 1943, relating to Home for Children; to provide when children may be accepted for care at the Home for Children; to provide when the Board of Control may consent to the adoption of children admitted to the home; and to repeal the original sections.

LEGISLATIVE BILL 368. By Sam Klaver, 6th District.

A bill for an act to amend section 39-617, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to provide that no advertising signs shall be placed within three hundred feet of any public road or highway, or of a railroad crossing except as prescribed; and to repeal the original section.

LEGISLATIVE BILL 369. By Sam Klaver, 6th District.

A bill for an act to amend sections 77-2601, 77-2604, 77-2605, 77-2606, 77-2607, 77-2608, 77-2610, 77-2612, 77-2613, 77-2614, 77-2615, 77-2616, 77-2617, Reissue Revised Statutes of Nebraska, 1943, and sections 77-2603, 77-2620, and 77-2621, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide a tax on cigars; to provide the manner and procedure of payment and collection of the tax; to provide a disposition of the tax when collected; to provide penalties; to provide that the provisions of sections 77-2601 to 77-2615, Reissue Revised Statutes of Nebraska, 1943, and sections 77-2616 to 77-2622, Revised Statutes Supplement, 1953, and any amendments thereto, shall be subject to the provisions of the cigar tax; and to repeal the original sections.

LEGISLATIVE BILL 370. By Sam Klaver, 6th District.

A bill for an act relating to public welfare; to provide for allocation of money to each county to be used for payment of administration and other expenses involved in giving crippled children services and services to state institutions; to provide for state and county financial participation in administrative costs and other expenses incurred in giving county child welfare services; and to declare an emergency.

LEGISLATIVE BILL 371. By Mervin V. Bedford, 23rd District.

A bill for an act to amend section 23-223, Reissue Revised Statutes of Nebraska, 1943, relating to townships; to authorize townships to enter into compacts to purchase and jointly own road equipment; and to repeal the original section.

LEGISLATIVE BILL 372. By Mervin V. Bedford, 23rd District.

A bill for an act to amend section 66-401, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to define capacity of containers; and to repeal the original section.

LEGISLATIVE BILL 373. By Mervin V. Bedford, 23rd District.

A bill for an act relating to state institutions; to relocate and establish the Nebraska School for the Blind; and to provide for a building site.

LEGISLATIVE BILL 374. By O. H. Person, 17th District, by request.

A bill for an act to amend section 23-1112, Reissue Revised Statutes of Nebraska, 1943, relating to county officers; to increase the mileage allowance to any county officer or his deputy or assistants, except a sheriff, county superintendent, or their deputies; and to repeal the original section.

LEGISLATIVE BILL 375. By O. H. Person, 17th District; George Hoffmeister, 37th District; Amos Morrison, 42nd District.

A bill for an act to amend section 71-1,149, Reissue Revised Statutes of Nebraska, 1943, and sections 85-107 and 85-122, Revised Statutes Supplement, 1953, relating to colleges and universities; to authorize the establishing of a School of Veterinary Medicine and Surgery at the University of Nebraska; to authorize agreements with colleges and schools of veterinary medicine in other states; to provide educational facilities not presently available at the University of Nebraska; to

provide that holders of required degrees from the School of Veterinary Medicine and Surgery of the University of Nebraska may be licensed to practice veterinary medicine and surgery within this state without further examination; to provide for the Veterinary School Fund and how disbursed; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Person asked unanimous consent that the name of Donald F. McGinley, 39th District, be added to LB 375 as a co-introducer. No objections. So ordered.

LEGISLATIVE BILL 376. By Lester H. Anderson, 25th District; William A. McHenry, 32nd District.

A bill for an act relating to places where food is prepared, sold or served for human consumption; to provide that the Department of Health shall establish reasonable standards and adopt rules and regulations; to provide for permits, and fees therefor; to provide for enforcement of the provisions of this act, and the suspension or revocation of permits, as prescribed; to provide duties for the Department of Health; to provide for disposition of fees; to provide for violations; to provide for penalties; to provide for the transfer of duties, powers, and functions from the Department of Agriculture and Inspection to the Department of Health with respect to administration of licensing and inspection of places where food is prepared, sold, or served for human consumption as provided in sections 81-2,111 to 81-2,121, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof; to provide duties for the Revisor of Statutes; to amend sections 41-106, 41-109, 41-110, 41-112, 41-113, 41-114, 41-115, and 41-116, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections, and also sections 41-104, 41-105, 41-107, and 41-108, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 377. By Otto Kotouc, Sr., 1st District; LeRoy Bahensky, 29th District; Otto H. Liebers, 18th District.

A bill for an act to amend section 81-2,164.03, Revised Statutes Supplement, 1953, relating to poultry and eggs; to eliminate the provision that no money from the General Fund of the state, or money raised by taxation or assessments made by the state or by any governmental agencies shall be appropriated or used for carrying out the provisions of sections 81-2,164.01 to 81-2,164.03, Revised Statutes Supplement, 1953; and to repeal the original section.

LEGISLATIVE BILL 378. By Otto Kotouc, Sr., 1st District.

A bill for an act relating to cities of the second class and villages;

to provide that such cities and villages shall have power to regulate and fix rates of public utilities including charges for meters.

LEGISLATIVE BILL 379. By Otto Kotouc, Sr., 1st District; William A. McHenry, 32nd District.

A bill for an act to amend section 75-201, Reissue Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to confer jurisdiction upon the State Railway Commission to regulate rates and services of, and to exercise a general control over, public service companies and public utilities; and to repeal the original section.

LEGISLATIVE BILL 380. By Hal Bridenbaugh, 13th District; Otto H. Liebers, 18th District.

A bill for an act to amend section 32-542, Reissue Revised Statutes of Nebraska, 1943, and sections 32-420 and 32-510, Revised Statutes Supplement, 1953, relating to elections; to change the form of ballot for primary election; to provide the manner of electing delegates and alternates to a national political convention; to provide conditions upon such candidates; to provide for designation upon the ballot of choice of delegate and alternate for President; to provide for petition for candidate for President; to provide for individuals from withdrawing from being a candidate for President; to provide penalties; and to repeal the original sections, and also sections 32-543, 32-544, and 32-545, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 381. By LeRoy Bahensky, 29th District; Arnold Ruhnke, 22nd District.

A bill for an act to amend section 39-810, Reissue Revised Statutes of Nebraska, 1943, relating to bridges; to increase the amount the county board may expend to repair bridges and approaches and build culverts and make improvements on roads; and to repeal the original section.

LEGISLATIVE BILL 382. By LeRoy Bahensky, 29th District; Glenn Cramer, 27th District.

A bill for an act relating to counties; to establish a classification of counties for the purpose of fixing salaries of county officers and their deputies; to increase the mileage allowance to certain county officers; to provide the effective date of such salaries; to amend section 23-1112, Reissue Revised Statutes of Nebraska, 1943; to provide for publication of salaries of county officers, deputies, clerks, and other employees of the county; to provide for payment of such salaries without filing claim therefor; to provide the effective date of such salaries;

and to repeal the original section and also sections 23-1114, 23-1115, 23-1116, and 23-1117, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 383. By Dwight W. Burney, 14th District, by request.

A bill for an act relating to mental health; to provide for a division of mental health under the Board of Control; to provide for a director of the division and his powers and duties; to provide for a committee to assist the director; to provide for the members of the committee; to exclude the study of health needs of mentally ill persons and mental diseases from the powers and duties of the State Board of Health; to amend section 71-2610, Revised Statutes Supplement, 1953; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 384. By Otto H. Liebers, 18th District; Amos Morrison, 42nd District; Otto Kotouc, Sr., 1st District.

A bill for an act to amend sections 31-801, 31-802, 31-803, 31-804, 31-807, 31-808, 31-810, 31-812, and 31-821, Revised Statutes Supplement, 1953, relating to watershed districts; to change the conditions for forming a watershed district; to modify the proceedings for establishing a watershed district; to provide for the election of directors of such a district; to reduce the number of votes required for approval for formation of a watershed district; to modify plans for approval by landowners; and to repeal the original sections.

LEGISLATIVE BILL 385. By Glenn Cramer, 27th District.

A bill for an act to amend sections 79-1419, 79-1422, 79-1439, 79-1443, and 79-1445, Reissue Revised Statutes of Nebraska, 1943, and sections 79-1421, 79-1423, 79-1428, and 79-1429, Revised Statutes Supplement, 1953, relating to vocational education; to provide what federal aid the State of Nebraska accepts; to designate the State Board of Education as the State Board of Vocational Education; to provide for officers and their duties; to provide powers and duties of the board, time and place for holding meetings, and reimbursement of expenses of the members; and to repeal the original sections, and also sections 79-1424, 79-1430, 79-1431, 79-1432, 79-1433, and 79-1434, Reissue Revised Statutes of Nebraska, 1943, and also sections 79-1425, 79-1426, and 79-1427, Revised Statutes Supplement, 1953.

LEGISLATIVE BILL 386. By John E. Beaver, 12th District.

A bill for an act to amend section 71-122, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supple-

ment, 1953, relating to public health and welfare; to increase the renewal fees of chiropractors; to increase the share of renewal fees to the use of the board of examiners in chiropractic; and to repeal the original sections.

LEGISLATIVE BILL 387. By K. W. Peterson, 35th District; Karl E. Vogel, 9th District; Otto Kotouc, Sr., 1st District.

A bill for an act to amend sections 39-1101 and 39-1107, Revised Statutes Supplement, 1953, relating to State Highway Commission; to eliminate the State Engineer as secretary; to provide that the State Engineer shall be an ex officio member of the commission; to provide for employment of a secretary; and to repeal the original sections.

LEGISLATIVE BILL 388. By Otto Kotouc, Sr., 1st District.

A bill for an act to amend section 8-601, Reissue Revised Statutes of Nebraska, 1943, relating to banks and banking; to include in the examination of banks, trust companies, building and loan associations, industrial loan and investment companies, and cooperative credit associations organized under the laws of this state, the salaries and expenses of examiners and examiners' helpers attending a school for examiners; and to repeal the original section.

LEGISLATIVE BILL 389. By Otto Kotouc, Sr., 1st District.

A bill for an act to amend sections 8-119, 8-120, and 8-121, Reissue Revised Statutes of Nebraska, 1943, relating to commercial banks; to provide when a charter may be issued; to provide for declaring of dividends and transferring of net earnings to capital stock and surplus; to provide for approval of wages; to eliminate the provisions for average daily deposits, annual statement, increases in capital stock and failure to comply; to restrict the conditions for accepting deposits; and to repeal the original sections.

LEGISLATIVE BILL 390. By William A. Metzger, 3rd District; William Moulton, 10th District.

A bill for an act to amend sections 31-727, 31-728, 31-729, 31-739, 31-740, 31-742, 31-744, 31-746, 31-749, 31-752, and 31-755, Reissue Revised Statutes of Nebraska, 1943, relating to sanitary and improvement districts; to provide for extending the provisions of sections 31-727 to 31-762, Reissue Revised Statutes of Nebraska, 1943, to include water systems, a system of public roads, streets, and highways, and authorize the construction and repair of the same; to provide for levies; to provide for issuance of bond; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 391. By Robert Perry, 20th District; Otto H. Liebers, 18th District.

A bill for an act to amend section 15-263, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the primary class; to provide for imprisonment for violation of city ordinances; and to repeal the original section.

LEGISLATIVE BILL 392. By Otto H. Liebers, 18th District; George Hoffmeister, 37th District; Donald F. McGinley, 39th District.

A bill for an act for submission to the electors of amendment to Article IV, section 25, of the Constitution of Nebraska, relating to the executive; to remove the provision that salaries of certain officers cannot be raised or lowered oftener than once in eight years; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballots; and to provide the effective date thereof.

LEGISLATIVE BILL 393. By Otto H. Liebers, 18th District; George Hoffmeister, 37th District; Donald F. McGinley, 39th District.

A bill for an act for submission to the electors of amendment to Article IV, section 1, of the Constitution of Nebraska, relating to the executive; to change the provisions requiring certain executive officers to reside at the seat of government; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; to provide the effective date of such proposed amendment if adopted; and to provide that the Governor, if such amendment is adopted, shall make a proclamation thereof as prescribed.

LEGISLATIVE BILL 394. By Robert Perry, 20th District; Otto Koutouc, Sr., 1st District.

A bill for an act to amend sections 11-201, 11-202, and 11-203, Reissue Revised Statutes of Nebraska, 1943, relating to bonds of officers and employees of the State of Nebraska; to transfer the duties heretofore performed by the Board of Educational Lands and Funds to the Director of Insurance; to change the time of filing report with the Legislature; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 395. By Robert Perry, 20th District; Kathleen A. Foote, 31st District.

A bill for an act to amend section 77-2004, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide exemptions and rates charged on taxation to immediate relatives; to define the persons to be included in the classification of immediate relatives; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 396. By Robert C. Brower, 26th District; Joseph D. Martin, 30th District.

A bill for an act relating to taxation; to provide for documentary tax upon the filing and recording of mineral lease and other writing; to provide the amount of the tax and manner of collection; to provide for distribution of the tax; to provide duties for the Auditor of Public Accounts; and to provide penalties.

LEGISLATIVE BILL 397. By Tom Adams, 19th District; Arnold Ruhnke, 22nd District.

A bill for an act relating to liquors; to provide a tax on beer containers; to provide for disposition of the tax; to provide for payment to persons presenting empty beer containers to clerks of cities and villages; to provide reimbursement to such clerk of cities and villages; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 398. By Glenn Cramer, 27th District; William A. Metzger, 3rd District; K. W. Peterson, 35th District.

A bill for an act to amend sections 79-426.03, 79-426.04, 79-426.07, 79-426.13, 79-426.14, and 79-426.18, Reissue Revised Statutes of Nebraska, 1943, and sections 79-426.08, 79-426.09, 79-426.12, and 79-426.15, Revised Statutes Supplement, 1953, relating to schools; to harmonize the provisions with previous legislation; to provide for the selection of the State Committee for the Reorganization of School Districts; to change the powers and duties of the state committee; to change the powers and duties of the county committee; to provide for school board or board of education when the new district involves territory in two or more counties; and to repeal the original sections.

LEGISLATIVE BILL 399. By John Adams, Sr., 5th District; K. W. Peterson, 35th District.

A bill for an act to amend section 71-1,104, Reissue Revised Statutes of Nebraska, 1943, relating to medicine and surgery; to provide that persons who are graduates of an accredited school or college of

osteopathy as defined in section 71-1,140, Reissue Revised Statutes of Nebraska, 1943, qualify in part for a license to practice medicine and surgery; and to repeal the original section.

LEGISLATIVE BILL 400. By Dwight W. Burney, 14th District; D. J. Cole, 40th District; Donald F. McGinley, 39th District.

A bill for an act relating to revenue and taxation; 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 abolish a head tax; and to provide for penalties.

LEGISLATIVE BILL 401. By Tom Adams, 19th District; Robert C. Brower, 26th District.

A bill for an act to amend section 24-334, Reissue Revised Statutes of Nebraska, 1943, relating to judicial bonds; to provide that no bond for injunction shall be required for the State of Nebraska, or any officer, board, commission, head of department, agent, or employee when a party litigant in its or his official capacity; and to repeal the original section.

LEGISLATIVE BILL 402. By Joseph D. Martin, 30th District; Robert C. Brower, 26th District; Earl J. Lee, 11th District.

A bill for an act to amend section 23-1115, Reissue Revised Statutes of Nebraska, 1943, relating to county judges; to increase the salaries of judges in certain counties, as prescribed; to provide when such increases shall become effective; and to repeal the original section.

LEGISLATIVE BILL 403. By Joseph D. Martin, 30th District; D. J. Cole, 40th District.

A bill for an act to amend sections 54-1102, 54-1103, 54-1104, 54-1105, 54-1106, 54-1110, and 54-1121, Reissue Revised Statutes of Nebraska, 1943, relating to livestock sales rings; to change the regulations governing livestock sales rings; to provide for certificate of conveni-

ence and procedure for obtaining one; to provide for fees; to provide weighmasters shall not have any interest in livestock weighed by him; to provide to whom records shall be accessible for examination; and to repeal the original sections.

LEGISLATIVE BILL 404. By Glenn Cramer, 27th District.

A bill for an act to amend section 28-1027, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to harmonize the provisions of the age of persons to whom cigars, tobacco, cigarettes, or cigarette material may be sold; and to repeal the original section.

LEGISLATIVE BILL 405. By William A. Metzger, 3rd District.

A bill for an act to amend section 44-1213, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to provide a tax on the gross premiums or deposits received from Nebraska subscribers of domestic reciprocal insurance organizations less amounts returned or credited to such subscribers in lieu of taxes on the intangible personal property of such organizations; to allocate such taxes collected to the Insurance Tax Fund; and to repeal the original section.

LEGISLATIVE BILL 406. By Otto H. Liebers, 18th District; Robert Perry, 20th District; Tom Adams, 19th District.

A bill for an act to amend section 79-408.02, Revised Statutes Supplement, 1953, relating to schools; to provide additional conditions for annexation of land to an adjoining district when it is reduced in size by the purchase or appropriation of land by the United States for any defense, flood control, irrigation, or war project; and to repeal the original section.

LEGISLATIVE BILL 407. By Joseph D. Martin, 30th District; Harry L. Pizer, 38th District.

A bill for an act relating to highways; to prescribe regulations for drivers of motor vehicles engaged in the transportation of explosive substances or inflammable liquids, requiring them to stop, look, and listen before crossing railroad tracks; to provide for violations; and to provide penalties.

LEGISLATIVE BILL 408. By Joseph D. Martin, 30th District.

A bill for an act to amend section 23-357, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide for destruction of

triplicate tax receipts in the office of the county treasurer over twenty-five years old; and to repeal the original section.

LEGISLATIVE BILL 409. By Tom Adams, 19th District; Norman A. Otto, 34th District.

A bill for an act to amend section 60-401, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to redefine terms; to provide for issuing a permit to operate a self-propelled scooter or self-propelled cycle of six-horsepower or less by any person over fourteen years of age upon passing an examination and pay a fee as prescribed; to provide exceptions; to provide for distribution of fees; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 410. By William Moulton, 10th District.

A bill for an act relating to crimes and punishments; to make it unlawful to solicit advertising in any county by any nonresident person, association, partnership, or corporation unless a certificate is obtained as prescribed; and to provide penalties.

LEGISLATIVE BILL 411. By Dwight W. Burney, 14th District.

A bill for an act to repeal sections 68-230, 72-1004, 72-1007, 77-512, 77-513, 77-514, 77-515, 77-516, and 77-517, Reissue Revised Statutes of Nebraska, 1943, and sections 72-1005, 72-1006, 85-172.03, and 85-172.04, Revised Statutes Supplement, 1953, relating to revenue and taxation.

LEGISLATIVE BILL 412. By Arnold Ruhnke, 22nd District; Charles F. Tvrdek, 7th District.

A bill for an act to regulate the transportation of explosives on the public highways; to define terms; to provide for violations; and to provide for penalties.

LEGISLATIVE BILL 413. By William A. McHenry, 32nd District; Earl J. Lee, 11th District; Monroe Bixler, 41st District.

A bill for an act relating to the State Capitol building; to provide for the appointment of the State Engineer as the consulting engineer for the State Capitol building; to define the duties of the consulting engineer and his compensation; to amend section 81-101, Reissue Revised Statutes of Nebraska, 1943, and section 81-108, Revised Statutes Supplement, 1953; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 414. By L. M. Shultz, 16th District; Tom Adams, 19th District.

A bill for an act to appropriate the sum of forty thousand dollars for the purpose of making improvements and alterations, and maintenance of the State Capitol; and to declare an emergency.

LEGISLATIVE BILL 415. By Amos Morrison, 42nd District; William A. Metzger, 3rd District; Joseph D. Martin, 30th District.

A bill for an act relating to oil and gas; to provide provisions when an offset well shall be drilled.

LEGISLATIVE BILL 416. By Amos Morrison, 42nd District.

A bill for an act to repeal sections 77-1222, 77-1223 and 77-1224, Reissue Revised Statutes of Nebraska, 1943, relating to taxation.

LEGISLATIVE BILL 417. By Amos Morrison, 42nd District; Donald F. McGinley, 39th District.

A bill for an act to amend section 28-1212, Revised Statutes Supplement, 1953, relating to crimes and punishments; to change the penalties for issuing, drawing, uttering, or delivering with intent to defraud, a check, draft, assignment of funds, or order for the payment of money; and to repeal the original section.

LEGISLATIVE BILL 418. By Earl J. Lee, 11th District; Mervin V. Bedford, 23rd District.

A bill for an act to amend section 44-309, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to authorize insurance companies to invest in evidences of indebtedness of a building and loan association organized under the laws of the State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 419. By Mervin V. Bedford, 23rd District.

A bill for an act to amend section 8-319, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to extend the powers of an association in making unsecured loans to its members; and to repeal the original section.

LEGISLATIVE BILL 420. By Mervin V. Bedford, 23rd District.

A bill for an act to amend section 8-320, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to permit investments by building and loan associations in the securities

and obligations of additional federal agencies; and to repeal the original section.

LEGISLATIVE BILL 421. By Earl J. Lee, 11th District; Mervin V. Bedford, 23rd District.

A bill for an act to amend section 8-303, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to increase the limit that may be loaned to a borrowing member; and to repeal the original section.

LEGISLATIVE BILL 422. By Glenn Cramer, 27th District.

A bill for an act to amend sections 79-431, 79-435, and 79-436, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide for preparation of the budget and duties of Commissioner of Education in regard thereto; to provide for certificate showing the amount of funds necessary to be raised by tax levy; to provide for the levy; and to repeal the original sections.

LEGISLATIVE BILL 423. By Glenn Cramer, 27th District.

A bill for an act to amend section 77-1601, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide additional duties for the county board of equalization in determining the county tax levy; and to repeal the original section.

LEGISLATIVE BILL 424. By Robert Perry, 20th District; Joseph D. Martin, 30th District.

A bill for an act to amend section 83-352, Reissue Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for payment of a patient's care and maintenance in a state hospital for the mentally ill, as prescribed; and to repeal the original section.

LEGISLATIVE BILL 425. By Robert Perry, 20th District.

A bill for an act to amend section 60-401, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to require persons operating a tractor on streets and highways to have a valid motor vehicle operator's license; and to repeal the original section.

LEGISLATIVE BILL 426. By Don Thompson, 33rd District.

A bill for an act to amend section 16-703, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to change the number of legal voters required to initiate or approve the establishment of a recreation fund in such cities; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 427. By Don Thompson, 33rd District.

A bill for an act to amend sections 79-1315, 79-1316, and 79-1318, Reissue Revised Statutes of Nebraska, 1943, relating to flood control funds; to change the method of distributing the Flood Control Fund to the counties; and to repeal the original sections.

LEGISLATIVE BILL 428. By Don Thompson, 33rd District.

A bill for an act to amend sections 46-233, 46-241, 46-242, 46-252, and 46-273, Reissue Revised Statutes of Nebraska, 1943, relating to irrigation; to eliminate the requirement for issuance and filing a certificate of appropriation; to provide for designating later priority dates, as prescribed; to require applicants to make a showing of acquiring interest in storage reservoirs; to provide for deductions for loss of water in transit; and to repeal the original sections, and also sections 46-232 and 46-239, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 429. By Don Thompson, 33rd District; Arthur W. Swanson, 36th District; Otto Kotouc, Sr., 1st District.

A bill for an act to amend section 2-201, Reissue Revised Statutes of Nebraska, 1943, relating to county agricultural societies and fairs; to provide that after the effective date of this act a new society shall not be formed in the county if one then exists; and to repeal the original section.

LEGISLATIVE BILL 430. By Don Thompson, 33rd District; Harry L. Pizer, 38th District; Arthur W. Swanson, 36th District.

A bill for an act to amend section 2-203.03, Reissue Revised Statutes of Nebraska, 1943, relating to county agricultural societies and fairs; to remove the limitations on the one-fourth mill levy for premiums and permanent improvements; and to repeal the original section.

LEGISLATIVE BILL 431. By O. H. Person, 17th District.

A bill for an act relating to livestock; to provide that the Director of the Department of Agriculture and Inspection shall have power to promulgate rules and regulations for the purpose of carrying out a swine brucellosis eradication and control plan; to provide for defining certified brucellosis free swine herds; and to provide the manner of carrying out the program.

LEGISLATIVE BILL 432. By Karl E. Vogel, 9th District; George Syas, 4th District; William Moulton, 10th District.

A bill for an act to amend section 77-2510, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide that the money heretofore appropriated and credited to the use of the Tax Appraisal Board Revolving Fund shall not revert to the General Fund until June 30, 1956; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 433. By Earl J. Lee, 11th District; Arthur W. Swanson, 36th District; Joseph D. Martin, 30th District.

A bill for an act to amend sections 17-510 and 17-511, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class; to reduce the number of signers required to protest improvements and assessments; to eliminate the requirement that persons signing the petitions must be resident owners; and to repeal the original sections.

LEGISLATIVE BILL 434. By George Syas, 4th District.

A bill for an act to amend section 83-337, Reissue Revised Statutes of Nebraska, 1943, relating to county boards of mental health; to increase the compensation of members of the board of mental health in counties having a population of more than two hundred thousand inhabitants; to provide when such increase shall become effective; and to repeal the original section.

LEGISLATIVE BILL 435. By Earl J. Lee, 11th District; Lester H. Anderson, 25th District; John E. Beaver, 12th District.

A bill for an act relating to the military department; to provide for ordering retired officers to duty; to provide for advancement in grade of retiring officers; to provide for leave of absence from civil employment; to provide penalties; to revise the courts-martial procedure; to amend section 55-173, Reissue Revised Statutes of Nebraska, 1943, and section 55-161, Revised Statutes Supplement, 1953; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 436. By William A. Metzger, 3rd District; K. W. Peterson, 35th District.

A bill for an act relating to taxation; to provide an additional tax

of one cent per gallon upon all motor vehicle fuels for a period of two years from and after the effective date of this act; and to provide for the collection, allocation, and distribution of the tax imposed by this act.

LEGISLATIVE BILL 437. By K. W. Peterson, 35th District; LeRoy Bahensky, 29th District.

A bill for an act to repeal sections 37-523 and 37-524, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish.

LEGISLATIVE BILL 438. By K. W. Peterson, 35th District; William A. Metzger, 3rd District; LeRoy Bahensky, 29th District.

A bill for an act to amend section 83-134, Revised Statutes Supplement, 1953, relating to state institutions; to provide when the Board of Control may build a building at the penitentiary costing more than fifteen thousand dollars without estimates and not by contract; and to repeal the original section.

LEGISLATIVE BILL 439. By K. W. Peterson, 35th District; William Moulton, 10th District.

A bill for an act to amend section 71-1,141, Reissue Revised Statutes of Nebraska, 1943, relating to public health and welfare; to require additional qualifications of persons licensed to practice osteopathy beginning September 1, 1956; and to repeal the original section.

LEGISLATIVE BILL 440. By K. W. Peterson, 35th District; LeRoy Bahensky, 29th District; George Hoffmeister, 37th District.

A bill for an act to establish the State Board of Tax Review and Adjustment; to provide for its powers and duties; to provide for the members of the board, their appointment, qualifications, oath, bond, compensation, term of office, and duties; to transfer certain duties of the Tax Commissioner and State Board of Equalization and Assessment to the State Board of Tax Review; to amend sections 77-303, 77-304, 77-306, 77-307, 77-308, 77-309, 77-310, and 77-315, Reissue Revised Statutes of Nebraska, 1943, and section 77-305, Revised Statutes Supplement, 1953; and to repeal the original sections.

LEGISLATIVE BILL 441. By K. W. Peterson, 35th District; LeRoy Bahensky, 29th District.

A bill for an act to amend section 46-541, Revised Statutes Sup-

plement, 1953, relating to reclamation districts; to provide for continuation or dissolution of districts when bona fide construction of the works has not been entered into within a five-year period; and to repeal the original section.

LEGISLATIVE BILL 442. By K. W. Peterson, 35th District; D. J. Cole, 40th District; A. A. Fenske, 43rd District.

A bill for an act relating to the regulation of the issue, sale, gift, or other disposition, or use of trading stamps, as defined, for or with the sale of tangible personal property or services; to provide for the escheat to the state of the redeemable face value of trading stamps not redeemed within a specified period of time; to provide for penalties for the violation of this act; and to provide remedies for the enforcement of this act.

LEGISLATIVE BILL 443. By Tom Adams, 19th District; Robert Perry, 20th District.

A bill for an act to amend section 36-301, Reissue Revised Statutes of Nebraska, 1943, relating to chattel mortgages; to provide that when a lease, in which there is an agreement to execute a chattel mortgage, the county clerk shall show the lease on his chattel mortgage records; and to repeal the original section.

LEGISLATIVE BILL 444. By John Adams, Sr., 5th District.

A bill for an act to amend 18-206, Reissue Revised Statutes of Nebraska, 1943, relating to police magistrates; to provide that fines and costs may be worded out at the rate of three dollars per day; and to repeal the original section.

LEGISLATIVE BILL 445. By William Moulton, 10th District; Amos Morrison, 42nd District; LeRoy Bahensky, 29th District.

A bill for an act relating to public health and welfare; to provide for the practice of massage by requiring a license; to provide for a Board of Examiners in Massage and the qualifications, terms of office, and compensation of the members of the board; to define terms; to provide for fees, and disposition thereof; to provide for qualifications to practice massage and for schools and establishments of massage.

LEGISLATIVE BILL 446. By Earl J. Lee, 11th District; Norman A. Otto, 34th District; John J. Larkin, Jr., 8th District.

A bill for an act to amend section 52-118, Revised Statutes Supple-

ment, 1953, relating to public lands and buildings; to provide that the surety bond for the benefit of laborers, mechanics, and materialmen shall have a corporate surety; to extend the work to be covered by contract; to provide for action on the bond; to recover for labor or material; to provide the venue for such actions, process, and in whose name to be instituted; and to repeal the original section.

LEGISLATIVE BILL 447. By Tom Adams, 19th District; Robert Perry, 20th District; Otto H. Liebers, 18th District.

A bill for an act to amend section 31-514, Reissue Revised Statutes of Nebraska, 1943, relating to sanitary districts; to authorize deferred assessments against property not specially benefited to be collected in event such property is later connected to sanitary sewers; to provide that such collections shall be in the form of a connection charge; to provide for filing of certificates of such deferred assessment; to provide that such deferred assessments shall not constitute a lien; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 448. By Charles F. Tvrdik, 7th District; Sam Klaver, 6th District.

A bill for an act creating a merit system in counties having a population of two hundred thousand inhabitants or more when approved by a majority of the voters of the county; 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 449. By Charles F. Tvrdik, 7th District; Sam Klaver, 6th District; William Moulton, 10th District.

A bill for an act to amend sections 14-1323 and 14-1325, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide for a total contribution to the retirement fund of the university and to Social Security of seven and one half per cent of annual compensation and a like amount by the municipal university for employees who may become eligible to the benefits of Old Age and Survivors Insurance under the provisions of section 218d of the Social Security Act as amended by Public Law 761, 83rd Congress; to provide that the benefits provided for employees of a municipal university un-

der any contributory plan adopted by the board of regents under the authority of section 14-1321, Reissue Revised Statutes of Nebraska, 1943, subsequent to the effective date of this act shall be supplemental to the benefits provided under the Social Security Act; to provide that the employees of a municipal university who are participating in an existing retirement system shall constitute a separate coverage group for exclusion or inclusion under a state social security agreement with the federal government; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 450. By John Adams, Sr., 5th District.

A bill for an act to amend section 33-128, Revised Statutes Supplement, 1953, relating to counties; to increase the salaries of members of county boards in counties having a population of over sixty thousand inhabitants; to provide when a change in the salary of such officers shall become effective; and to repeal the original section.

SELECT FILE

LEGISLATIVE BILL 51. E and R amendment found in the Legislative Journal for the Nineteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 52. E and R amendment found in the Legislative Journal for the Nineteenth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 63. E and R amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 13. E and R amendments found in the Legislative Journal for the Nineteenth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 49. Advanced to E and R for engrossment.

LEGISLATIVE BILL 14. E and R amendments found in the Legisla-

Legislative Journal for the Nineteenth Day were adopted.

Mr. Anderson asked unanimous consent that LB 14 be returned to General File for the following specific amendments:

Amend LB 14, page 3, line 46 by inserting after the word "you" the following: "or has any member of your household".

Amend Line 47 by inserting after the word "you" the following: "or any member of your family".

No objections. So ordered.

LEGISLATIVE BILL 68. Advanced to E and R for engrossment.

RECESS

At 12:07 p.m., on a motion by Mr. Burney, the Legislature recessed until 4:30 p.m.

AFTER RECESS

The Legislature reconvened at 4:34 p.m., President Warner presiding.

The roll was called and all members were present.

MOTION—Reconsider Action, LB 15

Mr. President: I move that the Legislature reconsider its action on LB 15 and that the bill be returned to final reading in its original form. (Signed) Ernest A. Hubka.

Mr. Metzger requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Klaver moved that the Call be raised. The motion prevailed.

The Hubka motion prevailed with 27 ayes, 14 nays and 2 not voting.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 15. With emergency.

A bill for an act to amend section 66-422, Reissue Revised Stat-

utes of Nebraska, 1943, relating to motor vehicle fuels; to provide that the Gasoline Tax Fund allocated by subdivision (4) of section 66-424.01, Revised Statutes Supplement, 1953, shall be transferred by the State Treasurer, on the tenth day of each month, proportionately upon the same formula as the Gasoline Tax Fund was distributed during the month of July, 1954; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 29:

Adams, J.	Fenske	Liebers	Pizer
Adams, T.	Foote	McGinley	Purdy
Anderson	Hoffmeister	Martin	Shultz
Beaver	Hubka	Metzger	Swanson
Bixler	Klaver	Morrison	Syas
Burney	Larkin	Moulton	Tvrdik
Cramer	Lee	Perry	Vogel
Diers			

Voting in the negative, 14:

Aufenkamp	Brower	Nelson	Peterson
Bahensky	Cole	Otto	Ruhnke
Bedford	Kotouc	Person	Thompson
Bridenbaugh	McHenry		

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.

MOTION—Adjourn

Mr. President: I move that we adjourn until 10:00 a.m., Tuesday, February 1, 1955. (Signed) O. H. Person

The motion lost with 13 ayes, 26 nays and 4 not voting.

Appreciation

Mr. Vogel expressed his appreciation for the floral tribute sent to the funeral of his sister.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 451. By Joseph D. Martin, 30th District; Robert Perry, 20th District.

A bill for an act to amend section 39-616, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to change the penalty of careless operation of motor vehicles upon state highways; and to repeal the original section.

LEGISLATIVE BILL 452. By Joseph D. Martin, 30th District.

A bill for an act to amend section 39-721, Revised Statutes Supplement, 1953, relating to highways; to extend the length of a tractor and semitrailer when combined that may be operated upon the highways; and to repeal the original section.

LEGISLATIVE BILL 453. By Joseph D. Martin, 30th District; Robert Perry, 20th District.

A bill for an act to amend section 77-2024, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide when the costs and appraisers fee shall be assessed as court costs by the county judge in proceeding to determine the amount of inheritance due the state, if any; and to repeal the original section.

LEGISLATIVE BILL 454. By William Moulton, 10th District; Karl E. Vogel, 9th District.

A bill for an act establishing a Parking Authority; to provide for its members; to provide for the appointment, tenure of office, duties, compensation, and qualifications of the members; to provide for powers and duties of the authority; to provide for issuance of bonds and the procedure therefor; and to declare an emergency.

LEGISLATIVE BILL 455. By William Moulton, 10th District.

A bill for an act to amend section 75-105, Revised Statutes Supplement, 1953, relating to the State Railway Commission; to provide that the salary of the secretary shall be fixed by the commission, payable monthly; to provide when a change in the salary may become effective; and to repeal the original section.

LEGISLATIVE BILL 456. By Arthur W. Swanson, 36th District; William Moulton, 10th District.

A bill for an act to amend sections 57-505 and 57-506, Reissue Revised Statutes of Nebraska, 1943, relating to liquefied petroleum gas; to provide for filling of a cylinder with a liquefied petroleum gas by

any person other than the owner thereof; to provide for search warrant and procedure for unlawful use; to provide for violations; to provide for penalties; and to repeal the original sections.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 15. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 15

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 457. By William Moulton, 10th District.

A bill for an act relating to court reporters for the district court; to provide for a retirement system and retirement fund for such court reporters; to create a retirement board to administer such system and fund; to provide the duties of such retirement board and other state officers in the administration of the retirement system and retirement fund; to prescribe the conditions of eligibility for retirement; to prescribe for deductions from salaries of district court reporters to cover contributions to such retirement fund; to provide for appropriations by the Legislature to supplement such retirement fund; to provide for payments of benefits upon death or disability of such court reporters; and to provide the amount of such retirement benefits and for the payment thereof.

LEGISLATIVE BILL 458. By Joseph D. Martin, 30th District; William Moulton, 10th District.

A bill for an act relating to aircraft gasoline tax; to provide for distribution of a portion of such tax to municipalities, as prescribed; to amend section 3-148, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original section.

LEGISLATIVE BILL 459. By John Adams, Sr., 5th District; George Syas, 4th District; Charles F. Tvrdik, 7th District.

A bill for an act relating to cities of the metropolitan class; to authorize the board of directors of the metropolitan utilities district to introduce into the water supply under its control fluoride compound when approved by the electors of the district, as prescribed; and to eliminate certain liabilities.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Syas asked unanimous consent to add the names of William Moulton, 10th District; John J. Larkin, Jr., 8th District; Sam Klaver, 6th District; and Karl E. Vogel, 9th District, as co-introducers of LB 459. No objections. So ordered.

LEGISLATIVE BILL 460. By Norman A. Otto, 34th District, by request.

A bill for an act to amend sections 71-1,132.05, 71-1,132.06, 71-1,132.07, 71-1,132.08, 71-1,132.20, 71-1,132.24, and 71-1,132.25, Revised Statutes Supplement, 1953, relating to nursing; to redefine terms; to provide for the examination, licensing, and regulation of persons to practice practical nursing; to provide for license fees; to provide for violation; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 461. By Norman A. Otto, 34th District.

A bill for an act to amend section 48-212, Reissue Revised Statutes of Nebraska, 1943, relating to employment regulations; to change the provisions of the lunch hour requirements; and to repeal the original section.

LEGISLATIVE BILL 462. By Dwight W. Burney, 14th District; Monroe Bixler, 41st District; William A. McHenry, 32nd District, by request.

A bill for an act relating to the Department of Roads and Irrigation; to define terms; to provide for the establishment and administration of a retirement system for the State Engineer and employees of the Department of Roads and Irrigation of the State of Nebraska not already covered by retirement plans, and supplementing the federal Social Security system benefits; to provide funds for the payment of retirement benefits and the administration of the retirement system by the Board of Educational Lands and Funds; to prescribe the conditions for eligibility to receive such benefits; to provide for contribution by the Department of Roads and Irrigation to such retirement system; to make certain acts unlawful; to provide for penalties; and to declare an emergency.

LEGISLATIVE BILL 463. By William Moulton, 10th District.

A bill for an act relating to courts of limited jurisdiction; to provide for pleas of guilty and nolo contendere in county, municipal, and justice of the peace courts in the form of a written power of attorney except as prescribed.

LEGISLATIVE BILL 464. By Norman A. Otto, 34th District; LeRoy Bahensky, 29th District; Frank Nelson, 28th District.

A bill for an act to amend sections 60-311.05, 60-311.06, and 60-311.07, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for issuance of distinctive registration plates to holders of amateur radio station licenses in lieu of regular registration plates; to prescribe the fee for issuance of such plates; to prescribe the duties of certain public officials; and to repeal the original sections.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Otto asked unanimous consent to add the name of Joseph D. Martin, 30th District, as a co-introducer of LB 464. No objections. So ordered.

LEGISLATIVE BILL 465. By Arnold Ruhnke, 22nd District, Joseph D. Martin, 30th District.

A bill for an act for submission to the electors of an amendment to Article IV, section 20, of the Constitution of Nebraska, relating to executive departments; to change the name of the State Railway Commission to Public Utilities Commission; to provide for appointment of the members by the Governor, subject to approval of the Legislature, and their salaries; to provide that the powers and duties of the commission shall be prescribed by the Legislature; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956, to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

LEGISLATIVE BILL 466. By William Moulton, 10th District.

A bill for an act to amend sections 60-605, 60-606, 60-607, 60-110, and 60-611, Reissue Revised Statutes of Nebraska, 1943, and sections 60-320 and 60-601, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for use of dealer license plates; to redefine terms; to redefine classes of motor vehicle dealer's license; to provide for license fees; to provide for change of address; to include

additional grounds for denial or revocation of licenses; and to repeal the original sections.

LEGISLATIVE BILL 467. By Robert Perry, 20th District; Charles F. Tvrdik, 7th District; Earl J. Lee, 11th District.

A bill for an act to amend sections 24-211, 48-814, 49-703, and 49-703.01, Reissue Revised Statutes of Nebraska, 1943, relating to courts; to increase the salaries of the Clerk and Reporter of the Supreme Court, and the Revisor of Statutes; to provide that the Clerk of the Supreme Court shall receive no additional salary as an officer or employee of the Court of Industrial Relations after January 1, 1957; to provide that the Revisor of Statutes shall be relieved of certain duties and the salary therefor after January 1, 1957; to provide when the increases in salaries as prescribed shall become effective; and to repeal the original sections, and also section 49-703.02, Reissue Revised Statutes of Nebraska, 1943.

LEGISLATIVE BILL 468. By Robert C. Brower, 26th District.

A bill for an act to amend section 17-503, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to provide the manner of selling and conveying real estate of such a city or village when the value is five hundred dollars or less; and to repeal the original section.

LEGISLATIVE BILL 469. By John J. Larkin, Jr., 8th District; Charles F. Tvrdik, 7th District.

A bill for an act relating to the court reporters of the district court; to provide for a retirement system and retirement fund for the court reporters; to create a retirement board to administer such fund; and to prescribe court fees to be taxed as costs in certain cases and the disposition thereof.

LEGISLATIVE BILL 470. By John J. Larkin, Jr., 8th District; Norman A. Otto, 34th District.

A bill for an act to amend section 53-112, Reissue Revised Statutes of Nebraska, 1943, relating to Liquor Control Commission; to increase the salaries of the members and secretary of the Liquor Control Commission; to provide when the increases shall become effective; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 471. By O. H. Person, 17th District.

A bill for an act to amend section 54-764, Reissue Revised Statutes

of Nebraska, 1943, and section 54-766.11, Revised Statutes Supplement, 1953, relating to livestock; to make it mandatory that official calfhood and adult vaccination of cattle shall be employed under the Bang's disease program; and to repeal the original sections.

LEGISLATIVE BILL 472. By Robert Perry, 20th District.

A bill for an act to amend section 53-1,116, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide for appeals from the Liquor Control Commission, as prescribed; and to repeal the original section.

LEGISLATIVE BILL 473. By Robert Perry, 20th District.

A bill for an act to amend sections 21-1,130, 21-303, 21-304, 21-306, 21-307, 21-309, 21-313, 21-841, 21-847, and 33-101, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to provide for revival of the corporate name when a corporation has been dissolved for nonpayment of annual fees and penalties; to provide for every corporation for profit registered in the office of Secretary of State on January 1 to pay an annual fee which will be due on January 1 and delinquent July 1; to change the date of annual report of foreign corporations; to provide that domestic nonprofit corporations with or without capital stock shall make annual report, as prescribed and pay a fee of ten dollars; to provide penalty for failure to pay fees before delinquent; to provide additional requirement for contents of articles of incorporation of religious associations; to change the manner of charging for exemplifications of records in the office of Secretary of State; and to repeal the original sections.

LEGISLATIVE BILL 474. By Donald F. McGinley, 39th District; L. M. Shultz, 16th District.

A bill for an act to amend section 79-4,102, Revised Statutes Supplement, 1953, relating to schools; to increase the rate for high school tuition; to harmonize the provisions with previous legislation; and to repeal the original section.

LEGISLATIVE BILL 475. By Tom Adams, 19th District.

A bill for an act relating to newspapers; to define terms; to provide the conditions of selling political advertising; to provide the conditions of publishing letters or communications; to provide for violation; and to provide for penalties.

LEGISLATIVE BILL 476. By Donald F. McGinley, 39th District; Sam Klaver, 6th District.

A bill for an act to amend sections 68-402 and 68-404, Revised Statutes Supplement, 1953, relating to blind assistance; to redefine who shall be eligible for assistance; to increase the assistance allowance; and to repeal the original sections.

LEGISLATIVE BILL 477. By Frank Nelson, 28th District.

A bill for an act to amend sections 88-201, 88-203, and 88-206, Revised Statutes Supplement, 1953, relating to public grain warehouses; to provide who shall be required to procure a public grain warehouse license; to increase license fees; to provide that receipts for grain shall be registered with the Nebraska State Railway Commission; and to repeal the original sections.

LEGISLATIVE BILL 478. By John Adams, Sr., 5th District.

A bill for an act relating to civil procedure; to provide for interest on judgments for property damage arising out of motor vehicle accidents as prescribed; and to provide for attorney fees to be taxed as costs in certain actions involving property damage arising out of motor vehicle accidents, as prescribed.

LEGISLATIVE BILL 479. By Otto H. Liebers, 18th District; Charles F. Tvrdik, 7th District.

A bill for an act to amend sections 14-1602, 14-1603, 14-1604, 14-1615, 14-1616, and 14-1623, Reissue Revised Statutes of Nebraska, 1943, relating to slum clearance; to redefine terms; to provide that the provisions of sections 14-1601 to 14-1643, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, shall be intended to include cities of primary and first class; to provide for a redevelopment authority; to provide for the governing board of such authority; to provide for the members of the governing board, their appointment, compensation, qualifications, and duties; to provide additional authority; to provide for acquiring land outside of cities; and to repeal the original sections.

LEGISLATIVE BILL 480. By Charles F. Tvrdik, 7th District; Otto H. Liebers, 18th District.

A bill for an act relating to taxation; to provide the manner and method of assessment, levy, and collection of taxes on motor vehicles on and after January 1, 1956; to define terms; to prescribe the duties of public officers in connection with the assessment, levy, and collection of such taxes; to provide the procedure to be followed; to provide for the distribution of such taxes when collected; and to repeal sections 77-1238, 77-1239, 77-1239.01, 77-1239.02, 77-1240, 77-1240.01, 77-1240.02,

77-1240.03, 77-1240.04, 77-1241, 77-1241.01, 77-1242, 77-1242.01, and 77-1242.02, Revised Statutes Supplement, 1953.

LEGISLATIVE BILL 481. By William E. Purdy, 15th District.

A bill for an act relating to liquors; to prescribe additional qualifications for an applicant for a license to sell alcoholic beverages at retail; to provide exceptions; to prescribe the powers and duties of the Liquor Control Commission with respect to such application; and to provide for revocation of licenses and denial of applications for license for violation of prescribed conditions of this act.

LEGISLATIVE BILL 482. By William E. Purdy, 15th District.

A bill for an act to amend section 37-211, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to increase the permit fee for nonresident fur buyers; and to repeal the original section.

LEGISLATIVE BILL 483. By Robert Perry, 20th District; Charles F. Tvrdik, 7th District; Tom Adams, 19th District.

A bill for an act to amend section 26-102, Reissue Revised Statutes of Nebraska, 1943, and section 26-106, Revised Statutes Supplement, 1953, relating to municipal courts in cities of the metropolitan and primary class; to reduce the number of municipal judges in metropolitan cities; to provide for increase in salaries to judges and clerks of municipal courts of cities of the metropolitan and primary class; to provide the effective date of such increase in salaries; and to repeal the original sections.

LEGISLATIVE BILL 484. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 59-1202, Reissue Revised Statutes of Nebraska, 1943, relating to monopolies and unlawful combinations; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 485. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 44-1603, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to revise the provisions governing the issuance of group life insurance policies issued to creditors in order to make creditor group life insurance available to debtors, including farmers, who do not repay their debts in installments; and to repeal the original section.

LEGISLATIVE BILL 486. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 60-330, Revised Statutes Sup-

plement, 1953, relating to motor vehicles; to clarify the law providing for the registration of farm or local trucks or truck-tractors; and to repeal the original section.

LEGISLATIVE BILL 487. By Charles F. Tvrdik, 7th District.

A bill for an act relating to the code of civil procedure; to provide for contribution among tortfeasors and release of tortfeasors; to provide procedure enabling recovery of contribution; to provide procedure in the trial of cases against tortfeasors; and to make uniform the law with reference thereto.

LEGISLATIVE BILL 488. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 35-302, Revised Statutes Supplement, 1953, relating to fire companies and firemen; to clarify the hours of duty and compensation of firemen of a paid fire department; and to repeal the original section.

LEGISLATIVE BILL 489. By Charles F. Tvrdik, 7th District.

A bill for an act relating to cities of the metropolitan class; to provide that a metropolitan utilities district may operate any disposal plant and sewerage system and bill and collect service charges for use of any disposal plant and sewerage system, including any storm sewer system, when requested by the metropolitan city; to provide for costs of collection; and to provide for collection of unpaid bills.

LEGISLATIVE BILL 490. By Charles F. Tvrdik, 7th District.

A bill for an act to repeal Chapter 19, article 3, Reissue Revised Statutes of Nebraska, 1943, relating to plumbing inspections in cities of the metropolitan and primary class.

LEGISLATIVE BILL 491. By Charles F. Tvrdik, 7th District.

A bill for an act to amend section 48-654, Revised Statutes Supplement, 1953, relating to unemployment compensation; to require the transfer of experience account to a transferee-employer as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 492. By Charles F. Tvrdik, 7th District.

A bill for an act relating to motor vehicles; to provide for equipment to minimize the spray or splash of water or mud to the rear of motor vehicles and semitrailers, as prescribed; and to provide penalties.

LEGISLATIVE BILL 493. By K. W. Peterson, 35th District; William Moulton, 10th District; L. M. Shultz, 16th District.

A bill for an act to amend section 39-720, Reissue Revised Statutes of Nebraska, 1943, and sections 39-721, 39-722, 39-723.03, 39-723.06, 39-723.07, and 39-723.08, Revised Statutes Supplement, 1953, relating to highways; to extend the limitation on height and length of vehicles that may lawfully use the highways of this state; to change weight limits on motor vehicles; to remove the maximum tolerance provisions; and to repeal the original sections.

LEGISLATIVE BILL 494. By William Moulton, 10th District.

A bill for an act to amend section 26-209, Reissue Revised Statutes of Nebraska, 1943; to change the qualifications of a judge of the municipal court; and to repeal the original section.

LEGISLATIVE BILL 495. By Joseph D. Martin, 30th District.

A bill for an act to amend section 60-332, Revised Statutes Supplement, 1953, relating to motor vehicles; to change the manner of determining the registration fee of commercial trailers; and to repeal the original section.

LEGISLATIVE BILL 496. By Norman A. Otto, 34th District; Kathleen A. Foote, 31st District, by request.

A bill for an act relating to schools; to provide for state financial support of local schools, as prescribed; to provide for funds and distribution thereof; and to provide for biennial appropriations from the state General Fund.

LEGISLATIVE BILL 497. By Karl E. Vogel, 9th District; George Syas, 4th District; Charles F. Tvrdik, 7th District.

A bill for an act to amend section 71-1631, Revised Statutes Supplement, 1953, relating to public health and welfare; to authorize a board of health in counties having a population of more than two hundred thousand inhabitants to enact rules and regulations for the prevention of disease and for protection of public health beyond the jurisdictional limits of cities of the metropolitan class; to provide that the county attorney or the city attorney shall be the legal advisor for the board, who shall receive no additional compensation from the board; and to repeal the original section.

LEGISLATIVE BILL 498. By Otto Kotouc, Sr., 1st District; K. W. Peterson, 35th District.

A bill for an act to define and regulate public auction sales; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 499. By Arnold Ruhnke, 22nd District; William A. McHenry, 32nd District.

A bill for an act to amend sections 2-910 and 2-943, Reissue Revised Statutes of Nebraska, 1943, relating to weed eradication and control; to redefine terms; to include insecticides from the chemical material authorized to be sold by supervisors of weed districts; and to repeal the original sections.

LEGISLATIVE BILL 500. By Kathleen A. Foote, 31st District; William A. McHenry, 32nd District.

A bill for an act to authorize the Governor to sell at public auction and convey certain real estate; and to provide for disposition of the proceeds of such sale.

LEGISLATIVE BILL 501. By K. W. Peterson, 35th District.

A bill for an act to amend section 70-628.01, Reissue Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to provide that such districts engaged in the sale of electric energy, either at wholesale or retail, in more than thirteen counties in this state, may combine, merge, sell, or consolidate all or a major portion of their property or properties, to or with another such district or the property or properties of any such other district; to provide that in the event of such combination, merger, sale, or consolidation, for the election of the directors of such enlarged district; to require such enlarged district to amend the petition for its creation; and to repeal the original section.

LEGISLATIVE BILL 502. By K. W. Peterson, 35th District, by request.

A bill for an act relating to primary elections; to provide for the nomination and election of the members of the National Committees of the several parties; and to provide for certificates of election.

LEGISLATIVE BILL 503. By K. W. Peterson, 35th District.

A bill for an act to amend section 12-701, Reissue Revised Statutes of Nebraska, 1943, relating to cemeteries; to provide that the pro-

visions of Chapter 12, article 7, Reissue Revised Statutes of Nebraska, 1943, shall apply to cemeteries of townships; and to repeal the original section.

LEGISLATIVE BILL 504. By K. W. Peterson, 35th District.

A bill for an act relating to real property; to provide for platting of lands, both within and without the corporate limits of any city or village, where the same cannot be described except by metes and bounds; to provide the duties of certain public officials upon the failure of any owner of such lands to plat the same; and to provide for the imposition and collection of tax where the owner of such lands fails to comply with this act.

LEGISLATIVE BILL 505. By K. W. Peterson, 35th District.

A bill for an act to amend sections 2-304, 2-503, 2-603, 2-703, 2-804, 2-1212, 3-105, 48-166, 51-106, 75-110, 79-1435, 81-117, 81-153, 81-530, 81-806, 81-822, 81-846, 82-102, 83-112, and 84-702, Reissue Revised Statutes of Nebraska, 1943, and sections 48-606, 51-403, 55-148, and 81-106, Revised Statutes Supplement, 1953, relating to state government; to provide that reports required to be made by the various departments, officers, boards, and commissions shall be based on the fiscal year; and to repeal the original sections.

LEGISLATIVE BILL 506. By Ernest A. Hubka, 21st District.

A bill for an act to amend section 60-311, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that the number plates shall have displayed thereon the words "Homestead State" in suitable letters and attractive design to be adopted by the Department of Roads and Irrigation; and to repeal the original section.

LEGISLATIVE BILL 507. By Ernest A. Hubka, 21st District.

A bill for an act to amend section 76-717, Revised Statutes Supplement, 1953, relating to eminent domain; to provide the procedure for taking an appeal to the district court from an assessment of damages by appraisers; to provide for filing of petition on appeal by the condemnnee within a specified time; to provide the manner in which issues shall be made up and tried in the district court on appeal; and to repeal the original section.

LEGISLATIVE BILL 508. By Ernest A. Hubka, 21st District.

A bill for an act to amend sections 38-121, 38-122, and 38-123, Reissue Revised Statutes of Nebraska, 1943, relating to guardian and ward;

to increase the value of the small estate that may be disposed of without guardianship proceedings; and to repeal the original sections.

LEGISLATIVE BILL 509. By D. J. Cole, 40th District; Joseph D. Martin, 30th District; Norman A. Otto, 34th District.

A bill for an act to amend section 39-7,128, Revised Statutes Supplement, 1953, relating to highways; to change the manner of determining points for successive traffic violations; and to repeal the original section.

LEGISLATIVE BILL 510. By Tom Adams, 19th District; Dwight W. Burney, 14th District.

A bill for an act to provide for a tax on incomes; to authorize the Tax Commissioner to promulgate rules and regulations to facilitate collection and enforcement of the tax so authorized; and to provide penalties.

LEGISLATIVE BILL 511. By Tom Adams, 19th District.

A bill for an act relating to Civil Defense; to establish an advisory board; to provide for the members of the board, their duties, compensation, and expenses; to provide for organization of the members of the board; to provide the purpose of the board and meetings; to appropriate ten thousand dollars for the biennium ending June 30, 1955 to aid in developing the Civil Air Patrol of Nebraska and in utilizing its services; and to declare an emergency.

LEGISLATIVE BILL 512. By William Moulton, 10th District; H. K. Diers, 24th District.

A bill for an act to amend sections 72-706, 72-707, 72-708, and 72-709, Reissue Revised Statutes of Nebraska, 1943, relating to the duties of the Governor with reference to public buildings and grounds; to authorize the Governor to appoint a Superintendent of Buildings and Grounds and to define his duties; to authorize the Governor to adopt rules and regulations for the parking of motor vehicles on the approaches to the capitol building and on lands adjacent to the capitol grounds owned by the State of Nebraska; to provide penalties for violation of such rules and regulations; to repeal the original sections, and also sections 72-704 and 72-705, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

LEGISLATIVE BILL 513. By Tom Adams, 19th District.

A bill for an act to amend sections 15-1001, 15-1002, 15-1005, and 15-1007, Reissue Revised Statutes of Nebraska, 1943, relating to pensions for firemen and policemen; to increase the amounts of retirement, disability, and death benefits and other allowances; to increase the amounts of contributions; and to repeal the original sections.

LEGISLATIVE BILL 514. By Ernest A. Hubka, 21st District; Tom Adams, 19th District.

A bill for an act relating to schools; to provide that district boards of school districts shall have charge of the erection of new buildings, repair and improvement of buildings, and improvement of school grounds; to provide requirements for buildings, repairs, and other improvements costing more than ten thousand dollars; and to provide for letting contracts to the lowest responsible bidder.

LEGISLATIVE BILL 515. By Charles F. Tvrdik, 7th District.

A bill for an act relating to child support judgments; to provide for release of child support judgments for acquiring a homestead.

LEGISLATIVE BILL 516. By Tom Adams, 19th District.

A bill for an act to amend section 32-231.01, Revised Statutes Supplement, 1953, relating to elections; to increase the salary of the election commissioner and his deputy in counties having a population of more than sixty and not more than two hundred thousand inhabitants; to provide when such increases shall become effective; and to repeal the original section.

LEGISLATIVE BILL 517. By Monroe Bixler, 41st District.

A bill for an act to amend section 75-223, Revised Statutes Supplement, 1953, relating to motor carriers; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 518. By Donald F. McGinley, 39th District; A. A. Fenske, 43rd District; George Hoffmeister, 37th District.

A bill for an act relating to development, utilization, and marketing of wheat grown in Nebraska; to provide for the creation in the Department of Agriculture and Inspection of a Division of Wheat Development, Utilization, and Marketing; to define terms; to provide powers and duties of such department in connection therewith; to provide for the creation of an advisory committee to be known as the Nebraska Wheat Development, Utilization, and Marketing Committee,

and to prescribe its powers and duties; to provide for making certain reports; to provide for the imposing of an excise tax and the collection thereof; to provide for the establishment in the state treasury of the Nebraska Wheat Development, Utilization, and Marketing Fund; to make certain acts and practices unlawful; to provide penalties; and to declare an emergency.

UNANIMOUS CONSENT—Add Co-introducer

Mr. McGinley asked unanimous consent that the name of Monroe Bixler, 41st District, be added as a co-introducer of LB 518. No objections. So ordered.

LEGISLATIVE BILL 519. By Monroe Bixler, 41st District.

A bill for an act to amend sections 60-301, 60-302, 60-311, 60-311.02, 60-311.03, 60-311.04, 60-312, 60-323, and 60-325, Reissue Revised Statutes of Nebraska, 1943, and sections 60-305.02, 60-305.03, and 60-329, Revised Statutes Supplement, 1953, relating to motor vehicles; to re-define terms; to change the form of motor vehicle registration application; to provide for reciprocal agreements with other states; to provide when two number plates shall not be furnished; to provide for information to be displayed on number plates of trucks and commercial trailers; to provide contents of certificate of registration; to provide that registration certificate containers shall not be furnished by the Department of Roads and Irrigation; to change the amount of registration fees for passenger motor vehicles not for hire; to provide for transfer of registration from one spouse to the other and the fee therefor; and to repeal the original sections.

LEGISLATIVE BILL 520. By Tom Adams, 19th District.

A bill for an act to amend sections 53-124, 53-134.01, and 53-179, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to change the classification of beer license and alcoholic liquors for consumption on the premises; to authorize the county board to regulate the hours of sale by beer retailers outside the corporate limits of any city or village; to remove the authority of the Liquor Commission to regulate the hours for sale of beer on Sunday and outside of corporate limits of cities and villages by order or rule; and to repeal the original sections.

LEGISLATIVE BILL 521. By Monroe Bixler, 41st District; LeRoy Bahensky, 29th District.

A bill for an act to amend sections 72-205, 72-205.01, 72-205.02, 72-205.03, and 72-205.04, Reissue Revised Statutes of Nebraska, 1943, re-

lating to school lands; to provide a method for appraisement of school lands for rental purposes, which are leased subsequent to the effective date of this act; to provide for hearing; to prescribe a method of appeal from the order of the Board of Educational Lands and Funds fixing the valuations; and to repeal the original sections.

LEGISLATIVE BILL 522. By Monroe Bixler, 41st District; William A. Metzger, 3rd District.

A bill for an act to amend section 72-201, Revised Statutes Supplement, 1953, relating to Board of Educational Lands and Funds; to provide for appointment of the members of the Board of Educational Lands and Funds; to provide the term of office of such members, qualifications, confirmation by the Legislature, and expenses; to provide for election of a chairman of the members of the board; to provide that the salary of the secretary shall be fixed by the board; and to repeal the original section.

LEGISLATIVE BILL 523. By Monroe Bixler, 41st District.

A bill for an act relating to state parks; to grant additional rights, powers, and duties to the Game, Forestation and Parks Commission for the purpose of operating, maintaining, extending, and improving state parks; to provide that the State Treasurer shall be ex officio treasurer of the commission; to provide for the handling of funds received by the commission; to provide for the keeping of proper records; to authorize the issuance of revenue bonds and the approval and registration thereof for the purpose of constructing, acquiring, reconstructing, improving, bettering or extending any properties which it is authorized to acquire or operate; to provide for the pledge of the revenues received from the operation of the facilities to the payment of any such revenue bonds; to provide that such bonds are not a general obligation of the State of Nebraska or of the commission but are payable only from revenues derived from operation of the facilities; to provide for the prescribing and collecting of rates for services and facilities; to provide in addition to all other types of property which may be acquired, the commission may erect and operate or lease cabins, hotels, lodges, restaurants, and other facilities for the public use of recreational facilities and to prescribe the manner in which such facilities will be operated; to provide for various covenants with the bond holders for their protection in the event of default in the payment of principal or interest on the bonds; to provide for violations; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 524. By Tom Adams, 19th District; Norman A. Otto, 34th District; Mervin V. Bedford, 23rd District.

A bill for an act relating to schools; to provide a system of state financial support for transporting elementary school pupils to and from school; and to prescribe the amount of such support and the terms and conditions thereof.

LEGISLATIVE BILL 525. By Tom Adams, 19th District.

A bill for an act to amend section 25-507, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for service of process by other than an officer, as prescribed; and to repeal the original section.

LEGISLATIVE BILL 526. By Tom Adams, 19th District; William A. Metzger, 3rd District.

A bill for an act to amend section 66-635, Revised Statutes Supplement, 1953, relating to special fuel tax; to increase the radius surrounding a municipality within which a motor carrier otherwise qualifying to pay an equalization fee in lieu of an excise tax may conduct his operations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 527. By Tom Adams, 19th District.

A bill for an act to amend sections 39-7,127, 60-344, 60-401, 60-404, 60-410, 60-418, and 60-547, Reissue Revised Statutes of Nebraska, 1943, and sections 39-723.05, 39-7,130, and 39-7,133, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for illegal operation of motor vehicles when the operator's license has been revoked; to redefine terms; to eliminate the provision for members of the Nebraska Safety Patrol acting as examiners for applicants for a license to operate motor vehicles; to eliminate the provision of immunity for a nonresident to operate motor vehicles in the state; to provide that a judgment creditor may file notice of a judgment debtor having filed a bond in compliance with Chapter 60, article 5, Reissue Revised Statutes of Nebraska, 1943; to provide for violations; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 528. By Tom Adams, 19th District.

A bill for an act to amend sections 60-110 and 60-114, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to require the filing of liens with the county clerk to be valid, as prescribed; to provide for releasing of lien on certificate of title; to provide for form of certificate of title; and to repeal the original sections.

LEGISLATIVE BILL 529. By Tom Adams, 19th District.

A bill for an act to amend section 48-118, Reissue Revised Statutes of Nebraska, 1943, relating to workmen's compensation law; to provide for payment of expenses in actions for any recovery by the employee against third person in excess of the compensation; and to repeal the original section.

LEGISLATIVE BILL 530. By John J. Larkin, Jr., 8th District.

A bill for an act to repeal sections 28-814.01, 28-814.02, 28-814.03, 28-814.04, and 28-814.05, Revised Statutes Supplement, 1953, relating to picketing.

LEGISLATIVE BILL 531. By Donald F. McGinley, 39th District.

A bill for an act relating to cities and villages, particular class; to provide for the use of parking meters for the control of vehicular traffic; and to provide for the disposition of the funds derived from the use of parking meters or other mechanical devices.

LEGISLATIVE BILL 532. By K. W. Peterson, 35th District; Monroe Bixler, 41st District.

A bill for an act relating to the State Railway Commission; to authorize the State Railway Commission to impose fees and charges upon persons, partnerships, associations, and corporations subject to or invoking its jurisdiction; to provide for the levy of assessments upon all common carriers and public utilities over which the State Railway Commission exercises jurisdiction both as to service and rates; to provide for payment of filing fees in an amount to be determined by the State Railway Commission by all other persons, partnerships, associations, or corporations, subject to or invoking its jurisdiction; and to provide for a continuing appropriation of the assessments and filing fees imposed by this act for the use of the State Railway Commission.

LEGISLATIVE BILL 533. By John J. Larkin, Jr., 8th District.

A bill for an act relating to corporations; to provide that a derivative suit by stockholders or members of a corporation cannot be maintained unless it is shown that certain conditions, as prescribed, have been complied with prior to the institution of the action.

LEGISLATIVE BILL 534. By Arthur W. Swanson, 36th District; H. K. Diers, 24th District; Karl E. Vogel, 9th District.

A bill for an act to amend section 39-778, Reissue Revised Statutes of Nebraska, 1943, and section 39-735, Revised Statutes Supplement,

1953, relating to highways; to require farm tractors to have lights when used on the highway, as prescribed; to provide that the provisions of this act shall apply to all highways; and to repeal the original sections.

UNANIMOUS CONSENT—Re-refer Bills

Mr. Martin asked unanimous consent that LB 226 and LB 228 be re-referred to the Committee on Judiciary. No objections. So ordered.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 100. Placed on General File.

LEGISLATIVE BILL 101. Placed on General File.

(Signed) Frank Nelson, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 73. Indefinitely postponed.

(Signed) John J. Larkin, Jr., Chairman

Government

LEGISLATIVE BILL 25. Placed on General File as amended.

Standing Committee amendments to LB 25:

1. Amend the bill by adding two new sections to be known as sections 1 and 2 and to read as follows:

"Section 1. That section 16-694, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-694. After the establishment of a system of sewerage in any city of the first class, the mayor and council may, at the time of levying other taxes for city purposes, levy an annual tax of not more than one mill on the dollar upon the assessed value of all the taxable property in such city, except intangible property, for the purpose of creating a fund to be used exclusively for the maintenance and repairing of any sewers in such city. In lieu of the levy of a tax, the mayor and council may establish, by ordinance, such rates for such sewer service as may be deemed by them to be fair and reasonable, to be collected from either the owner or the person, firm, or corporation requesting the service at such times, either monthly, quarterly, or

otherwise, as may be specified in the ordinance; and all such sewer charges shall be a lien upon the premises or real estate for which the same is used or supplied. Such lien shall be enforced in such manner as the local governing body shall provide by ordinance. The charges thus made, when collected, shall be placed in a separate fund and used exclusively for the purpose of maintenance and repairs of any sewers in such city.

Sec. 2. That section 16-703, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-703. (1) An additional appropriation not to exceed one mill upon the dollar upon the assessed value of all the taxable property *within such city, except intangible property*, may be levied for the purpose of establishing a recreation fund to be used for the purchase, establishment, management, equipment, and maintenance of playgrounds and recreation centers, including the construction of necessary buildings therefor. Such recreation fund shall be disbursed under the direction and supervision of the local governing body of said city in conjunction with the local governing body of any other governmental subdivision wholly or partially within its corporate limits, when a plan has been submitted and approved by the electors, as hereinafter provided. If the school district situated wholly or partially within such city submits a plan and makes a levy for a similar purpose, said city shall not submit a plan or proposal for such a levy as long as said plan is in operation. No initial levy shall be made for such purpose unless the proposition to make such levy and the plan to dispose of such fund be sanctioned by sixty per cent or more of the legal voters of the city either by petition signed by them or by sixty per cent or more of the votes cast on the proposal submitted in the ballot at a general municipal election. After the proposition has been sanctioned, an additional levy each year of not to exceed one mill on the dollar upon the assessed value of all the taxable property within such city, *except intangible property*, may be made to maintain and carry out the purposes for which the recreation fund was established. The electors of the city may discontinue such levy by petition or vote in the same manner that the initial levy was authorized.

(2) The local governing body of such city may by resolution or ordinance establish a recreation board or commission consisting of not more than nine members nor less than five members to be appointed for a term of five years. Members of such board first appointed shall be appointed for such terms so that the term of at least one member shall expire annually thereafter. The board shall be vested with the power to conduct the recreation program and to use the facilities of other political subdivisions, with their consent, if such use does not

interfere with the primary purpose with which such facilities are intended to serve.

(2) (2) The local governing body of such city shall have power to accept or reject any grant or devise of real estate or any gift or bequest of money or other personal property or donation, to be applied, principal or income, for either temporary or permanent use for playground or recreational purposes. Any money so received shall be deposited with the treasurer of the municipality to the credit of the recreation fund, and shall be paid out in the same manner as other public money appropriated for recreation purposes."

2. Renumber sections 1 to 4 as sections 3 to 6.

3. Amend renumbered section 6, line 1 by inserting after the word "sections" the following:

"16-694, 16-703,".

4. Amend the title of the bill, line 2 by inserting after the word "sections" the following:

"16-694, 16-703,".

LEGISLATIVE BILL 32. Placed on General File as amended.

Standing Committee amendment to LB 32:

Amend Section 1, line 7 by inserting after the word "clerk" and ",", the following: "a city engineer,"

(Signed) Sam Klaver, Chairman

Public Works

LEGISLATIVE BILL 39. Placed on General File.

(Signed) William Moulton, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on January 31, 1955 at 5:00 p.m.

LB 15

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 223	Monday, February 7, 1955	2:00 p.m.
LB 234	Monday, February 7, 1955	2:00 p.m.

LB 235	Monday, February 7, 1955	2:00 p.m.
LB 236	Monday, February 7, 1955	2:00 p.m.
LB 237	Monday, February 7, 1955	2:00 p.m.
LB 238	Monday, February 7, 1955	2:00 p.m.
LB 239	Monday, February 7, 1955	2:00 p.m.
LB 240	Monday, February 7, 1955	2:00 p.m.
LB 241	Monday, February 7, 1955	2:00 p.m.
LB 242	Monday, February 7, 1955	2:00 p.m.
LB 243	Monday, February 7, 1955	2:00 p.m.
LB 244	Monday, February 7, 1955	2:00 p.m.

Banking, Commerce and Insurance

LB 139	Tuesday, February 8, 1955	2:00 p.m.
LB 156	Tuesday, February 8, 1955	2:00 p.m.
LB 164	Thursday, February 10, 1955	2:00 p.m.
LB 168	Thursday, February 10, 1955	2:00 p.m.

Budget

LB 361	Wednesday, February 9, 1955	2:00 p.m.
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Education

LB 26	Tuesday, February 15, 1955	2:00 p.m.
LB 98	Tuesday, February 8, 1955	2:00 p.m.
LB 162	Tuesday, February 8, 1955	2:00 p.m.

Committee on Committees

The Committee on Committees will meet at 1:30 p.m. on Monday, February 7, 1955 in the West Senate Lounge to consider the appointment, made by Governor Anderson, of Donald F. Robertson, North Platte, Nebraska to the Game, Forestation and Parks Commission.

(Signed) Otto Kotouc, Sr., Chairman

Adjournment

At 5:40 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Tuesday, February 1, 1955.

Hugo F. Srb
Clerk of the Legislature

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 1, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bridenbaugh, Diers, Fenske, Liebers, McHenry, Peterson, Pizer, Shultz and Vogel, who were excused.

The Journal for the Twentieth Day was approved as corrected.

Approved by the Governor

February 1, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on January 31, 1955, he approved L. B. 15.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

NOTICE OF COMMITTEE HEARINGS**Government**

LB 107	Wednesday, February 9, 1955	2:00 p.m.
LB 115	Wednesday, February 9, 1955	2:00 p.m.
LB 206	Wednesday, February 9, 1955	2:00 p.m.
LB 229	Wednesday, February 9, 1955	2:00 p.m.
LB 44	Wednesday, February 9, 1955	2:00 p.m.

Agriculture

LB 96 Wednesday, February 9, 1955 2:00 p.m.
LB 160 Wednesday, February 9, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 33. Placed on General File as amended.

Standing Committee amendments to LB 33:

1. In Section 1, line 6 after the word "dollars," add "or three per cent of assessed valuation, whichever be the greater."

2. In Section 1, line 13, delete "two-thirds" and insert in lieu thereof "three-fifths."

3. In Section 1, line 18, delete the word "ten" and insert in lieu thereof the word "twenty."

4. Amend the bill by adding the emergency clause and changing title to conform.

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 56. Placed on Select File as amended.

E and R amendments to LB 56:

1. In section 1, line 9, after the word "severally" insert the word "will"; line 11, after the word "townships" insert ",".

2. In the title, line 5, after the word "districts" insert ", as prescribed,".

LEGISLATIVE BILL 94. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

SELECT FILE

LEGISLATIVE BILL 67. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 69. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 65. E and R amendments found in the Legislative Journal for the Twentieth Day were adopted.

Mr. Perry asked unanimous consent that LB 65 be returned to General File for a specific amendment.

Mr. Tvrdik objected.

Mr. Perry asked unanimous consent that LB 65 be laid over for fifteen minutes. No objections. So ordered.

Bills Referred to Standing Committees

LB	Committee
358.....	Judiciary
359.....	Public Works
360.....	Banking, Commerce and Insurance
361.....	Miscellaneous Appropriations and Claims
362.....	Revenue
363.....	Government
364.....	Revenue
365.....	Public Works
366.....	Public Health and Miscellaneous Subjects
367.....	Labor and Public Welfare
368.....	Public Works
369.....	Revenue
370.....	Labor and Public Welfare
371.....	Government
372.....	Agriculture
373.....	Public Health and Miscellaneous Subjects
374.....	Miscellaneous Appropriations and Claims
375.....	Education
376.....	Public Health and Miscellaneous Subjects
377.....	Agriculture
378.....	Government
379.....	Judiciary
380.....	Government
381.....	Public Works
382.....	Miscellaneous Appropriations and Claims
383.....	Public Health and Miscellaneous Subjects

384.....	Public Works
385.....	Education
386.....	Public Health and Miscellaneous Subjects
387.....	Public Works
388.....	Banking, Commerce and Insurance
389.....	Banking, Commerce and Insurance
390.....	Public Works
391.....	Judiciary
392.....	Judiciary
393.....	Judiciary
394.....	Banking, Commerce and Insurance
395.....	Revenue
396.....	Revenue
397.....	Public Health and Miscellaneous Subjects
398.....	Education
399.....	Public Health and Miscellaneous Subjects
400.....	Revenue
401.....	Banking, Commerce and Insurance
402.....	Miscellaneous Appropriations and Claims
403.....	Agriculture
404.....	Judiciary
405.....	Banking, Commerce and Insurance
406.....	Education
407.....	Public Health and Miscellaneous Subjects

GENERAL FILE

LEGISLATIVE BILL 14. The Anderson amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 57. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighteenth Day were adopted.

Laid over.

SELECT FILE

LEGISLATIVE BILL 65. Mr. Perry asked unanimous consent that LB 65 be laid over until Thursday, February 3, 1955. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 55. Read and considered.

Standing Committee amendments found in the Legislative Jour-

nal for the Eighteenth Day were adopted.

Laid over.

LEGISLATIVE BILL 48. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twentieth Day were adopted.

Advanced to E and R for review.

Adjournment

At 11:52 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 10:00 a.m., Wednesday, February 2, 1955.

Hugo F. Srb

Clerk of the Legislature

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 2, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Twenty-first Day was approved.

Communication

Letter from John C. Miller, Nebraska City, enclosing a copy of a resolution from Nebraska City Aerie No. 968, F.O.E., concerning the Nebraska School for the Blind. Referred to Committee on Public Health and Miscellaneous Subjects.

UNANIMOUS CONSENT—Withdraw Notice of Hearing

Mr. Bridenbaugh asked unanimous consent that the Notice of Hearing on LB 361, presented by the Budget Committee on January 31st, be withdrawn. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 213	Monday, February 7, 1955	2:00 p.m.
LB 361	Monday, February 7, 1955	2:00 p.m.
LB 76	Monday, February 7, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 178. Placed on General File.

LEGISLATIVE BILL 176. Placed on General File.

LEGISLATIVE BILL 173. Placed on General File.

LEGISLATIVE BILL 172. Placed on General File.

LEGISLATIVE BILL 171. Placed on General File.

LEGISLATIVE BILL 170. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Government

LEGISLATIVE BILL 46. Placed on General File as amended.

Standing Committee amendments to LB 46:

1. Amend page 2 of the bill by adding three new sections immediately before section 1 to be known as sections 1, 2, and 3, and to read as follows:

"Section 1. That section 32-220, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-220. It shall be the duty of the election commissioner to cause to be prepared records for the registration of names and facts required by section 32-223. Such records shall be known by the general name of registers. They shall be so arranged as to provide for the entering under the name of each street or avenue in each election district, the number of each dwelling on any such street or avenue, if there be a number thereto, and if there be no number, then under such definite description of the location of the dwelling place as shall enable it to be readily found, and the names of all legal voters in each dwelling in each of the districts applying for registration. Such register shall be ruled in parallel columns, in which, opposite the name of every applicant for registration, shall be entered the words and figures as provided in section 32-223. The registers shall be suitably ruled and shall have columns entitled as follows: Number; Full name; Age; Residence; Place of residence at last registration; Occupation; Term of residence; Nativity; Naturalized; Court; Married or single; Color; Personal description; Color, hair; Color, eyes; Approximate weight; Approximate height; Other means of identification; Date of application for registration; Date registry approved; Qualified voter; Sworn; Signature of voter; Party affiliation; Remarks.

Sec. 2. That section 32-223, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-223. Any person serving as supervisor of election shall then examine the applicant as to his qualifications as an elector and, unless otherwise provided herein, shall immediately in the presence of the applicant, enter in the registers the statements and acts, as above set forth, and in the manner following: (1) Under the column "Residence," the name and number of the street, avenue, or other location of the dwelling if there be a number; but if there be no number, then such clear and definite description of the location of such dwelling as shall enable it to be readily found; and if there be more than one family residing in the dwelling named by the applicant, in such case the applicant shall give the floor on which he resides (every floor below the level of the ground being designated as the basement, the first floor on or above such level, the first floor, and each floor above that as the second or such other floor as it may be), or the number or location of the rooms occupied by the applicant, and whether front or rear; (2) under the column "Name," the name of the applicant giving the surname and Christian name in full; and the names shall be kept by streets and avenues as far as the same can be done; (3) under the column "Sworn," the word "Yes" or "No" as the case may be; (4) under the column "Nativity," the state, country, kingdom, empire or dominion, where the applicant was born; (5) under the column "Color," the word "White" or "Black" or other color as the case may be; (6) (5) under the subdivision of the general column of "Term of Residence," the periods by days, months, or years which he has resided in the precinct, county, and state, respectively as stated by the applicant; (7) (6) under the column "Naturalized," the word "Yes" or "No" or "Native" as the fact may be stated; (8) (7) under the column "Date of Papers," the date of naturalization if naturalized, as the same shall appear by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of sections 32-201 to 32-232; (9) (8) under the column "Court," the designation of the court in which, if naturalized, such naturalization was had, as the same shall appear by the evidence of citizenship presented or submitted by the applicant in compliance with the requirements of this section; (10) (9) under the column "Qualified Voter," the word "Yes" or "No" as the facts shall appear and be determined by at least two of the supervisors, it being required of such supervisors to designate as a qualified voter any person, who, being otherwise qualified, shall not, at the time of making the application be of age; *Provided*, the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his making application and not later than the day of the election immediately following the time of applying; (11) (10) under the column "Date of Registration," the month, day and year when the ap-

plicant presented himself for registration; (12) (11) under the column "Party Affiliation," the name of the political party with which the applicant affiliates; and (13) (12) under the column "Signature of Voter," the applicant for registration shall be required to sign his name on both original and duplicate registers.

Sec. 3. That section 32-246, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

32-246. It shall be the duty of the mayor and council of any city described in section 32-233, which shall include all portions of the voting precinct in which the city is situated, to cause to be prepared books for the registration of names and facts required by this section. Such books shall be known by the general name of "registers," and shall be so ruled in parallel columns and arranged as to admit of the entering, opposite the name of each voter, of the street and number or other designation of place of residence of each voter, the name of each voter who shall apply for registration, and the facts as required by this section. Such register or registers shall be so divided as to permit the names of the voters of each voting district to be registered by themselves. The part of the register set apart for each voting district shall be of sufficient size to admit of the registration of eight hundred names, and so prepared that it may be used at each registration of voters for the period of one year. At each revision of registration, had immediately prior to the general election held in November of each year as provided in section 32-234, a new register or registers shall be prepared, and the names of all voters on the registers not having been erased or dropped from the registers as herein provided shall be carried forward in the new register by the clerk of the board.

The registers shall, as nearly as may be, on the inside, be in the following form:

Residence.....	
Name.....	
Sworn.....	
Nativity.....	
Color.....	
Precinct.....	
County.....	
State.....	
	Term of Residence

Naturalized.....
Date of Papers.....
Court.....
Qualified Voter.....
Date of Registration.....
Why Disqualified.....
Date of Erasing.....
Why Erased.....
Voted.....
Challenged.....
Party Affiliation.....
Remarks.....
Signature of Voter.....

2. Renumber section 1 as section 4.
3. Renumber section 2 as section 5.
4. Amend renumbered section 3, line 1 by striking "section" and inserting "sections 32-220, 32-223, 32-246 and", and line 2 by striking "is" and inserting "are".
5. Amend the title of the bill, line 2 by striking "section" and inserting "sections 32-220, 32-223, 32-246 and", and line 6 by striking "section" and inserting "sections".

(Signed) Sam Klaver, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 28.

A bill for an act to amend section 60-407, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that the person to accompany a person who has attained the age of fifteen and one half years and who is operating a motor vehicle on a learner's permit must be at least twenty-one years of age; to harmonize said section with previous 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, 41:

Adams, T.	Cramer	Liebers	Person
Anderson	Diers	McGinley	Peterson
Aufenkamp	Fenske	McHenry	Pizer
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Perry	Vogel
Cole			

Voting in the negative, 1:

Adams, J.

Not voting, 1:

Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 3. With emergency.

A bill for an act to amend section 60-335, Revised Statutes Supplement, 1953, relating to motor vehicles; to eliminate the registration fee for public school buses, motor vehicles owned by any city or village of this state for the use of the park department, and for fire trucks used and owned by any rural fire protection district; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 42:

Adams, J.	Bedford	Cramer	Klaver
Adams, T.	Bixler	Diers	Kotouc
Anderson	Bridenbaugh	Fenske	Larkin
Aufenkamp	Brower	Foote	Lee
Bahensky	Burney	Hoffmeister	Liebers
Beaver	Cole	Hubka	McGinley

McHenry	Nelson	Pizer	Syas
Martin	Otto	Purdy	Tvrdik
Metzger	Perry	Ruhnke	Vogel
Morrison	Person	Shultz	
Moulton	Peterson	Swanson	

Voting in the negative, 0.

Not voting, 1:

Thompson

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 24.

A bill for an act relating to cities and villages; to authorize the disposition and destruction of public records when the records are more than ten years old, except as 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, 27:

Adams, T.	Burney	Kotouc	Otto
Anderson	Cole	Larkin	Perry
Aufenkamp	Cramer	McGinley	Person
Bahensky	Foote	McHenry	Ruhnke
Beaver	Hoffmeister	Martin	Shultz
Bridenbaugh	Hubka	Morrison	Vogel
Brower	Klaver	Moulton	

Voting in the negative, 14:

Adams, J.	Lee	Peterson	Swanson
Bixler	Liebers	Pizer	Syas
Diers	Metzger	Purdy	Tvrdik
Fenske	Nelson		

Not voting, 2:

Bedford Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

UNANIMOUS CONSENT—Add Co-introducer

Mr. Bedford asked unanimous consent that the name of Ernest A. Hubka, 21st District, be added as the first introducer of LB 419 and LB 420. No objections. So ordered.

Bills Referred to Standing Committees

LB	Committee
408.....	Judiciary
409.....	Public Works
410.....	Judiciary
411.....	Revenue
412.....	Public Health and Miscellaneous Subjects
413.....	Public Works
414.....	Miscellaneous Appropriations and Claims
415.....	Judiciary
416.....	Revenue
417.....	Judiciary
418.....	Banking, Commerce and Insurance
419.....	Banking, Commerce and Insurance
420.....	Banking, Commerce and Insurance
421.....	Banking, Commerce and Insurance
422.....	Education
423.....	Revenue
424.....	Government
425.....	Agriculture
426.....	Government
427.....	Agriculture
428.....	Agriculture
429.....	Agriculture
430.....	Agriculture
431.....	Agriculture
432.....	Revenue
433.....	Government
434.....	Miscellaneous Appropriations and Claims
435.....	Public Health and Miscellaneous Subjects
436.....	Revenue
437.....	Agriculture
438.....	Miscellaneous Appropriations and Claims
439.....	Public Health and Miscellaneous Subjects
440.....	Revenue
441.....	Agriculture
442.....	Public Health and Miscellaneous Subjects
443.....	Judiciary
444.....	Government

445.....	Public Health and Miscellaneous Subjects
446.....	Judiciary
447.....	Government
448.....	Government
449.....	Government
450.....	Miscellaneous Appropriations and Claims
451.....	Judiciary
452.....	Public Works
453.....	Judiciary
454.....	Government
455.....	Miscellaneous Appropriations and Claims
456.....	Public Health and Miscellaneous Subjects
457.....	Miscellaneous Appropriations and Claims
458.....	Public Works
459.....	Public Health and Miscellaneous Subjects
460.....	Public Health and Miscellaneous Subjects
461.....	Labor and Public Welfare
462.....	Public Works
463.....	Judiciary
464.....	Agriculture
465.....	Judiciary
466.....	Public Works
467.....	Miscellaneous Appropriations and Claims
468.....	Government
469.....	Miscellaneous Appropriations and Claims
470.....	Miscellaneous Appropriations and Claims
471.....	Agriculture
472.....	Judiciary
473.....	Judiciary
474.....	Education
475.....	Judiciary

SELECT FILE

LEGISLATIVE BILL 94.

Mr. Hubka moved that LB 94 be returned to General File for the following specific amendments:

1. Amend page 2 of the bill, section 1, line 9 by inserting after the word "same" the following:

" , except as to inheritances, devises, or legacies".

2. Amend the title of the bill, line 10 by inserting " , except as prescribed" after "same".

The motion lost with 18 ayes, 19 nays and 6 not voting.

Mrs. Foote moved that LB 94 be indefinitely postponed.

Mr. Hubka requested a Call of the House.

A Call of the House was ordered and showed 41 members present.

Mr. Klaver moved that the Call be raised. The motion prevailed.

The Foote motion to indefinitely postpone prevailed with 21 ayes, 21 nays and 1 not voting, President Warner voting "aye".

Visitors

Speaker Burney introduced a group of Farm Bureau members from the following counties who are attending the Farm Bureau Legislative School: Sarpy, Cass, Saunders, Butler, Polk, Hamilton, Clay, York, Seward, Lancaster, Otoe, Nemaha, Richardson, Johnson, Gage, Saline, Fillmore, Thayer.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 2. Placed on Select File as amended.

E and R amendments to LB 2:

1. In the original Standing Committee Amendment 1, line 6 (line 5 of the mimeographed copy), insert a period after "1955" and before the closing quotation marks.

2. By authority of the Klaver General File Amendment, in the title, line 6, after the word "Funds" insert "subject to the approval of the Legislature; to provide that one member shall be appointed from each congressional district and one member from the state at large"; line 9, after the semicolon insert "to provide for the fixing of the salary of the secretary of such board within the prescribed limits; to provide when a change in the salary of such secretary shall become operative;"

3. In the Bill, section 1, line 17, strike the word "the" and in lieu thereof insert "the".

4. In the bill, after section 1, insert as section 2 the following "*Sec. 2. Section 1 of this act shall be so interpreted as to effectuate its general purpose, to provide, in the public interest, adequate compensation as therein provided for the secretary of such board, and to permit a change in such salary as soon as same may become operative under the Constitution of the State of Nebraska.*"

5. In the bill, page 3, section 2, line 1, strike the numeral "2" after "Sec." and in lieu thereof insert the numeral "3".

6. In the bill, page 3, section 3, line 1, strike the numeral "3" and in lieu thereof insert the numeral "4".

LEGISLATIVE BILL 52. Replaced on Select File as amended.

E and R amendment to LB 52:

1. In Enrollment and Review Amendments, line 9, strike "24" and in lieu thereof insert "25".

LEGISLATIVE BILL 63. Correctly engrossed.

LEGISLATIVE BILL 13. Correctly engrossed.

LEGISLATIVE BILL 49. Correctly engrossed.

LEGISLATIVE BILL 68. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

LB 196	Tuesday, February 8, 1955	2:00 p.m.
LB 142	Tuesday, February 8, 1955	2:00 p.m.

Adjournment

At 11:52 a.m., on a motion by Mr. Moulton, the Legislature adjourned until 10:00 a.m., Thursday, February 3, 1955.

Hugo F. Srb

Clerk of the Legislature

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 3, 1955

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, Bedford and Cramer, who were excused, and Mr. T. Adams who was excused until 10:30 a.m.

The Journal for the Twenty-second Day was approved as corrected.

Visitors

Mr. Burney introduced Reverend Carroll H. Lemon, Leader, and forty-one laymen and ministers attending a Legislative Seminar conducted by the Nebraska Council of Churches.

Mr. Diers introduced Mrs. Louise Knepper, Teacher, and twenty-seven students from the seventh and eighth grades, Beaver Crossing, Nebraska.

Communication

Letter from the Nebraska State Highway Commission as follows:

February 2, 1955

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

Dear Mr. Srb:

At the meeting Monday, January 31, 1955 of the Nebraska State Highway Advisory Commission, there were 2 Resolutions passed rela-

tive to the recent State Highway map covering the State Trunk Highway system and the State Aid Highway system as provided in Legislative Bill No. 4 and which was recently presented to the Legislature by the Commission.

The first Resolution offered by Mr. Kingsbury relative to Highway 35 corrects the drawing on the map of the location of this Highway from Wayne to Wakefield. The second Resolution offered by Mr. Hanna has to do with the general line in which these Highways run and corrects some errors that appeared in the map and attached to this letter is a certified copy of both these Resolutions which the Commission would appreciate very much if you would present to the Legislature.

These maps will be delivered to you by the State Highway Department for distribution to the Senators and the extra copies for others interested. We will appreciate if you will take care of this in the usual manner.

Kindest personal regards.

Sincerely yours,

(Signed) Arthur L. Coad
Chairman

ALC-car
encls.

RESOLUTION

WHEREAS, the Nebraska State Highway Commission has heretofore taken and entered of record its advisory action relative to the location of State Highway No. 35 from Wayne to Wakefield and in reference thereto, held a public hearing, made an inspection and studied said matter, and did on the 22nd day of November, 1954, unanimously vote to advise and recommend that said State Highway No. 35 from Wayne to a point about one mile north of Wakefield, be located, reconstructed and maintained on its present route and location, as more specifically described in the action and record thereon of this Commission taken and entered on the 22nd day of November, 1954; and

WHEREAS, the opinion and decision of this Commission on said matter has not changed, and the Commission now desires to reaffirm its advice and recommendation thereon as taken and entered of record on the 22nd day of November, 1954; and whereas, the printed highway map purporting to show the suggested designation of state highways comprising a state trunk highway system and a state-aid high-

The undersigned, Arthur L. Coad, Chairman of the Nebraska State Highway Commission, does hereby certify that the foregoing and attached copy of Resolution, and action of adoption thereof, is a true copy of the original Resolution and action of adoption thereof, of the Nebraska State Highway Commission, passed at a regular meeting of said Commission held in the State Capitol Building, in Lincoln, Lancaster County, Nebraska, on the 31st day of January, 1955, as shown by the original record and proceedings thereof of said Commission.

Dated at Lincoln, Nebraska, this 31st day of January, 1955.

(Signed) Arthur L. Coad, Chairman
of the Nebraska State Highway
Commission

Mr. Hanna moves that the Commission announce and declare that the final highway map purporting to show the suggested trunk and state-aid highway systems was not printed under the personal supervision of this Commission; and that this map was and is intended by the Commission only to generally show and describe in general map form by highway designation and *approximate* location, the trunk and state-aid highway systems, as suggested by the Commission to the 1955 Legislature, all pursuant to the provisions of Legislative Bill No. 4 of the 1953 Legislature; and more specifically it was *not* and is *not* the intention of this Commission, by said map, to reverse, alter or affect any highway relocation matter which may have heretofore been decided by this Commission, nor any such matter which the Commission may now have under consideration, nor any similar matter which may arise in the future; and in any instance where said map indicates or shows a specific location of a highway or highways not conforming to the past, present or future action of this Commission, it is declared to be in error in that regard and it is not binding in that particular upon the Commission and said map shall stand corrected to *conform* to the true action and recommendation of the Commission relative thereto; and that a certified copy of this motion, and the Commission's action thereon, certified to by the Chairman of this Commission be presented to the 1955 Legislature.

The above motion was seconded by Mr. Albrecht and the motion carried.

State of Nebraska)
) SS Certificate
Lancaster County)

The undersigned Arthur L. Coad, Chairman of the Nebraska State Highway Commission, does hereby certify that the foregoing and attached motion and action thereon of the Nebraska State Highway Commission is a true and correct copy of said motion and action thereon of the Commission, as shown by the original record thereof, entered

of record this 31st day of January, 1955, at a regular meeting of the Nebraska State Highway Commission held at the State Capitol Building in Lincoln, Nebraska, on this 31st day of January, 1955.

(Signed) Arthur L. Coad, Chairman
of the Nebraska State Highway
Commission

Referred to Committee on Public Works.

Mr. Tvrdik asked unanimous consent that the foregoing communication be made a part of this day's Legislative Journal. No objections. So ordered.

Invitations

Letter from Clifford M. Hardin, Chancellor of the University of Nebraska, inviting the Members and their ladies to be guests of the University at dinner and the Colorado-Nebraska basketball game on Monday, February 7, 1955.

Letter from Donald E. Devries, Managing Director, Associated Industries of Nebraska, inviting the Members and their wives to attend the 43rd Annual Dinner of the association at Hotel Cornhusker on Tuesday, February 15, 1955.

ANNOUNCEMENT—Executive Session, Revenue Committee

Mr. Bixler announced that there would be an executive session of the Revenue Committee at 2:00 p.m. today in the Supreme Court Hearing Room.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 231	Monday, February 28, 1955	2:00 p.m.
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Revenue

LB 295	Tuesday, February 8, 1955	2:00 p.m.
LB 296	Tuesday, February 8, 1955	2:00 p.m.
LB 297	Tuesday, February 8, 1955	2:00 p.m.
LB 298	Tuesday, February 8, 1955	2:00 p.m.
LB 299	Tuesday, February 8, 1955	2:00 p.m.
LB 300	Tuesday, February 8, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 28. Correctly enrolled.

LEGISLATIVE BILL 3. Correctly enrolled.

LEGISLATIVE BILL 24. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 28

LB 3

LB 24

Bills Referred to Standing Committees

LB

Committee

476.....	Labor and Public Welfare
477.....	Agriculture
478.....	Judiciary
479.....	Government
480.....	Revenue
481.....	Public Health and Miscellaneous Subjects
482.....	Agriculture
483.....	Judiciary
484.....	Judiciary
485.....	Banking, Commerce and Insurance
486.....	Agriculture
487.....	Judiciary
488.....	Government
489.....	Government
490.....	Public Health and Miscellaneous Subjects
491.....	Banking, Commerce and Insurance
492.....	Government
493.....	Public Works
494.....	Judiciary
495.....	Revenue
496.....	Budget
497.....	Public Health and Miscellaneous Subjects
498.....	Agriculture
499.....	Agriculture
500.....	Miscellaneous Appropriations and Claims
501.....	Public Works
502.....	Government
503.....	Government
504.....	Government
505.....	Government
506.....	Agriculture
507.....	Judiciary

508.....	Judiciary
509.....	Judiciary
510.....	Revenue
511.....	Public Health and Miscellaneous Subjects
512.....	Government
513.....	Government
514.....	Education
515.....	Judiciary
516.....	Miscellaneous Appropriations and Claims
517.....	Public Works
518.....	Agriculture
519.....	Public Works
520.....	Public Health and Miscellaneous Subjects
521.....	Education
522.....	Education
523.....	Agriculture
524.....	Education
525.....	Judiciary
526.....	Revenue
527.....	Judiciary
528.....	Judiciary
529.....	Banking, Commerce and Insurance
530.....	Labor and Public Welfare
531.....	Government
532.....	Judiciary
533.....	Judiciary
534.....	Agriculture

Visitors

Mr. Liebers introduced Mrs. Hust, President, and thirteen ladies representing the Parliamentary Department of the Lincoln Women's Club.

Mr. T. Adams introduced Mr. James Keill, teacher, and twenty-eight students from Whittier Junior High School, Lincoln, Nebraska.

Mr. Hubka introduced members of the State Affairs Division of the Farm Bureau, Gage County, Nebraska.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 20. With emergency.

A bill for an act to amend section 23-601, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide that when

counties enter into a predatory animal control program the county board by resolution may suspend the issuance of bounty certificates by the county clerk for payment of individual bounties; 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:

Anderson	Fenske	McHenry	Pizer
Aufenkamp	Foote	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Burney	Lee	Perry	Tvrdik
Cole	Liebers	Person	Vogel
Diers	McGinley	Peterson	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Adams, T.	Bedford	Cramer
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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. T. Adams was excused for the balance of the week.

SELECT FILE

LEGISLATIVE BILL 65. Messrs. Thompson and Perry moved that LB 65 be returned to General File for the following specific amendment:

Strike the word "ten" and insert in lieu thereof the word "seven" in line 11, section 3.

The motion prevailed with 24 ayes, 14 nays and 5 not voting.

LEGISLATIVE BILL 52. E and R amendment found in the Legislative Journal for the Twenty-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 56. E and R amendments found in the Legislative Journal for the Twenty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 2. E and R amendments found in the Legislative Journal for the Twenty-second Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 48 to General File

Mr. Bahensky asked unanimous consent that LB 48 be returned to General File for the following specific amendment:

1. Amend page 2 of the bill, section 1 by striking the new matter in lines 20 to 27, and in line 30 by inserting after the word "seines" the following:

"; Provided, that the Game, Forestation and Parks Commission may control, regulate, or prohibit the use of such seines, fish traps, hoop nets, trammel nets, or similar devices, on that portion of the Missouri River lying between the Yankton bridge across said Missouri River on U.S. Highway No. 81 and State Highway No. 15, and upstream to a point three hundred yards above the mouth of the Niobrara River, such described boundary to include the Nebraska portion of what is Gavins Point Reservoir".

No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 48.

The Bahensky amendment, found in this day's Legislative Journal, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 57.

Mr. Morrison asked unanimous consent that the name of Don Thompson, 33rd District, be added as a co-introducer of LB 57. No objections. So ordered.

Mr. Burney offered the following amendment, which was adopted:

1. Amend page 6 of the bill, section 8, line 15 by striking "a majority" and inserting "*if fifty-five per cent*", line 20 by striking "a majority" and inserting "*fifty-five per cent*", and line 25 by striking "the majority" and inserting "*fifty-five per cent*".

Advanced to E and R for review.

UNANIMOUS CONSENT—Recall Bill

Mr. Aufenkamp asked unanimous consent to recall LB 2 from E and R and replace it on General File for the following specific amendment:

In the Beaver amendment of January 28, lines three and four, strike the following: "seven thousand five hundred" and insert in lieu thereof "six thousand".

Mr. Metzger objected.

Mr. Aufenkamp moved that LB 2 be recalled from E and R and replaced on General File for amendment.

Mr. Aufenkamp requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Burney moved that the Call be raised. The motion prevailed with 31 ayes, 0 nays and 12 not voting.

The Aufenkamp motion lost with 19 ayes, 17 nays and 7 not voting.

GENERAL FILE

LEGISLATIVE BILL 55.

Mr. Brower asked unanimous consent that LB 55 be laid over until Monday, February 7, 1955. No objections. So ordered.

LEGISLATIVE BILL 100. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 101. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 25. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twentieth Day were adopted.

Members Excused

Messrs. Hubka, Klaver and Lee were excused for Friday, February 4, 1955.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 14. Replaced on Select File as amended.

E and R amendments to LB 14:

To conform to Anderson specific Amendments:

1. Strike the newly inserted matter in Enrollment and Review Amendment 2, of January 28, 1955, and in lieu thereof insert "*such person's name, address, branch of service, date of enlistment or commencement of such service, and date of discharge.*"

Name.....

Address.....".

2. Strike the Enrollment and Review Amendment 4 as to lines 5 and 6 of the title, and in lieu thereof before the word "family" in the sixth line of the title insert "household or".

LEGISLATIVE BILL 67. Correctly engrossed.

LEGISLATIVE BILL 69. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 58. Placed on General File as amended.

Standing Committee amendments to LB 58:

Amend Section 1, page 2, line 6 by striking "fifteen" and inserting "twelve".

Amend Section 2, page 2, line 4 by striking "twelve" and inserting "ten".

(Signed) John Aufenkamp, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 111. Placed on General File.

LEGISLATIVE BILL 112. Placed on General File as amended.

Standing Committee amendments to LB 112:

1. Amend page 2 of the bill, section 1, line 6 by inserting after the word and punctuation "law." the following:

"Preference shall be given the examiners and assistants holding over from previous appointments and removal must be based upon malfeasance in office or a cause that renders him ineligible to appointment or incapable, inefficient, or unfit to discharge the duties of his office; Provided, that whenever the proper conduct of the affairs of the Department of Banking demands, the director may appoint such additional temporary examiners and employees as may be necessary and such employees shall be removable at the pleasure of the director."

2. Amend the title of the bill, line 4 by inserting after the word "banking" the following:

"; to provide for preference in employees holding over from previous appointments".

(Signed) John J. Larkin, Jr., Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 4, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, Bedford, Cole, Cramer, Hubka and Lee, who were excused.

The Journal for the Twenty-third Day was approved as corrected.

Communications

Letter from Paul A. Kelleher, Secretary, Czech Civic Alliance, Omaha, Nebraska, opposing LB 135. Referred to Committee on Education.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 113	Monday, February 21, 1955	2:00 p.m.
LB 337	Monday, February 21, 1955	2:00 p.m.

Public Works

LB 104	Thursday, February 10, 1955	2:00 p.m.
LB 214	Thursday, February 10, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 3, 1955 at 4:00 p.m.

LB 3

LB 24

LB 28

LEGISLATIVE BILL 51. Correctly engrossed.

LEGISLATIVE BILL 52. Correctly engrossed.

LEGISLATIVE BILL 20. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 20

SELECT FILE

LEGISLATIVE BILL 14. 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 18. Mr. Nelson asked unanimous consent that the following amendment be adopted:

1. Amend page 2 of the bill, section 1 by striking line 4 and inserting "barrow-pit or right-of-way,".

No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 65. Specific amendment found in the Legislative Journal for the Twenty-third Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 25. Mr. Otto asked unanimous consent that LB 25 be laid over until Tuesday, February 8, 1955. No objections. So ordered.

LEGISLATIVE BILL 32. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twentieth Day was adopted with 15 ayes, 5 nays and 23 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 39. Read and considered.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 39, Section 2, line 3 after the word "violate" by striking the word "and" and inserting the word "any" in lieu thereof.

Mr. Metzger requested that LB 39 be laid over temporarily. Consent was granted.

LEGISLATIVE BILL 33. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-first Day were adopted.

Advanced to E and R for review with 22 ayes, 3 nays and 18 not voting.

Member Excused

Mr. Bridenbaugh was excused for an hour.

LEGISLATIVE BILL 178. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Perry introduced M. Hothan, Teacher, and twenty-one students from Whittier Junior High School, Lincoln.

GENERAL FILE**LEGISLATIVE BILL 39.**

Mr. Metzger offered the following specific amendments:

1. Amend page 2 of the bill by adding a new section to be known as section 1 and to read as follows:

"Section 1. That section 39-723.03, Revised Statutes Supplement, 1953, be amended to read as follows:

39-723.03. It shall be unlawful to operate upon the public highways of this state any motor truck, truck-tractor, or trailer carrying a load (1) of more than twenty per cent in excess of the carrying capacity on which the registration fee on such vehicle has been paid, and the maximum tolerance of twenty per cent shall not exceed one thousand pounds, and (2) of more than five per cent in excess of the load on any wheel, on any axle, or on a group of axles, but in no event more than three per cent in excess of the total gross load, as provided

by the provisions of subsections (2), (4), and (5) of section 39-722 ; *Provided*, any person operating a motor vehicle carrying a load which exceeds the maximum load, as provided by section 39-722 and the tolerance provided for by the provisions of subdivision (2) of this section, shall be penalized on the weight in excess of the load permitted by section 39-722."

2. Amend the bill by renumbering section 1 as section 2.

3. Amend the bill by adding immediately after renumbered section 2, three new sections to be numbered as sections 3, 4, and 5 and to read as follows:

"Sec. 3. That section 39-723.06, Revised Statutes Supplement, 1953, be amended to read as follows:

39-723.06. Any person operating any freight-carrying vehicle, bus, truck, truck-tractor, or trailer, where the weight of the vehicle and load is in violation of the provisions of section 39-722 and the tolerance permitted by subdivision (2) of section 39-723.03, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined (1) not less than fifty dollars nor more than one hundred dollars for carrying a load of ten per cent or less over the maximum, (2) not less than one hundred dollars nor more than two hundred dollars for carrying a load of more than ten per cent but not more than twenty per cent over the maximum, (3) not less than two hundred dollars nor more than three hundred dollars for carrying a load of more than twenty per cent but not more than thirty per cent over the maximum, (4) not less than three hundred dollars nor more than four hundred dollars for carrying a load of more than thirty per cent but not more than forty per cent over the maximum, (5) not less than four hundred dollars nor more than five hundred dollars for carrying a load of more than forty per cent but not more than fifty per cent over the maximum, and (6) five hundred dollars for carrying a load of more than fifty per cent over the maximum.

Sec. 4. That section 39-723.07, Revised Statutes Supplement, 1953, be amended to read as follows:

39-723.07. When any motor truck, truck-tractor, or trailer is operated upon the public highways of this state carrying a load in excess of the maximum tolerance permitted in subdivisions (1) and (2) of section 39-723.03, the load shall be reduced or shifted to within such maximum tolerance before being permitted to operate on any public highway of this state; *Provided*, that no motor truck, truck-tractor, or trailer carrying a load of livestock shall exceed the maximum load as provided by section 39-722 and the tolerance provided for by the provisions of subdivision (2) of section 39-723.03, but shall be exempt from excess of carrying capacity on any wheel, on any axle,

or on a group of axles as provided by the provisions of section 39-722 and the tolerance provided by subdivision (2) of section 39-723.03 when caused by a shifting of the weight of the livestock. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

Sec. 5. That section 39-723.08, Revised Statutes Supplement, 1953, be amended to read as follows:

39-723.08. Any officer, having reason to believe that the weight of a vehicle and load is unlawful, is authorized to require the driver to stop and submit to a weighing of the same. When an officer, upon weighing a vehicle and load, as herein provided, determines that the weight on any axle exceeds the lawful weight by five per cent or more or when the weight on any group of two consecutive axles exceeds their lawful weight by five per cent or more, and in all cases when the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with section 39-722, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under section 39-722. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver."

4. Amend pages 2 and 3 of the bill by renumbering sections 2 and 3 as sections 6 and 7, respectively.

5. Amend renumbered section 7, line 2 by striking "section 39-723.05" and inserting "sections 39-723.03, 39-723.05, 39-723.06, 39-723.07, and 39-723.08".

6. Amend the title of the bill, line 3 by striking "section 39-723.05" and inserting "sections 39-723.03, 39-723.05, 39-723.06, 39-723.07, and 39-723.08", line 6 by inserting after the word "prescribed" the words and punctuation "to remove the maximum tolerance provisions".

Mr. Vogel asked unanimous consent that LB 39 be laid over.

Mr. Burney objected.

Mr. Vogel moved LB 39 be laid over until Monday, February 7th. The motion prevailed with 25 ayes, 6 nays and 12 not voting.

LEGISLATIVE BILL 176. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 173. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 172. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 171. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 170. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 46. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Twenty-second Day, was adopted with 26 ayes, 2 nays and 15 not voting.

Standing Committee amendments 2 and 3, found in the Legislative Journal for the Twenty-second Day, were adopted.

Mr. Klaver moved to amend Standing Committee amendment 4, found in the Legislative Journal for the Twenty-second Day, by striking the figure "3" after the first word "section" and inserting "5" in lieu thereof. The amendment was adopted.

Standing Committee amendment 4, found in the Legislative Journal for the Twenty-second Day, was adopted as amended.

Standing Committee amendment 5, found in the Legislative Journal for the Twenty-second Day, was adopted.

Mr. Vogel asked unanimous consent that LB 46 be laid over.

Objection by Mr. J. Adams.

Mr. Vogel moved that LB 46 be indefinitely postponed.

Mr. Metzger moved that LB 46 be laid over until 10 a.m., Monday, February 7, 1955. The motion prevailed.

LEGISLATIVE BILL 58.

Mr. Aufenkamp asked unanimous consent that LB 58 be laid over until Monday, February 7, 1955.

Mr. Tvrdik objected.

LB 58 read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-third Day, were adopted.

Mr. Metzger asked unanimous consent that LB 58 be laid over until Monday, February 7, 1955. No objections. So ordered.

LEGISLATIVE BILL 111. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 112. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Twenty-third Day, was adopted with 22 ayes, 3 nays and 18 not voting.

Standing Committee amendment 2, found in the Legislative Journal for the Twenty-third Day, was adopted.

Mr. Kotouc moved to advance LB 112 to E and R for review. The motion lost with 8 ayes, 21 nays and 14 not voting.

Mr. Kotouc moved that the adoption of the Standing Committee amendments to LB 112 be reconsidered. The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Mr. Kotouc moved that the Standing Committee amendments to LB 112 be stricken. The motion prevailed.

Advanced to E and R for review.

Member Excused

Mrs. Foote was excused for Monday, February 7, 1955.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 5	Thursday, February 10, 1955	2:00 p.m.
LB 364	Thursday, February 10, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 102. Placed on General File as amended.

Standing Committee amendment to LB 102:

Add Section 2 as follows:

"Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." and amend the title to conform.

LEGISLATIVE BILL 118. Placed on General File.

(Signed) O. H. Person, Chairman

Government

LEGISLATIVE BILL 17. Indefinitely postponed.

LEGISLATIVE BILL 70. Placed on General File.

LEGISLATIVE BILL 88. Placed on General File as amended.

Standing Committee amendment to LB 88:

In Section 1, line 9, delete the words "federal fort" and insert in lieu thereof, the words "military establishment".

LEGISLATIVE BILL 117. Placed on General File.

LEGISLATIVE BILL 120. Placed on General File as amended.

Standing Committee amendment to LB 120:

In Section 1, Page 2, Line 8, strike the words "and verified."

(Signed) Sam Klaver, Chairman

Judiciary

LEGISLATIVE BILL 134. Placed on General File.

LEGISLATIVE BILL 225. Placed on General File.

LEGISLATIVE BILL 174. Placed on General File.

LEGISLATIVE BILL 175. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 48. Placed on Select File as amended.

E and R amendments to LB 48:

1. In the bill, section 1, line 3, before the word "It" insert "(1)"; line 20, strike the stricken comma after "river" (in original bill) and reinsert the comma; line 30, strike the words "Before any such permit" and in lieu thereof insert "(2) Before any such a permit, referred to in subsection (1) of this section,"; line 38, insert "(3)" before the word "The"; line 40, strike ": (1)" and in lieu thereof insert "under the provisions of subsections (1) and (2) of this section: (1) (a)"; line 44,

strike "(2)" and in lieu thereof insert "(2) (b)"; line 45, strike "(3)" and in lieu thereof insert "(2) and (c)".

2. In the title, lines 3 and 4, strike the words "regulate commercial fishing" and in lieu thereof insert "permit the Game, Forestation and Parks Commission to control, regulate, or prohibit the use of seines, fish traps, hoop nets, trammel nets, or similar devices".

LEGISLATIVE BILL 101. Placed on Select File as amended.

E and R amendments to LB 101:

1. In the bill, Section 1, page 2, line 3, insert the word "is" at the end of the line; in line 6, insert "," after the word "petition"; in line 7, strike the words "But if it deems it for the" and in lieu thereof insert "But if it deems it is for the best"; and in line 11, strike the first comma and show it as stricken matter and also at the end of the line insert "such person".

2. In the bill, Section 2, page 2, line 5, insert the word "the" after the first word "of"; and in line 7, strike the words "But if" and insert in lieu thereof "But if If".

3. In the bill title line 5 insert the word "the" after the word "in" and also after the word "changing".

(Signed) Donald F. McGinley, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE RESOLUTION 4. Referred to the Legislature with the recommendation that Dr. Sandritter and Phillip H. Vogt be invited to address the Legislature on mentally ill persons and state mentally ill institutions.

(Signed) O. H. Person, Chairman

Adjournment

At 11:53 a.m., on a motion by Mr. Larkin, the Legislature adjourned until 10:00 a.m., Monday, February 7, 1955.

Hugo F. Srb

Clerk of the Legislature

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 7, 1955

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 Mrs. Foote, and Messrs. Cramer, Diers and Tvrdik, who were excused.

The Journal for the Twenty-fourth Day was approved.

Communications

Petition from residents of Hayes and Hitchcock Counties, Nebraska, objecting to relocation of Highway 17. Referred to Committee on Public Works.

Letter from L. N. Ress, State Engineer, Lincoln, concerning the Motter Memorial Bridge. Referred to Committee on Public Works.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 201 Monday, February 14, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 5, 1955 at 9:55 a.m.

LB 20

LEGISLATIVE BILL 100. Placed on Select File as amended.

E and R amendments to LB 100:

1. In the bill, section 1, line 3, before the word "The" insert "(1)"; line 6, after the word "program" insert ", including the amounts referred to in subsection (4) of this section"; line 14, strike "(1)" and in lieu thereof insert "(1) (a)"; line 15, strike "(2)" and in lieu thereof insert "(2) (b)"; and in the same line, strike "(3)" and in lieu thereof insert "(3) (c)"; line 17, strike the period and in lieu thereof insert "to be paid to the secretary-treasurer of such district, as is provided for by subsection (3) of this section, or to be remitted to the county treasurer of the county in which the greater portion of the district is located, as is provided for by subsection (2) of this section. (2)"; and in the same line insert "," after the word "taxes"; line 19, insert "," after the word "located"; line 25, insert "(3)" before the word "It"; line 26, insert after the word "treasurer" the following "of the county where collected or from the county treasurer of the county in which the greater portion of the district is located, if such district is located in more than one county,"; line 28, strike the word "the" and in lieu thereof insert "the such"; line 34, insert "(4)" before the word "In".

2. In bill title, line 9, before the semicolon insert "as prescribed; to provide how such funds so remitted shall be credited".

LEGISLATIVE BILL 65. Replaced on Select File.

(Signed) Donald F. McGinley, Chairman

Public Works**LEGISLATIVE BILL 16.** Placed on General File as amended.

Standing Committee amendments to LB 16:

Page 2, Section 1, line 7, strike the words "or set aside", and insert in lieu thereof: "by the county board", and following the word "purpose" insert "by any municipality, corporation or individual".

Page 2, Section 1, line 14, strike the words "in receptacles", and in lines 14 and 15, strike the words "or set aside". In line 15, after the word "purpose" insert "by any municipality, corporation or individual".

Insert the following as Section 2:

"It shall be the duty of all highway patrol officers, game wardens, deputy game wardens, sheriffs, deputy sheriffs, constables and other police officers to enforce the provisions of this act and to make prompt investigation of any violations of the provisions of this act reported by any person."

Add the Emergency Clause.

Re-number the Sections accordingly.

Amend title to conform.

LEGISLATIVE BILL 109. Placed on General File.

(Signed) William Moulton, Chairman

Agriculture

LEGISLATIVE BILL 87. Placed on General File as amended.

Standing Committee amendments to LB 87:

1. On page 2 of the bill, section 2, line 18, following the word "poses;" insert the following: "and shall be tagged non-commercial, less than 18% available plant food."

2. Amend page 2 of the bill, section 2, line 25 by inserting after "acid" the following: "(P₂O₅)", and same line after "potash" the following: "(K₂O)".

3. Amend page 3 of the bill, section 3, line 17 by inserting after the word "Acid" the following: "(P₂O₅)", and line 18 by inserting after the word "Potash" the following: "(K₂O)".

4. Amend page 3 of the bill, section 3, line 24 by inserting after the word "fineness" the following: ", and the percentage of available phosphoric acid".

5. Amend page 10 of the bill, section 16, line 13 by inserting after the word "occurred." the following: "or to the Attorney General, as the case may be."

6. Amend page 10 of the bill, section 17, by striking line 4 and inserting in lieu thereof the following: "(1) for the first conviction be fined not less than one hundred dollars and (2) for each subsequent conviction thereof, be fined not less than three hundred dollars or imprisoned."

7. Amend page 10 of the bill, section 19, line 1 by inserting after the word "attorney" the following: "or to the Attorney General, as the case may be".

8. Amend the bill by adding the emergency clause and changing the title to conform.

LEGISLATIVE BILL 82. Placed on General File as amended.

Standing Committee amendments to LB 82:

1. Amend page 5 of the bill, section 6, line 8, after the word "least", delete "two" and insert in lieu thereof "one".

2. Amend page 5 of the bill, section 6, line 11, after the word "district", delete one of the words "shall".

3. Renumber sections 11, 12 and 13 to 12, 13 and 14, respectively, and add a new section 11 to read as follows:

"Sec. 11. Any provisions to the contrary notwithstanding, no tract or parcel of real estate within a suburban area and used for manufacturing, mining, railroad or industrial purposes, which, together with the buildings, improvements, machinery and equipment thereon situated, shall have an assessed valuation in excess of \$50,000 at the date of filing the petition mentioned in section 35-503, Reissue Revised Statutes of Nebraska, 1943, shall be included in any suburban district organized under this Article without the written consent of the owners thereof. No personal property shall be included within any suburban district which is situated upon real estate not included in such district."

LEGISLATIVE BILL 78. Placed on General File as amended.

Standing Committee amendments to LB 78:

1. On page 2, section 1, line 25, after the word "budget;" change to read as follows:

"Provided, that such sum shall not exceed \$5,000.00 or an amount equal to three-tenths mill levy on the dollar upon the value of all taxable property in such county (except intangible property) whichever is the greater."

2. Amend the bill by adding the emergency clause and changing the title to conform.

(Signed) Frank Nelson, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 54. Placed on General File as amended.

Standing Committee amendments to LB 54:

Amend Section 1, Page 2, line 7 by striking "five hundred" and inserting "five seven hundred fifty", and line 8 by striking "two" and inserting "two four".

Amend Section 2, Page 2, line 3 by inserting after "the" the following: "mayor, each councilman, and", and line 4 by striking "salary" and inserting "salaries".

Amend Page 1, the title of the bill, line 4 by inserting before "clerk" the following: "mayor, each councilman, and".

(Signed) John Aufenkamp, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 63.

A bill for an act to amend section 24-303, Reissue Revised Statutes of Nebraska, 1943, relating to district courts; to change the time when the judges of the district court shall fix the time of holding terms of court in the counties composing their respective districts during the ensuing year; 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.	Burney	McGinley	Person
Adams, T.	Cole	McHenry	Peterson
Anderson	Fenske	Martin	Pizer
Aufenkamp	Hoffmeister	Metzger	Ruhnke
Bahensky	Hubka	Morrison	Shultz
Beaver	Klaver	Moulton	Swanson
Bedford	Kotouc	Nelson	Syas
Bixler	Larkin	Otto	Thompson
Bridenbaugh	Lee	Perry	Vogel
Brower	Liebers		

Voting in the negative, 0.

Not voting, 5:

Cramer	Foote	Purdy	Tvrdik
Diers			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 13.

A bill for an act relating to cities and villages, particular class; to empower cities of the first and second class and villages to correct and re-establish the corporate limits of such city or village to conform

with a plat of such city or village which has been on file for more than ten years under the prescribed conditions; to provide a procedure therefor; to provide for notice to interested parties by publication; and to provide for appeal.

Whereupon the 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.	Burney	McGinley	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Hoffmeister	Metzger	Ruhnke
Bahensky	Hubka	Morrison	Shultz
Beaver	Klaver	Moulton	Swanson
Bedford	Kotouc	Nelson	Syas
Bixler	Larkin	Otto	Thompson
Bridenbaugh	Lee	Perry	Vogel
Brower	Liebers	Person	

Voting in the negative, 0.

Not voting, 4:

Cramer	Diers	Foote	Tvrdik
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 49.

A bill for an act to amend section 21-1,159, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to reduce the required vote of outstanding shares of each class entitled to vote in authorizing corporations to issue new shares of any class or to change previously issued shares or to classify or reclassify any shares; 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.	Bridenbaugh	Hoffmeister	McGinley
Anderson	Brower	Hubka	McHenry
Bahensky	Burney	Kotouc	Martin
Beaver	Cole	Lee	Metzger
Bixler	Fenske	Liebers	Morrison

Moulton	Person	Ruhnke	Syas
Otto	Pizer	Shultz	Thompson
Perry	Purdy	Swanson	Vogel

Voting in the negative, 5:

Adams, T.	Klaver	Larkin	Peterson
Bedford			

Not voting, 6:

Aufenkamp	Diers	Nelson	Tvrdik
Cramer	Foote		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 68.

A bill for an act to repeal sections 28-563 and 28-564, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments.

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

Voting in the affirmative, 10:

Adams, T.	Beaver	Morrison	Pizer
Aufenkamp	Kotouc	Moulton	Syas
Bahensky	McGinley		

Voting in the negative, 28:

Adams, J.	Cole	McHenry	Peterson
Anderson	Fenske	Martin	Purdy
Bedford	Hoffmeister	Metzger	Ruhnke
Bixler	Hubka	Nelson	Shultz
Bridenbaugh	Klaver	Otto	Swanson
Brower	Lee	Perry	Thompson
Burney	Liebers	Person	Vogel

Not voting, 5:

Cramer	Foote	Larkin	Tvrdik
Diers			

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

SELECT FILE

LEGISLATIVE BILL 48. 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 101. E and R amendments found in the Legislative Journal for the Twenty-fourth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 46. Considered.

Mr. Vogel asked unanimous consent that his motion to indefinitely postpone LB 46, found in the Legislative Journal for the Twenty-fourth Day, be withdrawn. No objections. So ordered.

Advanced to E and R for review with 37 ayes, 1 nay and 5 not voting.

LEGISLATIVE BILL 55.

Mr. Brower asked unanimous consent that LB 55 be laid over until Wednesday, February 9, 1955. No objections. So ordered.

LEGISLATIVE BILL 39. Considered.

The Metzger amendment, found in the Legislative Journal for the Twenty-fourth Day, lost with 13 ayes, 22 nays and 8 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 58. Considered.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 358	Monday, February 14, 1955	2:00 p.m.
LB 278	Monday, February 14, 1955	2:00 p.m.
LB 279	Monday, February 14, 1955	2:00 p.m.
LB 342	Monday, February 14, 1955	2:00 p.m.
LB 345	Monday, February 14, 1955	2:00 p.m.

LB 410 Monday, February 14, 1955 2:00 p.m.
LB 211 Monday, February 14, 1955 2:00 p.m.

Agriculture

LB 41 Wednesday, February 16, 1955 2:00 p.m.
LB 429 Wednesday, February 16, 1955 2:00 p.m.
LB 430 Wednesday, February 16, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 178. Placed on Select File as amended.

E and R amendment to LB 178:

1. In the bill title, line 7, insert the words "as prescribed," before the word "and".

LEGISLATIVE BILL 111. Placed on Select File as amended.

E and R amendment to LB 111:

1. In the bill title, line 5, insert "to be credited to the General Fund" after the word "Treasurer".

LEGISLATIVE BILL 56. Correctly engrossed.

LEGISLATIVE BILL 14. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Public Works

LEGISLATIVE BILL 89. Indefinitely postponed.

(Signed) William Moulton, Chairman

Adjournment

At 11:53 a.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 8, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Diers and Tvrdik, who were excused.

The Journal for the Twenty-fifth Day was approved.

Approved by the Governor

February 8, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 7, 1955, he approved LB 3, 24, 28 and 20.

Respectfully submitted,

(Signed) A. C. Eichberg

A. C. Eichberg
Administrative Assistant

Communications

Letter from Mrs. Donald F. McGinley, thanking the Members for the flowers sent to her.

Letter from M. S. Daily, Anselmo, Nebraska, opposing LB 68. Referred to Committee on Agriculture.

Letter from Bertha Pape, Cortland, Nebraska, relating to the Federal-State program of "Aid to the Permanently and Totally Disabled". Referred to Committee on Public Health and Miscellaneous Subjects.

LEGISLATIVE EXPENSES, JANUARY, 1955

Acct. No. 1 Incidental Expense Previous to next Session

State Purchasing Dept. Postage Meter Fund.....	\$	500.00	
State Purchasing Dept. Revolving Fund (Supplies)		75.38	
Acorn Press, Forms printed		124.00	
	\$		699.38

Acct. E-2 Members Salaries

Gross Amount	\$	8,600.00	
Members Net Payments		7,972.40	
W. H. Income Taxes		455.60	
Deferred Payment O.A.S.I. Taxes.....		172.00	
	\$		8,600.00

Acct. E-3 Members Mileage

11,392 miles @ .06 per mile	\$	683.52
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Acct. E-4 Employees Wages

	<u>Time</u>		<u>Rate</u>	<u>Gross</u>
				<u>Wages</u>
Lorraine Anderson, Docket Clerk	24	das. @	\$250/mo.	\$240.00
Ruby Black, Government Committee Clerk	24	das. @	250/mo.	240.00
Eunice Bradley, Supervisor	24	das. @	275/mo.	264.00

TWENTY-SIXTH DAY—FEBRUARY 8, 1955

	<u>Time</u>		<u>Rate</u>	<u>Gross Wages</u>
William Burley, Page	21	das. @	165/mo.	138.60
Barbara Churchill, Stenographer	1	da. @	235/mo.	9.40
Donna Cleavenger, Office Asst. & Secty.	24	das. @	250/mo.	240.00
John Dewey Curtis, Asst. Clk., Bill Room	23	das. @	195/mo.	179.40
Darlene Custer, Pub. Health & Misc. Subjects Com. Clk....	24	das. @	250/mo.	240.00
Clarence Davis, Legal Advisor	7	das. @	900/mo.	252.00
Adelaide Eichelberger, Stenographer	19	das. @	235/mo.	178.60
Jo Fisher, Chief Engrossing Clerk	10	das. @	325/mo.	150.00
Ernest Fouts, Chief Custodian	1	mo. @	200/mo.	200.00
Dorothea Fuchs, Budget Committee Clerk	22	das. @	250/mo.	220.00
Eloise M. Galloway, Supervisor	24	das. @	275/mo.	264.00
Florence Graham, Assistant Journal Clerk	24	das. @	260/mo.	249.60
Ramona Hansen, Proof Reader	23½	hrs. @	1.40/hr.	32.90
E. C. Hansen, Chaplain	24	das. @	140/mo.	134.40
Marjory A. Hines, Revenue Committee Clerk	24	das. @	250/mo.	240.00
Carl Hoffman, Assistant Custodian				
(4 days Dec.; 25 days, January)	29	das. @	185/mo.	213.48
Charles Keefer, Asst. Clk., Bill Room	19	das. @	195/mo.	148.20
Jane Kenner, Receptionist, Lt. Governor	24	das. @	200/mo.	192.00
Darlene Kepler, Stencil Cutter & Mimeograph.	13	das. @	200/mo.	104.00
Shirley Dell Kling, Stenographer	6	das. @	235/mo.	56.40
Betty Koch, Education Committee Clerk	24	das. @	250/mo.	240.00
Mary Carlene Kroese, Typist.....	24	das. @	235/mo.	225.60
Clara Jean Lewis, Page	24	das. @	165/mo.	158.40
G. F. Martin, Chief Clerk, Bill Room	24	das. @	240/mo.	230.40
F. R. Miller, Asst. Clerk, Bill Room	24	das. @	195/mo.	187.20

Charles Mohrman, Asst. Clerk, Bill Room	24	das. @	195/mo.	187.20
Barbara Nelson, Agriculture Committee Clk.	24	das. @	250/mo.	240.00
Ruby Nelson, Postmistress	24	das. @	180/mo.	172.80
LaVerne Obermeyer, Journal Clerk	1	mo. @	325/mo.	325.00
Ethel Pattison, Page	24	das. @	165/mo.	158.40
Clyde Pinkerton, Asst. Clerk, Bill Room	19	das. @	195/mo.	148.20
Elizabeth Reger, Proof Reader	175	hrs. @	1.40/hr.	245.00
Ralph Reger, Page	24	das. @	165/mo.	158.40
Betty Remington, Labor & Pub. Welfare C. Clk.	12	das. @	250/mo.	120.00
Melba Richling, Bookkeeper	19	das. @	275/mo.	209.00
Francis Robinson, Asst. Clerk of Legis.	25	das. @	18/da.	450.00
George Santo, Sergeant-at-Arms	1	mo. @	230/mo.	230.00
Edna Scott, Proof Reader	175	hrs. @	1.40/hr.	245.00
Mary Smetter, Proof Reader	23½	hrs. @	1.40/hr.	32.90
Verneal Spilker, Page	12	das. @	165/mo.	79.20
Ella Steenson, Public Works Com. Clerk	17	das. @	250/mo.	170.00
Ralph Stouffer, Assistant Custodian	1	mo. @	185/mo.	185.00
Ruth Styer, Stenographer	24	das. @	235/mo.	225.60
A. C. Taylor, Asst. Sergeant-at-Arms	24	das. @	190/mo.	182.40
Ruth Theobald, Banking, Commerce & Ins. Com. Clerk..	19	das. @	250/mo.	190.00
Richard Thoene, Misc. Appropriations & Claims, C. Clk...	18	das. @	250/mo.	180.00
Charles Touzalin, Asst. Clerk, Bill Room	18	das. @	195/mo.	140.40
Ruth B. Turner, Judiciary Committee Clerk	23	das. @	250/mo.	230.00
Gertrude Tyler, Telephone Operator	1	mo. @	180/mo.	180.00
Shirley Walker, Stenographer	24	das. @	235/mo.	225.60

TOTAL GROSS WAGES\$10,138.68
 Net Amt. Due Employees 8,800.60

	W. H. Income Taxes	1,138.00	
	Deferred Pmt. O.A.S.I. Tx.	200.08	
		<u> </u>	\$10,138.68
Acct. E-5	Incidental Expenses		
	Ernest Fouts (Supplies)	4.55	
	Sanitary Towel & Laundry (Linen Service).....	4.80	
	Lincoln Telephone Company	31.65	
	State Purchasing Dept.—(Postage Meter Fund).....	1,000.00	
	Ruby Nelson (after 4:30 mailing).....	20.00	
	The Hoover Company (Repairs)	5.99	
	Capitol Printing (Printing Bills).....	2,346.84	
		<u> </u>	\$ 3,413.83
Acct. No. 7	Lt. Governor Salary, Net	\$ 142.44	
	Deferred Pmt. O.A.S.I. Tx.	2.91	
		<u> </u>	\$ 145.35
Acct. No. 7-A	Expenses, Lt. Governor	48.00	48.00
Acct. No. 8	Clerk's Salary, Other Wages & Office Expenses		
	Hugo F. Srb, Clerk of the Legislature, Net	465.01	
	W. H. Income Taxes	45.40	
	Deferred Pmt. O.A.S.I. Tx.	10.42	
		<u> </u>	\$ 520.83
	GRAND TOTAL JANUARY EXPENSES.....		<u><u>\$24,249.59</u></u>

STANDING COMMITTEE REPORTS

Enrollment and Review

- LEGISLATIVE BILL 13.** Correctly enrolled.
- LEGISLATIVE BILL 49.** Correctly enrolled.
- LEGISLATIVE BILL 63.** Correctly enrolled.
- LEGISLATIVE BILL 18.** Correctly engrossed.
- LEGISLATIVE BILL 57.** Placed on Select File as amended.

E and R amendments to LB 57:

1. In the Standing Committee Amendment 1, line 4, strike the word "of" after the word "signatures" and in lieu thereof insert "upon"; line 7, strike the words "proposing to annex" and in lieu thereof insert "proposed to be annexed"; line 9, strike the period after the word "this".
2. In the Standing Committee Amendment 3, line 7, strike the words "proposing to annex" and in lieu thereof insert "proposed to be annexed"; line 8, strike the period after the word "section".
3. In the bill, section 1, line 4, insert the word "the" after the word "with".
4. In the bill, section 2, line 4, after the word "districts" insert ","; line 5, strike the word "of" after "superintendents" and in lieu thereof insert "for"; line 6, strike the word "the" before "combined" and in lieu thereof insert the word "a".
5. In the bill, section 3, line 4, after "petition" strike the word "to"; line 6, strike ", and" and in lieu thereof insert ". Such petition shall be"; line 7, before "petition" insert the word "separate"; line 11, strike ", such" and in lieu thereof insert ". The"; line 13, after "signatures" strike the word "to" and in lieu thereof insert "upon"; line 20, strike "and the" and in lieu thereof insert ". The"; strike "(1)" and "(2)" respectively in lines 22 and 24.
6. In the bill, section 4, strike "(1)" and "(2)" respectively in lines 15 and 17.
7. In the bill, section 5, line 4, insert "," after the word "county"; line 5, strike the word "any" and in lieu thereof insert "such"; and in the same line, strike the words "to the" and in lieu thereof insert "the county"; line 16, strike ", and he" and in lieu thereof insert ". He".
8. In the bill, section 6, line 2, after the word "county" insert "which is".

9. In the bill, section 7, line 3, before the word "If" insert "(1)"; line 8, before "provided" insert the word "is"; line 9, before the word "The" insert "(2)"; line 11, after the word "funds" insert "of each"; line 12, after the word "proposition" insert "in such proportion".

10. In the bill, section 8, line 3, before the word "The" insert "(1)"; line 8, strike the word "as" and in lieu thereof insert "as in the manner"; line 11, strike "a majority" and in lieu thereof insert "fifty-five per cent"; line 29, before the word "After" insert "(2)"; line 30, after the word "established" insert "as is provided for in subsection (1) of this section"; line 35, after the word "second" insert ","; line 37, before the word "In" insert "(3)".

11. In the bill, section 9, line 1, strike the word "enacted" and in lieu thereof insert "created or enlarged"; line 2, strike the comma after the word "establishment"; line 6, after the word "county" insert ",".

12. In the bill, section 10, line 11, strike "division of the college district" and in lieu thereof insert "of the divisions of the junior college district made in accordance with subsection (2) of section 79-1607. They shall be elected"; line 25, before the word "divisions" insert the word "the".

13. In the bill, section 13, line 10, strike "; to employ" and in lieu thereof insert ", and"; line 13, after the word "personnel" insert ","; line 15, strike the words "or funds" and in lieu thereof insert ", funds".

14. In the bill, section 14, insert "," before the word "to" in line 23 and after the word "warrants" in line 27; lines 24 and 25, strike "the erecting thereon of buildings," and in lieu thereof insert "erecting thereon".

15. In the bill, section 15, line 8, insert a comma after the word "rooms"; line 11, after the word "buildings" strike the comma; line 22, insert "," after the word "rights".

16. In the bill title, strike lines 2 to 7, beginning with the word "authorize" in line 2 to and including the word "taxes" in line 7, and in lieu thereof insert "provide certain procedure and requirements for the formation, increase in size, or change in the boundaries of a junior college district; to provide for elections; to provide for certain officers of such a district and their compensation; to provide powers and duties of such districts; to provide for establishing divisions of such junior college districts as prescribed; to provide for boards of education for such districts and the election of the members thereof; to provide powers and duties for certain public officials; to provide for making reports and estimates as prescribed".

LEGISLATIVE BILL 58. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 76. Placed on General File as amended.

Standing Committee amendments to LB 76:

Amend Section 1, Page 2, line 33 by striking "*eleven thousand seven hundred*" and inserting in lieu thereof "*nine thousand*".

Amend Section 1, Page 3, line 37 by striking "*twelve thousand five hundred*" and inserting in lieu thereof "*ten thousand*".

(Signed) John Aufenkamp, Chairman

Committee on Committees

February 7, 1955

Mr. President:

Your Committee on Committees wishes to report favorably on the appointment of Donald F. Robertson, North Platte, Nebraska to the Game, Forestation and Parks Commission and recommends that it be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr., Chairman

MOTION—Adopt Report

Mr. President: I move that the report of the Committee on Committees be accepted and the appointment voted upon. (Signed) Otto Kotouc, Sr.

The motion prevailed.

Vote on Mr. Robertson

Voting in the affirmative, 37.

Voting in the negative, 0.

Not voting, 6.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Robertson confirmed.

Visitors

Mr. Swanson introduced Lyle Aberle, Teacher, five sponsors, and thirty-one students from Milford High School, Milford, Nebraska.

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 section 37-706, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to permit the sale of game birds bearing shot marks under certain conditions; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 37:

Anderson	Cramer	Liebers	Person
Aufenkamp	Fenske	McGinley	Peterson
Bahensky	Foote	McHenry	Pizer
Beaver	Hoffmeister	Martin	Ruhnke
Bedford	Hubka	Metzger	Shultz
Bixler	Klaver	Morrison	Swanson
Bridenbaugh	Kotouc	Moulton	Syas
Brower	Larkin	Nelson	Thompson
Burney	Lee	Otto	Vogel
Cole			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Diers	Purdy
Adams, T.	Perry	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 69. With emergency.

A bill for an act to amend section 37-513, Reissue Revised Statutes of Nebraska, 1943, relating to fish and game; to eliminate the provision making it unlawful to train or run coon and trail hounds, or grey or wolf hounds as prescribed; to require the express permission of the landowner or tenant to so run such dogs upon private property; 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, T.	Cole	Liebers	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Vogel
Burney	Lee	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Diers	Perry	Ivrdik
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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 100. 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 65.

Mr. Syas moved that LB 65 be brought back to General File for consideration of the following specific amendment:

Substitute the number "10" for the number "7" in section 3, line 11.

Mr. Metzger objected.

The President declared the Syas motion out of order.

Advanced to E and R for engrossment with 29 ayes, 5 nays and 9 not voting.

Birthday

Mr. Beaver announced that today is Mr. Bahensky's birthday, and the members sang Happy Birthday to him. Mr. Bahensky expressed his appreciation.

Mr. Brower Presiding

UNANIMOUS CONSENT—Return LB 6 to General File

Mr. McGinley asked unanimous consent that LB 6 be recommitted to General File for the purpose of making a specific amendment. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 6.

Mr. McGinley offered the following amendment, which was adopted:

Amend Page 2, Section 1, line 8 by adding the words "or approved" following the word "accredited" and immediately preceding the words "high school".

Advanced to E and R for review.

LEGISLATIVE BILL 25.

Mr. Lee offered the following amendment, which was adopted:

Amend renumbered section 3, line 30, by striking the words "resolution or".

Mr. Lee offered the following amendment, which was adopted:

Amend Standing Committee amendment, Section 2, line 35, by striking the words "resolution or".

Advanced to E and R for review.

Member Excused

Mr. Cramer was excused for the remainder of the morning.

Explanation of Vote

Mr. President: Had I been present yesterday, February 7, 1955, I would have voted YES on LB 63, LB 13, and LB 49 on Final Reading. I would have voted NO on LB 68 on Final Reading. (Signed) Glenn Cramer

GENERAL FILE

LEGISLATIVE BILL 102. 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 118. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 70. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 88. 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 117. Read and considered.

Advanced to E and R for review with 32 ayes, 1 nay and 10 not voting.

LEGISLATIVE BILL 120. 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 134. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

1. Amend page 6 of the bill, section 8, line 12 by striking "ranges" and inserting "ranges townships".

Advanced to E and R for review.

LEGISLATIVE BILL 225. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 174. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 175. Read and considered.

Advanced to E and R for review.

LEGISLATIVE JOURNAL

Visitors

Mr. Liebers introduced Mrs. Dean Schnider and Mrs. Ivan Heir, Leaders, and nine members of the X-L Club of Waverly.

Member Excused

Mr. Hubka was excused until 10:00 a.m., Wednesday, February 9th.

President Warner Presiding

President Signs

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

LB 13

LB 49

LB 63

ANNOUNCEMENT—Committee Meeting

The Chairman of the Rules Committee announced that there will be a meeting of the Committee at 1:00 p.m. today in the West Senate Lounge.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

LB 329	Tuesday, February 15, 1955	2:00 p.m.
LB 205	Tuesday, February 15, 1955	2:00 p.m.
LB 207	Tuesday, February 15, 1955	2:00 p.m.
LB 79	Thursday, February 17, 1955	2:00 p.m.
LB 331	Thursday, February 17, 1955	2:00 p.m.
LB 373	Thursday, February 17, 1955	2:00 p.m.

Government

LB 66	Wednesday, February 16, 1955	2:00 p.m.
LB 186	Wednesday, February 16, 1955	2:00 p.m.
LB 208	Wednesday, February 16, 1955	2:00 p.m.
LB 291	Wednesday, February 16, 1955	2:00 p.m.
LB 322	Wednesday, February 16, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 105. Placed on General File as amended.

Standing Committee amendment to LB 105:

Sec. 3, page 2, line 10 after the word "the", strike the word "building" and insert the word "premises" in lieu thereof.

(Signed) Frank Nelson, Chairman

Enrollment and Review

LEGISLATIVE BILL 2. Correctly engrossed.

LEGISLATIVE BILL 32. Placed on Select File.

LEGISLATIVE BILL 33. Placed on Select File as amended.

E and R amendments to LB 33:

1. In the Standing Committee Amendment 1, line 2, insert the word "*the*" before the word "assessed"; line 3, strike the period after the word "greater" and in lieu thereof insert " ,".

2. In the Standing Committee Amendments 2 and 3, strike the periods after the newly inserted matter.

3. In the bill, section 1, line 7, insert " , " after the word "estate", and before the second "and".

4. In the bill title, line 7, strike the word "and" and in lieu thereof insert "to reduce the vote required at an election to permit the issuance of such bonds; to permit such bonds to be payable in not exceeding twenty years instead of not exceeding ten years;"

LEGISLATIVE BILL 172. Placed on Select File as amended.

E and R amendments to LB 172:

1. In the bill, section 1, line 3, insert " , " after the word "judgment"; and strike all of line 5 after the word "order" and in lieu thereof insert " , and the . *The time for and manner of taking such*".

2. In the bill title, line 7, after the word "verdict" insert "or granting or denying a new trial".

LEGISLATIVE BILL 112. Placed on Select File as amended.

E and R amendments to LB 112:

1. In the bill, section 1, line 3, insert "(1)" before the word "The"; insert " , " in line 4, after the word "examiners", in line 16 after the word "examiners", and in line 18 after the word "*Banking*"; in line 24 before the word "The" insert "(2)"; and in line 28 after the word "execute" insert "a".

2. In the bill title line 4, strike the words "manner of" and in lieu thereof insert "supervision of the"; and in lines 5 and 6 strike the words "examiner or other assistants are interested" and insert in lieu thereof "designated employees of the Department of Banking are interested as prescribed".

(Signed) Donald F. McGinley, Chairman

Explanation of Vote

Mr. President: Had I been present February 7th, I would have voted "Aye" on Final Reading for LB 63, LB 13 and LB 49, and "Nay" on LB 68. (Signed) Kathleen A. Foote

Adjournment

At 11:58 a.m., on a motion by Mr. Thompson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 9, 1955

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. Diers, Peterson and Tvrdik, who were excused, and Messrs. T. Adams, Hubka, Larkin, and Moulton, who were excused until 10:00 a.m.

The Journal for the Twenty-sixth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 131	Wednesday, February 16, 1955	2:00 p.m.
LB 306	Wednesday, February 16, 1955	2:00 p.m.
LB 311	Friday, February 18, 1955	2:00 p.m.
LB 326	Friday, February 18, 1955	2:00 p.m.

Judiciary

LB 245	Wednesday, February 16, 1955	2:00 p.m.
LB 246	Wednesday, February 16, 1955	2:00 p.m.
LB 247	Wednesday, February 16, 1955	2:00 p.m.
LB 248	Wednesday, February 16, 1955	2:00 p.m.
LB 249	Wednesday, February 16, 1955	2:00 p.m.
LB 250	Wednesday, February 16, 1955	2:00 p.m.
LB 251	Wednesday, February 16, 1955	2:00 p.m.
LB 252	Wednesday, February 16, 1955	2:00 p.m.
LB 253	Wednesday, February 16, 1955	2:00 p.m.
LB 254	Wednesday, February 16, 1955	2:00 p.m.
LB 255	Wednesday, February 16, 1955	2:00 p.m.

LB 256	Wednesday, February 16, 1955	2:00 p.m.
LB 233	Wednesday, February 16, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 8, 1955 at 3:00 p.m.

LB 13

LB 49

LB 63

LEGISLATIVE BILL 67. Correctly enrolled.

LEGISLATIVE BILL 69. Correctly enrolled.

LEGISLATIVE BILL 118. Placed on Select File.

LEGISLATIVE BILL 170. Placed on Select File as amended.

E and R amendments to LB 170:

1. In the bill, Section 1, line 7, strike the word "the" at beginning of line; in line 15 strike the words "court is situate" and in lieu thereof insert "action is pending"; in line 17 insert "district" before the word "court"; and in line 18 strike the word "there".

2. In Section 2, page 3, lines 14 and 15 strike the words "court is situate" and in lieu thereof insert "action is pending"; in line 16 strike "his"; and in line 17 before the word "court" insert "district" and strike "there".

3. In the bill title line 10, strike the words "the case may be" and in lieu thereof insert "prescribed".

(Signed) Donald F. McGinley, Chairman

Revenue

LEGISLATIVE BILL 130. Placed on General File.

LEGISLATIVE BILL 132. Placed on General File.

LEGISLATIVE BILL 53. Placed on General File as amended.

Standing Committee amendments to LB 53:

1. Amend page 2 of the bill, section 1, by reinstating the stricken matter in line 12 following the inserted figure 1957, by reinstating the

stricken matter in lines 13 and 14, and line 13 by inserting after the reinstated word "dollar" the words "and fifty cents".

2. Amend page 3 of the bill, section 3 by striking lines 5 to 13 and inserting in lieu thereof the following:

"Commissioner of Education. The State Commissioner of Education shall annually on or before the third Monday in July make apportionment of such fund to school districts in an amount not to exceed twenty dollars per pupil for those pupils at least fifteen years of age who have successfully completed a program of driver education and traffic safety which meets the standards and regulations as set forward by the State Board of Education; Provided, that not more than three per cent of the fund be used in the administration and supervision of this program including the preparation and distribution of appropriate printed materials to facilitate the program; and provided further, that a school in order to qualify for reimbursement under the provisions of this act must admit into the driver education program, without charge, any person between the ages of fifteen and twenty-one, who has not as yet completed high school."

(Signed) Monroe Bixler, Chairman

Judiciary

LEGISLATIVE BILL 234. Placed on General File.

LEGISLATIVE BILL 235. Placed on General File as amended.

Standing Committee amendment to LB 235:

Lines 9, 16: Add words "the lot or lots" after word "to".

Lines 18, 23: Read "said lot or lots" instead of "lots".

LEGISLATIVE BILL 236. Placed on General File.

LEGISLATIVE BILL 237. Placed on General File.

LEGISLATIVE BILL 238. Placed on General File.

LEGISLATIVE BILL 239. Placed on General File.

LEGISLATIVE BILL 240. Placed on General File.

LEGISLATIVE BILL 241. Placed on General File.

LEGISLATIVE BILL 243. Placed on General File.

LEGISLATIVE BILL 244. Placed on General File.

LEGISLATIVE BILL 223. Placed on General File.

(Signed) Joseph D. Martin, Chairman

President Signs

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

LB 67

LB 69

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 51.

A bill for an act to amend section 39-7,133, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide that it shall be unlawful to operate a vehicle after revocation of an operator's license under the provisions of sections 39-7,128 to 39-7,133, Revised Statutes Supplement, 1953; to provide that a license shall be revoked for one year and at the expiration thereof such person shall furnish proof of financial responsibility as prescribed; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, J.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Klaver	Morrison	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 6:

Adams, T.	Hubka	Peterson	Tvrdik
Diers	Moulton		

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 section 39-7,130, Revised Statutes Sup-

plement, 1953, relating to motor vehicles; to make it unlawful to refuse to surrender an operator's license on demand in accordance with the provisions of this act; 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, 38:

Adams, J.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Moulton	Peterson	Tvrdik
Diers			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTIONS

LEGISLATIVE RESOLUTION 4.

Mr. J. Adams moved the adoption of LR 4.

Mr. Syas requested a Call of the House.

A Call of the House was ordered and showed 33 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

Legislative Resolution 4 was adopted with 22 ayes, 9 nays and 12 not voting.

SELECT FILE

LEGISLATIVE BILL 178. E and R amendment found in the Legislative Journal for the Twenty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 111. E and R amendment found in the Legislative Journal for the Twenty-fifth Day was adopted.

Mr. Kotouc asked unanimous consent that the following amendment be adopted: Add the emergency clause and amend the title accordingly. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 57. 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 32. Advanced to E and R for engrossment.

LEGISLATIVE BILL 33. 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 172. E and R amendments found in the Legislative Journal for the Twenty-sixth Day were adopted.

Advanced to E and R for engrossment.

Mr. Nelson Presiding

GENERAL FILE

LEGISLATIVE BILL 16. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 55.

Mr. Lee offered the following amendments, which were adopted:

1. Amend page 2 of the bill by striking lines 3 to 18 and all amendments thereto, and inserting in lieu thereof the following:

"16-319. The city attorney shall be the legal adviser of the council and city officers, but the board of public works, whenever the mayor and city council have by ordinance so authorized, shall have the right to pay the city attorney additional compensation for legal services performed by him for it or to employ additional legal assistance other than the city attorney and pay such legal assistance out of funds disbursed under the orders of the board of public works. The city attorney shall commence, prosecute, and defend all suits and actions necessary to be commenced, prosecuted or defended on behalf of the corporation city, or that may be ordered by the council. He shall attend meetings of the council and give them his opinion upon any matters submitted to him, either orally or in writing as may be required. *The mayor and city council shall have the right to pay the city attorney additional compensation for legal services performed by him for the city or to employ additional legal assistance and to pay for such legal assistance out of the funds of the city. Whenever the mayor and city council have by ordinance so authorized, the board of public works shall have the right to pay the city attorney additional compensation for legal services performed by him for it or to employ additional legal assistance other than the city attorney and pay such legal assistance out of funds disbursed under the orders of the board of public works.*"

2. Amend the title of the bill by striking lines 4 to 10 and inserting in lieu thereof the following:

"class; to provide for additional compensation for the city attorney; to provide for additional legal assistance; to provide that when the mayor and city council have authorized by ordinance, the board of public works of such city shall have the right to pay the city attorney additional compensation for legal services performed by him for it or to employ additional legal assistance other than the city attorney and pay for such legal assistance out of funds of the board; and to repeal the original section."

Advanced to E and R for review.

LEGISLATIVE BILL 109. Read and considered.

Advanced to E and R for review.

Mr. J. Adams Presiding

LEGISLATIVE BILL 87. Read and considered.

Standing Committee amendments 1, 2, and 3 found in the Legislative Journal for the Twenty-fifth Day were adopted.

Mr. Nelson offered the following amendment to Standing Committee amendment 4, which was adopted:

Amend Standing Committee Amendment 4, line 3, by inserting after the word "acid" the following: "shall be given in larger print than the total phosphoric acid".

Standing Committee amendment 4 found in the Legislative Journal for the Twenty-fifth Day was adopted as amended.

Standing Committee amendments 5, 6, 7, and 8 found in the Legislative Journal for the Twenty-fifth Day were adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend LB 87, Page 11, Section 21, line 2 by striking the word "of" after the word "sales" and inserting "or" in lieu thereof.

Advanced to E and R for review.

Visitor

Mr. Otto introduced Mr. W. J. Williams, a former Member of the Legislature, who addressed the Legislature briefly.

GENERAL FILE

LEGISLATIVE BILL 82. Laid over.

LEGISLATIVE BILL 78. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 54. Read and considered.

Laid over.

LEGISLATIVE BILL 76. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-sixth Day were read.

Mr. Perry offered the following specific amendments to the Standing Committee amendments, which were adopted:

Amend Standing Committee amendment No. 1 to LB 76 by adding after "nine thousand" the words "six hundred".

Amend Standing Committee amendment No. 2 to LB 76 by adding after "ten thousand" the words "four hundred".

The Standing Committee amendments, as amended, were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 105. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-sixth Day was adopted.

Mr. Nelson offered the following specific amendment, which was adopted:

Amend LB 105, Page 3, Section 3, line 16, by striking "twenty-five" and inserting "five" in lieu thereof.

Advanced to E and R for review.

Visitors

Mr. Burney introduced members of the Nebraska Farm Bureau from Boyd, Knox, Dixon, Dakota, Thurston, Burt, Colfax, Platte, Pierce, Madison, Antelope, Boone, Dodge, Washington and Douglas Counties.

Member Excused

Mr. Morrison was excused until Monday, February 14, 1955.

UNANIMOUS CONSENT—Re-refer LB 227

Mr. Martin asked unanimous consent that LB 227 be re-referred to the Committee on Judiciary. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

LB 221	Tuesday, February 15, 1955	2:00 p.m.
LB 388	Tuesday, February 15, 1955	2:00 p.m.
LB 394	Tuesday, February 15, 1955	2:00 p.m.
LB 529	Thursday, February 17, 1955	2:00 p.m.
LB 401	Thursday, February 17, 1955	2:00 p.m.
LB 346	Thursday, February 17, 1955	2:00 p.m.

Public Works

LB 21	Thursday, February 17, 1955	2:00 p.m.
LB 289	Thursday, February 17, 1955	2:00 p.m.
LB 290	Thursday, February 17, 1955	2:00 p.m.
LB 181	Friday, February 18, 1955	2:00 p.m.
LB 187	Thursday, February 24, 1955	2:00 p.m.
LB 188	Friday, February 25, 1955	2:00 p.m.
LB 189	Friday, February 25, 1955	2:00 p.m.
LB 190	Friday, February 25, 1955	2:00 p.m.
LB 191	Friday, February 25, 1955	2:00 p.m.

LB 218	Thursday, March 3, 1955	2:00 p.m.
LB 271	Thursday, March 3, 1955	2:00 p.m.
LB 288	Thursday, March 3, 1955	2:00 p.m.

Revenue

LB 151	Tuesday, February 15, 1955	2:00 p.m.
LB 150	Tuesday, February 15, 1955	2:00 p.m.
LB 275	Tuesday, February 15, 1955	2:00 p.m.

Education

LB 42	Tuesday, February 22, 1955	2:00 p.m.
LB 135	Tuesday, February 22, 1955	2:00 p.m.

Judiciary

LB 227	Wednesday, February 16, 1955	2:00 p.m.
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STANDING COMMITTEE REPORTS**Miscellaneous Appropriations and Claims****LEGISLATIVE BILL 213.** Placed on General File as amended.

Standing Committee amendments to LB 213:

Amend Section 1, Page 2, line 2 by inserting "to the Governor" after the word "appropriated".

Amend Section 1, Page 2, line 5 by inserting ", and to be expended upon the approval of the State Building Commission" after the word "purpose".

(Signed) John Aufenkamp, Chairman

Revenue**LEGISLATIVE BILL 40.** Placed on General File as amended.

Standing Committee amendments to LB 40:

1. Amend page 2 of the bill, section 1, line 4 by reinstating the stricken matter, by striking line 7 and inserting "by such statement, until May 9, 1953 1959, (2) after May 3, 1953," ,by reinstating the word "and " in line 9, by striking line 10 and inserting "(3) (2) after the expiration of such period of two years May 9, 1959, pay a", and by reinstating the stricken matter in lines 11 and 12.

2. Amend page 2 and 3 of the bill, section 2, line 13 by striking "five-tenths of" and show the same as stricken matter, by striking

lines 23 and 24 and inserting "39-1001 to 39-1009, for a period of two years from *until* May 9, 1953 1959, and after the expiration of the period of two years *May 9, 1959, twenty*", by reinstating the stricken matter in lines 25 to 28, by striking line 34 and inserting "*from until* May 9, 1953 1959, and after the expiration of the period of two *May 9, 1959,*", by reinstating the stricken matter in line 35 beginning with the word "after", by reinstating the stricken matter in lines 36 to 39, by striking line 45 and inserting "*period of two years , until May 9, 1959, and after May 9, 1959, the other five-eighths of the balance re-*", and by reinstating the stricken matter in lines 46 to 48.

3. Amend page 4 of the bill, section 3 by striking line 9 and inserting "*for a period of two years , until May 9, 1959, there is levied and imposed an ex-*", by reinstating the stricken matter in lines 10 to 13, and by striking lines 14 to 15 and inserting "*provisions of section 66-410, and after such period of two years May 9, 1959, the tax shall be the same as before May 9, 1953 five cents per gallon. Use*".

4. Amend page 4 of the bill, section 4 by reinstating the stricken matter in lines 12 to 15.

5. Amend the title of the bill by striking lines 4 to 6 and inserting "to motor vehicle fuels; to extend the rate of gasoline tax and excise tax on motor vehicles fuels until May 9, 1959; to increase the amount that may be used to pay the cost of administering and enforcing the motor vehicle fuel tax laws of this state; to repeal".

(Signed) Monroe Bixler, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 97. Indefinitely postponed.

LEGISLATIVE BILL 106. Indefinitely postponed.

LEGISLATIVE BILL 196. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Enrollment and Review

LEGISLATIVE BILL 6. Placed on Select File as amended.

E and R amendments to LB 6:

1. In the original Fenske Amendment 1, line 7, strike the words "*less than*" after the word "*containing*"; and in the same line, after the word "*miles*" insert "*or less*"; line 9, after the word "*accredited*" insert "*or approved*".

2. In the title, lines 3 and 4, strike the words "provide for" and insert in lieu thereof "permit the"; line 4, after the word "district" insert "of the sixth class"; line 7, strike "; and" and in lieu thereof insert "as prescribed; to permit such districts in a county containing nine hundred square miles or less to make such payments of high school tuition in the manner and under the conditions prescribed,".

LEGISLATIVE BILL 173. Placed on Select File as amended.

E and R amendment to LB 173:

1. In the bill, section 1, line 3, after the word "case" insert "(1)"; line 4, strike the words "*or when the*" and in lieu thereof insert "(2) *such*"; line 5, strike the words "or when" and in lieu thereof insert "*or when (3)*"; line 6, strike "the" and in lieu thereof insert "*the such*", and in the same line, strike the comma and show the same as stricken matter; line 7, strike "as well as in cases where" and in lieu thereof insert "*as well as in cases where or (4)*"; and strike the parenthesis in lines 8 and 10 and show the same as stricken matter.

LEGISLATIVE BILL 120. Placed on Select File.

LEGISLATIVE BILL 117. Placed on Select File as amended.

E and R amendment to LB 117:

1. In the bill strike, commencing with the comma after the word "*claims*" in line 3 of section 1, page 2, to and including the comma after "*debts*" in line 4; and in line 5 after "*injury*" insert "*but not including officers' salaries and interest upon public debts*".

LEGISLATIVE BILL 101. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:06 p.m., on a motion by Mr. Fenske, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 10, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Twenty-seventh Day was approved as corrected.

Communications

Letter from 11 members of N.F.W.C., Home Economic & Civic Club, Pender, Nebraska, opposing LB 77 and LB 68. Referred to Committee on Agriculture.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 9, 1955 at 3:30 p.m.

LB 67

LB 69

LEGISLATIVE BILL 51. Correctly enrolled.

LEGISLATIVE BILL 52. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 19. Placed on General File.

(Signed) John Aufenkamp, Chairman

Banking, Commerce and Insurance**LEGISLATIVE BILL 45.** Placed on General File as amended.

Standing Committee amendments to LB 45:

1. Amend pages 2 and 3 of the bill by striking sections 1 to 5 and inserting in lieu thereof the following:

"Section 1. Whenever any official or employee of the State of Nebraska shall authorize in writing, the Auditor of Public Accounts, to withhold a specified portion of his salary or compensation, for the purpose of purchasing United States Bonds, such Auditor of Public Accounts may withhold such sum from the salary or compensation of such officer or employee for the period and in the amount stated in the authorization. The sum so withheld from an employee's salary or wages, together with the sums so withheld from the wages or salaries of all other employees of a particular department, state office, board, or commission, shall be credited by the Auditor of Public Accounts to department, state officer, board, or commission in which the employee is employed.

Sec. 2. The departments, state officers, boards, or commissions shall use the funds mentioned in section 1 of this act for purchasing United States Bonds issued by the United States government whenever any person shall have a sufficient sum of such withheld funds to buy such bond, and immediately deliver the bond to the person entitled thereto, or mail the same to the address designated in the authorization.

Sec. 3. The Auditor of Public Accounts, departments, state officers, boards, or commissions shall cease to withhold any of the funds mentioned in section 1 of this act from any of said salaries or compensation under the authorization upon: (1) Termination of employment; (2) written notice of cancellation of such authorization or the allotment thereunder; and (3) termination of the allotment arrangement by the Auditor of Public Accounts. Upon such termination the money, if any, so allotted, which has not been invested in bonds shall be immediately remitted to the official or employee from whose salary or compensation such money has been withheld.

Sec. 4. The Auditor of Public Accounts, heads of departments, state officers, boards, or commissions shall not incur any liability under the bonds required of them as such officials, on account of the duties imposed upon them under this act."

2. Amend the title of the bill by striking lines 2 to 20 and inserting in lieu thereof the following:

"FOR AN ACT relating to the purchase of United States Bonds; to provide for the withholding of portions of the salary or com-

pensation of officers and employees of the State of Nebraska when authorized in writing by such officers or employees for the purpose of purchasing for such officers and employees United States Bonds; to provide that such bonds shall be delivered to such officers or employees or mailed to the address in the written authorization; to provide for the termination of such written authorization; to provide for the return of any money not expended for such bonds upon the termination of the authorization; and to provide that the Auditor of Public Accounts, state officers, heads of departments, boards, or commissions shall not be liable under any bond required of them as such officials."

3. Amend the bill by adding the emergency clause, and changing title to conform.

(Signed) John J. Larkin, Jr., Chairman

Agriculture

LEGISLATIVE BILL 160. Indefinitely postponed.

LEGISLATIVE BILL 103. Placed on General File as amended.

Standing Committee amendments to LB 103:

1. Amend page 2 of the bill, section 1, by striking lines 25 to 33 and inserting in lieu thereof the following: *"said the brand or mark until the next renewal period, which shall be on or before January 1, 1949 1958. A renewal period shall occur every five years, commencing with January 1, 1949, and, at Beginning January 1, 1958, one half of the brands or marks, as determined by the Secretary of State, shall be renewed for a period of two years and the other one half shall be renewed for a period of four years. At least ninety days before such time, the Secretary of State shall notify every owner of a brand or mark of record of such renewal period and the owner of a brand or mark shall pay to the secretary a renewal fee of one dollar, if the renewal period is for two years, and two dollars, if the renewal period is for four years, and furnish such other information as may be required by the secretary Secretary of State. The At the end of the period for which the brand or mark was renewed, it shall thereafter be renewed for a period of four years, and the renewal fee of one dollar two dollars shall"*.

2. Amend the title of the bill, line 4 by inserting after the word "marks" the following:

"; to provide that brands and marks shall be renewed, as prescribed".

(Signed) Frank Nelson, Chairman

President Signs

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

LB 51

LB 52

LR 4

MOTION—Place LB 106 on General File

Mr. President: I move that LB 106 be placed on General File.

(Signed) Lester H. Anderson

The motion lost with 6 ayes, 18 nays and 19 not voting.

BILLS ON FINAL READING

The following bills were read and put on final passage:

LEGISLATIVE BILL 56. With emergency.

A bill for an act to amend section 77-1612, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to change the date authorities of cities, villages, townships, and districts, as prescribed, shall certify the amounts to the county clerk which they severally will require to be raised by taxation; 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:

Anderson	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Purdy
Beaver	Foote	Martin	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Moulton	Swanson
Bridenbaugh	Klaver	Nelson	Syas
Brower	Kotouc	Otto	Thompson
Burney	Larkin	Perry	Vogel
Cole	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Morrison	Tvrdik
Adams, T.	Peterson	

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

LEGISLATIVE BILL 14. With emergency.

A bill for an act to amend section 77-1231, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that persons required to list property for taxation furnish information concerning himself or members of his household or family as to service in the armed forces 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:

Anderson	Cramer	Lee	Person
Aufenkamp	Diers	Liebers	Pizer
Bahensky	Fenske	McGinley	Purdy
Beaver	Foote	McHenry	Ruhnke
Bixler	Hoffmeister	Metzger	Shultz
Bridenbaugh	Hubka	Moulton	Swanson
Brower	Klaver	Nelson	Syas
Burney	Kotouc	Otto	Thompson
Cole	Larkin	Perry	Vogel

Voting in the negative, 2:

Bedford Martin

Not voting, 5:

Adams, J.	Morrison	Tvrdik
Adams, T.	Peterson	

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

Members Excused

The members of the Budget Committee, Messrs. Bridenbaugh, Liebers, Diers, McHenry, Pizer, Vogel, Shultz, Peterson and Fenske were excused for Friday, February 11, 1955.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that we suspend the rules and consider

LB 18 and LB 2 on Final Reading today. (Signed) Dwight W. Burney

The motion prevailed 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 18. With emergency.

A bill for an act to prohibit the deposit of any garbage, debris, refuse, or other discarded or waste material, objects or substance, by any person, upon lands, premises or property, not owned, or under the control of such persons; to define terms; 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, 33:

Anderson	Diers	Liebers	Pizer
Bahensky	Fenske	McGinley	Purdy
Beaver	Foote	McHenry	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Perry	Thompson
Burney	Lee	Person	Vogel
Cramer			

Voting in the negative, 3:

Cole	Martin	Otto
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Not voting, 7:

Adams, J.	Aufenkamp	Morrison	Tvrdivk
Adams, T.	Klaver	Peterson	

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

LEGISLATIVE BILL 2. With emergency.

A bill for an act to amend section 72-201, Revised Statutes Supplement, 1953, relating to public lands and buildings; to provide that the Governor shall appoint five persons as members of the Board of

Educational Lands and Funds subject to the approval of the Legislature; to provide that one member shall be appointed from each congressional district and one member from the state at large; to provide for the term of office of such members; to provide for the compensation of such members; to provide for electing a chairman of the board; to provide for the fixing of the salary of the secretary of such board within the prescribed limits; to provide when a change in the salary of such secretary shall become operative; 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:

Anderson	Cole	Lee	Perry
Bahensky	Cramer	Liebers	Person
Beaver	Fenske	McGinley	Pizer
Bedford	Foote	McHenry	Purdy
Bixler	Hoffmeister	Martin	Shultz
Bridenbaugh	Hubka	Metzger	Swanson
Brower	Klaver	Moulton	Syas
Burney	Kotouc	Nelson	Thompson
	Larkin	Otto	Vogel

Voting in the negative, 2:

Diers	Ruhnke
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Not voting, 6:

Adams, J.	Aufenkamp	Peterson
Adams, T.	Morrison	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.

Announcement

Mr. Klaver announced to the Members that Mr. Tvrdik was recovering from his illness and expected to be back in the Legislature next week.

SELECT FILE

LEGISLATIVE BILL 58. Mr. Klaver asked unanimous consent that LB 58 be laid over for one week. No objections. So ordered.

LEGISLATIVE BILL 112. 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 170. 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 6. Laid over.

LEGISLATIVE BILL 173. E and R amendment found in the Legislative Journal for the Twenty-seventh Day was adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Burney introduced Mrs. Veda Thomas, Teacher, and seventeen pupils from the seventh and eighth grades of West Lincoln School District 126.

GENERAL FILE

LEGISLATIVE BILL 82. Laid over until Monday, February 14, 1955.

LEGISLATIVE BILL 54. Laid over.

LEGISLATIVE BILL 130. Read and considered.

Advanced to E and R for review.

Mr. Beaver Presiding

LEGISLATIVE BILL 132. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 53. Read and considered.

Standing Committee amendment 1 found in the Legislative Journal for the Twenty-seventh Day was adopted.

Mr. Ruhnke offered the following amendment to Standing Committee amendment 2: Amend section of the amendment so that the age be lowered from 15 to 14 years if they have a school permit.

The Ruhnke amendment lost with 11 ayes, 19 nays and 13 not voting.

Mr. Hubka moved to reconsider action on the Ruhnke amendment to Standing Committee amendment 2 to LB 53. The motion prevailed with 23 ayes, 4 nays and 16 not voting.

Mr. Ruhnke asked unanimous consent that LB 53 be laid over until Monday, February 14, 1955. No objections. So ordered.

LEGISLATIVE BILL 234. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 235. 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 236. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 237. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 238. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 239. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 240. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 241. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 243. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 244. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 223. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 213. Laid over until Monday, February 14, 1955.**UNANIMOUS CONSENT—Withdraw LB 282**

Mr. Syas asked unanimous consent that LB 282 be withdrawn. No objections. So ordered.

UNANIMOUS CONSENT—Return LB 6 to Enrollment and Review

Mr. McGinley asked unanimous consent that the Enrollment and Review Committee report on LB 6 be withdrawn and that LB 6 be recommitted to Enrollment and Review for review. No objections. So ordered.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects****LEGISLATIVE BILL 142.** Placed on General File as amended.

Standing Committee amendments to LB 142:

1. Amend page 2 and 3 of the bill by striking section 3 and inserting in lieu thereof a new section 3 to read as follows:

"Sec. 3. Payment of the tax provided for in section 53-160 on beer only shall be paid by the manufacturer at the time the manufacturer of beer manufactured within this state is shipped by said manufacturer to any other licensee within this state, or at the time that beer without this state is shipped by any manufacturer, wholesaler, or distributor outside this state to any licensee within this state, and all aforesaid manufacturers, wholesalers, or distributors, whether within or without this state, shall, on or before the fifteenth day of each calendar month commencing on the fifteenth day of the calendar month following the month in which aforesaid shipments are made, make a report under oath to the Nebraska Liquor Control Commission upon forms to be furnished by the Nebraska Liquor Control Commission for the purpose of showing the exact total amount in gallons of beer or fractional parts thereof shipped by all of aforesaid manufacturers, wholesalers, or distributors, whether within or without the State of Nebraska, during the preceding calendar month. All reports submitted by manufacturer,

wholesaler, or distributor as required by the provisions of this section shall contain such other information as the Nebraska Liquor Control Commission may require. The manufacturer, wholesaler, or distributor shall, at the time of the filing of the report, pay to the Nebraska Liquor Control Commission the amount of the tax due on said beer at the rate fixed in accordance with the provisions of section 53-160; said tax to be due on the date the aforesaid report is due.

A penalty of ten per cent in the amount of the tax shall be collected by the Nebraska Liquor Control Commission if the aforesaid report is not filed by the fifteenth day of the calendar month or if the tax is not paid to the Nebraska Liquor Control Commission by the fifteenth day of the calendar month and in addition thereto, interest on the tax shall be collected at the rate of one per cent per month, or fraction of a month, from the date the tax became due until paid.

No tax shall be levied or collected on beer manufactured within the State of Nebraska and shipped or transported outside the State of Nebraska for sale and consumption outside the State of Nebraska.

In order to insure the payment of all state taxes imposed by law on beer together with all interest and penalties thereon, all persons required to make reports and payment of such tax shall first enter into a surety bond with corporate surety, both such bond form and surety to be approved by the Nebraska Liquor Control Commission. Subject to the limitations hereinafter specified, the amount of such bond required of any taxpayer shall be fixed by the Nebraska Liquor Control Commission and may be increased or reduced by them at any time; Provided, that in fixing the amount, the Nebraska Liquor Control Commission shall require a bond in total amount equal to the amount of the taxpayer's estimated maximum monthly excise tax, ascertained in such manner as the Nebraska Liquor Control Commission may deem proper. In any event, the amount of such bond required of any one taxpayer shall not be less than one thousand dollars nor more than one hundred thousand dollars. These bonds shall be filed with the Nebraska Liquor Control Commission.

No person shall order or receive malt beverages in this state which have been shipped directly to him from outside this state by any person other than a holder of a permit for a license year issued by the Nebraska Liquor Control Commission. The Nebraska Liquor Control Commission may issue such permits to out-of-state shippers which shall allow the permittee to ship malt beverages to and only to holders of a beer distributor's license issued under the provisions of this section. A fee of twenty-five dollars shall be charged by the Nebraska Liquor Control Commission for each permit issued. The application for such permit and the permit shall be in such form as the Nebraska Liquor Control Commission shall prescribe. The application shall contain all such

provisions as the Nebraska Liquor Control Commission shall deem proper and necessary to effectuate the purpose of this section and shall include, but without limitation by reason of this special mention, a provision that the permittee in consideration of the issuance of a permit, agrees:

(1) To comply with and be bound by the provisions of this section pertaining to the making and filing of a bond and the making and filing of returns, the payment of taxes, penalties, interest and the keeping of records;

(2) That he will permit and be subject to all of the powers granted by the provisions of this section to the Nebraska Liquor Control Commission or its duly authorized employees or agents for inspection and examination of his premises and his records; and to pay actual expenses excluding salary, reasonably attributable to such expenses and examinations made by duly authorized employees of the Nebraska Liquor Control Commission, if within the United States; and

(3) If any such permittee violates any of the provisions of his application or of the provisions of this section, or the rules of the Nebraska Liquor Control Commission, the Nebraska Liquor Control Commission may revoke or suspend such permit for such period of time as they may determine.

Where a manufacturer, distributor, or wholesaler shall sell and deliver beer upon which the tax has been paid to any instrumentality of the Armed Forces of the United States engaged in resale activities as provided in section 53-160.01, the manufacturer, wholesaler, or distributor shall be entitled to a credit in the amount of the tax paid upon such beer sold and delivered to such person or persons in the event no tax is due on said beer as provided in section 53-160.01, and the amount of said credit, if any, shall be deducted from the tax due on the following monthly report, as provided by the provisions of this section to be filed, or shall be allowed as a credit on subsequent reports until liquidated.

Unused stamps previously issued by the Nebraska Liquor Control Commission pursuant to law for value received may be surrendered to the Nebraska Liquor Control Commission prior to the effective date of this act and the Nebraska Liquor Control Commission shall credit the account of the person surrendering such unused stamps with an amount equal to the face value of such stamps, and the person surrendering such stamps shall be entitled to use the above credit as payment of amounts due by reason of tax on beer under this section, provided that no credit shall be allowed after January 1, 1956, in any amount for stamps surrendered prior to the effective date of this act."

(Signed) O. H. Person, Chairman

Enrollment and Review

LEGISLATIVE BILL 32. Correctly engrossed.

LEGISLATIVE BILL 100. Correctly engrossed.

LEGISLATIVE BILL 48. Correctly engrossed.

LEGISLATIVE BILL 178. Correctly engrossed.

LEGISLATIVE BILL 46. Placed on Select File as amended.

E and R amendments to LB 46:

1. In the Standing Committee Amendment 1, in the new matter inserted as section 1, line 26, before the word "Remarks" insert "*and*".

2. In the Standing Committee Amendment 1, in the new matter inserted as section 2, line 14, strike "in such case" and in lieu thereof insert "~~in such case~~"; line 20, after the word "rear" insert "rooms"; line 30, after the word "years" insert "*during*"; insert "*,*" after the word "and" in line 13, after the word "empire" in line 26, after the word "respectively" in line 31, after the word "naturalization" in line 34, and after the word "day" in line 53; and strike the comma, and show as stricken matter, after the word "dominion" in line 26, after the word "state" in line 31, and after the word "person" in line 46.

3. In the Standing Committee Amendment 1, in the new matter inserted as section 3, line 3, before the word "It" insert "*(1)*"; lines 10 and 18, after the word "admit" strike the word "of" and show the same as stricken matter; line 11, before the word "place" insert the word "*the*"; line 14, strike the word "Such" and in lieu thereof insert "~~Such~~ *(2) The*", and in the same line, before the word "shall" insert "*, referred to in subsections (1) and (3) of this section,*"; line 27, strike the words "The registers" and in lieu thereof insert "*(3) The register or registers referred to in subsections (1) and (2) of this section*".

4. In the bill, renumbered section 4, insert "*,*" after the word "avenue" in line 8, after the word "and" in line 12, and after the word "naturalization" in line 34; line 13, strike "in such case" and show the same as stricken matter; line 29, strike the word "period" and in lieu thereof insert "~~period~~ *periods*"; line 30, after the word "years" insert "*during*"; line 49, after the word "when" insert "*the*".

LEGISLATIVE BILL 39. Placed on Select File as amended.

E and R amendments to LB 39:

1. In the original Standing Committee Amendment 3, in the new matter inserted as section 3, line 6 (line 7 of the mimeographed copy),

reinsert the stricken comma; and in the new matter inserted as section 5, line 14, insert before the word "permitted" the word "is".

2. In the bill, renumbered section 2, line 9, strike the word "section" and in lieu thereof insert "sections"; line 10, strike "subdivision (1) of section" and show the same as stricken matter; and strike the word "section" in lines 10 and 11 and show the same as stricken matter.

3. In the bill, renumbered section 6, line 5, insert "," before the word "and"; and lines 12 and 15, after the word "both" insert "*such a fine and imprisonment*".

4. In the bill title, line 6, after the semicolon insert "to correct internal references;"

LEGISLATIVE BILL 102. Placed on Select File as amended.

E and R amendments to LB 102:

1. In the bill, section 1, page 2, lines 3 and 4 and also line 7, strike "prohibited from sale, use, or discharge" and in lieu thereof in each case insert "which are prohibited from being sold, used, or discharged".

2. In the bill title, lines 5 and 6 strike "prohibited from sale, use or discharge as provided" and in lieu thereof insert "which are prohibited from being sold, used, or discharged".

LEGISLATIVE BILL 88. Placed on Select File as amended.

E and R amendments to LB 88:

1. In the bill, section 1, page 2, line 4 insert "," after "villages", also in lines 5 and 9 after "village", line 5 after "county", and in line 11 after "arms".

2. In the bill, section 1, page 2, line 9 after "a" insert "(1)" and before "manufacturing" insert "(2)"; line 11 before "for" insert "or"; line 12 before "federal" insert "(3)"; and in line 13 strike "*and recreation projects*" and in lieu thereof insert "*or recreation project*".

LEGISLATIVE BILL 225. Placed on Select File as amended.

E and R amendments to LB 225:

1. In the bill, section 1, page 2, line 32, strike "of" and insert "of for"; on page 3, line 36 strike "of it" and show as stricken matter; and after "certified" insert "*by such city council*"; and in line 43 strike "Said" and insert "*Said Such recreation*".

2. In the bill title line 6, insert "the" at end of line.

LEGISLATIVE BILL 70. Placed on Select File as amended.

E and R amendment to LB 70:

1. In the bill, section 1, page 2, line 10, strike the word "contemplated" and show as stricken matter; and in lines 13 and 16 strike the commas and show as stricken matter.

(Signed) Donald F. McGinley, Chairman

Members Excused

Messrs. Hubka, Perry and Cole were excused for Friday, February 11, 1955.

UNANIMOUS CONSENT—Revenue Committee Hearing

Mr. Bixler asked unanimous consent that the hearing of the Revenue Committee this afternoon be held in the East Senate Chamber inasmuch as the Committee on Public Health and Miscellaneous Subjects was not meeting. No objections. So ordered.

Adjournment

At 12:00 noon, on a motion by Mr. Klaver, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 11, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. T. Adams, Bridenbaugh, Cole, Diers, Fenske, Hubka, Klaver, Liebers, McHenry, Morrison, Perry, Shultz, Tvrdik and Vogel, who were excused.

The Journal for the Twenty-eighth Day was approved as corrected.

Member Excused

Mr. Brower was excused for Monday, Tuesday, Wednesday and Thursday morning, February 14, 15, 16 and 17, 1955.

MOTION—Washington's Birthday

Mr. President: I move that we observe Washington's birthday and that the program be arranged by the same persons who arranged the Lincoln's Day program. (Signed) George Syas

The motion prevailed.

STANDING COMMITTEE REPORTS**Enrollment and Review****Presented to the Governor**

Presented to the Governor for approval on February 11, 1955 at 8:15 a.m.

LEGISLATIVE BILL 56. Correctly enrolled.

LEGISLATIVE BILL 14. Correctly enrolled.

LEGISLATIVE BILL 18. Correctly enrolled.

LEGISLATIVE BILL 2. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 139. Placed on General File as amended.

Standing Committee amendments to LB 139:

1. Amend page 2 of the bill, section 1, line 32 by inserting after "68-602" the following:

" , if the employees entitled to vote in a referendum vote in favor of old age and survivor's insurance coverage".

2. Amend pages 3 and 4 of the bill, section 2 by striking lines 1 to 48 and inserting in lieu thereof the following:

"Sec. 2. That sections 68-601 to 68-619, and any amendments thereto, shall except as herein otherwise provided be applicable to metropolitan utilities districts and employees and appointees of metropolitan utilities districts. The state agency, contemplated in said sections, is authorized to enter on behalf of the State of Nebraska into an agreement with any authorized agent of the United States government for the purpose of extending the benefits of the Federal Old Age and Survivors' Insurance system as amended by Public Law 761, approved September 1, 1954, to the appointees and employees of each metropolitan utilities district, and all of said appointees and employees covered by a contributory retirement plan are hereby declared to be a separate group for the purposes of referendum and subsequent coverage. Metropolitan utilities districts are hereby declared to be political subdivisions of the state, as defined in section 68-602, and the Governor is authorized to appoint the board of directors of any metropolitan utilities district as the agency designated by him to supervise any referendum required to be conducted under the provisions of the Social Security Act, and is authorized to make any certifications required by the Social Security Act to be made to the Secretary of Health, Education and Welfare."

3. Amend page 4 of the bill, section 3, lines 2 and 3 by striking "and section 68-602, Revised Statutes Supplement, 1953, are" and inserting the word "is".

4. Amend the title of the bill, lines 3 and 4 by striking "and section 68-602, Revised Statutes Supplement, 1953," and line 11 by striking "sections" and inserting "section".

(Signed) John J. Larkin, Jr., Chairman

President Signs

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

LB 56

LB 14

LB 18

LB 2

UNANIMOUS CONSENT—Withdraw Notice of Hearing

Mr. Aufenkamp asked unanimous consent to withdraw the notice of hearing on LB 311, which was scheduled for February 18, 1955. No objections. So ordered.

Communication

Resolution from the Mayor and City Council of Falls City, Nebraska, concerning LB 378 and LB 379. Referred to Committee on Judiciary.

SELECT FILE

LEGISLATIVE BILL 118. Advanced to E and R for engrossment.

LEGISLATIVE BILL 120. Advanced to E and R for engrossment.

LEGISLATIVE BILL 117. 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 46. 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 39. 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 102. 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 70. 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 88. 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 225. E and R amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 54. Laid over.

Mr. Cramer Presiding

LEGISLATIVE BILL 40. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Mr. Person asked unanimous consent that LB 40 be laid over until Monday, February 14, 1955.

Mr. Bixler objected.

Mr. Person moved that LB 40 be laid over until Monday, February 14, 1955. The motion lost with 11 ayes, 13 nays and 19 not voting.

Advanced to E and R for review with 19 ayes, 3 nays and 21 not voting.

LEGISLATIVE BILL 19. Laid over.

Announcement

Mr. Lee called attention to the fact that it was the 40th anniversary of the founding of the Home State Bank, Humboldt, Nebraska, of which Otto Kotouc, Sr. is Chairman of the Board. Mr. Lee reviewed some of the happenings of the last 40 years and, in behalf of his colleagues, wished Mr. Kotouc many years of happy recollections and best wishes for the future.

Ease

An anniversary cake was presented to Mr. Kotouc, and the Legislature was at ease from 10:15 until 10:30.

Mr. Kotouc expressed his appreciation for the cake presented and for the best wishes of the Legislature.

MOTION—Flowers

Mr. President: I move that we send flowers to the 40th Anniversary Celebration of the Home State Bank, Humboldt, Nebraska.

(Signed) Dwight W. Burney.

The motion prevailed.

President Warner Presiding**BOY SCOUT REPORT**

Mr. Charles Thone and Governor Victor Anderson were escorted to the rostrum by thirty-seven Honor Explorer Scouts. James H. Johnson of Holdrege, Nebraska presented to Governor Anderson a report of the Boy Scout activities in Nebraska. A miniature flag and lapel button were presented to the Governor, Lieutenant Governor, and the Members of the Legislature.

Speaker Burney expressed his appreciation for the flags and lapel buttons.

STANDING COMMITTEE REPORTS**Education**

LEGISLATIVE BILL 86. Placed on General File as amended.

Standing Committee amendment to LB 86:

Amend page 2 of the bill, section 1, line 18 by striking “. All” and inserting “, except seventy-five per cent of all”, and line 21 by striking “a permanent” and inserting in lieu thereof “the temporary state”.

(Signed) Glenn Cramer, Chairman

Public Works

LEGISLATIVE BILL 155. Placed on General File as amended.

Standing Committee amendments to LB 155:

1. Amend Section 1, line 1, by inserting after the word "vehicle" the following: *"on any public street or highway"*.
2. Amend Section 1, line 2, by striking the word "checked" and inserting in lieu thereof the word *"determined"*.
3. Amend Section 1, line 2, by striking the word "electrical" and inserting in lieu thereof the word *"electronic"*.
4. Amend Section 1, line 3, by striking the word "checks" and inserting in lieu thereof the word *"determinations"*.
5. Amend Section 1, line 12, by striking the word "electrical" and inserting in lieu thereof the word *"electronic"*.
6. Amend Section 1, line 14, by striking the word "electrical" and inserting in lieu thereof the word *"electronic"*.
7. Amend Section 1, line 18, by striking the words "the license number" and inserting in lieu thereof the words *"a description"*.
8. Amend the title of the bill in line 2 by striking the word "checking" and inserting in lieu thereof the word *"determining"*.
9. Amend the title of the bill in lines 3 and 4 by striking the word "electrical" and inserting in lieu thereof the word *"electronic"*.
10. Further amend bill to add the emergency clause and amend title to conform.

(Signed) William Moulton, Chairman

Judiciary

LEGISLATIVE BILL 36. Placed on General File as amended.

Standing Committee amendment to LB 36:

That line 4, Sec. 4, page 3 be made to read "twenty" instead of "ten."

LEGISLATIVE BILL 37. Placed on General File.

LEGISLATIVE BILL 59. Placed on General File.

LEGISLATIVE BILL 61. Placed on General File.

LEGISLATIVE BILL 62. Placed on General File.

LEGISLATIVE BILL 127. Placed on General File.

LEGISLATIVE BILL 93. Placed on General File as amended.

Standing Committee amendment to LB 93:

Sec. 1, line 2 after the word testator, to insert “, either by name or by designation of such relationship singly or as one of a class,”.

(Signed) Joseph D. Martin, Chairman

Education

LEGISLATIVE BILL 162. Placed on General File.

LEGISLATIVE BILL 50. Placed on General File.

(Signed) Glenn Cramer, Chairman

LINCOLN'S DAY PROGRAM

Reverend Hansen Presiding

At 11:00 a.m., the following program was rendered:

The Battle Hymn of the Republic A Cappella Choir
 Now Let All the Heavens Adore Thee A Cappella Choir
 Prayer Captain Walter Kennedy
 Psalm LXVII (A Choral Recitative) A Cappella Choir
 Gettysburg Address Rev. Merlin Dana
 Address A. Leland Forrest
 Trygarre-Kan-Ingen Vara-Hemlandsang A Cappella Choir

The A Cappella Choir comes from Wahoo Junior College and is under the direction of Luther C. Gronseth.

Dr. A. Leland Forrest is the new Chancellor of Wesleyan University, Lincoln, Nebraska.

Rev. Merlin Dana is pastor of the Havelock Christian Church, Lincoln, Nebraska.

Captain Walter Kennedy is head of the Salvation Army in Lincoln, Nebraska.

Reverend Hansen expressed appreciation for the fine program.

MOTION—Holiday

Mr. President: I move that the employees of the Legislature not be required to be present tomorrow, February 12, 1955, in observance of Lincoln's birthday. (Signed) O. H. Person

The motion prevailed.

Appreciation

Mr. J. Adams expressed appreciation to those responsible for the selection of the new portraits of George Washington and Abraham Lincoln, on the west wall of the Chamber.

Visitors

Mr. Burney introduced a group of delegates to the Mid-Winter Education Conference of the Nebraska State CIO Council.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 65. Correctly engrossed.

LEGISLATIVE BILL 111. Correctly engrossed.

LEGISLATIVE BILL 33. Correctly engrossed.

LEGISLATIVE BILL 6. Placed on Select File as amended.

E and R amendment to LB 6:

1. In the bill title, lines 3 and 4, strike the words "provide for" and insert in lieu thereof "permit the"; line 4, after the word "district" insert "of the sixth class"; line 7 strike "; and" and in lieu thereof insert "as prescribed; to permit such districts in a county containing less than nine hundred square miles to make such payments of high school tuition in the manner and under the conditions prescribed;".

(Signed) Donald F. McGinley, Chairman

GENERAL FILE

LEGISLATIVE BILL 54.

Mr. Lee offered the following specific amendments, which were adopted:

1. Amend page 2 of the bill, section 1 by striking lines 3 to 20, and all amendments thereto, and inserting in lieu thereof the following:

"16-310. (1) The salaries of all the officers *in cities of the first class having a population of ten thousand inhabitants, or less* shall be fixed by ordinance at not to exceed the following sums per annum, except as provided in subsection (2) when approved by a vote of the electors, respectively: The mayor, *five seven hundred fifty* dollars; the treasurer, twelve hundred dollars; each councilman, *two four hundred*

dollars; the clerk, twenty-four hundred four thousand dollars; and each member of the board of public works, one hundred dollars.

(2) The salaries of the following officers in cities of the first class having a population of ten thousand inhabitants, or less shall be, when approved by a vote of the electors and fixed by ordinance, at not to exceed the following sums per annum, respectively: The mayor, twelve hundred dollars; each councilman, five hundred dollars; and each member of the board of public works, three hundred dollars.

(3) The salaries of all the officers in cities of the first class having a population of more than ten thousand inhabitants shall be fixed by ordinance at not to exceed the following sums per annum, except as provided in subsection (4) when approved by a vote of the electors, respectively: The mayor, twelve hundred dollars; the treasurer, twelve hundred dollars; each councilman, five hundred dollars; the clerk, four thousand dollars; and each member of the board of public works, three hundred dollars.

(4) The salaries of the following officers in cities of the first class having a population of more than ten thousand inhabitants shall be, when approved by a vote of the electors and fixed by ordinance, at not to exceed the following sums per annum, respectively: The mayor, eighteen hundred dollars; and each councilman, eight hundred dollars.

(5) The foregoing amounts set forth in subsections (1), (2), (3), and (4) shall be construed as limitations and not as fixed salaries.

(6) Other officers and employees of the city, except the police judge, shall receive such compensation as the mayor and council shall fix by ordinance at the time of their employment."

2. Amend page 2 of the bill, section 2 by striking all amendments thereto, and in line 4 by striking the word "clerk" and inserting "officers set forth therein", and line 4 by striking "salary" and inserting "salaries".

3. Amend the title of the bill by striking all amendments thereto, and by striking line 4 and inserting in lieu thereof "class; to increase the salary of the officers of such cities, as prescribed; to pro-".

Advanced to E and R for review.

UNANIMOUS CONSENT—Remarks

Mr. J. Adams asked unanimous consent that the following remarks made by him be entered as a part of this day's Journal. No objections. So ordered.

"Since it is the duty of government to encourage and protect the civil rights of its people, and since the C.I.O. has so finely served the

State of Nebraska by cooperating with this concept of government, I ask unanimous consent to have entered into the Journal of this Senate the remarks I now make."

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 138	Thursday, February 17, 1955	2:00 p.m.
LB 232	Thursday, February 17, 1955	2:00 p.m.

Adjournment

At 11:50 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 10:00 a.m., Monday, February 14, 1955.

Hugo F. Srb
Clerk of the Legislature

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 14, 1955

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. Brower and Tvrdik, who were excused.

The Journal for the Twenty-ninth Day was approved as corrected.

Approved by the Governor

February 14, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 11, 1955, he approved LB 13, 52, 67, 69, 63, 49 and 51.

Respectfully submitted,

(Signed) A. C. Eichberg

A. C. Eichberg
Administrative Assistant

Communications

Letter from Mrs. Leona Wiberg, Ord, Nebraska, favoring LB 231. Referred to Committee on Labor and Public Welfare.

Letter from Harry R. Follmer, Executive Director, John J. Pershing Memorial Foundation, concerning the collection of funds for the Memorial. Referred to the Committee on Government.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 464 Wednesday, February 23, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 11, 1955 at 3:55 p.m.

LB 56

LB 14

LB 18

LB 2

LEGISLATIVE BILL 172. Correctly engrossed.

LEGISLATIVE BILL 76. Placed on Select File as amended.

E and R amendments to LB 76:

1. In the first Standing Committee Amendment lines 2 and 3, strike "*nine thousand*" and in lieu thereof insert "*ninety-six hundred*" and also strike the first Perry General File Amendment.

2. In the bill, section 1, line 18, page 2 strike the period and in lieu thereof insert a semicolon as in the statutes.

LEGISLATIVE BILL 234. Placed on Select File.

LEGISLATIVE BILL 239. Placed on Select File.

LEGISLATIVE BILL 241. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 9. Re: Designation of the City of North Platte as the Headquarters of the Cowboy Hall of Fame and Museum.

Introduced by Harry L. Pizer, 38th District; Monroe Bixler, 41st District.

WHEREAS, on January 20, 1955, 25 trustees, representing most of the western states, met in Denver and organized the "Cowboy Hall of Fame and Museum", and

WHEREAS, said trustees have incorporated themselves for the purpose of establishing a permanent headquarters and building to house the Cowboy Hall of Fame and Museum, the purpose being to perpetuate the memory of the cowboy saga on the western plains, and

WHEREAS, Nebraska, and particularly western Nebraska, is historically the center of the romance of the cowboy, and

WHEREAS, the City of North Platte was the home of Buffalo Bill (William F. Cody) and was the location of the first rodeo on this continent, and therefore the City of North Platte is the most fitting location for the headquarters and building of the Cowboy Hall of Fame.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN 67TH SESSION ASSEMBLED:

(1) That it is the sincere desire of this Legislature that the City of North Platte should be designated as the headquarters of the Cowboy Hall of Fame and Museum.

(2) That the State of Nebraska would be honored to have the City of North Platte chosen as such headquarters, and the people of our State would cooperate in preserving the cowboy tradition.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 101.

A bill for an act to amend sections 46-165 and 46-168, Reissue Revised Statutes of Nebraska, 1943, relating to irrigation; to eliminate provisions required to be set out in the order changing the boundaries of an irrigation district; 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.	Bridenbaugh	Hubka	Martin
Adams, T.	Burney	Klaver	Metzger
Anderson	Cole	Kotouc	Morrison
Aufenkamp	Cramer	Larkin	Moulton
Bahensky	Diers	Lee	Nelson
Beaver	Fenske	Liebers	Otto
Bedford	Foote	McGinley	Perry
Bixler	Hoffmeister	McHenry	Person

Peterson
Pizer

Purdy
Ruhnke

Shultz
Swanson

Syas
Thompson
Vogel

Voting in the negative, 0.

Not voting, 2:

Brower

Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 6. E and R amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 82. Read and considered.

Standing Committee amendments 1 and 2, found in the Legislative Journal for the Twenty-fifth Day, were adopted.

UNANIMOUS CONSENT—Reject Amendment

Mr. Moulton asked unanimous consent to reject Standing Committee amendment 3 to LB 82. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 53.

Mr. Ruhnke asked unanimous consent to withdraw specific amendment to LB 53 found in the Legislative Journal for the Twenty-eighth Day and submit a new amendment in lieu thereof. No objections. So ordered.

Mr. Ruhnke offered the following specific amendment, which was adopted:

1. Amend Standing Committee amendment 2, line 7 by inserting after the word "pupil" the following:

"for those pupils who have not attained the age of sixteen but are over the age of fourteen years, except within metropolitan, primary,

and first-class cities, who are issued by the county treasurer a limited permit to drive a motor vehicle to and from the school building where he attends school, by the nearest highway or street from his place of residence, if such child lives a distance of one and one-half miles or more from such school and",

and line 21 by inserting after the word "school" the following:

"and those pupils who have not attained the age of sixteen but are over the age of fourteen years, except within metropolitan, primary, and first-class cities, who are issued by the county treasurer a limited permit to drive a motor vehicle to and from the school building where he attends school, by the nearest highway or street from his place of residence, if such child lives a distance of one and one-half miles or more from such school".

Mr. Kotouc Presiding

Mr. Syas moved that LB 53 be indefinitely postponed.

Mr. Syas requested a machine vote.

The motion lost with 5 ayes, 28 nays and 10 not voting.

Advanced to E and R for review.

Mr. Shultz Presiding

LEGISLATIVE BILL 213. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-seventh Day were adopted.

Mr. Vogel moved that LB 213 be indefinitely postponed.

The motion prevailed with 27 ayes, 12 nays and 4 not voting.

Visitors

Mr. Swanson introduced Mr. Herbert J. Duis, Gothenburg, Nebraska, a former member of the Legislature, who addressed the Legislature briefly.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 262	Monday, February 21, 1955	2:00 p.m.
LB 263	Monday, February 21, 1955	2:00 p.m.
LB 265	Monday, February 21, 1955	2:00 p.m.
LB 183	Monday, February 21, 1955	2:00 p.m.

LB 268	Monday, February 21, 1955	2:00 p.m.
LB 210	Monday, February 21, 1955	2:00 p.m.
LB 126	Monday, February 21, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 164. Placed on General File as amended.

Standing Committee amendments to LB 164:

1. Amend page 2 of the bill, Section 1, line 3 by re-instating the word, "law" and striking the words, "Chapter 21"; in line 14 strike the word, "either" and the words, "stock or"; in line 15 strike the word, "prohibited" and insert in lieu thereof the word "provided"; and in line 18 strike the word "either" and the words, "stock or".

2. Amend the title of the bill to conform.

LEGISLATIVE BILL 71. Indefinitely postponed.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 134. Placed on Select File as amended.

E and R amendments to LB 134:

1. In the bill, strike the word "of" and show as stricken matter: before the word "range" in section 1, lines 6, 16, and 18, section 2, lines 5 and 13, section 3, line 9, section 5, lines 5 and 12, section 6, line 6, section 7, lines 6, 8, 12, 14, 19, section 8, lines 5 and 17; and after "north," in section 1, line 20.

2. In the bill, before the word "township" strike the word "in" and show as stricken matter in section 1, lines 17 and 20, section 3, line 8, and section 8, line 5.

3. In the bill, insert the word "*the*" in section 1, line 6, before the word "sixth", and in section 8, line 23 before the word "north-", line 29 before the word "northwest", line 30 before the word "north-", line 33 before the word "northwest", line 35 before the word "half", and line 38 before the word "southwest".

4. In the bill, insert the word "*and*"; before the word "thence" in section 1, line 24, section 2, line 14, section 3, line 17, section 4, line 14, section 5, line 13, section 7, line 26, section 8, line 39; and after the semicolon in section 6, line 15.

5. In the bill, section 1, line 5, strike "twenty-three, and twenty-four, of" and in lieu thereof insert "*and twenty-three and twenty-four, of*"; line 15, 16, and 18, strike the word "by" and in lieu thereof insert "by on"; line 19, strike "one mile east of the guide meridian" and show the same as stricken matter; line 24, strike the word "northwardly" and in lieu thereof insert "*northwardly northerly*"; and in the same line after the word "boundary" insert "*line*".

6. In the bill, section 4, strike lines 9 and 10, beginning with the word "a" in line 9, and in lieu thereof insert "*a point where the fourth standard parallel intersects the same the north boundary line of township 16,*".

7. In the bill, section 6, line 5, strike the word "and" and in lieu thereof insert "and ,".

8. In the bill, section 7, line 6, strike the comma after the word "east" and in lieu thereof insert "*, of the*"; line 18, after the comma insert "*in*"; line 19, strike the word "nine" and in lieu thereof insert "*nine ten*"; line 20, strike the word "the" before "inter-" and in lieu thereof insert "*the an*"; line 21, strike the word "of" and in lieu thereof insert "*of with*"; line 25, strike "an intersection with" and show the same as stricken matter; line 26, after the word "along" insert "*the west line of*"; and line 27, strike "reservation line" and in lieu thereof insert "*reservation line reservations*".

9. In the bill, section 8, insert "*north,*" before the word "range" in lines 26, 29, 31, and 34, and after the last comma in lines 36 and 38.

10. In the bill title, line 7, before the semicolon insert "; to correct certain inaccuracies in the boundary descriptions of such counties."

LEGISLATIVE BILL 130. Placed on Select File as amended.

E and R amendment to LB 130:

1. In the bill, section 1, line 11, strike the comma and in lieu thereof insert "*, and*".

LEGISLATIVE BILL 238. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:02 p.m., on a motion by Mr. Nelson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 15, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Brower and Tvrdik, who were excused.

The Journal for the Thirtieth Day was approved as corrected.

Approved by the Governor

February 14, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 14, 1955, he approved LB 2.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

NOTICE OF COMMITTEE HEARINGS

Government

LB 167	Wednesday, February 23, 1955	2:00 p.m.
LB 363	Wednesday, February 23, 1955	2:00 p.m.
LB 449	Wednesday, February 23, 1955	2:00 p.m.
LB 503	Wednesday, February 23, 1955	2:00 p.m.
LB 504	Wednesday, February 23, 1955	2:00 p.m.

Agriculture

LB 77 Monday, February 28, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 101. Correctly enrolled.

LEGISLATIVE BILL 25. Placed on Select File as amended.

E and R amendments to LB 25:

1. In Standing Committee Amendment 1, Section 2, line 33, strike the period and show as stricken matter.

2. In the bill, page 3, line 40 strike the word "with" and show as stricken matter; line 43 after "gift" insert ", donation,"; line 44 after "property" strike "or donation" and show as stricken matter; line 45 strike "applied," and insert in lieu thereof "all applied, or only the"; and in line 19, page 4 strike the third comma and show as stricken matter.

LEGISLATIVE BILL 112. Correctly engrossed.

LEGISLATIVE BILL 170. Correctly engrossed.

LEGISLATIVE BILL 173. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 201. Placed on General File.

(Signed) John Aufenkamp, Chairman

Agriculture

LEGISLATIVE BILL 114. Placed on General File.

LEGISLATIVE BILL 141. Placed on General File as amended.

Standing Committee amendments to LB 141:

1. Strike Section 2, pages 3 and 4 of the bill.

2. Amend Section 3, page 4, line 1, by changing Section 3 to Section 2 and after "37-515", strike the following: "and 37-516".

3. Amend the title to conform.

(Signed) Frank Nelson, Chairman

President Signs

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

LB 101

UNANIMOUS CONSENT—Exchange Hearing Rooms

Mr. Cramer asked unanimous consent that the Education Committee and the Public Health and Miscellaneous Subjects Committee be allowed to exchange hearing rooms this afternoon. No objections. So ordered.

Announcement

Speaker Burney announced that pursuant to LR 4, he has invited Dr. Sandritter and Mr. Vogt to appear before the Legislature on Friday, February 25, 1955 at 11:00 a.m. for the purpose of addressing the Legislature regarding the mentally ill persons and institutions for the mentally ill.

RESOLUTIONS**LEGISLATIVE RESOLUTION 9.**

LR 9 was adopted with 38 ayes, 0 nays and 5 not voting.

President Signs

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

LR 9

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 48. With emergency.

A bill for an act to amend section 37-502, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to permit the Game, Forestation and Parks Commission to control, regulate, or prohibit the use of seines, fish traps, hoop nets, trammel nets, or similar devices on that portion of the Missouri River, 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, 41:

Adams, J.	Cramer	Liebers	Person
Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	McHenry	Pizer
Aufenkamp	Foote	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Burney	Lee	Perry	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Brower 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 100.

A bill for an act to amend section 35-509, Revised Statutes Supplement, 1953, relating to rural fire protection districts; to provide that when rural fire protection districts are located in more than one county, county treasurers shall remit taxes collected for the rural fire protection district to the county treasurer of the county in which the greater portion of the district is located as prescribed; to provide how such funds so remitted shall be credited; 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.	Cramer	Liebers	Person
Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	McHenry	Pizer
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Burney	Larkin	Otto	Thompson
Cole	Lee	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Aufenkamp Brower Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 178.

A bill for an act to amend section 38-605, Reissue Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide that investment or reinvestment of the proceeds of sale of real estate of a ward shall be made by the guardian in accordance with laws existing at the time of such investment or reinvestment, as prescribed, and subject to the approval of the county court having jurisdiction of the guardianship; 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.	Cramer	Liebers	Person
Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	McHenry	Pizer
Aufenkamp	Foote	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Burney	Lee	Perry	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Brower Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 32.

A bill for an act to amend section 17-107, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class; to pro-

vide which officers of a city of the second class shall be elected and which shall be 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, 36:

Adams, J.	Burney	Larkin	Perry
Adams, T.	Cole	Lee	Person
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	McGinley	Purdy
Bahensky	Fenske	McHenry	Shultz
Beaver	Foote	Martin	Swanson
Bedford	Hoffmeister	Metzger	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Otto	Vogel

Voting in the negative, 5:

Kotouc	Nelson	Peterson	Ruhnke
Morrison			

Not voting, 2:

Brower	Tvrdik
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place Bill on General File

Mr. President: I move that LB 160 be placed on General File.
(Signed) D. J. Cole

Mr. Morrison moved the previous question. The motion prevailed with 31 ayes, 0 nays and 12 not voting.

Mr. Cole requested a machine vote.

Mr. Cole requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Klaver moved that the Call be raised. The motion prevailed.

The Cole motion lost with 17 ayes, 11 nays and 15 not voting.

Visitors

Mr. T. Adams introduced Mr. James Keill, Teacher, and twenty-six students from the Social Studies Class of the Whittier Junior High School, Lincoln.

UNANIMOUS CONSENT—Recommit LB 53 to General File

Mr. McGinley asked unanimous consent that LB 53 be recommitted to General File for the purpose of correcting procedure in the adoption of Standing Committee amendment 2 as amended. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 76. E and R amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Mr. Perry asked unanimous consent that LB 76 be laid over until Thursday, February 17, 1955. No objections. So ordered.

LEGISLATIVE BILL 234. Advanced to E and R for engrossment.

LEGISLATIVE BILL 239. Advanced to E and R for engrossment.

LEGISLATIVE BILL 241. Advanced to E and R for engrossment.

LEGISLATIVE BILL 134. E and R amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 130. E and R amendment found in the Legislative Journal for the Thirtieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 238. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 53.

Mr. Ruhnke moved that Standing Committee amendment 2, found in the Legislative Journal for the Twenty-seventh Day, as amended, be adopted. The motion prevailed.

Advanced to E and R for review.

Mr. Otto Presiding

LEGISLATIVE BILL 19. Read and considered.

Mr. Diers moved that all the salary bills be bracketed on General File and considered together.

Mr. McHenry requested a machine vote.

The motion lost with 17 ayes, 11 nays and 15 not voting.

Mr. Perry moved that LB 19 be advanced to E and R for review.

Mr. Diers moved that LB 19 be committed to the Committee on Miscellaneous Appropriations and Claims.

The Chair ruled that 22 votes were necessary to commit a bill to a Standing Committee.

The Chair declared the motion lost with 19 ayes, 16 nays and 8 not voting.

Mr. Metzger appealed from the decision of the Chair.

The Chair stated: "The question is, 'Shall the Chair be sustained?' "

The Chair was not sustained with 13 ayes, 17 nays and 13 not voting, and the motion to commit LB 19 to the Committee on Miscellaneous Appropriations and Claims prevailed.

LEGISLATIVE BILL 45. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Mr. Bridenbaugh moved that LB 45 be indefinitely postponed.

Mr. Moulton requested a machine vote.

The Bridenbaugh motion to indefinitely postpone LB 45 prevailed with 22 ayes, 14 nays and 7 not voting.

LEGISLATIVE BILL 103. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-eighth Day were adopted.

Mr. Peterson asked unanimous consent that the following names be added as co-introducers of LB 103: Messrs. Shultz, 16th District, McHenry, 32nd District, Liebers, 18th District, Anderson, 25th District, and Syas, 4th District. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 142. Sections 1, 2 and 3 read and considered.

Mr. Larkin asked unanimous consent to amend line 1 of Standing Committee amendment to LB 142 by striking the words and figures "2 and 3" after the word "page" and inserting "4 and 5" in lieu thereof. No objections. So ordered.

Standing Committee amendment found in the Legislative Journal for the Twenty-eighth Day was adopted as amended.

UNANIMOUS CONSENT—Re-refer Bills

Mr. Peterson asked unanimous consent that LB 353 and LB 484 be re-referred to the Committee on Public Health and Miscellaneous Subjects.

Mr. Martin objected.

Mr. Peterson moved that LB 353 and LB 484 be re-referred to the Committee on Public Health and Miscellaneous Subjects.

Approved by the Governor

February 15, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 14, 1955, he approved LB 14, 18 and 56.

Respectfully submitted,
(Signed) A. C. Eichberg
A. C. Eichberg
Administrative Assistant

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 336	Monday, February 21, 1955	2:00 p.m.
LB 374	Wednesday, February 23, 1955	2:00 p.m.
LB 382	Wednesday, February 23, 1955	2:00 p.m.
LB 402	Monday, February 28, 1955	2:00 p.m.

Banking, Commerce and Insurance

LB 418	Tuesday, February 22, 1955	2:00 p.m.
LB 341	Tuesday, February 22, 1955	2:00 p.m.
LB 419	Tuesday, February 22, 1955	2:00 p.m.
LB 420	Thursday, February 24, 1955	2:00 p.m.
LB 421	Thursday, February 24, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 118. Correctly engrossed.

LEGISLATIVE BILL 117. Correctly engrossed.

LEGISLATIVE BILL 70. Correctly engrossed.

LEGISLATIVE BILL 78. Placed on Select File as amended.

E and R amendments to LB 78:

1. Strike Standing Committee Amendment 1 and in lieu thereof in section 1, line 25, after "exceed" insert "*five thousand dollars or*"; and in line 37, before the period insert "*, whichever is the greater*".

2. In the bill, section 1, line 3, after the word "If" insert ","; line 6, strike the quotation marks before and after "farm operators" and show the same as stricken matter; line 7, after "census" insert ","; lines 20, 22, and 54, strike the word "then" and show the same as stricken matter.

3. In the bill title, strike lines 3 through 8, beginning with "re-" in line 3 to and including the word "property" in line 8, and in lieu thereof insert "change the method of arriving at the maximum amount that may be set aside in the general fund of the county".

LEGISLATIVE BILL 132. Placed on Select File as amended.

E and R amendment to LB 132:

1. In the bill title, lines 5 and 6, strike "section 77-2315 or" and in lieu thereof insert "this section and section".

LEGISLATIVE BILL 235. Placed on Select File as amended.

E and R amendments to LB 235:

1. Strike the Standing Committee Amendments and in lieu thereof in line 9 and also in line 16 before the word "lots" insert "*any lot or*"; in line 18 strike "*said lot or the lots,*" and in lieu thereof insert "*said lot or lots and*"; in line 23 strike "let" and in lieu thereof insert "*said lot or*"; line 20, strike the word "may" and insert in lieu thereof "*such certificate and the rights under the same may ,*"; and in line 25 after the second word "by" insert "*a*"; and in line 26 after "provision" insert "*in regard to forfeiture and resale*".

2. In the bill title, line 5, strike the word "burial" and insert "a burial lot or".

LEGISLATIVE BILL 237. Placed on Select File as amended.

E and R amendment to LB 237:

1. In the bill, section 1, page 2, line 3 before the word "When"

insert "(1)"; in line 31 strike "(1)" and in lieu thereof insert "(1) (a)"; line 32 strike "(2)" and in lieu thereof insert "(2) (b)"; line 33 strike "(3)" and in lieu thereof insert "(3) (c)"; on page 3, line 35 strike "(4)" and in lieu thereof insert "(4) (d)"; line 36 strike "(5)" and in lieu thereof insert "(5) (e)"; line 37 strike "(6)" and in lieu thereof insert "(6) (f)"; line 38 strike "(7)" and in lieu thereof insert "(7) (g)"; line 42 insert "(3)" before the letter "A"; and at the end of line 48 insert "for"; and line 29, before "In" insert "(2)".

LEGISLATIVE BILL 244. Placed on Select File as amended.

E and R amendments to LB 244:

1. In the bill, page 2, section 1, at the end of line 7 insert "(1)"; line 9 strike "or from" and in lieu thereof insert "or from (2)"; and in line 11 strike the comma and show it as stricken matter.

2. In the bill title lines 5 and 6 strike the words "city treasurer, since" and in lieu thereof insert "the city treasurer and the appointment and qualification of a successor, since the".

LEGISLATIVE BILL 40. Placed on Select File as amended.

E and R amendments to LB 40:

1. In the Standing Committee Amendment 5, line 2, before the word "rate" insert "present".

2. In the bill, section 1, line 5, before the word "law" strike the word "the" and show as stricken matter.

LEGISLATIVE BILL 54. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:09 p.m., on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

THIRTY-SECOND DAY

9

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 16, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Brower and Tvrdik, who were excused, and Mr. J. Adams, who was excused until 10:30 a.m.

The Journal for the Thirty-first Day was approved as corrected.

Communications

Communication from E. C. Reed, Conservation and Survey Division of the University of Nebraska, inviting the Members to a Dutch Lunch at 6:30 p.m. Thursday, February 17, 1955, at the Lincoln Hotel, in connection with the convention of the Nebraska Well Drillers Association.

Letter from Mr. William E. Borton, Nebraska State Employment Service, relating to LB 274. Referred to Committee on Labor and Public Welfare.

Sixty-two cards from persons in all parts of the State in favor of continuing the practice of giving trading stamps and opposing LB 353, 484, and 442. Referred to Committee on Public Health and Miscellaneous Subjects.

MESSAGE FROM THE GOVERNOR

February 14, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated Bruce

Hagemeister to the Board of Education of State Normal Schools to fill the six-year term on such Board which ends on December 31, 1960.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

Referred to the Committee on Committees.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 92 Wednesday, March 2, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 48. Correctly enrolled.

LEGISLATIVE BILL 100. Correctly enrolled.

LEGISLATIVE BILL 178. Correctly enrolled.

LEGISLATIVE BILL 32. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 205. Indefinitely postponed.

LEGISLATIVE BILL 207. Placed on General File.

(Signed) O. H. Person, Chairman

Judiciary

LEGISLATIVE BILL 279. Placed on General File.

LEGISLATIVE BILL 278. Placed on General File as amended.

Standing Committee amendment to LB 278:

Sec. 1, line 22: Strike the word "relsewhere" and insert in lieu thereof the word "elsewhere."

LEGISLATIVE BILL 410. Indefinitely postponed.

LEGISLATIVE BILL 358. Placed on General File.

LEGISLATIVE BILL 60. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

President Signs

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

LB 48

LB 100

LB 178

LB 32

RESOLUTIONS

LEGISLATIVE RESOLUTION 10. Re: Memorialization of Congress to
Appropriate Sufficient Funds
to Complete Glendo Dam in
1957.

Introduced by Amos Morrison, 42nd District.

WHEREAS, the United States Bureau of Reclamation, Department of the Interior, is presently constructing Glendo Dam on the North Platte River in the State of Wyoming for the purpose, among others, of furnishing supplemental storage water for irrigated lands in eastern Wyoming and western Nebraska, and

WHEREAS, a contract for construction of said Glendo Dam has been awarded, which contract provides for completion of the dam in early 1958, and

WHEREAS, the contractor has indicated a willingness, without any increase in the cost of the work, to prosecute the work as rapidly as available funds will permit, and to complete the dam one year earlier than scheduled if sufficient funds are provided, and

WHEREAS, the earliest possible completion of Glendo Dam is of the utmost importance in order to relieve a critical water shortage in the North Platte Valley of eastern Wyoming and western Nebraska which shortage endangers the general economy of the area and threatens the security of hundreds of farm families, and

WHEREAS, the accelerated completion would not only make storage water available one year earlier without any increase in cost to the government but would actually result in benefits to the government, including increased revenues from sale of electric energy and lower costs of supervising the work.

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

1. That the Eighty-Fourth Congress of the United States be memorialized to provide appropriations for Glendo Dam in such amounts as

may be necessary to support a construction program designed to complete said Glendo Dam in 1957 instead of 1958 as presently planned.

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 Congress of the United States.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 65.

A bill for an act to amend sections 71-1202, 71-1206, and 71-1207, Reissue Revised Statutes of Nebraska, 1943, relating to boxing matches; to redefine to whom a license may be issued for conducting or holding boxing or wrestling matches; to eliminate the provision that the license shall designate the place where the exhibitions are to be held; to provide when boxing or sparring matches or exhibitions may exceed ten rounds in length; to increase the gross receipts tax; to eliminate the provisions that licenses shall not be issued where the mayor, council, or governing body has by ordinance forbidden wrestling or boxing matches or where county boards have by resolution forbidden the holding of wrestling or boxing matches or exhibitions; and to repeal the original sections and also section 71-1212, Reissue 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, T.	Fenske	McHenry	Peterson
Anderson	Foote	Martin	Pizer
Aufenkamp	Hoffmeister	Metzger	Purdy
Beaver	Hubka	Morrison	Ruhnke
Bedford	Klaver	Moulton	Shultz
Bixler	Kotouc	Nelson	Swanson
Bridenbaugh	Larkin	Otto	Syas
Burney	Lee	Perry	Thompson
Cole	Liebers	Person	Vogel
Diers	McGinley		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Brower	Cramer	Tvrdik
Bahensky			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 111. With emergency.

A bill for an act to authorize the Department of Banking to dispose of unclaimed funds acquired through the operation of the former Bankers Conservation Fund; to provide for transfer of such funds to the State Treasurer to be credited to the General Fund; to require claimants to any part of such funds to file claim therefor with the Sundry Claims Board within a limited time; to provide for hearing, consideration, and report on any claims so filed; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Cramer	Liebers	Person
Anderson	Diers	McGinley	Peterson
Aufenkamp	Fenske	McHenry	Pizer
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Burney	Larkin	Otto	Thompson
Cole	Lee	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

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

LEGISLATIVE BILL 33. With emergency.

A bill for an act to amend section 17-950, Reissue Revised Statutes of Nebraska, 1943, relating to second-class cities and villages; to in-

crease the amount of bonds that may be issued for the purpose of acquiring title to real estate and for building swimming pools and dams; to reduce the vote required at an election to permit the issuance of such bonds; to permit such bonds to be payable in not exceeding twenty years instead of not exceeding ten years; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 38:

Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	Martin	Pizer
Aufenkamp	Foote	Metzger	Purdy
Bahensky	Hoffmeister	Morrison	Ruhnke
Beaver	Hubka	Moulton	Shultz
Bedford	Klaver	Nelson	Swanson
Bixler	Kotouc	Otto	Syas
Bridenbaugh	Larkin	Perry	Thompson
Cole	Lee	Person	Vogel
Cramer	Liebers		

Voting in the negative, 1:

McHenry

Not voting, 4:

Adams, J.	Brower	Burney	Tvrdik
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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 Bill on General File

Mr. President: I move that LB 71 be placed on General File.
(Signed) George Syas

The motion lost with 12 ayes, 20 nays and 11 not voting.

MOTION—Amend Motion to Re-refer Bills

Mr. President: I move that the Peterson motion found in the Legislative Journal for the Thirty-first Day be amended to insert LB 442 in place of LB 484, and to insert Committee on Judiciary in place of Committee on Public Health and Miscellaneous Subjects. (Signed) Joseph D. Martin

The motion prevailed with 23 ayes, 9 nays and 11 not voting.

The Peterson motion, as amended, prevailed with 23 ayes, 5 nays and 15 not voting.

Visitors

Mr. Hubka introduced Mr. John Lux, Teacher, and thirty-six students from the Beatrice High School, Beatrice.

Mr. Morrison introduced Mr. Otto Prohs, of Gering, former Member of the Legislature, who addressed the Members briefly.

SELECT FILE

LEGISLATIVE BILL 25. Laid over until Friday, February 18, 1955.

LEGISLATIVE BILL 78. 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 132. 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 235. Laid over until Friday, February 18, 1955.

LEGISLATIVE BILL 237. 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 244. 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 40. E and R amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Mr. Shultz asked unanimous consent that his name be added as a co-introducer of LB 40. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 54. Advanced to E and R for engrossment.

GENERAL FILE

Mr. McGinley Presiding

LEGISLATIVE BILL 142. Sections 4, 5, and 6 read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 139. 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 86. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-ninth Day was adopted.

Mr. Metzger moved that the enacting clause be stricken from LB 86.

Mr. Metzger requested a machine vote.

The motion lost with 6 ayes, 26 nays and 11 not voting.

Laid over.

LEGISLATIVE BILL 155. Laid over until Tuesday, February 22, 1955.

President Warner Presiding

Visitors

Speaker Burney introduced members of the Nebraska Farm Bureau Federation from the following counties: Merrick, Hall, Wheeler, Howard, Sherman, Buffalo, Dawson, Gosper, Phelps and Kearney.

LEGISLATIVE BILL 36. Read and considered.

Mr. Martin asked unanimous consent that the Standing Committee amendment found in the Legislative Journal for the Twenty-ninth Day be withdrawn. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 37. Read and considered.

Mr. Martin offered the following Standing Committee amendment, which was adopted:

That line 4, Sec. 4, page 3 be made to read "twenty" instead of "ten."

Advanced to E and R for review.

LEGISLATIVE BILL 59. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 61. Read and considered.

Advanced to E and R for review.

Members Excused

Mr. Hubka was excused for Thursday and Friday, February 17 and 18, 1955.

Mr. J. Adams was excused for Thursday, February 17, 1955.

NOTICE OF COMMITTEE HEARINGS**Public Health and Miscellaneous Subjects**

LB 459	Thursday, February 24, 1955	2:00 p.m.
LB 121	Thursday, February 24, 1955	2:00 p.m.
LB 122	Thursday, February 24, 1955	2:00 p.m.
LB 123	Thursday, February 24, 1955	2:00 p.m.

Judiciary

LB 116	Wednesday, February 23, 1955	2:00 p.m.
LB 215	Wednesday, February 23, 1955	2:00 p.m.
LB 224	Wednesday, February 23, 1955	2:00 p.m.
LB 404	Wednesday, February 23, 1955	2:00 p.m.
LB 443	Wednesday, February 23, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Enrollment and Review****Presented to the Governor**

Presented to the Governor for approval on February 15, 1955, at 3:55 p.m.

LB 101

(Signed) Donald F. McGinley, Chairman

Judiciary**LEGISLATIVE BILL 342.** Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review**LEGISLATIVE BILL 88.** Correctly engrossed.**LEGISLATIVE BILL 225.** Correctly engrossed.**LEGISLATIVE BILL 239.** Correctly engrossed.**LEGISLATIVE BILL 57.** Replaced on Select File as amended.

E and R amendments to LB 57:

1. In Enrollment and Review Amendment 5, line 3, strike "*Such*" and in lieu thereof insert "*, which*" and also strike the portion of said amendment 5, referring to line 11 of section 3 of the bill.

2. In Standing Committee Amendment 3, line 4, strike the word "*of*" and insert "*on*"; and in section 5, line 12, strike "*of*" and insert "*on*"; and in line 13 strike "*to*" and insert "*on*".

LEGISLATIVE BILL 39. Replaced on Select File as amended.

E and R amendments to LB 39:

1. Strike the present Enrollment and Review Amendments and in lieu thereof in section 2, line 5, insert "*,*" before the word "*and*"; and in lines 12 and 15, after the word "*both*" insert "*such a fine and imprisonment*".

2. In the title line 5, strike the word "*of*" and in lieu thereof insert "*by*".

LEGISLATIVE BILL 174. Placed on Select File as amended.

E and R amendments to LB 174:

1. In the bill, section 1, line 9, before the word "*real*" insert "*the*"; and line 12, after the word "*estate*" insert "*proposed*".

2. In the bill, section 2, line 13, strike "*of publication, if any*" and in lieu thereof insert "*thereof published, if such published notice*";

line 14, strike the words *"to be sold is not"* and in lieu thereof insert *"proposed to be sold is alleged in the petition to not be"*.

3. In the bill, section 3, line 21, before the word *"order"* insert *"an"*; and line 23, strike the words *"to the granting of"*.

4. In the bill, section 4, line 3, strike the words *"of the state"* and show the same as stricken matter; and line 7, before the word *"as"* insert *","*.

5. In the bill title, line 5, strike the word *"on"* and in lieu thereof insert *"the"*; line 6, after *"debts"* insert *"shall set forth that the real estate proposed to be sold is not exempt from sale by virtue of having been the family homestead or for any other reason; to provide that the order to show cause and the notice thereof published, if such published notice is given, shall specifically state that the real estate proposed to be sold is alleged in the petition to not be exempt from sale by reason of having been the family homestead or for any other reason; to provide that at the hearing upon such petition "*; and line 12, before the word *"order"* insert *"an"*.

LEGISLATIVE BILL 175. Placed on Select File as amended.

E and R amendments to LB 175:

1. In the bill, section 1, line 4, before the word *"having"* insert *"and"*; line 5, before the word *"over"* insert *"who are"*; line 6, strike the comma after the word *"years"* and show the same as stricken matter; line 7, before the word *"who"* insert *"and"*; line 9, after the word *"write"* insert *","*; line 23, after *"served"* insert *"either as petit or grand jurors"*; line 26, strike the word *"person"* and in lieu thereof insert *"such person,"*; line 36, strike the word *"make"* and in lieu thereof insert *"shall make such"*; line 58, before the word *"bodily"* insert *"a"*; line 25, strike *"and"*.

2. In the bill, section 2, line 24, strike the word *"and"* and in lieu thereof insert *"or"* as in the statute.

3. In the bill, section 4, line 27, strike the word *"The"* and in lieu thereof insert *"This"* as in the statute.

LEGISLATIVE BILL 16, Placed on Select File as amended.

E and R amendments to LB 16:

1. Strike lines 1 to 4 inc. and 6 to 8 inc. of the Standing Committee Amendments and in lieu thereof, in Section 1, line 7 of the bill and also in lines 14 and 15, strike the words *"or set aside"* and in each

case in lieu thereof insert *"by the county board, or any municipality, corporation, or individual"*.

2. In the third Standing Committee Amendment line 2, after the word *"constables"* insert *","*.

3. In the bill page 2, section 1, line 4 after *"dump,"* insert *"or leave"*; also in line 4 strike *"leave or cause to be"* and insert in lieu thereof *"leave or cause to be deposited, dumped, or"*; in line 5 after *"alley"* insert *","*; line 6 after *"street"* insert *","*; line 9 after *"nails"* insert *","*; line 10 before *"liable"* insert *"which is"*; also line 10 insert *","* after *"animal"*; line 11 after *"appearance"* insert *","*; line 13 after *"stream"* insert *","*.

4. In the bill title line 4 after the word *"throwing"* strike the balance of the title and in lieu thereof insert *"leaving, or causing to be thrown, deposited, dumped, or left upon any public road, bridge, street, sidewalk, or alley or the prescribed substances in any stream or ditch along or across any public road, street, or alley, and other prescribed places, except at places designated or set aside for such purpose as prescribed; to impose certain duties upon certain public officers; to provide a penalty; to repeal the original section; and to declare an emergency."*

LEGISLATIVE BILL 55. Placed on Select File as amended.

E and R amendments to LB 55:

1. In the original Lee General File Amendment 1, line 11 (line 13, mimeograph copy), after the word *"prosecuted"* insert *","*.

2. In the original Lee General File Amendment 2, strike lines 3 to 6, to and including the word *"such"* in line 6, and in lieu thereof insert *"class; to permit the payment of additional compensation to the city attorney as prescribed; to permit the employment of additional legal assistance and the payment for the same; to provide that, whenever the mayor and city council have authorized the same by ordinance, the board of public works of such a"*; line 9 (line 11, mimeograph copy), before the word *"funds"* insert *"the"*.

LEGISLATIVE BILL 109. Placed on Select File as amended.

E and R amendment to LB 109:

1. In the bill, section 1, line 14, strike the word *"herein"* and in lieu thereof insert *"herein,"* and in the same line, after the word *"levied"* insert *"by section 72-1005,"*; lines 36 and 42, after the word *"boards"* insert *"and department"*; line 39, before the

word "or" insert ","; and line 43, before the word "construction" insert "the".

LEGISLATIVE BILL 105. Placed on Select File as amended.

E and R amendments to LB 105:

1. In the bill page 2, Sec. 3. line 10, strike the word "*complies*" and insert "*comply*"; after "Sec. 4." page 3, insert "That section 54-753.03, Revised Statutes Supplement, 1953, be amended to read as follows: "; and in line 3, Sec. 4. strike "*and*" and insert "*or*".

2. In the bill title line 10, after "provide" insert "for a".

LEGISLATIVE BILL 240. Placed on Select File as amended.

E and R amendments to LB 240:

1. In the bill, section 1, insert the word "*the*" in line 7, after the first word "of" and after the word "if", and line 43, after the word "of"; insert "," in line 30 after the word "party", line 31 before the word "to", line 39 after the word "thereof", line 48 after "25-1062.01", and line 52 before the word "or".

2. In the bill title, lines 4 and 5, strike "conform terminology to change in title of" and in lieu thereof insert "change the title of the"; line 5, after the word "water" insert "to conform with previous legislation".

LEGISLATIVE BILL 223. Placed on Select File as amended.

E and R amendments to LB 223:

1. In the bill, section 1, insert "," before the word "or" in lines 18, 22, 26, 46, 57, and 59; and after the word "*extended*" in line 24, before the word "*which*" in line 50, and before the word "*unless*" in line 51.

2. In the bill, section 1, line 17, before the word "When" insert "(1)"; lines 29 and 30, strike the words "*herein described*" and in lieu thereof insert "*provided for in subsection (2) of this section*"; line 33, strike the word "or" and in lieu thereof insert ","; line 34, strike "*or until*" and in lieu thereof insert ", or"; line 36, strike "*Such bond*" and in lieu thereof insert "(2) *The bond referred to in subsection (1) of this section*"; line 42, strike "*Said*" and in lieu thereof insert "*Such*"; line 45, strike the word "or" and in lieu thereof insert ","; line 47, before the word "have" insert "shall"; line 48, after the period insert "(3)"; line 49, after the word "bond" insert ", referred to in subsections

(1) and (2) of this section,"; line 54, strike the word "*herein*" and in lieu thereof insert "*in subsection (2) of this section*".

3. In the bill title, lines 5 and 6, insert a comma before the word "or".

(Signed) Donald F. McGinley, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 168. Placed on General File.

(Signed) John J. Larkin, Jr., Chairman

Adjournment

At 11:57 a.m., on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 17, 1955

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. J. Adams and Tvrdik, who were excused.

The Journal for the Thirty-second Day was approved as corrected.

Communications

Letters from Mr. and Mrs. John Scott, Alfred Scott, and Mr. and Mrs. Harold Richter, of Hayes Center, in favor of the proposed highway between North Platte and McCook.

Six letters and thirty-nine cards from persons in all parts of the State in favor of continuing the practice of giving trading stamps and opposing LB 353, 484 and 442. Referred to Committee on Judiciary.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 236. Placed on Select File as amended.

E and R amendment to LB 236:

1. In the bill section 1, page 3, line 58, strike "the" after the word "of" and in lieu thereof insert "the such" and on page 4, line 73 after "district" insert ",".

LEGISLATIVE BILL 243. Placed on Select File as amended.

E and R amendment to LB 243:

1. In the bill page 2, section 1, line 17 after "birth" insert "," and in the same line strike the comma and show as stricken matter; page 3, line 46 strike "or distributor," and in lieu thereof insert "or, distributor, or"; line 55 after "club" insert ","; and in line 56 strike "then" and show as stricken matter.

LEGISLATIVE BILL 120. Correctly engrossed.

LEGISLATIVE BILL 102. Correctly engrossed.

LEGISLATIVE BILL 234. Correctly engrossed.

LEGISLATIVE BILL 241. Correctly engrossed.

LEGISLATIVE BILL 130. Correctly engrossed.

LEGISLATIVE BILL 65. Correctly enrolled.

LEGISLATIVE BILL 111. Correctly enrolled.

LEGISLATIVE BILL 33. Correctly enrolled.

Presented to Governor

Presented to the Governor for approval on February 17, 1955, at 8:15 a.m.

LB 32

LB 48

LB 100

LB 178

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 65

LB 111

LB 33

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 295. Placed on General File as amended.

Standing Committee amendments to LB 295:

1. Amend Section 1, lines 19 and 20 after the word "shall" by striking the following: ", except as otherwise provided in subdivisions (1) and (2) of this section,".

2. Amend Section 1, line 22 by striking the word "these" and inserting in lieu thereof "*the following*"; and by striking the "." after the word "exemption" and inserting in lieu thereof ":".

3. Amend Section 1, lines 22 and 23 by striking the words "this liability shall not be transferred to any other person."

4. Amend Section 1, line 24 by striking the word "located" and inserting in lieu thereof the word "loaded".

LEGISLATIVE BILL 296. Placed on General File.

LEGISLATIVE BILL 297. Placed on General File as amended.

Standing Committee amendment to LB 297:

1. Amend the title by striking the word "provide" in line 4 and inserting in lieu thereof the word "redefine".

LEGISLATIVE BILL 298. Placed on General File as amended.

Standing Committee amendments to LB 298:

1. Amend Section 1, line 8 by inserting a "," following the word "vehicle".

2. Amend Section 1, line 9 by inserting a "," following the number "66-514".

LEGISLATIVE BILL 299. Placed on General File as amended.

Standing Committee amendment to LB 299:

1. Amend Section 1, line 3 by striking "(1)" and renumbering "(2)" to read "Sec. 2" and amend page 3, line 2 by changing "Sec. 2" to read "Sec. 3".

LEGISLATIVE BILL 300. Placed on General File.

(Signed) Monroe Bixler, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 10.

LR 10 was adopted with 38 ayes, 0 nays and 5 not voting.

STATEMENT—Introduce Bill

Mr. President: The Judiciary Committee, by a majority vote, agreed to introduce a bill which relates to the Workmen's Compensation Court and provides for filing of papers or pleadings therewith in connection with actions where the last day for such filing or action falls on a Saturday, Sunday, or any holiday. (Signed) Joseph D. Martin, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Judiciary Committee be permitted to introduce a bill dealing with workmen's compensation. (Signed)

Joseph D. Martin

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

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 535. By Committee on Judiciary, Joseph D. Martin, 30th District, Chairman.

A bill for an act relating to the Workmen's Compensation Court; to provide for filing of papers or pleadings with such court or with respect to taking any action with respect to a claim for compensation when the last day for such filing or action falls on a Saturday, Sunday, or on any day declared to be a holiday by law or proclamation of the Governor.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 172.

A bill for an act to amend section 25-1315.03, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court and in the Supreme Court; to provide the time and manner of taking an appeal to the Supreme Court from a ruling of the district court on a motion for judgment notwithstanding the verdict or granting or denying a new trial; 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.	Cole	Lee	Perry
Anderson	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Peterson
Bahensky	Fenske	McHenry	Pizer
Beaver	Foote	Martin	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Morrison	Swanson
Bridenbaugh	Klaver	Moulton	Syas
Brower	Kotouc	Nelson	Thompson
Burney	Larkin	Otto	Vogel

Voting in the negative, 0.

Not voting, 3:

Adams, J. Purdy Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

UNANIMOUS CONSENT—Final Reading

Mr. Bridenbaugh asked unanimous consent that the bills set for final reading tomorrow, LB 112, 170, 173, 118, 117 and 70, be laid over until Monday, February 21, 1955. No objections. So ordered.

Members Excused

Mr. Bridenbaugh asked that the members of the Budget Committee be excused tomorrow, February 18, 1955. Consent was granted.

Visitors

Mr. Liebers introduced Mr. John Lehigh, Teacher, Carl Shaffer, Superintendent, and nineteen students from Panama High School, Panama, Nebraska; and Rev. W. L. Ernstmeier and five students from St. John's Lutheran School, Kramer, Nebraska.

SELECT FILE

LEGISLATIVE BILL 58.

Mr. Metzger moved that LB 58 be returned to General File for the following specific amendment:

1. Amend page 2 of the bill, section 1, line 8 by inserting after the word "dollars" the following:

"; Provided, that after the effective date of this act, the Chief Justice and the Judges of the Supreme Court shall hold no other public office of profit or trust during their terms of office nor accept any public appointment or employment under the authority of the government of the United States for which they receive compensation for their services".

The motion prevailed with 26 ayes, 9 nays and 8 not voting.

LEGISLATIVE BILL 76. Advanced to E and R for engrossment.

LEGISLATIVE BILL 57. 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 39. 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 174. 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 175. 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 16. 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 55. 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 109. E and R amendment found in the Legislative Journal for the Thirty-second Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 105. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Mr. Bahensky moved that LB 105 be returned to General File to reconsider the Nelson amendment adopted February 9, 1955.

Mr. Nelson requested a record vote.

Voting in the affirmative, 29:

Anderson	Bahensky	Bixler	Cole
Aufenkamp	Beaver	Bridenbaugh	Cramer

Diers	Kotouc	Metzger	Peterson
Fenske	Lee	Moulton	Ruhnke
Foote	Liebers	Otto	Swanson
Hoffmeister	McGinley	Perry	Thompson
Hubka	Martin	Person	Vogel
Klaver			

Voting in the negative, 8:

Bedford	Burney	Nelson	Purdy
Brower	Morrison	Pizer	Syas

Not voting, 6:

Adams, J.	Larkin	Shultz	Tvrdik
Adams, T.	McHenry		

The motion prevailed.

Visitors

Mr. Metzger introduced Andrew Ebner, Teacher, Abe Dick, Superintendent, and twenty-nine students from Greenwood High School, Greenwood, Nebraska.

LEGISLATIVE BILL 240. 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 223. E and R amendments found in the Legislative Journal for the Thirty-second Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 58.

The Metzger specific amendment, found in this day's Legislative Journal, was adopted with 20 ayes, 8 nays and 15 not voting.

Mr. Aufenkamp offered the following amendment:

Amend Section 1 of LB 58 by striking "twelve" and inserting "eleven" and amend section 2 by striking "ten" and inserting "nine".

Mr. Aufenkamp requested a record vote.

Voting in the affirmative, 4:

Aufenkamp	McHenry	Peterson	Ruhnke
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Voting in the negative, 33:

Adams, T.	Diers	Lee	Person
Anderson	Fenske	Martin	Pizer
Beaver	Foote	Metzger	Purdy
Bedford	Hoffmeister	Morrison	Shultz
Bixler	Hubka	Moulton	Swanson
Brower	Klaver	Nelson	Syas
Burney	Kotouc	Otto	Thompson
Cole	Larkin	Perry	Vogel
Cramer			

Not voting, 6:

Adams, J.	Bridenbaugh	McGinley	T'vrduk
Bahensky	Liebers		

The amendment was not adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 105. Laid over.

LEGISLATIVE BILL 86.

Mr. Burney offered the following specific amendment:

1. Amend page 2 of the bill, section 1, by striking lines 21 to 23, and inserting in lieu thereof the following: "appropriated exclusively to the use and support of the common schools (1) in the county where the vehicle is registered, if registered in this state or (2) in the county where the violation was apprehended if the vehicle is not registered in this state."

Laid over until Monday, February 21, 1955.

LEGISLATIVE BILL 62. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 127. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 93. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-ninth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 162. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 50. Read and considered.

Laid over until Monday, February 21, 1955.

LEGISLATIVE BILL 164. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirtieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 201. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 114. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Klaver introduced Zell R. Sahn, Principal of Howard Kennedy School, Reverend Tyler and Robert Glover, from Omaha.

Mr. Otto introduced several members of the Sodtown Farm Bureau Unit from Buffalo County.

Mrs. Foote introduced several Nebraska Farm Bureau representatives from Adams and Kearney Counties.

Mr. Swanson introduced two officers from Dawson County Farm Bureau and one officer from Phelps County Farm Bureau.

Members Excused

Mr. Hubka was excused for the remainder of the day.

Mr. Lee was excused for Friday, February 18, 1955.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 248. Placed on General File as amended.

Standing Committee amendment to LB 248:

Sec. 1, line 7, strike "fifty-six" and place in lieu thereof "fifty-five."

LEGISLATIVE BILL 252. Placed on General File as amended.

Standing Committee amendments to LB 252:

1. Amend Section 1, line 11, by inserting after the word "State" and before the word "shall" the following: "or, if the Secretary of State is absent from or is not found in his office in the State Capitol at the time of the attempted service, by leaving a copy of the process or other paper served in the office of the Secretary of State with any person employed in the office of the Secretary of State who, previously to such service, has been designated in writing by the Secretary of State as the person or one of the persons with whom such copies may be left for such service upon the Secretary of State,"

2. Amend Section 1, line 20, by striking the period (.) after the word "party" and inserting in lieu thereof a semi-colon (;) and adding the following: "provided, that where the Secretary of State accepts service of summons as agent for such nonresident or foreign corporation, the process must show the city, and if of record, the street address of the nonresident or foreign corporation for the purpose of notification. A fee of three dollars shall be paid in advance to the Secretary of State for filing the summons."

3. Amend the title to comply with these changes.

LEGISLATIVE BILL 253. Placed on General File as amended.

Standing Committee amendment to LB 253:

In line 4 of title insert "commissions" in lieu of the word "commission."

LEGISLATIVE BILL 254. Placed on General File as amended.

Standing Committee amendments to LB 254:

Amend line 4 by restoring the stricken matter and adding the word "or"; line 6, after the comma (",") insert "except real estate and motor vehicles,".

Add a Section 3 to make it an emergency clause and change title to conform.

- LEGISLATIVE BILL 246.** Placed on General File.
- LEGISLATIVE BILL 249.** Placed on General File.
- LEGISLATIVE BILL 250.** Placed on General File.
- LEGISLATIVE BILL 251.** Placed on General File.
- LEGISLATIVE BILL 255.** Placed on General File.
- LEGISLATIVE BILL 256.** Placed on General File.
- LEGISLATIVE BILL 227.** Placed on General File.
- LEGISLATIVE BILL 233.** Placed on General File.

(Signed) Joseph D. Martin, Chairman

Government

- LEGISLATIVE BILL 229.** Placed on General File.
- LEGISLATIVE BILL 107.** Placed on General File.
- LEGISLATIVE BILL 206.** Placed on General File.
- LEGISLATIVE BILL 115.** Placed on General File.
- LEGISLATIVE BILL 44.** Indefinitely postponed.
- LEGISLATIVE BILL 8.** Indefinitely postponed.

(Signed) Sam Klaver, Chairman

Revenue

- LEGISLATIVE BILL 150.** Placed on General File.

(Signed) Donald F. McGinley, Vice Chairman

Enrollment and Review

- LEGISLATIVE BILL 87.** Placed on Select File as amended.

E and R amendments to LB 87:

1. In Standing Committee Amendment 1, line 2, strike the semi-colon after "poses"; line 3, strike the period after the word "food".
2. In Standing Committee Amendment 5, line 3, strike the period after the word "be", and also line 2, after the word "occurred".
3. In Standing Committee Amendment 6, line 5, strike the period after the word "imprisoned".

4. In Standing Committee Amendment 7, line 2, strike the word "to" after the word "or".

5. In the bill, section 2, line 37, insert a comma before the word "or".

6. In the bill, section 3, line 2, insert a comma before the word "or"; line 20, insert "and" before the word "certificate", and in the same line insert "a" after the word "or".

7. In the bill, section 4, line 1, before the word "Custom" insert "(1)"; line 5, strike the word "as"; line 16, before "A" insert "(2)"; line 19, before "Each" insert "(3)".

8. In the bill, section 5, lines 5 and 6, strike "items (a), (b), (c) of subsection (1)" and in lieu thereof insert "subdivisions (1), (2), and (3)".

9. In the bill, section 6, line 22, strike the words "submit fees" and in lieu thereof insert "pay the fees, as required by subsection (3) of this section,".

10. In the bill, section 7, line 22, insert a comma before the word "which"; line 23, insert a comma before the word "shall".

11. In the bill, section 10, line 12, before the word "date" insert "the".

12. In the bill, section 20, lines 4 and 5, insert a comma after the word "act".

13. In the bill, strike in section 23, lines 1 and 2, commencing with "81-2158" to but not including the comma before "Reissue" and in lieu thereof insert "81-2,158, 81-2,159, 81-2,160, 81-2,161, and 81-2,162"; and also make the same amendment in lines 8 and 9 of the title.

14. In the bill title, line 7, strike the word "and" and in lieu thereof insert "to provide how this act shall be known and cited,".

(Signed) Donald F. McGinley, Chairman

Members Excused

Messrs. Martin and Otto were excused for Friday, February 18, 1955.

Adjournment

At 11:58 a.m., on a motion by Mr. McHenry, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 18, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bedford, Bridenbaugh, Diers, Fenske, Hubka, Lee, McHenry, Martin, Otto, Peterson, Tvrdik and Vogel, who were excused, and Mr. Perry, who was excused until 10:30 a.m.

The Journal for the Thirty-third Day was approved as corrected.

MESSAGE FROM THE GOVERNOR

February 14, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated the following individuals to the State Board of Educational Lands and Funds for a term which ends on September 30, 1955:

Tom Coffey, Alma, Nebraska

Wm. E. Minier, Baird Building, Omaha, Nebraska

Jerome James DeLay, Norfolk, Nebraska

Clyde Cretsinger, Paxton, Nebraska

Carl Deitemeyer, c/o Nebraska Farmer, Lincoln, Nebraska

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

Referred to Committee on Committees.

Communications

Letter from Otto Kotouc, Jr., President, Home State Bank, Humboldt, Nebraska, thanking the Members for the flowers sent on the 40th anniversary of the Bank.

Letter from Theodore Redfield, Lincoln, Nebraska, relating to reduced taxes, higher wages and clean government. Referred to Committee on Government.

Twenty-seven letters and two hundred nineteen postal cards opposing LB 353, 442 and 484. Two letters in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

Three postal cards in favor of LB 362. Referred to Committee on Revenue.

Letter from Howard Hall, Spokane, Washington, relating to veterans' bonuses. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Mrs. L. J. Caloud, Grand Island, Nebraska, favoring LB 108. Referred to Committee on Labor and Public Welfare.

Letter from Laurence Bauer, Omaha, Nebraska, opposing LB 8. Referred to Committee on Government.

Petition bearing one hundred thirty-five signatures in favor of LB 77. Referred to Committee on Agriculture.

Letter addressed to Mr. Shultz from D. S. Campbell, Secretary, Hested Stores Company, favoring LB 353. Referred to Committee on Judiciary.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 287	Monday, March 7, 1955	2:00 p.m.
LB 499	Monday, March 7, 1955	2:00 p.m.

Public Works

LB 365	Friday, February 25, 1955	2:00 p.m.
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Revenue

LB 140	Thursday, February 24, 1955	2:00 p.m.
LB 276	Thursday, February 24, 1955	2:00 p.m.
LB 526	Thursday, February 24, 1955	2:00 p.m.

LB 148	Tuesday, March 1, 1955	2:00 p.m.
LB 149	Thursday, March 3, 1955	2:00 p.m.
LB 416	Thursday, March 3, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 131. Placed on General File.

LEGISLATIVE BILL 306. Placed on General File.

LEGISLATIVE BILL 361. Placed on General File as amended.

Standing Committee amendments to LB 361:

1. Amend the bill by striking section 2 and renumbering sections 3 and 4 as sections 2 and 3, respectively.

2. Amend renumbered section 2, line 4 by inserting after the word "and" the following:

"two hundred thousand dollars thereof transferred to the Governor for a Governor's Mansion to be expended upon the approval of the State Building Commission, and after said amount has been transferred, the balance shall be",

and by striking the new matter in lines 9 to 12.

3. Amend the title of the bill, line 5 by striking "Industrial" and inserting "Institutional", and by striking line 7 and inserting "out of the proceeds of one mill of the special tax for the State Institutional and Military Department Building Fund shall be".

(Signed) John Aufenkamp, Chairman

Agriculture

LEGISLATIVE BILL 96. Placed on General File.

LEGISLATIVE BILL 430. Placed on General File.

LEGISLATIVE BILL 429. Placed on General File.

LEGISLATIVE BILL 41. Placed on General File as amended.

Standing Committee amendments to LB 41:

1. Amend page 2 of the bill, section 1, line 11 by striking "of" and inserting "of not to exceed", line 25 by inserting "not to exceed" after the word "be", line 27 by inserting after the word "holder" the following:

"for established "Grade A" products; Provided, that when any "Grade A" products are shipped into Nebraska from a state by a valid "Grade A" certificate issued by the other state, such certificate shall be prima facie evidence that the products are "Grade A" and shall be accepted in this state as "Grade A" products without further inspection or payment of an inspection fee in this state unless the Department of Agriculture and Inspection shall determine that the inspections of the other state are not made according to the rules and regulations adopted by the department for inspection of "Grade A" products in this state".

2. Amend the title of the bill, line 8, by inserting after "1953" the following:

“; to provide when certificate of inspection may be accepted from other states and for waiver of fees for inspection”.

(Signed) Frank Nelson, Chairman

Government

LEGISLATIVE BILL 291. Placed on General File.

LEGISLATIVE BILL 208. Placed on General File.

LEGISLATIVE BILL 322. Placed on General File as amended.

Standing Committee amendment to LB 322:

1. Amend the bill by adding the emergency clause and changing the title to conform.

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 172. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 172

Bills Referred to Standing Committees

LB **Committee**

535.....Judiciary

SELECT FILE

LEGISLATIVE BILL 25. Laid over.

LEGISLATIVE BILL 235. 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 236. E and R amendment found in the Legislative Journal for the Thirty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 243. E and R amendment found in the Legislative Journal for the Thirty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 87. E and R amendments found in the Legislative Journal for the Thirty-third Day were adopted.

Mr. McGinley asked unanimous consent to adopt the following specific amendment:

Amend the E and R Amendment 13 to LB 87, correcting the section numbers, in the title and in section 23 of the bill, which are repealed by this bill, by inserting after "81-2,161," and before the word "and" in such amendment the following: "81-2,161.01, 81-2,161.02". No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return Bill to Select File

Mr. Person asked unanimous consent to return LB 132 to Select File for the following specific amendments:

1. Amend page 2 of the bill, section 1, line 14 by inserting after the word "county" the following: *" , or to a fund to be used exclusively for the purposes contemplated by the provisions of section 23-120, in the discretion of the county board"*.

2. Amend the title of the bill, line 8 by inserting after the word "county" the following: *" , or as determined by the county board"*.

No objections. So ordered.

Mr. Person asked unanimous consent that specific amendments to LB 132 be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

Mr. Aufenkamp Presiding

GENERAL FILE

LEGISLATIVE BILL 105. Laid over until Tuesday, February 22, 1955.

LEGISLATIVE BILL 141. 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 207. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 279. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 278. 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 358. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 168. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 295. 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 296. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 297. Read and considered.

Mr. Shultz offered the following amendment, which was adopted:

Amend Standing Committee amendment to LB 297 by inserting the words "for additional" after the word "provide".

Standing Committee amendment found in the Legislative Journal for the Thirty-third Day was adopted as amended.

Advanced to E and R for review.

LEGISLATIVE BILL 298. 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 299. 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.

LEGISLATIVE BILL 300. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 248. 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.

LEGISLATIVE BILL 252. 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 253. 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.

LEGISLATIVE BILL 254. 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 246. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 249. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 250. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 251. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 255. 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 227. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 233. Laid over until Monday, February 21, 1955.

UNANIMOUS CONSENT—Withdraw LB 258

Mr. Beaver asked unanimous consent that LB 258 be withdrawn. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

February 18, 1955

The Committee on Committees will meet at 1:00 p.m. on Thursday, February 24, 1955 in the West Senate Lounge to consider the following appointments made by Governor Anderson:

Bruce Hagemeister.....Board of Education of State Normal
Schools
Tom Coffey.....State Board of Educational Lands and
Funds
William E. Minier.....State Board of Educational Lands and
Funds
Jerome James DeLay..... State Board of Educational Lands and
Funds
Clyde Cretsinger.....State Board of Educational Lands and
Funds
Carl Deitemeyer.....State Board of Educational Lands and
Funds

(Signed) Otto Kotouc, Sr., Chairman

Public Works

LB 351 Thursday, March 10, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 290. Placed on General File.

LEGISLATIVE BILL 289. Placed on General File as amended.

Standing Committee amendments to LB 289:

Section 1, Line 5, insert after the word "safety" the words "of others".

Section 1, Line 13, after the word "emergencies" insert "*provided the exemption herein shall not apply to bondsmen.*"

Section 1, Lines 13 and 14, strike the word "however".

Section 1, Line 14, strike the word "such".

Section 1, Line 14, insert after the word "vehicle" the words "*ex-empted herein*".

LEGISLATIVE BILL 21. Placed on General File as amended.

Standing Committee amendment to LB 21:

Amend Line 11, Section 2, by deleting the word "one", and inserting in lieu thereof the words "*one-fourth*".

(Signed) William Moulton, Chairman

Revenue

LEGISLATIVE BILL 275. Placed on General File as amended.

Standing Committee amendment to LB 275:

1. Amend Page 3, Section 3, lines 15 and 19 by striking the word "eight" after the word "of" and inserting in lieu thereof the word "six".

(Signed) Donald F. McGinley, Vice-Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval at 8:20 a.m. on February 18, 1955

LB 111

LB 65

LB 33

LEGISLATIVE BILL 61. Placed on Select File as amended.

E and R amendments to LB 61:

1. In the bill, section 1, line 3, insert "(1)" before the word "Before"; line 9, before the word "or" insert "trustee," and in the same line strike ", and which" and in lieu thereof insert ", and which . The"; line 12, strike the word "and" and show the same as stricken matter; line 13, strike "and under" and show the same as stricken matter; line 14, strike the word "and" before "the" and show the same as stricken matter; strike lines 14 and 15, beginning with the word "also" in line 14, and in lieu thereof insert "also setting forth the reasons showing why the same to be is for the best"; line 24, before the word "At" insert "(2)"; line 25, after the first word "hearing" insert ", as is provided for by subsection (1) of this section,"; line 35, strike the word "as" and show the same as stricken matter; and line 38, insert a comma after the word "firms", as in the statute.

2. In the bill title, line 6, strike “that the judge” and in lieu thereof insert “where the proceedings to authorize entering into such contracts shall be brought by an executor, administrator, guardian, or trustee as prescribed; to provide that the district court or any judge thereof”.

LEGISLATIVE BILL 114. Placed on Select File as amended.

E and R amendment to LB 114:

1. In the bill page 2, Section 1, line 21, after “*thirty-five*” insert “.”

LEGISLATIVE BILL 176. Placed on Select File as amended.

E and R amendments to LB 176:

1. In the bill, section 1, strike the comma in line 4 after "company" and after "state" and also in line 8 after "courts" and show as stricken matter; insert "(1)" in line 7 after the word "from"; in line 9 strike "and from" and in lieu thereof insert "and from (2)"; line 10 strike the word "from" and in lieu thereof insert "from (3)"; and in line 14 after the word "council" insert "*or board of trustees*".

2. In the bill title line 4 insert ", militia duty in time of peace, and the assessment or payment of poll tax, as prescribed," after the word "service"; and in line 5 insert ", and otherwise as prescribed," before the word "to".

LEGISLATIVE BILL 238. Correctly engrossed.

LEGISLATIVE BILL 39. Correctly engrossed.

LEGISLATIVE BILL 57. Correctly engrossed.

LEGISLATIVE BILL 6. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

President Warner Presiding**President Signs**

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

LR 10

Adjournment

At 11:55 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 10:00 a.m., Monday, February 21, 1955.

Hugo F. Srb

Clerk of the Legislature

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 21, 1955

Pursuant to adjournment, the Legislature met at 10:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Thirty-fourth Day was approved as corrected.

Communications

Four hundred five postal cards and forty-one letters against, and two letters and one postal card in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

Postal card from Mrs. Melvin Turman of McCook, Nebraska concerning the sale of school lands. Referred to Committee on Education.

Postal card from Mrs. O. A. Moore of Lincoln, Nebraska, concerning LB 475. Referred to Committee on Judiciary.

Postal card from L. C. Belden of Lincoln, Nebraska, concerning LB 362. Referred to Committee on Revenue.

Postal card from Mr. and Mrs. C. B. Franks of Utica, Nebraska, concerning LB 267 and LB 362. Referred to Committee on Labor and Public Welfare.

Invitation

Invitation from Oliver W. Roberts, General Manager of the Omaha Chamber of Commerce, to the legislators and state officials and their wives to attend a dinner at the Omaha Chamber of Commerce quarters on Tuesday, March 8, 1955.

STANDING COMMITTEE REPORTS**Enrollment and Review****Presented to the Governor**

Presented to the Governor for approval on February 19, 1955, at 8:15 a.m.

LB 172

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

February 19, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 18, 1955, he approved LB 100, 101, 178, 48 and 32 and on February 19, 1955, he approved LB 33, 65 and 111.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

February 19, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 19, 1955, he approved LB 172.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS**Revenue**

LEGISLATIVE BILL 151. Indefinitely postponed.

(Signed) Donald F. McGinley, Vice Chairman

MOTION—Place LB 8 on General File

Mr. President: I move that LB 8 be placed on General File notwithstanding the committee report. (Signed) William A. Metzger

Mr. Metzger requested a Call of the House.

A Call of the House was ordered and showed 41 members present.

Mr. Klaver moved that the Call be raised. The motion prevailed.

The Metzger motion lost with 21 ayes, 8 nays and 14 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 112.

A bill for an act to amend section 8-103, Reissue Revised Statutes of Nebraska, 1943, relating to banks and banking; to change the supervision of the examination of any institution in which the designated employees of the Department of Banking are interested 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, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 170.

A bill for an act relating to procedure in civil actions with respect

to garnishment; to provide for transfer to the district court of garnishment proceedings pending before any justice of the peace or in any county or municipal court whenever it appears that the amount in controversy or the value of the property in controversy is in excess of the maximum amount of the jurisdiction of the justice of the peace or of the county or municipal court, as prescribed; and to prescribe the procedure to effect such transfer and the further proceedings to be had in the district court.

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

Voting in the affirmative, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 173.

A bill for an act to amend section 25-1140.06, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court; to provide that the clerk of the district court may settle and sign a bill of exceptions whenever for any cause the judge of the district court before whom the cause was tried has ceased to hold that office; 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrđik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

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 repeal section 53-181, Reissue Revised Statutes of Nebraska, 1943, relating to liquors.

Whereupon the 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrđik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 117.

A bill for an act to amend section 16-726, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide for filing claims against the city as prescribed; to repeal the original section, and also section 16-725, Reissue 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

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 17-524, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to change the procedure for making the assessments for streets, sidewalks, and improvements under the provisions of sections 17-509 to 17-523, Reissue 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, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 88.

A bill for an act to amend section 81-831, Reissue Revised Statutes of Nebraska, 1943, relating to State Zoning Agency; to redefine powers of State Zoning Agency; 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 225.

A bill for an act to amend section 14-514, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to harmonize authorized maximum rate of levy in any such city located in a county containing a duly constituted and functioning health district with the maximum rate of levy in other cities within such class; and to repeal the original section.

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

Voting in the affirmative, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrđik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 239.

A bill for an act to repeal section 23-330, Reissue Revised Statutes of Nebraska, 1943, relating to county government and officers.

Whereupon the 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Beaver Presiding

SELECT FILE

LEGISLATIVE BILL 25. E and R amendments found in the Legislative Journal for the Thirty-first Day were adopted.

Bracketed.

LEGISLATIVE BILL 61. 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 176. E and R amendments found in the Legislative Journal for the Thirty-fourth Day were adopted.

Mr. McGinley asked unanimous consent that the following specific amendment be adopted: Amend LB 176, section 2, line 2, by striking the word "is" and in lieu thereof inserting "and also section 35-104, Reissue Revised Statutes of Nebraska, 1943, are" and amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return Bill to Select File

Mr. Brower asked unanimous consent to return LB 54 to Select File for a specific amendment. No objections. So ordered.

Mr. Brower asked unanimous consent to amend LB 54 by adding the emergency clause and amending the title to conform. No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE**LEGISLATIVE BILL 86.**

Mr. Vogel asked unanimous consent to table the specific amendment offered by Mr. Burney, and found in the Legislative Journal for the Thirty-third Day, pending consideration of specific amendment offered by Mr. Vogel. No objections. So ordered.

Mr. Vogel offered the following specific amendment:

1. Amend page 2 of the bill, section 1, by striking lines 21 to 23 and inserting the following: "placed as follows: Seventy-five per cent in a fund for state highways, and twenty-five per cent to the county road fund where the fine or penalty is paid".

The amendment was adopted with 26 ayes, 5 nays and 12 not voting.

Mr. Burney withdrew his amendment, found in the Legislative Journal for the Thirty-third Day.

Advanced to E and R for review with 30 ayes, 5 nays and 8 not voting.

LEGISLATIVE BILL 50. Laid over until Friday, February 25, 1955.

LEGISLATIVE BILL 233. Laid over until Wednesday, February 23, 1955.

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 203	Monday, February 28, 1955	2:00 p.m.
LB 209	Monday, February 28, 1955	2:00 p.m.
LB 451	Monday, February 28, 1955	2:00 p.m.
LB 483	Monday, February 28, 1955	2:00 p.m.
LB 535	Monday, February 28, 1955	2:00 p.m.
LB 391	Monday, February 28, 1955	2:00 p.m.

Miscellaneous Appropriations and Claims

Claim 53	Wednesday, March 2, 1955	2:00 p.m.
LB 355	Wednesday, March 2, 1955	2:00 p.m.
LB 414	Wednesday, March 2, 1955	2:00 p.m.
LB 434	Wednesday, March 2, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Public Works**

LEGISLATIVE BILL 133. Indefinitely postponed.

LEGISLATIVE BILL 181. Placed on General File as amended.

Standing Committee amendments to LB 181:

Amend Page 25, Section 46, as follows: Strike lines 1, 2, 3, 4, and 5 up to and including the word "state.", and insert in lieu thereof, *"The director shall be qualified by training and business experience to manage and supervise the department."*

Amend Section 46, Lines 7, 8, 9, and 10 after the word "Nebraska" by striking the following: ", shall have been a qualified voter in the state for a period of at least five years preceding his appointment and shall be not less than thirty years of age.", and inserting in lieu thereof after the word "Nebraska", a ".".

(Signed) William Moulton, Chairman

Enrollment and Review

LEGISLATIVE BILL 237. Correctly engrossed.

LEGISLATIVE BILL 78. Correctly engrossed.

LEGISLATIVE BILL 109. Correctly engrossed.

LEGISLATIVE BILL 46. Replaced on Select File as amended.

E and R amendments to LB 46:

1. In Standing Committee Amendment 1, new section 2, line 7, strike the word "acts" and in lieu thereof insert "acts facts".

2. In Standing Committee Amendments 4 and 5, line 2, insert a comma after "32-246" and before the word "and".

LEGISLATIVE BILL 58. Replaced on Select File as amended.

E and R amendment to LB 58:

1. In the bill title, line 7, after the semicolon insert "to provide that the Chief Justice and Judges of the Supreme Court shall not hold other public office or accept public appointment or employment as prescribed;".

LEGISLATIVE BILL 16. Replaced on Select File as amended.

E and R amendment to LB 16:

1. In the original Enrollment and Review Amendment 4, strike lines 4 to 6 (5 to 7 respectively, mimeograph copy), commencing with the words "the prescribed" in line 4 to and including the word "places" in line 6, and in lieu thereof insert "in any stream or ditch along or across any public road, street, or alley, or other prescribed places, any rubbish, trash, debris, refuse, sewage, dead animals, glass, crockery, tacks, nails, or other prescribed substances".

LEGISLATIVE BILL 132. Replaced on Select File as amended.

E and R amendment to LB 132:

1. In the Person Specific Amendment 2, line 2, strike ", or" and in lieu thereof insert "or in a fund for the purposes prescribed".

LEGISLATIVE BILL 244. Replaced on Select File as amended.

E and R amendment to LB 244:

1. In Enrollment & Review Amendment 1, line 2, strike "or" and in line 3 "or".

LEGISLATIVE BILL 358. Placed on Select File.

LEGISLATIVE BILL 253. Placed on Select File.

LEGISLATIVE BILL 255. Placed on Select File.

LEGISLATIVE BILL 93. Placed on Select File as amended.

E and R amendments to LB 93:

1. In the Standing Committee Amendment strike the comma after "class".

2. In the bill title line 4, after "testator" insert "as prescribed".

LEGISLATIVE BILL 201. Placed on Select File as amended.

E and R amendment to LB 201:

1. In the bill, section 1, line 17, insert a comma before the word "and".

LEGISLATIVE BILL 296. Placed on Select File as amended.

E and R amendments to LB 296:

1. In the bill, section 1, line 5, strike the word "*every*"; line 9, before the word "*or*" insert "*or pipeline company,*"; line 12, strike the word "*as*" and in lieu thereof insert "*as which are or*"; line 22, insert "*the*" before the word "*car*"; line 23, before the word "*boat*" insert "*the*" as in the statute.

2. In the bill title, line 4, insert "*the*" before the word "*contents*"; and in line 5, after the word "*fuels*" insert "*as prescribed; to make the prescribed changes as to those who may be required to make such reports*".

LEGISLATIVE BILL 297. Placed on Select File as amended.

E and R amendment to LB 297:

1. In the bill, section 1, page 2, line 3, insert "," after "*syndicate*" and also in line 14 after the words "*artifice*" and "*design*"; and in line 22 after "*both*" insert "*such a fine and imprisonment*".

LEGISLATIVE BILL 298. Placed on Select File as amended.

E and R amendment to LB 298:

1. In the bill, section 1, line 5, insert "*the*" after the word "*upon*", and in the same line, after the second word "*of*"; line 16, after the word "*keep*" insert "*such permit*"; line 17, strike "*the said permit and a*" and in lieu thereof insert "*the said permit and also a*"; line 18, strike "*or bill of lading*" and in lieu thereof insert "*, or bill of lading,*"; and line 26, insert the word "*to*" after the word "*or*".

LEGISLATIVE BILL 248. Placed on Select File as amended.

E and R amendments to LB 248:

1. In the Standing Committee Amendment, second line, strike the period before the last quotation mark.

2. In the bill, section 2, line 17, after "*other*" insert "*district or*"; in line 19 strike "*each*" and insert "*each such*"; and in line 20 strike "*then*" and show as stricken matter.

LEGISLATIVE BILL 254. Placed on Select File as amended.

E and R amendments to LB 254:

1. In the bill, section 1, page 2, lines 6 and 8 insert “,” before “or”.

2. In the bill title line 6 after “the” insert “tangible or”; and in line 7 strike “; and” and in lieu thereof insert “, except real estate and motor vehicles;”.

3. In the first Standing Committee Amendment line 1, after the figure “4” insert “of the bill, section 1,”.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Person, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 22, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Aufenkamp, who was excused until 10:00 a.m.

The Journal for the Thirty-fifth Day was approved.

Communications

Nine hundred sixty-four postal cards and one hundred letters against, and three postal cards and three letters in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

Five letters favoring LB 187. Referred to Committee on Public Works.

One postal card opposing LB 252. Referred to Committee on Judiciary.

Two postal cards favoring LB 362. Referred to Committee on Revenue.

One postal card favoring LB 267. Referred to Committee on Labor and Public Welfare.

One letter opposing LB 77. Referred to Committee on Agriculture.

One postal card against higher taxes. Referred to Committee on Revenue.

One letter on miscellaneous subjects. Referred to Committee on Public Health and Miscellaneous Subjects.

NOTICE OF COMMITTEE HEARINGS**Public Health and Miscellaneous Subjects**

LB 165	Tuesday, March 1, 1955	2:00 p.m.
LB 166	Tuesday, March 1, 1955	2:00 p.m.
LB 327	Tuesday, March 1, 1955	2:00 p.m.
LB 182	Thursday, March 3, 1955	2:00 p.m.
LB 257	Thursday, March 3, 1955	2:00 p.m.
LB 354	Thursday, March 3, 1955	2:00 p.m.

Labor and Public Welfare

LB 274	Monday, March 7, 1955	2:00 p.m.
LB 461	Monday, March 7, 1955	2:00 p.m.

Government

LB 202	Wednesday, March 2, 1955	2:00 p.m.
LB 212	Wednesday, March 2, 1955	2:00 p.m.
LB 283	Wednesday, March 2, 1955	2:00 p.m.
LB 284	Wednesday, March 2, 1955	2:00 p.m.
LB 512	Wednesday, March 2, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Banking, Commerce and Insurance**

LEGISLATIVE BILL 388. Placed on General File.

LEGISLATIVE BILL 401. Placed on General File.

LEGISLATIVE BILL 346. Placed on General File.

LEGISLATIVE BILL 221. Placed on General File as amended.

Standing Committee amendment to LB 221:

1. Amend page 2 of the bill, Section 2, line 2 by striking the word "five" and inserting in lieu thereof, "*five three*".

(Signed) John J. Larkin, Jr., Chairman

Labor and Public Welfare

LEGISLATIVE BILL 163. Placed on General File.

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 112. Correctly enrolled.
LEGISLATIVE BILL 170. Correctly enrolled.
LEGISLATIVE BILL 173. Correctly enrolled.
LEGISLATIVE BILL 118. Correctly enrolled.
LEGISLATIVE BILL 117. Correctly enrolled.
LEGISLATIVE BILL 70. Correctly enrolled.
LEGISLATIVE BILL 88. Correctly enrolled.
LEGISLATIVE BILL 225. Correctly enrolled.
LEGISLATIVE BILL 239. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 112	LB 118	LB 70	LB 225
LB 170	LB 117	LB 88	LB 239
LB 173			

UNANIMOUS CONSENT—Education Committee Meeting

Mr. Cramer asked unanimous consent that the Committee on Education be allowed to hold its hearing in the East Senate Chamber this afternoon. No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 120.

A bill for an act to amend section 17-714, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class and villages; to eliminate the provision requiring claims against a city of the second class or village to be verified by the oath of the claimant, or his agent, that the same is correct, reasonable, and just; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Aufenkamp

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 102. With emergency.

A bill for an act relating to crimes and punishments; to make it unlawful for any person, association, partnership, or corporation to have in his or its possession any fireworks which are prohibited from being sold, used, or discharged by the provisions of sections 28-1003, 28-1003.01, and 28-1003.02, Revised Statutes Supplement, 1953; to provide for confiscation 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, 38:

Adams, J.	Cole	Larkin	Moulton
Adams, T.	Cramer	Lee	Nelson
Anderson	Diers	Liebers	Otto
Bahensky	Fenske	McGinley	Perry
Beaver	Hoffmeister	McHenry	Person
Bedford	Hubka	Martin	Peterson
Bridenbaugh	Klaver	Metzger	Purdy
Brower	Kotouc	Morrison	Ruhnke

Shultz	Syas	Tvrdik	Vogel
Swanson	Thompson		

Voting in the negative, 4:

Bixler	Burney	Foote	Pizer
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Not voting, 1:

Aufenkamp

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 234.

A bill for an act to repeal section 68-515, Reissue Revised Statutes of Nebraska, 1943, relating to boarding homes for the aged and infirm.

Whereupon the 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Aufenkamp

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 241.

A bill for an act to repeal sections 23-701 to 23-709, Reissue Re-

vised Statutes of Nebraska, 1943, relating to county board of public welfare.

Whereupon the 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	Liebers	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdek
Burney	Lee	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Aufenkamp McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 130.

A bill for an act to amend section 60-409, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to eliminate the provision that any part of the operator's license fee shall be available to the county treasurer to reimburse him for clerical services rendered issuing such licenses; 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.	Bixler	Foote	Lee
Adams, T.	Bridenbaugh	Hoffmeister	McHenry
Anderson	Burney	Hubka	Martin
Beaver	Cole	Klaver	Moulton
Bedford	Fenske	Larkin	Otto

Pizer	Shultz	Syas	Tvrdik
Ruhnke	Swanson	Thompson	Vogel

Voting in the negative, 14:

Bahensky	Kotouc	Morrison	Person
Brower	Liebers	Nelson	Peterson
Cramer	McGinley	Perry	Purdy
Diers	Metzger		

Not voting, 1:

Aufenkamp

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 46. 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 58. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 16. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 132. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 244. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 114. 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 93. 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 201. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

Member Excused

Mr. Pizer was excused for the remainder of the day.

GENERAL FILE

LEGISLATIVE BILL 155. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Twenty-ninth Day were adopted.

Laid over until Monday, February 28, 1955.

LEGISLATIVE BILL 105.

Mr. Bahensky moved that the Nelson amendment to LB 105, found in Legislative Journal for the Twenty-seventh Day, be rejected.

The motion prevailed with 24 ayes, 10 nays and 9 not voting.

Laid over until Wednesday, February 23, 1955.

LEGISLATIVE BILL 229. Read and considered.

Mr. Perry offered the following amendment to LB 229:

Amend line 52, Section 1 by striking "sixteen" and inserting "twenty".

Insert on line 52, Section 1, after the word, "years." the following:

"Minors between the ages of sixteen and twenty years shall be issued a probationary license for the period of one year, which may be renewed annually for a period of one year only if the operator has not accumulated more than eight points as provided in section 39-7,128 in the previous year, or fifteen such points in the previous two years."

Amend line 71, Section 1 by inserting after the word, "all" the words, "probationary licenses and".

Amend line 74, Section 1, by inserting after the word, "such" the words, "probationary license".

Amend line 89, Section 1, by adding after the words, "Public Instruction." the following:

"The County Treasurer shall collect a fee of three dollars from each successful applicant for an original or renewal probationary license."

Amend the title of the bill to conform to the amendments.

Laid over until Thursday, February 24, 1955.

LEGISLATIVE BILL 107. Read and considered.

Laid over.

LEGISLATIVE BILL 206. Read and considered.

Mr. Person offered the following amendment, which was adopted:

Amend LB 206, Section 1, line 16, by striking the word "with" and inserting "within" in lieu thereof.

Mr. Lee offered the following amendment, which was adopted:

Amend LB 206, Section 1, line 16, by striking the word "four" and inserting "three" in lieu thereof.

Advanced to E and R for review.

LEGISLATIVE BILL 115. Read and considered.

Laid over.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Brower asked unanimous consent that LB 468 be withdrawn. No objections. So ordered.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 98. Placed on General File as amended.

Standing Committee amendments to LB 98:

1. Amend the bill by adding a new section to be known as section 1 and to read as follows:

"Section 1. That section 79-1208, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1208. All certificates in force on September 1, 1938, *and all certificates issued after that date*, may be renewed once upon expiration, *except professional levels of all certificates which may be renewed any number of times* by presenting nine additional semester hours of college credit, including three hours in education, from a standard institution of higher education."

2. Amend the bill, section 1, line 1 by striking "Section 1" and inserting "Sec. 2.", line 5 by striking "1960" and inserting "1958", and line 7 by inserting "Initial" before the word "General", and in the same line by inserting "*, except as provided in section 79-1211*" after the word "Certificate".

3. Amend the bill by adding three new sections immediately following renumbered section 2, to be known as sections 3, 4, and 5, and to read as follows:

"Sec. 3. That section 79-1211, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1211. The Nebraska Initial General Elementary School Certificate shall be valid for a period of three years in kindergarten to eighth grade inclusive in all schools organized as Class I school districts. The requirements for this certificate shall be graduation from an accredited four-year high school, and in addition thereto, a minimum of thirty semester hours of college credit, including at least ten hours in education of which at least two hours shall be in observation and participation or in supervised teaching or the equivalent. This certificate may be renewed once for a period of three years upon the presentation of nine additional semester hours of college credit, including not fewer than two hours in education; *Provided, that after September 15, 1958, this certificate shall be valid for only one year and may be renewed up to four times upon presentation of a minimum of nine additional semester hours of college credit including two semester hours in education for each renewal, or until a credit of sixty-four*

college hours, including fifteen semester hours in education has been attained.

Sec. 4. That section 79-1212, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1212. The Nebraska Provisional General Elementary School Certificate shall be valid for a period of three years in kindergarten to eighth grade inclusive in all schools organized as Class I school districts. The requirements for this certificate shall be the same as for the Initial General Elementary School Certificate, and in addition nine semester hours of college credit, including not fewer than two hours in education, and at least one year of successful teaching experience in the elementary grades. This certificate may be renewed once for a period of three years upon the presentation of nine additional semester hours of college credit, including not fewer than two hours in education; *Provided, that this certificate shall not be issued after September 15, 1958.*

Sec. 5. That section 79-1213, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1213. The Nebraska Professional General Elementary School Certificate shall be valid for a period of three years in kindergarten to eighth grade inclusive in all schools organized as Class I school districts. The requirements for this certificate shall be the same as for the Initial General Elementary School Certificate and in addition eighteen semester hours of college credit, including not fewer than four hours in education, and at least three years of successful teaching experience in the elementary grades. This certificate may be renewed for a period of three years upon the presentation of nine additional semester hours of college credit, including not fewer than two hours in education; *Provided, that this certificate shall not be issued after September 15, 1958."*

4. Amend the bill by striking section 2 and inserting:

"Sec. 6. That original sections 79-1208, 79-1209, 79-1211, 79-1212, and 79-1213, Reissue Revised Statutes of Nebraska, 1943, are repealed."

5. Amend the title of the bill by striking lines 1 to 7 by inserting the following:

"FOR AN ACT to amend sections 79-1208, 79-1209, 79-1211, 79-1212, and 79-1213, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide for renewal of certificates; to provide that Nebraska Third Grade Elementary School Certificate shall be issued only until September 15, 1958; to provide that Nebraska Initial Gen-

eral Elementary School Certificate shall be issued only until September 15, 1960; and to repeal the original sections."

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 40. Replaced on Select File as amended.

E and R amendment to LB 40:

1. In the bill, section 3, strike lines 6 to 15 inclusive and all amendments thereto and in lieu thereof insert "except such motor fuels upon which a tax of five cents per gallon is imposed and due the State of Nebraska under the provisions of section 66-410, until May 9, 1953 1959, and then for a period of two years, there is levied and imposed an excise tax of six cents per gallon upon the use of all motor vehicle fuels as defined in section 66-401, used in this state, except such motor vehicle fuels upon which a tax of six cents per gallon is imposed and due the State of Nebraska under the provisions of section 66-410, and after such period of two years the tax shall be the same as before *after* May 9, 1953 1959, *the tax shall be five cents per gallon.* Use".

LEGISLATIVE BILL 139. Placed on Select File as amended.

E and R amendments to LB 139:

1. In the bill, page 2, section 1, line 5, insert "," after "of" and also in line 7 after "disability"; and on page 3, line 36, strike "may".

2. In the bill title line 7 strike "; to redefine terms" and in lieu thereof insert "as prescribed"; and in line 11 after "districts" insert "under the prescribed conditions; to provide for a referendum and the supervision thereof; to confer certain powers upon the prescribed officers".

LEGISLATIVE BILL 36. Placed on Select File as amended.

E and R amendment to LB 36:

1. In the bill, section 1, line 13, before the word "of" insert the word "*estates*"; and line 17, before the period insert "*and the beneficiaries of a trust*".

LEGISLATIVE BILL 127. Placed on Select File as amended.

E and R amendment to LB 127:

1. In the bill section 2, line 9, strike "," before "or" and insert

“,”; line 11 strike “shall” after “nor” inserting “shall”; and also at end of same line add “its”.

LEGISLATIVE BILL 300. Placed on Select File as amended.

E and R amendments to LB 300:

1. In the bill page 2, section 1, line 6 after the word “sold” insert “,” and also in line 7 after the word “cleaning”; in line 8 strike “however,” and show as stricken matter; in line 14 before “im-” insert “and”; line 15 strike the comma and show as stricken matter; in line 20 before “fair” insert “a”; line 21 strike “, and” and in lieu thereof insert “, and . It”; and in lines 26 and 27 strike “relative to the contents of” and in lieu thereof insert “, relative to the contents of matters set forth in”.

2. In the bill title line 5 after “records” insert a comma.

LEGISLATIVE BILL 256. Placed on Select File.

LEGISLATIVE BILL 76. Correctly engrossed.

LEGISLATIVE BILL 243. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

MOTION—Escort Visitors

Mr. Thompson moved that a committee of five be appointed to escort Senator Roman L. Hruska and acting Governor Charles J. Warner to the Legislative Chamber for the Washington's Day Program. The motion prevailed.

The Speaker appointed the following members to serve on said committee: Thompson, Chairman; Ruhnke, Bridenbaugh, Aufenkamp and Bixler.

The Committee retired and subsequently returned escorting Senator Hruska and acting Governor Warner.

WASHINGTON'S DAY PROGRAM

Reverend Hansen Presiding

At 11:00 a.m., the following program was rendered:

Introduction	Chaplain E. C. Hansen
America	A Cappella Choir
Invocation	Rabbi Harold I. Stern
Salutation	A Cappella Choir

There is a Balm in Gilead A Cappella Choir
Address U.S. Senator Roman Hruska
Beautiful Saviour A Cappella Choir

The forty-one member A Cappella Choir is from Midland College, Fremont, Nebraska, and is under the direction of Professor James S. Vall.

Rabbi Stern is Rabbi at Tifereth Israel Synagogue in Lincoln, Nebraska.

The Committee escorted Senator Hruska and acting Governor Warner from the Chamber.

Adjournment

At 11:45 a.m., on a motion by Mr. McHenry, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 23, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Thirty-sixth Day was approved as corrected.

Communications

Letters from Mr. and Mrs. A. P. Venhaus of Hayes Center, and Fred Anderjaska of Culbertson, relating to Highways 17 and 25. Referred to Committee on Public Works.

Letters from J. O. Moeller of Leigh and Sam R. Geist of Lincoln, opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 337. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 326. Placed on General File as amended.

Standing Committee amendments to LB 326:

1. Amend page 2 of the bill, section 2, line 10 by inserting "such of" before the word "the", line 11 by striking the word "upon" before

the word "demand" and inserting "*who shall make*", and line 11 by striking the word "by" and inserting the word "*therefor*".

2. Amend page 2 of the bill, section 3, line 5 by striking "three" and inserting "*two and one half*", line 8 by inserting "*benefit*" after the word "retirement", and line 11 by striking "duly made".

(Signed) John Aufenkamp, Chairman

Revenue

LEGISLATIVE BILL 5. Placed on General File as amended.

Standing Committee amendment to LB 5:

Add Section 3 as follows: "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law" and amend the title to conform.

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 59. Placed on Select File as amended.

E and R amendments to LB 59:

1. In the bill, page 2, section 2, lines 5 and 6, strike "giving such lease" and in lieu thereof insert "*giving making such proposed lease or entering into such pooling or unitization contract*"; line 8 strike the comma; line 9 before "legatees" insert "(a)"; line 10 strike "and of" and in lieu thereof insert "and of or" and in the same line strike "or of the" and in lieu thereof insert "(b) or of the"; line 11 strike the first "or of the" and in lieu thereof insert "(c) or of the"; also in the same line strike the third "of the" and insert in lieu thereof "(d) of the"; section 3, page 3, lines 10 and 11 strike "or trust" and in lieu thereof insert "or, trust,"; in lines 12, 16, 24 and 27 and also in line 8, section 4, page 4, strike the commas.

2. In the bill title line 10 strike "trust, minor," and in lieu thereof insert "trustee of a trust, or guardian of a minor".

LEGISLATIVE BILL 62. Placed on Select File as amended.

E and R amendments to LB 62:

1. In the bill page 2, section 1, line 3 strike "or deed" and insert in lieu thereof ", or deed,"; line 15 insert "," after "tate"; line 17 strike the comma; in section 2, line 4 before ", to make" insert "*of the county where the land is located*"; and at the end of line 9 insert "is".

2. In the bill title line 9 after "contracts" insert "as prescribed; to provide that such a proceeding by a like tenant shall be brought in the district court of the county where the land is located and may include the entering into pooling or unitization contracts".

LEGISLATIVE BILL 162. Placed on Select File as amended.

E and R amendment to LB 162:

In the bill page 3, line 55 strike "neighboring" and insert in lieu thereof "*a neighboring district or*".

LEGISLATIVE BILL 164. Placed on Select File as amended.

E and R amendment to LB 164:

1. In the bill title line 5 strike "define the" and in lieu thereof insert "prescribe certain"; and in line 8 strike "stock or".

LEGISLATIVE BILL 174. Correctly engrossed.

LEGISLATIVE BILL 120. Correctly enrolled.

LEGISLATIVE BILL 102. Correctly enrolled.

LEGISLATIVE BILL 234. Correctly enrolled.

LEGISLATIVE BILL 241. Correctly enrolled.

LEGISLATIVE BILL 130. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on February 22, 1955, at 3:00 p.m.

LB 112	LB 118	LB 88
LB 170	LB 117	LB 225
LB 173	LB 70	LB 239

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 120	LB 234	LB 130
LB 102	LB 241	

MOTION—Recommit LB 86

Mr. President: I move that the Legislature recall from E and R and recommit LB 86 to the proper standing committee for a public hearing. (Signed) Norman A. Otto

The motion lost with 18 ayes, 20 nays and 5 not voting.

NOTICE OF COMMITTEE HEARINGS**Government**

LB 378	Wednesday, March 9, 1955	2:00 p.m.
LB 424	Wednesday, March 9, 1955	2:00 p.m.
LB 433	Wednesday, March 9, 1955	2:00 p.m.
LB 447	Wednesday, March 9, 1955	2:00 p.m.
LB 531	Wednesday, March 9, 1955	2:00 p.m.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 238.

A bill for an act to amend section 23-1204.02, Reissue Revised Statutes of Nebraska, 1943, relating to county officers; to harmonize the classification of counties in which the county attorney may appoint a deputy county attorney with previous 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, 42:

Adams, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

Liebers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 39.

A bill for an act to amend section 39-7,127, Reissue Revised Statutes of Nebraska, 1943, and section 39-723.05, Revised Statutes Supplement, 1953, relating to motor vehicles; to change the penalties for violations by persons operating motor vehicles, as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 41:

Adams, J.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Aufenkamp Liebers

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 relating to junior colleges; to provide certain procedure and requirements for the formation, increase in size, or change in the boundaries of a junior college district; to provide for elections; to provide for certain officers of such a district and their compensation; to provide powers and duties of such districts; to provide for establishing divisions of such junior college districts as prescribed; to provide for boards of education for such districts and the election of the members thereof; to provide powers and duties for certain public officials; to provide for making reports and estimates

as prescribed; to provide the manner and procedure for issuing bonds; to amend sections 79-1606, 79-1607, 79-1608, 79-1613, 79-1615, 79-1616, 79-1617, and 79-1618, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections and also section 79-1614, Reissue 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, 35:

Adams, J.	Burney	Lee	Purdy
Adams, T.	Cramer	McGinley	Ruhnke
Anderson	Diers	McHenry	Shultz
Aufenkamp	Fenske	Martin	Swanson
Bahensky	Foote	Metzger	Syas
Bedford	Hoffmeister	Morrison	Thompson
Bixler	Hubka	Moulton	Tvrdek
Bridenbaugh	Klaver	Nelson	Vogel
Brower	Kotouc	Perry	

Voting in the negative, 7:

Beaver	Larkin	Person	Pizer
Cole	Otto	Peterson	

Not voting, 1:

Liebers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 6. With emergency.

A bill for an act to amend section 79-1103.04, Revised Statutes Supplement, 1953, relating to schools; to permit the payment of tuition by a school district of the sixth class maintaining an accredited high school located in a county containing more than nine hundred square miles as prescribed; to permit such districts in a county containing less than nine hundred square miles to make such payments of high school tuition in the manner and under the conditions 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.	Cramer	McHenry	Pizer
Adams, T.	Diers	Martin	Purdy
Anderson	Fenske	Metzger	Ruhnke
Aufenkamp	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrđik
Burney	Lee	Person	Vogel
Cole	McGinley		

Voting in the negative, 1:

Peterson

Not voting, 4:

Bahensky	Bedford	Hubka	Liebers
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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 40. E and R amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 358. Advanced to E and R for engrossment.

LEGISLATIVE BILL 253. Advanced to E and R for engrossment.

LEGISLATIVE BILL 255. Advanced to E and R for engrossment.

LEGISLATIVE BILL 296. 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 297. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 298. E and R amendment found in the Legislative Journal for the Thirty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 248. 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 254. 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 139. 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 36. E and R amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 127. E and R amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 300. 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 256. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 233. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 105.

Mr. Syas offered the following specific amendments to LB 105, which were adopted:

1. Amend page two of the bill by adding a new section to be known as section 1 and to read as follows:

“Section 1. That section 54-726.02, Revised Statutes Supplement, 1953, be amended to read as follows:

54-726.02. Whenever any swine shall be found by any inspector or person employed or authorized by the Department of Agriculture and Inspection to make inspections, to be affected with vesicular exanthema, or is under quarantine with swine so affected or infected, its value shall be determined by appraisement as provided in section 54-728, and the owner or custodian thereof shall, immediately after the determination of its value, cause the same to be disposed of as directed by the department. On presentation to the department of evidence that he has done so, the owner thereof shall be entitled to reimbursement by the state in the sum of one half of the sum remaining after the proceeds derived from the disposition of such animal have been deducted from the appraised value ; *Provided, that the provisions for reimbursement shall not apply to swine that have been fed raw garbage.*

2. Renumber sections 1 to 5 as sections 2 to 6, respectively.

3. Amend renumbered section 6, line 1 by inserting “54-726.02,” after the word “sections”.

4. Amend the title of the bill, line 2 by inserting “54-726.02,” after the word “sections”, and line 6 by inserting after the figures “1953” the following: “; to provide that the provisions for reimbursing the owner of swine found to be infected with vesicular exanthema shall not apply to swine that have been fed raw garbage”.

Advanced to E and R for review.

LEGISLATIVE BILL 107. Bracketed.**LEGISLATIVE BILL 115.**

Mr. Martin offered the following specific amendment, which was adopted:

Amend page 2 of LB 115, section 1, by striking the new matter and inserting in lieu thereof: “When two or more of said installments become delinquent and unpaid, all of the installments remaining unpaid

shall become due and payable and the city may proceed to enforce and collect the delinquent amount."

Mr. Kotouc Presiding

Mr. Hubka offered the following specific amendment to Mr. Martin's amendment, which was adopted:

Amend the Martin amendment to LB 115 by striking the word "two" and inserting in lieu thereof "three".

Advanced to E and R for review.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 131. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Hubka introduced Mr. John Lux, Teacher, and members of the Government Class of Beatrice High School, Beatrice, Nebraska.

LEGISLATIVE BILL 306. Read and considered.

Mr. Tvrdik offered the following specific amendment, which was adopted:

Amend LB 306, Section 1, line 6, by striking "five" and inserting "four" in lieu thereof; line 7 by inserting "six hundred" before the word "dollars"; line 9 by striking "four" and inserting "three" in lieu thereof, and line 10 by inserting "six hundred" before the word "dollars".

Advanced to E and R for review.

LEGISLATIVE BILL 361. Laid over.

LEGISLATIVE BILL 96. Read and considered.

Mr. Peterson offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 1, line 13 by striking "July 1 next" and inserting in lieu thereof the following: "July 1 next one year".

2. Amend the title of the bill, line 5 by inserting after the word "cheese" the following:

“; to provide when a license to sell imitation butter or imitation cheese shall expire”.

Advanced to E and R for review.

Speaker Burney Presiding

LEGISLATIVE BILL 430. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 429. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 41. Laid over.

LEGISLATIVE BILL 291. Read and considered.

Laid over.

LEGISLATIVE BILL 208. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 322. 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 290. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 289. 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 21. 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.

Visitors

Speaker Burney introduced a group of Farm Bureau members from the following counties: Harlan, Red Willow, Frontier, Perkins, Hayes, Chase, Dundy, Hitchcock, Keith, Deuel, Banner, Morrill, Kimball, Cheyenne, Scotts Bluff, and Sheridan.

UNANIMOUS CONSENT—Re-refer Bill

Mr. Cramer asked unanimous consent that LB 330 be re-referred to the Committee on Education. No objections. So ordered.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Martin asked unanimous consent to withdraw LB 408. No objections. So ordered.

MOTION—Approve Printing

Mr. President: I move that the Legislature approve the printing of twenty-seven hundred Legislative Rosters by the Joe Christensen Printing Company, and of twelve hundred Indexes to Bills by the Acorn Press. (Signed) Hal Bridenbaugh

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS**Banking, Commerce and Insurance**

LB 286	Tuesday, March 1, 1955	2:00 p.m.
LB 405	Tuesday, March 1, 1955	2:00 p.m.
LB 338	Tuesday, March 1, 1955	2:00 p.m.

Judiciary

LB 34	Wednesday, March 2, 1955	2:00 p.m.
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Education

LB 192	Tuesday, March 1, 1955	2:00 p.m.
LB 302	Tuesday, March 1, 1955	2:00 p.m.
LB 422	Tuesday, March 1, 1955	2:00 p.m.
LB 110	Tuesday, March 8, 1955	2:00 p.m.
LB 119	Tuesday, March 8, 1955	2:00 p.m.
LB 259	Tuesday, March 8, 1955	2:00 p.m.
LB 169	Tuesday, March 15, 1955	2:00 p.m.

LB 193	Tuesday, March 15, 1955	2:00 p.m.
LB 406	Tuesday, March 15, 1955	2:00 p.m.
LB 522	Tuesday, March 22, 1955	2:00 p.m.
LB 524	Tuesday, March 22, 1955	2:00 p.m.
LB 277	Tuesday, March 29, 1955	2:00 p.m.
LB 321	Tuesday, March 29, 1955	2:00 p.m.
LB 521	Tuesday, March 29, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 138. Placed on General File.

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 53. Placed on Select File as amended.

E and R amendments to LB 53:

1. In the Standing Committee Amendment 2, line 10, strike "*forward*" and in lieu thereof insert "*forth*".

2. In the bill, section 1, line 3, before the word "The" insert "(1)"; line 19, strike the word "and" and in lieu thereof insert "and , or"; line 23, strike the word "who" and show as stricken matter; line 24, insert "," after the word "canceled"; lines 26 and 27, strike "Such examination" and in lieu thereof insert "Such (2) The examination referred to in subsection (1) of this section"; lines 28, 29, and 31, strike "(1)", "(2)", and "(3)" respectively and in lieu thereof insert "(1) (a)", "(2) (b)", and "(3) (c)" respectively; and line 38, strike "and it" and in lieu thereof insert "and it . It".

3. The Committee on Enrollment and Review is authorized and directed to correlate section 2 of Legislative Bill 53 with section 1 of Legislative Bill 130, and to correct the title and repeal section of Legislative Bill 53 to conform, if Legislative Bill 130 passes and is signed by the Governor.

4. In the bill title, line 4, strike the word "of" and in lieu thereof insert "for an"; and line 6, after the semicolon insert "to provide for Driver Education and Traffic Safety Fund and the use thereof; to provide duties for the prescribed public officials; to provide requirements for schools to participate in the distribution as prescribed; to limit the expense for administration and supervision of the program as prescribed;".

LEGISLATIVE BILL 103. Placed on Select File as amended.

E and R amendments to LB 103:

1. In the Standing Committee Amendment 1, line 10, strike the word "time" and in lieu thereof insert "*renewal time, as so determined by the Secretary of State*"; line 12, strike the words "period and the" and in lieu thereof insert "*period and the time. The*"; line 18, strike the word "*it*" and in lieu thereof insert "*such brand or mark*".

2. In the bill, section 1, line 3, before the word "Any" insert "(1)", and in the same line after the word "firm" insert ","; line 5, insert "," after the word "association"; line 6, strike the word "of" after "State" and in lieu thereof insert "a" as in the statute; line 8, strike ", and shall accompany the same with" and in lieu thereof insert ", and shall accompany the same with"; line 9, after the word "facsimile" insert ", *application,*"; lines 10 and 11, strike "record the same, as in this section provided" and in lieu thereof insert "*record file the same, as required in by this section provided subsection, and shall then record such brand or mark after an examination thereof*"; line 12, strike "or corporation, and" and in lieu thereof insert ", or corporation, and or"; line 14, insert "," before the word "or"; line 16, after the word "of" insert "*examination and*"; line 17, strike the word "No" and in lieu thereof insert "*The side of the animal where the brand is to be placed shall be specified and no No*"; strike line 21 to and including the word "make" and in lieu thereof insert "*as hereinafter provided for in this subsection, which he. He shall make such examination*"; lines 22 and 35, strike ", and if" and in lieu thereof insert ", and if. If"; lines 23 and 24, strike "The recording as herein provided" and in lieu thereof insert "(2) The recording *as herein*, provided for in subsection (1) of this section".

3. In the bill title, line 4, before the word "and" insert "to prescribe certain procedure, powers, and duties for or of the Secretary of State;".

LEGISLATIVE BILL 223. Correctly engrossed.

LEGISLATIVE BILL 235. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:57 a.m., on a motion by Mr. Shultz, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 24, 1955

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-seventh Day was approved as corrected.

Communications

Letters from Charles M. Bosley of Palisade and Robert C. Bosley of Hayes Center, Nebraska, relative to Highways 17 and 25. Referred to Committee on Public Works.

Statement from Ben W. Fortson, Jr., Secretary of State, Atlanta, Georgia, enclosing copies of Resolution No. 6, memorializing Congress to call a convention to consider an amendment to the Constitution of the United States relative to the administration by the several states of their respective school systems. Referred to Committee on Judiciary.

Letter from George Conitz, President of the Farmers Liberty League, Blue Grass, North Dakota, relative to the repeal of the social security laws for farmers. Referred to Committee on Agriculture.

Letter from Edw. J. Lenger, County Clerk of Center, Nebraska, enclosing a Resolution from the County Board of Supervisors of Knox County, concerning the proposed revised highway system. Referred to Committee on Public Works.

Seven hundred ninety-five postal cards, ninety-six letters, and a petition bearing forty-six signatures against, and one letter and one card in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

Two postal cards favoring LB 362. Referred to Committee on Revenue.

One letter favoring relocation of Highways 17 and 25, LB 187. Referred to Committee on Public Works.

One letter favoring LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

One letter favoring and one letter opposing LB 77. Referred to Committee on Agriculture.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

LB 352	Thursday, March 3, 1955	2:00 p.m.
LB 491	Thursday, March 3, 1955	2:00 p.m.
LB 315	Thursday, March 3, 1955	2:00 p.m.

Agriculture

LB 356	Wednesday, March 9, 1955	2:00 p.m.
LB 425	Wednesday, March 9, 1955	2:00 p.m.
LB 534	Wednesday, March 9, 1955	2:00 p.m.

Judiciary

LB 353	Monday, March 7, 1955	2:00 p.m.
LB 442	Monday, March 7, 1955	2:00 p.m.
LB 484	Monday, March 7, 1955	2:00 p.m.

Labor and Public Welfare

LB 143	Monday, March 14, 1955	2:00 p.m.
LB 108	Monday, March 21, 1955	2:00 p.m.

Attorney General's Opinion

Mr. J. Adams read an opinion from Clarence S. Beck, Attorney General, in connection with the statutory provisions relative to the Psychiatric Institute now operated in conjunction with the University of Nebraska College of Medicine in Omaha, and asked that a reference be made to the opinion in the Legislative Journal and that the opinion be filed in the legislative records. No objections. So ordered.

STANDING COMMITTEE REPORTS**Miscellaneous Appropriations and Claims**

LEGISLATIVE BILL 72. Placed on General File as amended.

Standing Committee amendment to LB 72:

1. Amend page 2 of the bill, by striking lines 15 and 16 and inserting "Attorney General, but not to exceed ~~sixty-two~~ *seventy-five* hundred dollars per annum, to be paid on a monthly basis by".

LEGISLATIVE BILL 19. Placed on General File.

LEGISLATIVE BILL 336. Placed on General File.

(Signed) John Aufenkamp, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on February 24, 1955 at 8:25 a.m.

LB 102

LB 241

LB 120

LB 130

LB 234

LEGISLATIVE BILL 238. Correctly enrolled.

LEGISLATIVE BILL 39. Correctly enrolled.

LEGISLATIVE BILL 57. Correctly enrolled.

LEGISLATIVE BILL 6. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 238

LB 57

LB 6

LB 39

Members Excused

Mr. Bridenbaugh asked that the members of the Budget Committee be excused for Friday, February 25, 1955. Consent was granted.

SUSPEND RULES—Consider Bills

Mr. President: I move that the rules be suspended and we consider LB 76 and LB 243 on Final Reading today. (Signed) Hal Bridenbaugh

The motion prevailed with 41 ayes, 0 nays and 2 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 237. Read and laid over by unanimous consent.

LEGISLATIVE BILL 78. With emergency.

A bill for an act to amend section 2-1604, Reissue Revised Statutes of Nebraska, 1943, relating to agriculture; to change the method of arriving at the maximum amount that may be set aside in the general fund of the county for county extension work; 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, T.	Cole	Lee	Person
Anderson	Cramer	Liebers	Peterson
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Ruhnke
Bedford	Hoffmeister	Morrison	Shultz
Bixler	Hubka	Moulton	Swanson
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Tvrdik
Burney	Larkin	Perry	

Voting in the negative, 2:

McHenry Syas

Not voting, 2:

Adams, J. 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 109.

A bill for an act to amend section 72-1006, Revised Statutes Supplement, 1953, relating to public lands and buildings; to remove the restrictions on the use of the State Institutional and Military Department Building 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, T.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Burney	Lee	Perry	Tvrdik

Voting in the negative, 0.

Not voting, 3:

Adams, J.	Foote	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 76.

A bill for an act to amend section 23-1115, Revised Statutes Supplement, 1953, relating to county judges; to increase the salaries of county judges in counties having a population of more than sixty thousand inhabitants; to provide when such increases shall become effective; 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.	Beaver	Brower	Diers
Adams, T.	Bedford	Burney	Fenske
Anderson	Bixler	Cole	Foote
Bahensky	Bridenbaugh	Cramer	Hoffmeister

Hubka	McGinley	Perry	Swanson
Klaver	Martin	Peterson	Syas
Kotouc	Metzger	Pizer	Thompson
Larkin	Morrison	Purdy	Tvrdik
Lee	Moulton	Ruhnke	Vogel
Liebers	Otto	Shultz	

Voting in the negative, 4:

Aufenkamp	McHenry	Nelson	Person
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Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 243.

A bill for an act to amend section 53-131, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to reconcile conflict in statutory provisions with respect to length of time a retail licensee is permitted to have merchandising credit in the ordinary course of 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, 33:

Adams, J.	Cole	Larkin	Perry
Adams, T.	Cramer	Lee	Person
Anderson	Diers	Liebers	Purdy
Bahensky	Fenske	McGinley	Shultz
Beaver	Hoffmeister	Martin	Swanson
Bedford	Hubka	Morrison	Syas
Bridenbaugh	Klaver	Moulton	Tvrdik
Brower	Kotouc	Otto	Vogel
Burney			

Voting in the negative, 10:

Aufenkamp	McHenry	Peterson	Thompson
Bixler	Metzger	Pizer	
Foote	Nelson	Ruhnke	

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

UNANIMOUS CONSENT—Replace LB 175 on Select File

Mr. McGinley asked unanimous consent to replace LB 175 on Select File for the following corrective amendment:

Page 3, line 52, section 1, insert before the first semicolon the words "*or supervisors*".

No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 175.**

Mr. McGinley asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 59. 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 62. 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 162. 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 164. 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 53. E and R amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Bracketed.

LEGISLATIVE BILL 103. E and R amendments found in the Legislative Journal for the Thirty-seventh Day were adopted.

Advanced to E and R for engrossment.

Announcement

Mr. Tvrdik rose to a point of personal privilege and announced that he had the pleasure of notifying the Legislature that membership cards to the Ak-Sar-Ben would be distributed by the Pages.

Member Excused

Mr. Lee was excused for Friday, February 25, 1955.

MOTION—Place LB 151 on General File

Mr. President: I move that LB 151 be placed on General File notwithstanding the committee report. (Signed) Otto Liebers

The motion prevailed with 31 ayes, 7 nays and 5 not voting.

Member Excused

Mr. Liebers was excused for the remainder of the day.

Visitors

Mr. Hoffmeister introduced Mr. and Mrs. Stenger, Mr. and Mrs. Pubbeno, Mr. and Mrs. Nesmoth, Mr. Mills and Mr. Leon Kimberling from Imperial, Nebraska, and Mr. and Mrs. Shackleford from Trenton, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 229.

Mr. Perry asked unanimous consent to withdraw his amendment found in the Legislative Journal for the Thirty-sixth Day. No objections. So ordered.

Mr. Perry offered the following amendments which were adopted:

Amend line 52, Section 1 by striking "sixteen" and inserting "twenty".

Insert on line 52, Section 1, after the word "years." the following:

"Minors between the ages of sixteen and twenty years shall be issued a probationary license for the period of one year, which may

be renewed annually for a period of one year only if the operator has not accumulated more than eight points as provided in section 39-7,128 in the previous year."

Amend line 71, Section 1 by inserting after the word "all" the words "probationary licenses and".

Amend line 74, Section 1, by inserting after the word "such" the words "probationary license".

Amend line 89, Section 1, by adding after the words "Public Instruction." the following:

"The County Treasurer shall collect a fee of one and one-half dollars from each successful applicant for an original or renewal probationary license."

Amend the title of the bill to conform to the amendments.

Mr. Lee offered the following amendment to LB 229, which was adopted:

Amend Section 1, line 82, by inserting, following the word "operator", the words "who is at least twenty-one years of age".

Amend Section 1, line 87, and misnumbered line 89, by striking the words "Superintendent of Public Instruction" and inserting in lieu thereof the words "Commissioner of Education".

Advanced to E and R for review.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 361. Laid over temporarily.

Mr. Morrison Presiding

LEGISLATIVE BILL 41. Laid over.

Member Excused

Mr. Diers was excused for the remainder of the day.

LEGISLATIVE BILL 291. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 361. 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 275. 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 181. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-fifth Day were adopted.

Laid over until Monday, February 28, 1955.

Visitor

Mr. Moulton introduced Mr. Cliff N. Ogden, Omaha, Nebraska, a former member of the Legislature.

STANDING COMMITTEE REPORTS**Revenue****LEGISLATIVE BILL 232.** Placed on General File.**LEGISLATIVE BILL 364.** Placed on General File as amended.

Standing Committee amendments to LB 364:

1. Amend page 2 to 5 of the bill, section 1, by striking lines 8 to 104 and inserting in lieu thereof the following:

<i>"Counties</i>	<i>Percentage</i>
<i>Adams</i>	<i>1.780</i>
<i>Antelope</i>	<i>1.184</i>
<i>Arthur</i>	<i>.122</i>
<i>Banner</i>	<i>.260</i>
<i>Blaine</i>	<i>.153</i>
<i>Boone</i>	<i>1.067</i>
<i>Box Butte</i>	<i>.905</i>
<i>Boyd</i>	<i>.492</i>
<i>Brown</i>	<i>.480</i>
<i>Buffalo</i>	<i>1.826</i>
<i>Burt</i>	<i>1.076</i>
<i>Butler</i>	<i>1.180</i>
<i>Cass</i>	<i>1.355</i>
<i>Cedar</i>	<i>1.392</i>

Chase	.544
Cherry	.955
Cheyenne	1.320
Clay	.831
Colfax	.947
Cuming	1.334
Custer	1.913
Dakota	.690
Dawes	.730
Dawson	1.663
Deuel	.373
Dixon	.890
Dodge	1.895
Douglas	10.227
Dundy	.500
Fillmore	1.000
Franklin	.668
Frontier	.583
Furnas	.792
Gage	2.238
Garden	.484
Garfield	.284
Gosper	.363
Grant	.138
Greeley	.531
Hall	2.164
Hamilton	.971
Harlan	.625
Hayes	.326
Hitchcock	.551
Holt	1.505
Hooker	.105
Howard	.783
Jefferson	1.128
Johnson	.730
Kearney	.681
Keith	.647
Keya Paha	.290
Kimball	.501
Knox	1.507
Lancaster	5.665
Lincoln	2.157
Logan	.166
Loup	.173
Madison	1.788
McPherson	.142

Merrick	.878
Morrill	.847
Nance	.646
Nemaha	.902
Nuckolls	.878
Otoe	1.554
Pawnee	.674
Perkins	.586
Phelps	.845
Pierce	.995
Platte	1.716
Polk	.840
Red Willow	.930
Richardson	1.330
Rock	.340
Saline	1.250
Sarpy	1.628
Saunders	1.540
Scotts Bluff	2.700
Seward	1.300
Sheridan	.990
Sherman	.640
Sioux	.455
Stanton	.737
Thayer	.996
Thomas	.159
Thurston	.827
Valley	.710
Washington	1.150
Wayne	.967
Webster	.731
Wheeler	.216
York	1.273"

2. Amend page 6 of the bill, section 2, by inserting after the word "less" in line 15, and after the second word "inhabitants" in line 19, the words and punctuation "*, to be credited to the street fund*", line 16 by striking "fifteen" and inserting "ten", line 20 by striking "twenty" and inserting "fifteen", line 21 by striking the word "and", line 23 by inserting after the word "tants" the words "*and not more than two hundred thousand inhabitants, to be credited to the street fund,*", line 23 by striking "twenty-five" and inserting "twenty" , and line 24 by inserting after the word "census" the following: "*; and (d) to each city having a population of more than two hundred thousand inhabitants, a sum equal to one half of the Gasoline Tax Fund allocated to*

Douglas County by subdivision (4) of section 66-424.01, to be credited to the street fund."

3. Amend page 8 of the bill, section 3, line 30 by inserting after the word and punctuation "inhabitants," the words "*and not more than two hundred thousand inhabitants*".

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 55. Correctly engrossed.

LEGISLATIVE BILL 240. Correctly engrossed.

LEGISLATIVE BILL 176. Correctly engrossed.

LEGISLATIVE BILL 54. Correctly engrossed.

LEGISLATIVE BILL 46. Correctly engrossed.

LEGISLATIVE BILL 244. Correctly engrossed.

LEGISLATIVE BILL 61. Replaced on Select File as amended.

E and R amendment to LB 61:

1. In the bill section 2, line 2 after "Statutes" insert "of Nebraska".

LEGISLATIVE BILL 142. Placed on Select File as amended.

E and R amendments to LB 142:

1. In the Standing Committee Amendment 1, insert "," in line 20 after "distributor", line 21 before "shall", line 82 after "interest", and line 114 before the words "prior" and "and"; line 12, after the word "which" insert "the"; line 19, after "by" insert "a"; line 50, strike the word "them" and insert in lieu thereof "it"; line 52, after "in" insert "a"; line 88, strike the word "expenses" and in lieu thereof insert "inspections".

2. In the bill, insert "," in section 1, line 6 after "form", line 14 after the first word "pints", line 23 before "and", line 27 before "and", line 32 before "and", and section 5, line 3 before the word "or".

3. In the bill, section 2, line 17, strike "provided further," and in lieu thereof insert "*and provided further,*".

4. In the bill title, line 7, before the semicolon insert "as prescribed; to provide certain procedure in regard thereto; to provide for a bond; to provide for a permit and the fee for same; to provide penalties; to provide for return of stamps previously issued for value".

LEGISLATIVE BILL 37. Placed on Select File as amended.

E and R amendments to LB 37:

1. In the bill, section 1, line 3, insert “,” after “gas”; line 9, before the word “by” insert “*and acknowledged*”, and in the same line, strike “, and acknowledged” and show the same as stricken matter.

2. In the bill, section 2, strike the quotation marks in line 12 before the word “To” and line 28 after “19....” and show the same as stricken matter; and line 22, after the word “deeds” insert “*an*”.

3. In the bill, section 3, insert “,” in line 3, after the word “may”, and line 4, before the word “or”; line 5, before the word “file” insert “*provided for by section 57-202,*”; line 7, insert “(1)” before the first word “that”, and in the same line, insert “(2)” after the semicolon; line 10, insert “(3)” after the semicolon; line 11, strike “setting out in the affidavit” and in lieu thereof insert “(4) setting out in the affidavit”; line 12, strike “, as above provided,” and show the same as stricken matter.

4. In the bill, section 4, line 3, before the word “If” insert “(1)”; lines 4 and 5, strike “such affidavit” and in lieu thereof insert “*such the affidavit referred to in section 57-203*”; line 9, strike the word “the” after “then” and in lieu thereof insert “*the such*”; line 14, before the word “If” insert “(2)”; line 15, strike “above provided, then” and in lieu thereof insert “*above provided in subsection (1) of this section, then*”; line 16, before the comma insert “, *referred to in section 57-203*”.

LEGISLATIVE BILL 141. Placed on Select File as amended.

E and R amendments to LB 141:

1. In the bill, section 1, line 3, after the word “who” insert “(1)”; insert “,” in line 4 after “ploded”, line 5 after “bomb”, line 7 after “take”, line 22 after “dynamite”, line 30 after “bridges”, and line 32 after “dynamite”; line 8, strike “or who” and in lieu thereof insert “*or who (2)*”; lines 10 and 11, strike “and any person who” and in lieu thereof insert “*and any person who or (3)*”; lines 13 and 14, strike “, and upon conviction” and in lieu thereof insert “, and, upon conviction *thereof*,”; line 17, strike “or” and in lieu thereof insert “*or nor*”; line 18, strike “*this*” and in lieu thereof insert “*that the provisions of this section*”; and line 23, before the word “or” insert “*bayou,*”.

2. In the bill, renumbered section 2, line 1, strike “sections” and in lieu thereof insert “section”; and line 2, strike “are” and in lieu thereof insert “is”.

LEGISLATIVE BILL 207. Placed on Select File as amended.

E and R amendment to LB 207:

1. In the bill page 2, section 1, line 5 after "dispense" insert ","; in section 2, lines 3 and 4 strike "in this act specifically provided" and insert in lieu thereof "in this act specifically provided therein"; line 12 insert "," after "cachet"; line 14 strike "(a)" and insert in lieu thereof "(a) (1)" and at end of line insert ","; line 18 strike "(b)" and insert in lieu thereof "(b) (2)"; lines 22, 24 and 27 insert "," after "dispensed" and "ointment"; and on page 3, line 30 after "Law".

LEGISLATIVE BILL 278. Placed on Select File as amended.

E and R amendments to LB 278:

1. In the Standing Committee Amendment line 3, strike the period after "where".

2. In the bill page 2, section 1, line 33 insert "," after "shall" and also in line 34 after "service"; page 3 line 35 strike "at" and in lieu thereof insert "at addressed to the"; and at the beginning and end of line 37 insert ","; and at end of line 40 insert "a".

LEGISLATIVE BILL 295. Placed on Select File as amended.

E and R amendments to LB 295:

1. In the bill page 2, section 1, line 18 before "as" insert ","; and in line 32 after "act" insert ",".

2. In the bill title line 5 after "pipelines" insert "or refined in a refinery in this state and stored thereat as prescribed".

LEGISLATIVE BILL 299. Placed on Select File as amended.

E and R amendments to LB 299:

1. Strike the Standing Committee Amendment from and after the word "and" in line one and to carry out the intent of the part stricken strike the balance of Section 1. commencing with "(2)" line 25, and insert the matter stricken in lines 27 to 35 inclusive as stricken matter and insert a new section to be called "Sec. 2." after the end of Section 1. to read as follows:

"Sec. 2. *Any person who shall violate any of the provisions of sections 66-501 to 66-522, shall be guilty of a misdemeanor and, upon a first conviction, shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment*

in the county jail for a period of not exceeding three months, or by both such a fine and imprisonment and, upon a second or subsequent conviction, shall be punished by a fine in the sum of five hundred dollars and by imprisonment in the county jail for a period of six months."

2. In present Sec. 2. strike "2." in line one and in lieu thereof insert "3."

3. In the bill page 2, section 1, line 4, insert "(1)" before "to"; line 5 insert "," after "into"; line 6 strike "or" and insert in lieu thereof "(2) or"; line 10 strike "or" inserting "(3) or"; strike line 11 and insert in lieu thereof ", or bill of lading or , purchase order, or report, (4) or makes or "; line 12 strike "or exhibit" and in lieu thereof insert ", exhibit,"; line 14 strike "or agent" and insert in lieu thereof ", or agent "; strike line 15 and insert in lieu thereof "sale or , bill of lading or , purchase order, or report, or (5)"; line 18 strike ", or leaves to leave" and insert in lieu thereof ", or leaves"; lines 19 and 20 strike "or" and insert in lieu thereof "(6) or" and "(7) or" respectively; line 22 before "unlawfully" insert "(8) to"; line 23 strike "to".

4. In the bill title line 4 strike "to provide violations and" and in lieu thereof insert "to make certain acts unlawful; to provide" and in line 5 after "fuels" insert "contrary to the provisions of such section as prescribed".

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:52 a.m., on a motion by Mr. Klaver, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 25, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bridenbaugh, Diers, Fenske, Kotouc, Lee, Liebers, McHenry, Peterson and Vogel, who were excused.

The Journal for the Thirty-eighth Day was approved as corrected.

Communications

Letter from Mrs. Martha Rohrick, State President, Nebraska Federation Business and Professional Women's Clubs, Inc. favoring LB 231. Referred to Committee on Labor and Public Welfare.

Letter from Harold C. Elliott, Weeping Water, Nebraska, stating that the Women's Club of Weeping Water adopted a resolution expressing its desire that the Austrian Pine be made the State Tree. Referred to Committee on Agriculture.

Letter from U.S. Senator Carl T. Curtis, acknowledging receipt of LR 10.

Resolution from Kenneth Waring, County Clerk of Holt County, adopted by Board of Supervisors of Holt County, relating to the pro-

posed revised State Road System and expressing opposition to the same. Referred to Committee on Public Works.

Letter from Robert C. Bosley, Palisade, Nebraska, addressed to Mr. Hoffmeister, enclosing a petition containing 288 signatures, relating to the relocation of Highways 17 and 25. Referred to Committee on Public Works.

Three hundred one cards and forty-eight letters opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

Twenty letters favoring relocation of Highways 17 and 25 and LB 187. Referred to Committee on Public Works.

One letter opposing LB 187. Referred to Committee on Public Works.

One letter favoring sales tax, LB 400. Referred to Committee on Revenue.

Announcement

The Clerk announced that the Eric Sevareid television show "American Week" will televise an interview with Members of the Legislature regarding the mural in the rotunda of the Capitol on Sunday, February 27, 1955 at 3:00 p.m. on KMTV and KOLN.

UNANIMOUS CONSENT—Withdraw Notice

Mr. Moulton asked unanimous consent to withdraw the Notice of Hearing on LB 271, previously set for hearing on March 3, 1955, at 2:00 p.m. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 271 Friday, March 18, 1955 2:00 p.m.

Member Excused

Mr. Cramer was excused for Monday, February 28, 1955.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 449. Placed on General File.

LEGISLATIVE BILL 503. Placed on General File.

LEGISLATIVE BILL 167. Placed on General File as amended.

Standing Committee amendment to LB 167:

1. Amend page 2 of the bill, section 1, line 10 by inserting after the word "board" the following:

" , the Governor, and to each member of the Board of Pardons".

LEGISLATIVE BILL 363. Placed on General File as amended.

Standing Committee amendment to LB 363:

Amend page 2 of the bill, section 1, line 18 by inserting after the word "of" the following: "commissioners as there were".

(Signed) Sam Klaver, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 136. Placed on General File.

LEGISLATIVE BILL 159. Placed on General File.

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 236. Correctly engrossed.

LEGISLATIVE BILL 16. Correctly engrossed.

LEGISLATIVE BILL 132. Correctly engrossed.

LEGISLATIVE BILL 78. Correctly enrolled.

LEGISLATIVE BILL 109. Correctly enrolled.

LEGISLATIVE BILL 76. Correctly enrolled.

LEGISLATIVE BILL 243. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 78

LB 109

LB 76

LB 243

SELECT FILE

LEGISLATIVE BILL 61. 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 142. 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 37. 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 141. 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 207. 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 278. 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 295. E and R amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Laid over.

LEGISLATIVE BILL 299. E and R amendments found in the Legislative Journal for the Thirty-eighth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Reconsider Action on Bill

Mr. President: I move that we reconsider our action to lay over LB 295. (Signed) L. M. Shultz

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

LEGISLATIVE BILL 295.

Advanced to E and R for engrossment.

GENERAL FILE**LEGISLATIVE BILL 50.**

Mr. Aufenkamp offered the following amendment to LB 50, which was adopted:

Amend LB 50, Section 4, page 3, lines 61 to 65, inclusive, to read as follows:

And Provided further, that school districts contracting as of January 1, 1955, for the instruction of pupils of the elementary grades with a State Normal School shall not be dissolved because of contracting with this State Normal School.

Advanced to E and R for review.

Mr. Thompson Presiding

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 41. Laid over.

LEGISLATIVE BILL 388. Laid over.

LEGISLATIVE BILL 401. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 346. Laid over.

LEGISLATIVE BILL 221. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-sixth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 163. Read and considered.

Mr. Cramer raised the question of a quorum. A roll call was taken and showed 24 members present.

LB 163 was advanced to E and R for review.

LEGISLATIVE BILL 98. Laid over until Tuesday, March 1, 1955.

LEGISLATIVE BILL 326. 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 5. 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 138. Laid over.

LEGISLATIVE BILL 72. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-eighth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 19. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 336. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 151. Laid over.

LEGISLATIVE BILL 232. Read and considered.

Advanced to E and R for review.

Member Excused

Mr. Hubka was excused for the remainder of the day.

Speaker Burney Presiding

UNANIMOUS CONSENT—Withdraw LB 272

Messrs. T. Adams, Martin and Moulton asked unanimous consent that LB 272 be withdrawn. No objections. So ordered.

Special Order

Speaker Burney appointed Mr. Syas to escort Mr. Phillip Vogt, Douglas County Welfare Director, and Dr. G. Lee Sandritter, Superintendent of the State Hospital at Hastings, Nebraska, to the rostrum.

Speaker Burney introduced Mr. Phillip H. Vogt, who addressed the Legislature regarding the mentally ill and institutions for their care.

Speaker Burney then introduced Dr. G. Lee Sandritter, who continued the discussion, stressing the value of psychiatric treatment and illustrating his remarks with a series of statistical charts showing comparative costs and expenses.

Speaker Burney expressed the appreciation of the Legislature to Mr. Vogt and Dr. Sandritter for appearing before the Legislature.

MOTION—Appreciation

Mr. J. Adams moved that the Legislature express its appreciation for the appearance of Mr. Vogt and Dr. Sandritter.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS**Miscellaneous Appropriations and Claims**

Claim 74	Monday, March 7, 1955	2:00 p.m.
Claim 75	Monday, March 7, 1955	2:00 p.m.
Claim 112	Monday, March 7, 1955	2:00 p.m.
LB 467	Monday, March 7, 1955	2:00 p.m.
LB 450	Wednesday, March 9, 1955	2:00 p.m.
LB 470	Wednesday, March 9, 1955	2:00 p.m.
Claim 78	Monday, March 14, 1955	2:00 p.m.
Claim 79	Monday, March 14, 1955	2:00 p.m.
Claim 177	Monday, March 14, 1955	2:00 p.m.
LB 333	Monday, March 14, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 443. Placed on General File.

LEGISLATIVE BILL 265. Placed on General File.

LEGISLATIVE BILL 224. Placed on General File.

LEGISLATIVE BILL 263. Placed on General File as amended.

Standing Committee amendments to LB 263:

1. Section 1, line 2, strike out "being an inhabitant of this state,".
2. Section 1, line 8, strike out the word "with" and insert the word "in" in lieu thereof.
3. Section 1, line 9, strike out the word "with" and insert the word "in" in lieu thereof.
4. Section 1, line 16, after the word file, strike out the word "with" and insert "in" in lieu thereof.

LEGISLATIVE BILL 215. Placed on General File as amended.

Standing Committee amendments to LB 215:

1. Page 2, line 17, sub-paragraph 3, strike the words "any military branch" and insert in lieu thereof "the armed forces" and amend the title to conform.
2. Page 2, line 17, sub-paragraph 3, insert a space between the words "Persons serving".

LEGISLATIVE BILL 126. Indefinitely postponed.

LEGISLATIVE BILL 183. Indefinitely postponed.

LEGISLATIVE BILL 116. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Education

LEGISLATIVE BILL 42. Placed on General File as amended.

Standing Committee amendments to LB 42:

1. Amend section 2 of the bill, by striking lines 1 to 6 and inserting in lieu thereof the following:

"Sec. 2. A school district of the third, fourth or fifth class may purchase, own, and hold title to real estate for future school sites which at the time of purchase is outside the purchaser's school district in a territory not more than three miles beyond the limits of the pur-

chaser's district but contiguous thereto; Provided, the purchaser shall erect no school buildings thereon prior to the inclusion of such real estate within the purchaser's boundaries."

2. Amend page 2 of the bill by adding a new section immediately following 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."

3. Amend the title of the bill by striking lines 4 to 8 and inserting in lieu thereof the following:

"Class III, IV, and V school districts to purchase, own, and hold title to real estate for future sites located outside the boundaries of the purchaser's district and to build school buildings thereon as prescribed; to repeal the original section; and to declare an emergency."

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 114. Correctly engrossed.

LEGISLATIVE BILL 93. Correctly engrossed.

LEGISLATIVE BILL 201. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on February 24, 1955 at 3:00 p.m.

LB 238

LB 6

LB 39

LB 57

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:57 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Monday, February 28, 1955.

Hugo F. Srb
Clerk of the Legislature

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 28, 1955

Pursuant to adjournment, the Legislature met at 10:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Cramer and Liebers, who were excused, and Mr. Larkin, who was excused until 10:45.

The Journal for the Thirty-ninth Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on February 26, 1955, at 9:15 a.m.

LB 76

LB 78

LB 109

LB 243

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

February 28, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on February 26, 1955, he approved LB 112, 117, 70, 88, 225, 170,

173, 118 and 239 and on February 27, 1955, he approved LB 102, 130, 120, 39, 238, 6, 57, 76, 78, 109, 243, 234 and 241.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Communications

Letters from Hon. Jackson B. Chase, Hon. A. L. Miller and Hon. R. D. Harrison, U. S. Representatives, Washington, D. C., acknowledging receipt of copies of Legislative Resolution No. 10.

Letter from Hon. Sam Rayburn, Speaker of the U. S. House of Representatives, Washington, D. C., acknowledging receipt of a copy of Legislative Resolution No. 10.

Letter from Carl R. Jolliff, President, Nebraska Society Biological Scientists, Lincoln, Nebraska, inviting the Members to attend meetings of the society on March 17th and April 20th, on the subject of surface water pollution in Nebraska.

Letter from Dewaine F. Beam, Omaha, opposing LB 459. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from the Better Omaha Club, Omaha, opposing parking in the Douglas County Court House area, and also the continuance of the Tax Appraisal Board. Referred to Committee on Public Works.

Letter addressed to Mr. Aufenkamp from William N. Boyd, Secretary, Auburn Chamber of Commerce, opposing LB 400. Referred to Committee on Revenue.

Letter from D. Bussell, Omaha, concerning fees charged by employment agencies. Referred to Committee on Revenue.

Letter from E. G. Knudtson, Lincoln, concerning fluoridation. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Mrs. Martha Rohrick, State President, Nebraska Federation of Business and Professional Women's Clubs, Scottsbluff, concerning LB 231. Referred to Committee on Labor and Public Welfare.

Resolution from the Butte Community Club of Butte, Boyd County, Nebraska, opposing LB 187. Referred to Committee on Public Works.

Resolution from the Board of Supervisors of Boyd County, Nebraska, concerning LB 187. Referred to Committee on Public Works.

Eighty-two postal cards and fourteen letters opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

Petition containing four hundred and twenty-eight signatures from residents of Holt and Boyd Counties, Nebraska, concerning state-aid highway from Lynch south. Referred to Committee on Public Works.

Petition from the Cullom Extension Club of Plattsmouth, opposing LB 137. Referred to Committee on Judiciary.

Appointment

February 24, 1955

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

For the information of and subject to the consideration of Your Honorable Body, the State Board of Educational Lands and Funds have requested me to advise you that we have nominated Mr. Robert P. Hiatt to the position of Secretary to the State Board of Educational Lands and Funds.

Respectfully submitted,
Board of Educational Lands and Funds

By: (Signed) Tom Coffey
Chairman

TC:pw

Referred to Committee on Committees.

Visitors

Mr. Hubka introduced Miss Leila M. Jackson, Teacher, and twenty-two students from the Sixth, Seventh and Eighth Grades of Pickrell School, Pickrell, Nebraska.

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 390	Thursday, March 10, 1955	2:00 p.m.
LB 462	Thursday, March 10, 1955	2:00 p.m.
LB 217	Friday, March 11, 1955	2:00 p.m.
LB 387	Friday, March 11, 1955	2:00 p.m.
LB 158	Thursday, March 17, 1955	2:00 p.m.
LB 409	Thursday, March 17, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 526. Placed on General File.

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 82. Placed on Select File as amended.

E and R amendments to LB 82:

1. In the bill, section 1, insert “,” in line 3 after the word “found”, and line 13 after “safety”.

2. In the bill, section 2, line 5, insert “,” after “fire”, and in the same line after “residing” insert “(1)”; line 8, insert “(2)” after “or”, and in the same line insert after “situated” *“in the State of Nebraska”*; line 10, strike *“having”* and in lieu thereof insert *“which has”*; and line 15, after the period insert *“If the district is so organized in an area set forth in subdivision (1) of this section it shall be a rural fire protection district and references in this act to rural fire protection districts shall refer to such a district. If so organized in an area set forth in subdivision (2) of this section, it shall be a suburban fire protection district and references in this act to a suburban fire protection district shall refer to such a district. Unless the context shall indicate otherwise, the word district, when used in this act, shall refer to either a rural or suburban fire protection district, as the case may be.”*

3. In the bill, section 3, strike lines 4 to 7, commencing with “equivalent” in line 4 to and including the word “dollars” in line 7, and in lieu thereof insert “equivalent in area to one township or more, in either of the areas set forth in section 35-502”

4. In the bill, section 4, line 2, before “be” insert “as amended by section 1, Legislative Bill 100, Sixty-seventh Session, Nebraska State Legislature, 1955,”; line 3, before “The” insert “(1)”; line 6, before the period insert “, including the amounts referred to in subdivision (4) of this section”; line 8, before “to” insert “of the district”; lines 12 and 13, strike *“comprises an area equivalent to one township or more”* and in lieu thereof insert *“is a rural fire protection district”*; line 15, insert “,” before “when”; strike lines 16 and 17, commencing with the word *“contains”* in line 16 to and including the word “dollars” in line 17, and in lieu thereof insert *“is a suburban fire protection district”*; lines 19, 20, and 21, strike “(1)”, “(2)”, and “(3)”, respectively, and in lieu thereof insert “(a)”, “(b)”, and “(c)”, respectively; line 23, strike the period and in lieu thereof insert “to be paid to the

secretary-treasurer of such district, as is provided for by subsection (3) of this section, or to be remitted to the county treasurer of the county in which the greater portion of the district is located, as is provided for by subsection (2) of this section.

(2) All such taxes, collected or received for the district by the treasurer of any other county than the one in which the greater portion of the district is located, shall be remitted by him to the treasurer of the county in which the greater portion of the district is located at least quarterly. All such taxes collected or received shall be placed to the credit of the rural fire protection *such* district of the county in which the greater portion of the district is located.

(3) "; line 24, before the word "to" insert "*of the district*"; line 25, before the word "all" insert "*of the county where collected or from the county treasurer of the county in which the greater portion of the district is located, if such district is located in more than one county,*"; line 27, strike the word "the" and in lieu thereof insert "*such*"; line 28, before the period insert "*of such district*"; line 33, before "It" insert "(4)".

5. In the bill, section 5, line 10, after "president" insert "*of such district*"; line 18, strike ", on" and in lieu thereof insert "*, on who signed*", and in the same line strike ", shall have signed" and in lieu thereof insert "*, shall have signed resided*".

6. In the bill, section 6, lines 4 and 5, strike "*equivalent in area to at least one township,*" and in lieu thereof insert "*a rural fire protection district*"; strike lines 6 to 8 and Standing Committee Amendment 1 thereto, commencing with "*organized*" in line 6 to and including "*dollars*" in line 8, and in lieu thereof insert "*a suburban fire protection district*"; line 14, strike the word "thereof" and in lieu thereof insert "*thereof for the same,*".

7. In the bill, section 7, line 11, before the word "powers" insert "*other*".

8. In the bill, section 8, line 8, insert "," before the words "*so*" and "*set*".

9. In the bill, after section 8, insert a new section to be known as "Sec. 9." and to read as follows:

Sec. 9. That section 35-514, Revised Statutes Supplement, 1953, be amended to read as follows:

35-514. (1) Any territory which (a) is equivalent in area to six sections or more, (b) is outside the limits of any incorporated city, village, or rural or *suburban* fire protection district, and (c) is adjacent to the boundary of an existing rural or *suburban* fire protec-

tion district may be annexed to such district in the manner hereinafter provided.

(2) The proceedings for the annexation, referred to in subsection (1) of this section, may be initiated by the presentation to the county clerk of a petition signed by sixty per cent or more of the electors who are owners of any interest in real or personal property assessed for taxation in the territory to be annexed and who are residing within the boundaries of such territory stating the desires and purposes of such petitioners. The petition shall contain a description of the boundaries of the territory proposed to be annexed. It shall be accompanied by a map or plat and a deposit for publication costs.

(3) The county clerk shall consult the tax schedules in the office of the county assessor and determine and certify whether or not such petition complies with the requirements of subsection (2) of this section and that the persons signing the same appear to reside within the boundaries described by such petition. Thereafter, the county clerk shall forward such petition, map or plat, and certificate to the board of directors of the district concerned.

(4) Within thirty days after receiving the petition, map or plat, and certificate of the county clerk, in accordance with subsection (3) of this section, from the county clerk, such board of directors shall transmit the same to the proper county board, accompanied by a report in writing approving or disapproving the proposal contained in said petition, or approving such proposal in part and disapproving it in part.

(5) If the report of the board of directors, referred to in subsection (4) of this section, disapproves the proposal, the petition shall be rejected. If the report is favorable to such proposal, either in whole or in part, the county board shall promptly designate a time and place for a hearing upon the petition and shall give notice thereof in the manner prescribed by section 35-504. At such hearing, any person owning taxable property or residing within the boundaries of the existing district or the territory to be annexed, shall have the opportunity to be heard respecting the proposed annexation.

(6) The county board shall, at or shortly after the hearing referred to in subsection (5) of this section, determine whether such territory should be annexed to the existing district and shall fix the boundaries of the territory to be annexed. The determination of the county board shall be set forth in a written order which shall describe the boundaries determined upon and shall be filed in the office of the county clerk; *Provided*, that no area shall be annexed to an existing rural or suburban fire protection district contrary to the recommendation of the board of directors of such existing district."

10. In the bill, renumber original sections 9 to 13, inclusive, as 10 to 14, inclusive.

11. In the bill, renumbered section 12, line 8, strike "and," and in lieu thereof insert ", and,,"; line 20, after the word "upon" insert "*the*", and in the same line, strike the comma and show as stricken matter; strike lines 21 to 23, to and including the word "*dollars*" in line 23, and in lieu thereof insert "*comprising an area of one or more townships, as defined in section 35-502*"; lines 27 and 28, strike "*prevention district*" and in lieu thereof insert "*protection district, except intangible property*"; strike lines 28 to 31, commencing with "*in*" in line 28 to and including "*dollars*" in line 31, and in lieu thereof insert "*on the dollar, in a suburban fire protection district, on the assessed value of all the taxable property in such a suburban fire protection district*"; line 44, strike the word "is" and in lieu thereof insert "in" as in the statutes.

12. In the bill, renumbered section 13, line 3, strike "and section 35-509," and in lieu thereof insert "sections", and in the same line before the word "and" insert "35-514,,"; line 4, before the word "are" insert "and section 35-509, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 100, Sixty-seventh Session, Nebraska State Legislature, 1955,".

13. In the bill title, line 4, strike "and sections 35-509," and in lieu thereof insert "sections", and in the same line, before "and" insert "35-514,,"; line 5, before "relating" insert "and section 35-509, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 100, Sixty-seventh Session, Nebraska State Legislature, 1955,,"; line 12, strike the word "having" and in lieu thereof insert "which has"; and in line 17, after the first semicolon insert "to define terms; to prescribe the meaning of certain words or phrases as used in this act; to provide certain powers and duties of rural or suburban fire protection districts and officers thereof; to provide how suburban fire protection districts shall be organized,".

LEGISLATIVE BILL 252. Placed on Select File as amended.

E and R amendments to LB 252:

1. In Standing Committee Amendment (2) line 5 strike "accepts service of summons" and in lieu thereof insert "*is so served with summons or other process*"; line 6 before "process" insert "*summons or other*"; line 7 strike ", and" and insert in lieu thereof "*and,*"; line 8 add ",," at end of line; line 9 after "notification" insert "*, or such information shall be furnished or given to the Secretary of State at the time of such service for such purpose*".

2. In the bill page 2, section 1, line 3 before "Suit" insert "(1)"; line 6 after "action" insert ","; line 8 strike ", and, if" and insert in lieu thereof ", and, if . If"; line 12 before "The" insert "(2)"; line 14 after "agent" insert "*under the provisions of subsection (1) of this section*" and before "each" insert (a); line 15 strike "with" and in lieu thereof insert "with , (b)"; line 16 after "sued," insert "(c)" and after "action," insert "(d)"; line 17 strike the first "and" and insert ", and (e)" and in the same line strike ", and" and insert in lieu thereof ", and . He".

3. In the bill title line 7 after "for" insert "or having" and in line 8 before "and" insert "to provide how such service may be made; to provide duties and powers of the Secretary of State as prescribed; to provide for furnishing the prescribed information on or with such summons or process for the purpose of notification;"

LEGISLATIVE BILL 250. Placed on Select File as amended.

E and R amendment to LB 250:

1. In the bill page 2, section 1, at end of line 9 insert "," and also before "shall" line 10, and after "under" insert "*the*"; line 18 after "bonds" insert ","; line 28 strike "as shall be provided" and insert in lieu thereof ", as shall be *deemed for the best interests of the municipality and provided for*"; and page 3, lines 40 and 47 after "bonds", and lines 41 and 48 after "18-1613" insert ",".

LEGISLATIVE BILL 227. Placed on Select File as amended.

E and R amendments to LB 227:

1. In the bill page 2, section 1, line 12 strike quotation marks and show as stricken matter; line 18 strike the third comma and show as stricken matter; line 21 insert "*the*" before insufficiency; lines 22 and 23 strike "above set forth" and insert in lieu thereof "*of this section above set forth*" also in line 23 after "all" insert "*the*"; page 3, line 39, after "when" insert "so" and before "defend-" insert "a"; line 50 strike "having made" and in lieu thereof insert "*having made making such*"; line 51 before "in" insert "*but not exceeding five hundred dollars,*" and in line 53 strike "but not exceeding five hundred dollars" and show as stricken matter.

2. In the bill title line 6 before "to" insert "to restate sources of Second Injury Fund;"

LEGISLATIVE BILL 175. Correctly engrossed.

LEGISLATIVE BILL 358. Correctly engrossed.

LEGISLATIVE BILL 253. Correctly engrossed.

LEGISLATIVE BILL 255. Correctly engrossed.

LEGISLATIVE BILL 296. Correctly engrossed.

LEGISLATIVE BILL 254. Correctly engrossed.

LEGISLATIVE BILL 127. Correctly engrossed.

LEGISLATIVE BILL 300. Correctly engrossed.

LEGISLATIVE BILL 256. Correctly engrossed.

LEGISLATIVE BILL 61. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Committee on Committees

February 28, 1955

Mr. President:

Your Committee on Committees reports favorably on the appointments listed below and suggests that they be voted upon for confirmation separately.

Bruce Hagemeister	Board of Education of State Normal Schools
Tom Coffey	State Board of Educational Lands and Funds
William E. Minier	State Board of Educational Lands and Funds
Jerome James DeLay	State Board of Educational Lands and Funds
Clyde Cretsinger	State Board of Educational Lands and Funds
Carl Deitemeyer	State Board of Educational Lands and Funds

(Signed) Otto Kotouc, Sr.
Chairman

Mr. Kotouc moved that the report of the Committee on Committees be adopted. The motion prevailed.

Vote on Mr. Hagemeister

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. Hagemeister confirmed.

Vote on Mr. Coffey

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. Coffey confirmed.

Vote on Mr. Minier

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. Minier confirmed.

Vote on Mr. DeLay

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. DeLay confirmed.

Vote on Mr. Cretsinger

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. Cretsinger confirmed.

Vote on Mr. Deitemeyer

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. Deitemeyer confirmed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 174. Laid over.

LEGISLATIVE BILL 223.

A bill for an act to amend section 77-2009, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide the manner of payment of the tax and interest when the rights, interests, or estates of the transferees, legatees, devisees, or beneficiaries are uncertain or contingent; to provide for a bond to assure payment of the tax with interest when the contingency has occurred or the uncertainty has been resolved; to dispense with such bond to the extent that the tax results from the inheritance or transfer of real property; to provide a method of releasing the real property from the lien for said tax; 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.	Burney	McGinley	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Diers	Martin	Ruhnke
Aufenkamp	Fenske	Metzger	Shultz
Bahensky	Foote	Morrison	Swanson
Beaver	Hoffmeister	Moulton	Syas
Bedford	Hubka	Nelson	Thompson
Bixler	Klaver	Otto	Tvrdik
Bridenbaugh	Kotouc	Perry	Vogel
Brower	Lee	Person	

Voting in the negative, 0.

Not voting, 4:

Cramer	Larkin	Liebers	Purdy
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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 17-938, Reissue Revised Statutes of Nebraska, 1943, relating to second-class cities and villages; to provide the effect of the failure to pay charges and liens upon a

burial lot or lots upon which no interments shall have been made; and to repeal the original section.

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

Voting in the affirmative, 38:

Adams, J.	Burney	McGinley	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Nelson	Swanson
Bedford	Hubka	Otto	Thompson
Bixler	Klaver	Perry	Tvrdek
Bridenbaugh	Kotouc	Person	Vogel
Brower	Lee		

Voting in the negative, 0.

Not voting, 5:

Cramer	Liebers	Moulton	Syas
Larkin			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Anderson introduced Mrs. Lloyd Hahn, Polk, Nebraska, and Mrs. Grey Blanchard, Coatsfield, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 155. Considered.

Advanced to E and R for review.

Mr. Perry Presiding

LEGISLATIVE BILL 181. Considered.

Mr. Ruhnke offered the following amendments:

1. Amend the bill by striking sections 1 to 30 and renumbering sections 31 to 33 as sections 1 to 3, respectively.

2. Amend renumbered section 1 of the bill, lines 6 and 7 by striking the new matter, and line 10 by reinstating the words "Roads and".

3. Amend renumbered section 2 of the bill, lines 13, 14, and 15 by striking the new matter and reinstating the stricken matter.

4. Amend renumbered section 3 of the bill, line 11 by striking the word "and" and reinstating the stricken matter, line 12 by reinstating the word "lars" and the figure "(4)", by striking the new material in lines 13 to 16, and line 13 by inserting after the word "dollars" the following:

“; and (5) the Director of Motor Vehicles, seven thousand dollars”.

5. Amend the bill by striking sections 34 to 39 and by renumbering sections 40 and 41 as sections 4 and 5, respectively.

6. Amend renumbered section 4, line 5 by striking the new matter and reinstating the word "Department", and line 6 by reinstating the words "and Irrigation".

7. Amend the bill by striking sections 42, 43, and 44 and by renumbering sections 45 to 48 as sections 6 to 9, respectively.

8. Amend renumbered section 7, line 1 by striking "Director" and inserting "*Director of Motor Vehicles*".

9. Amend renumbered section 8, line 1 by striking "director" and inserting "*Director of Motor Vehicles*".

10. Amend renumbered section 9, by striking "director" and inserting "*Director of Motor Vehicles*".

11. Amend the bill by striking sections 49 to 56 and by renumbering section 57 as section 10.

12. Amend the bill by striking sections 58 and 59, and by renumbering sections 60 and 61 as sections 11 and 12, respectively.

13. Amend renumbered section 11, by striking line 3 and inserting "*Department of Mo-*".

14. Amend renumbered section 12, by striking lines 1 to 10 and inserting:

"Sec. 12. That original section 81-101, Reissue Revised Statutes of Nebraska, 1943, and sections 81-102, 81-103, 83-122, and 83-123, Revised Statutes Supplement, 1953, are repealed."

15. Amend the title to conform.

Bracketed.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 41. Laid over.

LEGISLATIVE BILL 388. Read.

Laid over.

LEGISLATIVE BILL 346. Read and considered.

Advanced to E and R for review.

ANNOUNCEMENT—Birthday

Mr. Perry announced that today is Mr. Bixler's birthday and the Members sang "Happy Birthday" to him.

UNANIMOUS CONSENT—Hearing

Mr. Nelson asked unanimous consent that, in the event the West Senate Lounge was not large enough to accommodate all of the people attending the hearing on LB 77 this afternoon, the Agriculture Committee be permitted to hold the hearing in the West Senate Chamber. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 194	Wednesday, March 9, 1955	2:00 p.m.
LB 197	Wednesday, March 9, 1955	2:00 p.m.
LB 269	Wednesday, March 9, 1955	2:00 p.m.
LB 343	Wednesday, March 9, 1955	2:00 p.m.
LB 350	Wednesday, March 9, 1955	2:00 p.m.
LB 463	Wednesday, March 9, 1955	2:00 p.m.
LB 533	Wednesday, March 9, 1955	2:00 p.m.

Public Works

LB 413	Thursday, March 17, 1955	2:00 p.m.
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STANDING COMMITTEE REPORTS**Enrollment and Review****LEGISLATIVE BILL 322.** Placed on Select File as amended.

E and R amendment to LB 322:

1. In the bill page 2, section 1, line 12 strike "to an extent" and in lieu thereof insert "to in an amount extent"; line 13 after "all" insert "the"; line 14 before "as" insert "except intangible property,"; page 3, line 38 strike "an" and in lieu thereof insert "and"; line 39 strike the second "the" and in lieu thereof insert "the an"; line 50 insert "all" after the second "of" and at end of same line

insert "*in such a city, except intangible property,*"; section 2, lines 7 and 9 insert "," after "building" and "manage" respectively.

LEGISLATIVE BILL 306. Placed on Select File as amended.

E and R amendments to LB 306:

1. In the bill page 2, section 1, line 14, strike "during which" and show as stricken matter; and in section 2, line 5, strike "*salary*" and insert in lieu thereof "*salaries*".

2. Lines 6 and 7 strike new matter and amendments to said lines and in lieu thereof insert "*forty-six hundred*" and in lines 9 and 10 strike new matter and amendments to said lines and in lieu thereof insert "*thirty-six hundred*".

LEGISLATIVE BILL 221. Placed on Select File as amended.

E and R amendments to LB 221:

1. In the Standing Committee Amendment line 3, strike "*five three*" and insert in lieu thereof "three".

2. In the bill title line 6, strike the last "and"; and in line 7 strike "the" and insert in lieu thereof "certain" and after "remedy" insert "; and to provide where and within what time such an action shall be commenced".

LEGISLATIVE BILL 290. Placed on Select File as amended.

E and R amendment to LB 290:

1. In the bill page 2, section 1, line 9, insert "a" before "fine".

LEGISLATIVE BILL 232. Placed on Select File as amended.

E and R amendment to LB 232:

1. In the bill page 2, Section 3, lines 2 and 3 strike "passafe" and insert in lieu thereof "passage".

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:52 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 1, 1955

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. Bahensky and Liebers, who were excused.

The Journal for the Fortieth Day was approved as corrected.

Communications

Petition bearing one hundred thirty-nine signatures from Naper, Nebraska, opposing LB 187. Referred to Committee on Public Works.

Seventy cards and five letters opposing and one card favoring LB 353, 442 and 484. Referred to Committee on Judiciary.

One card favoring LB 92 and 377. Referred to Committee on Agriculture.

One letter relating to elections. Referred to Committee on Government.

UNANIMOUS CONSENT—Executive Session

Mr. Person asked unanimous consent that the Committee on Public Health and Miscellaneous Subjects be permitted to hold an executive session in the East Senate Chamber at 1 p.m. today. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 87. Replaced on Select File as amended.

E and R amendment to LB 87:

1. In the bill section 18 at the end of line 3 insert "for"; insert a comma in section 19 at the end of the newly inserted matter in line 1, being after the matter added by Standing Committee Amendment 7; and in section 8, line 11, page 7, strike "(4)" and in lieu thereof insert "(5)".

LEGISLATIVE BILL 206. Placed on Select File as amended.

E and R amendments to LB 206:

1. In the bill page 2, section 1, line 7, strike "However, no" and insert in lieu thereof "However, no No"; and strike new matter in lines 14 to 17 inclusive to and including the word "rezoned" in line 17 and amendments thereto and in lieu thereof in line 20 before the period insert "; and provided further, that such a notice thereof shall be mailed to the owners of all the real estate within three hundred feet of the property to be zoned or rezoned, who were not personally served with such a written notice thereof, which notices shall be mailed to such owners addressed to their last-known addresses at least ten days prior to such hearing upon such zoning or rezoning"; and in line 18 strike the first comma and show as stricken matter and also strike the second comma and at end of same line insert "such a".

2. In the bill title at end of line 4 insert "the prescribed".

LEGISLATIVE BILL 40. Correctly engrossed.

LEGISLATIVE BILL 139. Correctly engrossed.

LEGISLATIVE BILL 36. Correctly engrossed.

LEGISLATIVE BILL 62. Correctly engrossed.

LEGISLATIVE BILL 164. Correctly engrossed.

LEGISLATIVE BILL 103. Correctly engrossed.

LEGISLATIVE BILL 223. Correctly enrolled.

LEGISLATIVE BILL 235. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 223

LB 235

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 174. Laid over.

LEGISLATIVE BILL 55.

A bill for an act to amend section 16-319, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to permit the payment of additional compensation to the city attorney as prescribed; to permit the employment of additional legal assistance and the payment for the same; to provide that, whenever the mayor and city council have authorized the same by ordinance, the board of public works of such a city shall have the right to pay the city attorney additional compensation for legal services performed by him for it or to employ additional legal assistance other than the city attorney and pay for such legal assistance out of the funds of the board; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Bahensky Liebers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 240.

A bill for an act to amend section 25-1064, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure in the district court;

to change the title of the officer administering irrigation water to conform with previous 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, 41:

Adams, J.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Bahensky Liebers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 176.

A bill for an act to amend section 35-101, Reissue Revised Statutes of Nebraska, 1943, relating to firemen; to confine the exemption from jury service, militia duty in time of peace, and the assessment or payment of poll tax, as prescribed, of volunteer firemen in any fire company or hook and ladder company, and otherwise as prescribed, to members of such company in good standing; and to repeal the original section and also section 35-104, Reissue 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.	Beaver	Brower	Diers
Adams, T.	Bedford	Burney	Fenske
Anderson	Bixler	Cole	Foote
Aufenkamp	Bridenbaugh	Cramer	Hoffmeister

Hubka	Martin	Perry	Shultz
Klaver	Metzger	Person	Swanson
Kotouc	Morrison	Peterson	Syas
Larkin	Moulton.	Pizer	Thompson
Lee	Nelson	Purdy	Tvrdik
McGinley	Otto	Ruhnke	Vogel
McHenry			

Voting in the negative, 0.

Not voting, 2:

Bahensky Liebers

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 to amend section 16-310, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to increase the salary of the officers of such cities, as prescribed; to provide when such increase shall become effective; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
Burney	Larkin	Person	Vogel
Cole	Lee		

Voting in the negative, 2:

Nelson Purdy

Not voting, 3:

Aufenkamp Bahensky Liebers

A constitutional two-thirds majority having voted in the affirma-

tive, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 46.

A bill for an act to amend sections 32-220, 32-223, 32-246, and 32-249, Reissue Revised Statutes of Nebraska, 1943, relating to elections; to eliminate from the qualifications of an elector, the question as to color of the applicant; 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	McGinley	Person
Adams, T.	Fenske	McHenry	Pizer
Anderson	Foote	Martin	Purdy
Aufenkamp	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Brower	Lee	Perry	Tvrdik
Burney			

Voting in the negative, 3:

Cole	Diers	Peterson
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Not voting, 3:

Bahensky	Liebers	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 244.

A bill for an act to amend section 14-555, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to reconcile conflict in statutory provisions by eliminating power of city council to remove the city treasurer and the appointment and qualification of a successor, since the county treasurer is by law designated as ex officio city treasurer; 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.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
Burney	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Bahensky	Lee	Liebers
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 237.

A bill for an act to amend section 79-426.09, Revised Statutes Supplement, 1953, relating to schools; to clarify the provisions 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, 40:

Adams, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
Burney	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Bahensky	Lee	Liebers
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Burney introduced Mrs. Hiatt, Principal, Mrs. Gladys Jackson, Teacher, and eighteen students from Whitehall, Lincoln, Nebraska; also Mr. Kubick, sponsor.

SELECT FILE

LEGISLATIVE BILL 82. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 252. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 250. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 227. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 322. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 306. E and R amendments found in the Legislative Journal for the Fortieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 290. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 53.

Mr. Burney asked unanimous consent that the following amendment be adopted:

1. Amend Standing Committee amendment 2, by striking "any person" in line 14, and by striking lines 15 and 16 and inserting in lieu thereof the following:

"any bona fide high school student between the ages of fifteen and twenty-one, the registration of such students to be completed not less than sixty days in advance of the opening of each semester and to be in accord with the class schedule of the school offering the driver education program."

No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 134 to Select File

Mr. Martin asked unanimous consent that LB 134 be returned to Select File for the following specific amendment:

Amend LB 134, Section 5, line 6 by inserting after the word "River" "as the same existed at the time of the original government survey of 1856".

No objections. So ordered.

LEGISLATIVE BILL 134.

Mr. Martin asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Bracketed.

Visitors

Mr. Fenske introduced Mr. A. J. Jorgensen, Sidney, Nebraska.

Mr. Hubka introduced Mr. John Lux, Teacher, and seventeen students from Beatrice High School, Beatrice, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 98. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-sixth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 41. Laid over.

LEGISLATIVE BILL 388. Laid over until Friday, March 4, 1955.

LEGISLATIVE BILL 138. Laid over.

LEGISLATIVE BILL 151. Laid over.

Mr. Ruhnke Presiding

LEGISLATIVE BILL 364. Section 1 read and considered.

Laid over.

Member Excused

Mr. T. Adams was excused for the remainder of the morning.

LEGISLATIVE BILL 449. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 503. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 167. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-ninth Day was adopted.

Mr. Burney offered the following amendment, which was adopted with 17 ayes, 3 nays and 23 not voting:

Amend Section 1, page 2, lines 8 and 9, by striking after the word "shall" the words "supervise all employees, conditions of the penal and correctional institutions and".

Advanced to E and R for review, with 15 ayes, 11 nays and 17 not voting.

LEGISLATIVE BILL 363. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Thirty-ninth Day was adopted.

Mr. Diers offered the following amendments, which were adopted:

1. Amend pages 2 and 3 of the bill, lines 13 and 14 by striking "the number of commissioners desired" and show the same as stricken matter, lines 18 and 19 by striking the new matter and inserting "*whether they shall have three, five, or seven commissioners, and a plurality of the vote on this question shall determine the lot.*", by striking lines 24 to 28 and inserting ". The proposition shall be submitted upon the ballot under the titles 'For three commissioners' and 'Against three commissioners.' and insert the following:

"and such petition shall set forth the number of commissioners proposed and the proposed boundaries of the commissioner districts. The petition shall be rejected if not in compliance with the requirements of this section and of section 23-149, and also if the proposed boundaries would place in the same district more than one incumbent commissioner whose term does not expire in the year following the election on the proposition. Only the first petition filed with the county clerk during regular office hours shall appear upon the ballot. The notice of election shall set forth the number of commissioners proposed and the proposed district boundaries."

line 31 by striking "three," by striking line 32, line 33 by striking "terminated, shall be appointed" and inserting "*shall be appointed, the office of any commissioner voted upon at the same general election shall be abolished as of the first Thursday after the first Tuesday in January next succeeding such election, and the proposition so carried shall become effective on that date, with vacancies in any districts under the new plan to be filled by appointment*", line 35 by striking "established by law", and line 37 by inserting after the word and punctuation "qualified." the following: "*The term of an incumbent commissioner shall not be reduced by adoption of the new plan. The individuals first appointed to fill out the board under the new plan shall draw lots to determine whether their term shall be two years or four years, the lots being so marked that no more than a bare majority of the commissioners need be elected for four year terms at any succeeding general election.*"

2. Amend the bill by striking section 2 and inserting three new sections to be known as sections 2, 3, and 4, and to read as follows:

"Sec. 2. That section 23-149, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-149. Whenever in counties not under township organization a petition or petitions for the submission of the question signed by not less than two hundred electors of the county, voting at the last general election, shall be filed in the office of the county clerk, not less than

thirty days before the date of any general election, it shall be the duty of such county clerk to cause said question to be submitted to the voters of said county at such election, and give notice thereof in the general notice of such election. The forms of ballots shall be respectively: "For three commissioners" and "For five commissioners"; and the same shall be written or printed upon the regular ballots cast for officers voted for at such election, and shall be counted and canvassed in the same manner. If a majority of votes cast at said election on such proposition have written or printed thereon the word "For five commissioners," thereafter said county shall have five commissioners, and if a majority of the ballots cast at said election have written or printed thereon the words "For three commissioners," thereafter the said county shall have three commissioners. Ballots on which appear "For three commissioners," and "For five commissioners," neither being stricken out, shall not be counted as cast on said proposition.

Sec. 3. That section 23-151, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-151. Each county, not under township organization, having not more than two hundred thousand inhabitants, shall be divided into three districts numbered respectively, one, two and three, or into five districts as provided for in sections 23-148 to 23-150, which shall be numbered respectively, one, two, three, four and five; and in counties having more than two hundred thousand inhabitants, shall be divided into five districts numbered respectively, one, two, three, four and five, and shall consist of two or more voting precincts, comprising compact and contiguous territory and embracing, as nearly as may be possible, an equal division of the population of the county and not subject to alteration oftener than once in four years. One commission shall be nominated and elected by each of said districts, but shall be elected by the qualified electors of the entire county in counties having a population in excess of one hundred thousand. The district lines shall not be changed at any session of the board unless all of the commissioners are present at such session; *Provided*, in counties having more than two hundred thousand inhabitants, and in counties where a majority have voted for five commissioners, it shall be the duty of the county board of such county, at their first meeting after the publication of the state or federal census, or after an election deciding to have five, to divide said county into five commissioner districts, as provided for by law; *and provided further*, the three commissioners of such county whose terms of office will expire after said election shall continue to represent the districts in which they reside after the redistricting of such county, until the expiration of the terms for which they were elected and until their successors are elected and qualified.

At the general election next after the division of a county into five districts, one commissioner shall be elected for each of the two remaining districts. Of the two persons elected in such districts, the person receiving the highest number of votes shall hold his office for the term of four years, and the person receiving the next highest number of votes shall hold his office for the term of two years; and each commissioner elected thereafter, in pursuance of the provisions of this section, shall hold his office for four years and until his successor is elected and qualified.

Sec. 4. That original sections 23-148, 23-149, and 23-151, Reissue Revised Statutes of Nebraska, 1943, are repealed."

3. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 136. Read and considered.

Laid over until Thursday, March 3, 1955.

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

March 1, 1955

The Committee on Committees will meet at 1:30 p.m. on Tuesday, March 8, 1955 in the West Senate Lounge to consider the appointment of Mr. Robert P. Hiatt to the position of Secretary to the State Board of Educational Lands and Funds.

(Signed) Otto Kotouc, Sr.
Chairman

Public Health and Miscellaneous Subjects

LB 125	Tuesday, March 8, 1955	2:00 p.m.
LB 313	Tuesday, March 8, 1955	2:00 p.m.
LB 383	Tuesday, March 8, 1955	2:00 p.m.
LB 435	Thursday, March 10, 1955	2:00 p.m.
LB 386	Thursday, March 10, 1955	2:00 p.m.
LB 460	Thursday, March 10, 1955	2:00 p.m.

Agriculture

LB 293	Monday, March 14, 1955	2:00 p.m.
LB 506	Monday, March 14, 1955	2:00 p.m.
LB 372	Wednesday, March 16, 1955	2:00 p.m.
LB 477	Wednesday, March 16, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 464. Placed on General File as amended.

Standing Committee amendment to LB 464:

1. Amend page 3 of the bill, section 3, line 7 by inserting after the word and punctuation "fee." the following:
"The department shall not be responsible to the person applying for such plates if such applicant fails to apply in time for the same to be issued by February 15 of the year in which they are to be issued."

LEGISLATIVE BILL 77. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Education

LEGISLATIVE BILL 135. Placed on General File as amended.

Standing Committee amendments to LB 135:

1. Amend page 3 of the bill, section 3, line 11 by striking the word "the" after the word "at" and substituting the word "that", line 15, by striking "1957" and substituting "1959", lines 26, 27, and 28 by reinstating the words "not in excess of one and one half mills, of the additional four mill levy", and line 36 by inserting after the word "made" the punctuation and words "; Provided, that the number of mills levied for the site and building fund shall be reduced by the number of mills levied for the bond fund".

2. Amend the title of the bill, line 15, by striking the word "building", and line 17 by inserting after the word "purposes" the following:
"; to separate the bond fund from the site and building fund, and to authorize a levy for the bond fund of an amount sufficient to pay interest on and to retire bonded indebtedness".

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 279. Placed on Select File as amended.

E and R amendments to LB 279:

1. In the bill page 2, section 1, line 3, before "In" insert "(1)"; line 17 after "by" insert "a"; lines 26, and 39 and 40, page 3, strike "hereinabove provided for" and insert in lieu thereof "hereinabove

provided for *in subsection (1) of this section*"; line 47 after "for" insert "*the*"; line 51 strike quotation marks and show as stricken matter; line 53 strike "and" and insert in lieu thereof "*and*,"; Section 2, line 3, before "Every" insert "*(1)*"; line 4 before "and", line 12, and page 4, line 15, before "or" insert ","; lines 19 and 20 strike "*, duly acknowledged,*" and show as stricken matter, lines 20 and 21 after "State" and "also" strike the comma and show as stricken matter; line 31 strike "*, or*" and insert in lieu thereof "*or*,"; line 45 strike "*accepts service of summons*" and in lieu thereof insert "*is so served with summons or other process*"; line 46 before "*process*" insert "*summons or*" and in the same line strike "*, and*" and in lieu thereof insert "*and*"; line 48 after "*notification*" insert "*, or such information shall be furnished or given to the Secretary of State at the time of such service for such purpose*"; page 5, line 50 strike "*It is further provided that no*" and insert in lieu thereof "*It is further provided that no (2) No*"; and in line 59 after "*both*" insert "*such a fine and imprisonment*".

2. In the bill title, line 5 after the first "State" insert a comma; line 6 after "office" insert "and otherwise as prescribed"; and line 7 after "in" insert "or with".

3. In section 2, page 5, line 55, insert "*(3)*" after the period and in lines 56 and 57 strike "*the preceding sentence*" and in lieu thereof insert "*the preceding sentence subsection (2) of this section*"; section 1, line 24 insert *(2)* after the period; and at the end of line 18, page 4, add "*and acknowledged*".

LEGISLATIVE BILL 251. Placed on Select File as amended.

E and R amendments to LB 251:

1. In the bill page 2, section 1, lines 3 and 4 insert "*,*" before "for" and "shall"; line 7 insert "*(1)*" before "by"; line 8 strike "*, or*" and in lieu thereof insert "*, or , (2)*"; line 9 strike "*then*" and insert in lieu thereof "*then*"; line 13 strike "*the*" and insert in lieu thereof "*the a*"; line 14 insert "*at*" after "payable"; line 17 at end of line add "*the*"; line 24 after "municipality" insert "*,*" and in same line strike "*past*" and insert in lieu thereof "*past last*"; and in line 28 after "*been*" insert "*or shall be*".

2. In the bill title line 7, insert before "and" "to provide that the last assessment for taxation shall be used in figuring such limit as prescribed";.

LEGISLATIVE BILL 86. Placed on Select File as amended.

E and R amendments to LB 86:

1. In original Standing Committee Amendment 1, line 3 (line 2, mimeograph copy), after "except" insert "that".

2. In the last line of Vogel Specific Amendment, insert a period and quotation marks before the closing quotation marks.

3. In the bill, before "overloading" strike the word "for" and in lieu thereof insert "prohibiting the" in: section 1, lines 8 and 19; section 2, line 7; and in the title, line 5.

LEGISLATIVE BILL 233. Placed on Select File as amended.

E and R amendments to LB 233:

1. In the bill page 2, section 1, line 20 strike "to be paid" and in lieu thereof insert "~~to be paid~~ *the payment*"; line 24 strike "county board of the"; line 25 strike "and their successors in office" and show as stricken matter; line 27 strike "the justice" and in lieu thereof insert "*the such justice or judge*"; and in line 28 strike "out of" and insert in lieu thereof "*out of from*".

2. In the bill title line 7 after "include" insert "the".

LEGISLATIVE BILL 131. Placed on Select File as amended.

E and R amendment to LB 131:

1. In the event LB 175 shall pass and be signed by the Governor, the Committee on Enrollment and Review is authorized and directed to correlate the provisions in Sec. 2. of LB 175, now before the Legislature, into the provisions of Section 1, of LB 131 and other necessary changes in said LB 131 and title and repeal clause to carry the said correlation into effect.

LEGISLATIVE BILL 430. Placed on Select File as amended.

E and R amendment to LB 430:

1. In the bill title line 6, after "improvements" insert "as prescribed".

LEGISLATIVE BILL 429. Placed on Select File as amended.

E and R amendment to LB 429:

1. In the bill, section 1, line 13, after "shall" insert ","; line 14, after the word "all" insert "*the taxable*"; line 15, after "property" insert "*, except intangible property,*"; Line 20, strike "*, and*" after the word "taxes" and in lieu thereof insert "*, and . The proceeds of such tax*".

LEGISLATIVE BILL 208. Placed on Select File as amended.

E and R amendments to LB 208:

1. In the bill page 2, section 1, line 4 after "State" insert ","; line 5 strike ", annually" and insert in lieu thereof "*annually of each year*" and in line 7 strike ", and whenever" and insert in lieu thereof "*and whenever . When*".

2. In the bill title line 6 strike "officers" and in lieu thereof insert "offices".

LEGISLATIVE BILL 291. Placed on Select File as amended.

E and R amendment to LB 291:

1. In the bill page 2, section 1, line 2, insert "," after "progresses"; lines 4 and 5 strike "matetials" and insert in lieu thereof "materials"; line 6 strike "sum" and insert in lieu thereof "total amount"; line 7 strike "on" and in lieu thereof insert "upon the"; line 16 after "as" insert "shall be" and line 17 after "from" insert "the".

LEGISLATIVE BILL 72. Placed on Select File as amended.

E and R amendments to LB 72:

1. In the Standing Committee Amendment line 3, after "hundred" insert "fifty".

2. In the bill title line 3 strike "pro-" and all of line 4 and insert in lieu thereof "increase the maximum salary which may be paid to the".

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 2, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-first Day was approved as corrected.

Communications

Letter from William M. Latta, Secretary of the Nebraska Aviation Trades Association, Hastings, Nebraska, enclosing a resolution approving LB 5. Referred to Committee on Revenue.

Eight letters and twenty-one postal cards against, and one letter in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

Two letters opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

Ten postal cards in favor of LB 362. Referred to Committee on Revenue.

One postal card opposing LB 77. Referred to Committee on Agriculture.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 165. Placed on General File.

LEGISLATIVE BILL 327. Placed on General File as amended.

Standing Committee amendments to LB 327:

1. Amend page 3 of the bill, section 2, line 4 by inserting after "drugs" the following: "*or any other person,*".

2. Amend page 4 of the bill, section 3, line 45 by inserting after the word "action", the following: "*; Provided, nothing in this act shall apply to compounds, mixtures, or preparations containing in addition to a sympathomimetic agent or drug a sufficient quantity of another drug or drugs to cause the compound, mixture, or preparation to possess other than a stimulating effect upon the central nervous system; provided further, nothing in this act shall apply to any compound or mixture or preparation that is intended to be used as a spray, gargle, or liniment, or in any other way for external application, if such compound, mixture, or preparation contains in addition to the sympathomimetic agent or drug some other drug or drugs rendering it unfit for internal administration, and such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended and not for the purpose of evading the provisions of this act; and provided further, nothing in this act shall apply to ephedrine or epinephrine*".

3. Amend page 4 of the bill, section 4, lines 1 and 3 by striking "28-746" and inserting "28-476".

LEGISLATIVE BILL 166. Placed on General File.

(Signed) O. H. Person, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 374. Placed on General File.

LEGISLATIVE BILL 382. Indefinitely postponed.

(Signed) John Aufenkamp, Chairman

Judiciary

LEGISLATIVE BILL 209. Placed on General File as amended.

Standing Committee amendment to LB 209:

1. Section 1, line 12, strike the word "once" and insert in lieu thereof the words "the same time".

LEGISLATIVE BILL 451. Placed on General File.

LEGISLATIVE BILL 535. Placed on General File as amended.

Standing Committee amendments to LB 535:

1. Section 1, line 1, strike the words "not withstanding" and substitute in lieu thereof "notwithstanding".

2. Section 1, line 3, strike the word "claimant" and insert "party to an action".

LEGISLATIVE BILL 391. Placed on General File.

LEGISLATIVE BILL 35. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 55. Correctly enrolled.

LEGISLATIVE BILL 240. Correctly enrolled.

LEGISLATIVE BILL 176. Correctly enrolled.

LEGISLATIVE BILL 54. Correctly enrolled.

LEGISLATIVE BILL 46. Correctly enrolled.

LEGISLATIVE BILL 244. Correctly enrolled.

LEGISLATIVE BILL 237. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 55	LB 176	LB 46	LB 237
LB 240	LB 54	LB 244	

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 236.

A bill for an act to amend section 46-541, Revised Statutes Supplement, 1953, relating to reclamation districts; to clarify the provisions thereof with respect to disposition of the assets of such a district upon dissolution thereof; to harmonize the provisions thereof with the procedure prescribed generally for the exercise of the power of eminent domain; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 16. With emergency.

A bill for an act to amend section 39-713, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to prohibit the depositing, dumping, throwing, leaving, or causing to be thrown, deposited, dumped, or left upon any public road, bridge, street, sidewalk, or alley or in any stream or ditch along or across any public road, street, or alley, or other prescribed places, any rubbish, trash, debris, refuse, sewage, dead animals, glass, crockery, tacks, nails, or other prescribed substances, except at places designated or set aside for such purpose as prescribed; to impose certain duties upon certain public officers; to provide a penalty; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 43:

Adams, J.	Beaver	Burney	Foote
Adams, T.	Bedford	Cole	Hoffmeister
Anderson	Bixler	Cramer	Hubka
Aufenkamp	Bridenbaugh	Diers	Klaver
Bahensky	Brower	Fenske	Kotouc

Larkin	Metzger	Person	Swanson
Lee	Morrison	Peterson	Syas
Liebers	Moulton	Pizer	Thompson
McGinley	Nelson	Purdy	Tvrdik
McHenry	Otto	Ruhnke	Vogel
Martin	Perry	Shultz	

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 132.

A bill for an act to amend section 77-2315, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that the interest received by the county treasurers on any investments authorized by this section and section 77-2340, Reissue Revised Statutes of Nebraska, 1943, shall be credited to the general fund of the county or in a fund for the purposes prescribed as determined by the county board; to change the method of determining the amount of certificates of deposit a county treasurer may invest funds of the county in banks; 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Vogel
Burney	Lee		

Voting in the negative, 0.

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: Had I been present, I would have voted "aye" for LB 132. (Signed) Charles F. Tvrdik

LEGISLATIVE BILL 114.

A bill for an act to amend section 37-418, Revised Statutes Supplement, 1953, relating to fish and game; to establish a game refuge in Lincoln County along the banks of the North Platte River; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 93.

A bill for an act relating to decedents' estates; to change the manner of vesting a devise or any legacy when the devisee or legatee shall die before the testator as prescribed; and to repeal sections 30-228.01 and 30.228.02, Revised Statutes Supplement, 1953.

Whereupon the 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 201. With emergency.

A bill for an act specifically to appropriate the sum of six thousand thirty dollars and ten cents, or so much thereof as may be necessary, out of the General Fund of the State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy state treasurer for the term commencing January 6, 1955; 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 3, 1957; and to declare an emergency.

Whereupon the President stated: "All provisions of 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.	Brower	Klaver	Morrison
Adams, T.	Burney	Kotouc	Moulton
Anderson	Cole	Larkin	Nelson
Aufenkamp	Cramer	Lee	Otto
Bahensky	Diers	Liebers	Perry
Beaver	Fenske	McGinley	Person
Bedford	Foote	McHenry	Peterson
Bixler	Hoffmeister	Martin	Pizer
Bridenbaugh	Hubka	Metzger	Purdy

Ruhnke	Swanson	Thompson	Vogel
Shultz	Syas	Tvrdik	

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.

Explanation of Vote

Mr. President: Had I been present on March 1, I would have voted "aye" on LB 55, LB 240, LB 176, LB 54, LB 46, LB 244 and LB 237. (Signed) LeRoy Bahensky

MOTION—Birthday

Mr. President: I move that Mr. Swanson lead in singing "Happy Birthday" to Mr. Lee. (Signed) William Moulton

The motion prevailed, and the Members sang "Happy Birthday" to Mr. Lee.

SELECT FILE

LEGISLATIVE BILL 87. E and R amendment found in the Legislative Journal for the Forty-first Day was adopted.

Laid over.

LEGISLATIVE BILL 221. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 232. E and R amendment found in the Legislative Journal for the Fortieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 279. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 206. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 251. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 86. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 233. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 131. 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 430. 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 429. 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 208. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 291. 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 72. E and R amendments found in the Legislative Journal for the Forty-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 87.

Mr. Perry asked unanimous consent that the following amendments be adopted:

1. In section 2, at the end of line 14, insert “, containing less than eighteen per cent available plant food,”.

2. In section 4, line 20, after the word “consumer” insert “, including a consignee so selling the same,”.

No objections. So ordered.

Advanced to E and R for engrossment.

Mr. Bedford Presiding

GENERAL FILE

LEGISLATIVE BILL 150. Read and considered.

Mr. Morrison moved that LB 150 be indefinitely postponed.

The motion lost with 16 ayes, 23 nays and 4 not voting.

Mr. Ruhnke offered the following amendment to LB 150:

Amend LB 150, Section 1, line 18, after the word “dryers” by adding “electric dish washers, musical instruments, jewelry, diamonds, and fur coats”.

Mr. Bahensky offered the following amendment to the Ruhnke amendment:

Amend the Ruhnke amendment to include boat motors, boats, guns, and sporting goods.

Pending.

Explanation of Vote

Mr. President: Had I been here, I would have voted "no" on the motion to indefinitely postpone LB 150. (Signed) Monroe Bixler

UNANIMOUS CONSENT—Return LB 296 to Select File

Mr. McGinley asked unanimous consent that LB 296 be returned from Final Reading to Select File for a corrective E and R amendment. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS**Banking, Commerce and Insurance**

LB 389 Tuesday, March 8, 1955 2:00 p.m.

Government

LB 371	Wednesday, March 16, 1955	2:00 p.m.
LB 488	Wednesday, March 16, 1955	2:00 p.m.
LB 492	Wednesday, March 16, 1955	2:00 p.m.
LB 505	Wednesday, March 16, 1955	2:00 p.m.
LB 309	Wednesday, March 23, 1955	2:00 p.m.
LB 380	Wednesday, March 23, 1955	2:00 p.m.
LB 502	Wednesday, March 23, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Miscellaneous Appropriations and Claims**

LEGISLATIVE BILL 402. Placed on General File as amended.

Standing Committee amendment to LB 402:

1. Amend page 2 of the bill, section 1, line 16, by striking "thirty-six" and inserting "thirty-three"; line 19, by striking "thirty-nine" and inserting "thirty-six"; line 22, by striking "six" and inserting "five"; line 25, by striking "six thousand" and inserting "fifty-three hundred"; line 28, by striking "six thousand" and inserting "fifty-five hundred"; and line 31, by striking "six thousand" and inserting "fifty-six hundred".

(Signed) John Aufenkamp, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 341. Placed on General File.

LEGISLATIVE BILL 418. Placed on General File.

LEGISLATIVE BILL 419. Placed on General File as amended.

Standing Committee amendment to LB 419:

Amend page 3, Section 1, by striking material beginning with "(2)" in line 41, and ending with the word, "assets" in line 47, and inserting in lieu thereof, the following: "or (2) are for property alteration, repair, or improvement, provided that (a) the aggregate amount of loans made under subdivisions (1) and (2) shall not, at any time, exceed fifteen percent of the association's assets, (b) the amount of each loan under subdivision (1) or (2) shall not exceed \$2,500, and (c) each loan made under subdivision (2) shall be repayable in regular monthly installments within a period of five years".

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 248. Replaced on Select File as amended.

E and R amendments to LB 248:

1. In the bill section 1, line 21, strike "Superintendent of Public Instruction" and in lieu thereof insert "Superintendent of Public Instruction Commissioner of Education".

2. In the bill title line 5 before the word "and" insert "to correct designation of public official to harmonize with previous legislation,".

LEGISLATIVE BILL 162. Replaced on Select File as amended.

E and R amendments to LB 162:

1. In the bill section 1, lines 35 and 36, strike "Superintendent of Public Instruction" and in lieu thereof insert "Superintendent of Public Instruction Commissioner of Education".

2. In the bill title line 9, before the word "and" insert "to correct designation of public official to harmonize with previous legislation,".

LEGISLATIVE BILL 168. Placed on Select File as amended.

E and R amendments to LB 168:

1. In the bill, section 1, line 3, before "Such" insert "(1)"; line 5, after the second "of" insert "all", and in the same line strike "said" and in lieu thereof insert "said such a"; line 6, after "village" insert ", except intangible property,"; line 11, before the period insert "when authorized as is provided for by subsection (3) of this section"; line

12, strike "They" and in lieu thereof insert "(2) They *Such cities or villages*", and in the same line strike "manner" and in lieu thereof insert "*same manner as*"; line 14, strike "said bonds" and in lieu thereof insert "*said the bonds, referred to in subsections (1) and (3) of this section,*"; line 15, strike "on all the " and in lieu thereof insert "*on upon the assessed value of all the taxable*"; line 16, strike "as shown and valued" and in lieu thereof insert "*, except intangible property, as shown and valued*"; strike lines 16 and 17, commencing with the word "of" in line 16 to and including "township" in line 17, and show the same as stricken matter; line 20, strike "*water fund.*" No such" and in lieu thereof insert "*water fund.*" (3) No such"; line 21, strike "*, or bonds issued,*" and in lieu thereof insert "*, or bonds issued, as referred to in subsections (1) and (2) of this section,*"; line 29, strike the quotation marks and show the same as stricken matter; line 31, insert "at" before "not".

2. In the bill, section 2, line 4, after the word "field" insert ","; line 6, strike the quotation marks and show as stricken matter; line 8, strike the second word "the" and in lieu thereof insert "*all the taxable*"; line 9, after the word "village" insert "*, except intangible property*"; line 19, insert "," before the words "as" and "shall".

3. In the bill title, line 4, after "provide" insert "for borrowing money and issuing bonds as prescribed; to provide"; and line 6, after the semicolon insert "to provide for the levy and collection of taxes as prescribed";.

LEGISLATIVE BILL 246. Placed on Select File as amended.

E and R amendments to LB 246:

1. In the bill, section 1, line 15, insert "," after "election"; line 16, strike the comma after "election" and show the same as stricken matter, and in the same line strike "so to do" and in lieu thereof insert "*so to do so*"; strike the quotation marks in lines 21, 24, 25, 26, and 27, and line 23 (shown stricken by printer's error in the printed bill) and show the same as stricken matter.

2. In the bill, section 2, line 14, strike "*provided, however,*" and in lieu thereof insert "*Provided provided, however,*".

3. In the bill, section 3, insert "," before "and" in lines 4 and 23; insert "*and*" after the comma in lines 11 and 17, and after the first comma in line 22; line 24, strike "may be" and in lieu thereof insert "*may be possible*".

4. In the bill, section 4, strike the quotation marks in lines 3 and 5 and show the same as stricken matter.

5. In the bill, section 5, line 73, insert “,” after “interest”; line 83, insert “and” after the semicolon.

LEGISLATIVE BILL 96. Placed on Select File as amended.

E and R amendments to LB 96:

1. In the bill, section 1, insert “,” in line 3 after “firm” and line 4 after “manufacture”; line 5, strike the comma after “cheese” and show the same as stricken matter; line 13, strike the word “on” and show the same as stricken matter, and in the same line strike “issue” and in lieu thereof insert “issue issuance”; strike lines 14 and 15 after the period in line 14 and show the same as stricken matter.

2. In the bill title, line 4, after “license” insert “fee”.

LEGISLATIVE BILL 289. Placed on Select File as amended.

E and R amendments to LB 289:

1. In the Standing Committee Amendment adopted February 23, 1955, in the new matter inserted in the bill, line 13, strike “provided” and in lieu thereof insert “; *Provided*,” and strike the period after “bondsmen”.

2. In the bill, section 1, line 10, insert “such” after “any”.

3. In the bill title, line 4, after the semicolon insert “to provide certain exemptions to the prescribed speed limitations; to prescribe limitations to such exemptions;”.

LEGISLATIVE BILL 361. Placed on Select File as amended.

E and R amendments to LB 361:

1. In the bill page 4, section 3, lines 2 and 3 strike “sections 72-1005 and 72-1006” also in the bill title line 3, and in lieu thereof insert “section 72-1005”.

2. In the bill title line 8 after “Mansion” insert “to be used as prescribed”.

LEGISLATIVE BILL 275. Placed on Select File as amended.

E and R amendments to LB 275:

1. In the bill page 2, section 1, line 7, strike the first comma and show as stricken matter and in the same line and line 8 strike “, the amount of which” and in lieu thereof insert “, the . The amount of

which such tax"; in section 2, line 5 strike the first comma and in the same line and line 6 strike "*, the amount of which*" and insert in lieu thereof "*. The amount of such tax*"; page 3, lines 7 and 8, section 3, strike "*, and a limitation of time in*" and in lieu thereof insert "*, and a . The limitation of time in during*"; in line 8 after "return" and at end of line insert ";"; and in line 10 after "filing" insert "*the*".

2. In the bill title line 7 strike "in" and insert in lieu thereof "during"; line 10 after "thereto" insert "as prescribed"; and in line 11 after "payments" insert "at the rate of six per cent per annum as prescribed".

LEGISLATIVE BILL 297. Correctly engrossed.

LEGISLATIVE BILL 298. Correctly engrossed.

LEGISLATIVE BILL 141. Correctly engrossed.

LEGISLATIVE BILL 207. Correctly engrossed.

LEGISLATIVE BILL 278. Correctly engrossed.

LEGISLATIVE BILL 299. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:03 p.m., on a motion by Mr. Hubka, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 3, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-second Day was approved.

Member Excused

Mr. Nelson was excused for Friday, March 4, 1955.

Communications

Fifty cards and six letters opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

One letter favoring LB 353, 442 and 484. Referred to Committee on Judiciary.

One card favoring LB 362. Referred to Committee on Revenue.

UNANIMOUS CONSENT—Return Lists

Mr. Moulton asked unanimous consent that the lists of names submitted to the Committee on Agriculture in connection with a hearing be returned to him. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 395	Tuesday, March 8, 1955	2:00 p.m.
LB 423	Tuesday, March 8, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects**

LEGISLATIVE BILL 373. Indefinitely postponed.

LEGISLATIVE BILL 459. Indefinitely postponed.

LEGISLATIVE BILL 79. Indefinitely postponed.

LEGISLATIVE BILL 331. Indefinitely postponed.

LEGISLATIVE BILL 121. Indefinitely postponed.

LEGISLATIVE BILL 122. Indefinitely postponed.

LEGISLATIVE BILL 123. Indefinitely postponed.

LEGISLATIVE BILL 329. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 414. Placed on General File.

(Signed) John Aufenkamp, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on March 1, 1955 at 4:00 p.m.

LB 235

LB 223

Presented to the Governor for approval on March 3, 1955 at 8:30 a.m.

LB 237

LB 46

LB 176

LB 55

LB 244

LB 54

LB 240

LEGISLATIVE BILL 236. Correctly enrolled.

LEGISLATIVE BILL 16. Correctly enrolled.

LEGISLATIVE BILL 132. Correctly enrolled.

LEGISLATIVE BILL 114. Correctly enrolled.

LEGISLATIVE BILL 93. Correctly enrolled.

LEGISLATIVE BILL 201. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 236
LB 16

LB 132
LB 114

LB 93

LB 201

STATEMENT—Introduce Bill

Mr. President: The Government Committee, by a unanimous vote, agreed to introduce a bill which relates to highways; to redefine the duties for the county board and the county surveyor when a petition is filed for establishment, vacation, or alteration of a public road; and to repeal the original sections. (Signed) Sam Klaver, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Government Committee be permitted to introduce a bill dealing with highways. (Signed) Sam Klaver, Chairman

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

STATEMENT—Introduce Bill

Mr. President: The Government Committee, by a unanimous vote, agreed to introduce a bill which relates to cities of the first class; to provide for collection of delinquent installments of a special tax for water and sewer districts; and to repeal the original section. (Signed) Sam Klaver, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Government Committee be permitted to introduce a bill dealing with the collection of delinquent installments of a special tax. (Signed) Sam Klaver, Chairman

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 536. By Committee on Government, Sam Klaver, 6th District, Chairman.

A bill for an act to amend sections 39-109, 39-110, and 39-111, Re-issue Revised Statutes of Nebraska, 1943, relating to highways; to redefine the duties for the county board and the county surveyor when

a petition is filed for establishment, vacation, or alteration of a public road; and to repeal the original sections.

LEGISLATIVE BILL 537. By Committee on Government, Sam Klaver, 6th District, Chairman.

A bill for an act to amend section 16-669, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide for collection of delinquent installments of a special tax for water and sewer districts; and to repeal the original section.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that we suspend the rules and consider LB 40, 139, 36, 62, 164 and 103 on Final Reading today. (Signed) Monroe Bixler

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 175.

Mr. J. Adams asked unanimous consent to lay over LB 175 until Monday, March 7, 1955.

Mr. Martin objected.

Mr. J. Adams moved that LB 175 be laid over until Monday, March 7, 1955, for an interpretation of the bill.

Mr. Tvrdik moved that LB 175 be returned to Select File for a specific amendment.

Mr. Adams withdrew his motion.

Mr. Tvrdik's motion lost with 14 ayes, 20 nays and 9 not voting.

LEGISLATIVE BILL 175.

A bill for an act to amend sections 25-1601, 25-1626, 25-1627.01, and 25-1629, Revised Statutes Supplement, 1953, relating to civil procedure in the district court; to restate the qualifications of jurors, and the grounds for disqualification and exemption from jury service; to extend the range of employees of the county from which a deputy jury commissioner may be selected; to provide for the drawing of

additional key numbers in counties having a population of less than three thousand inhabitants; to provide for striking of women from key number lists in counties where women may not be called to serve as jurors; 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.	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Peterson
Bahensky	Fenske	McHenry	Pizer
Beaver	Hoffmeister	Martin	Purdy
Bedford	Hubka	Metzger	Shultz
Bixler	Klaver	Morrison	Swanson
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Tvrdek
Burney	Lee	Perry	Vogel
Cole			

Voting in the negative, 4:

Adams, J.	Foote	Ruhnke	Syas
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Not voting, 2:

Anderson	Moulton
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 358.

A bill for an act to repeal section 28-1002, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments.

Whereupon the 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.	Bridenbaugh	Foote	Liebers
Adams, T.	Brower	Hoffmeister	McGinley
Aufenkamp	Burney	Hubka	McHenry
Bahensky	Cole	Klaver	Martin
Beaver	Cramer	Kotouc	Metzger
Bedford	Diers	Larkin	Morrison
Bixler	Fenske	Lee	Moulton

Nelson	Peterson	Shultz	Thompson
Otto	Pizer	Swanson	Tvrdik
Perry	Purdy	Syas	Vogel
Person	Ruhnke		

Voting in the negative, 0.

Not voting, 1:

Anderson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 253.

A bill for an act to repeal sections 23-420, 23-421, 23-422, and 23-423, Reissue Revised Statutes of Nebraska, 1943, relating to work-house commissions in counties having more than one hundred thousand inhabitants.

Whereupon the 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.	Cole	Lee	Person
Adams, T.	Cramer	Liebers	Peterson
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Ruhnke
Beaver	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Swanson
Bixler	Hubka	Morrison	Syas
Bridenbaugh	Klaver	Moulton	Thompson
Brower	Kotouc	Nelson	Tvrdik
Burney	Larkin	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Anderson	Otto	Purdy
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 255.

A bill for an act to repeal section 32-701, Reissue Revised Statutes of Nebraska, 1943, relating to elections.

Whereupon the 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.	Cole	Lee	Perry
Adams, T.	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Peterson
Bahensky	Fenske	McHenry	Pizer
Beaver	Foote	Martin	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Morrison	Swanson
Bridenbaugh	Klaver	Moulton	Syas
Brower	Kotouc	Nelson	Thompson
Burney	Larkin	Otto	Tvrdik

Voting in the negative, 0.

Not voting, 3:

Anderson	Purdy	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 254. With emergency.

A bill for an act to amend section 77-711, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide that the tax imposed on the capital stock of banks, industrial loan and investment companies, and trust companies shall be in lieu of all other taxes on the tangible or intangible property of such banks or companies, except real estate and motor vehicles; 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.	Brower	Hubka	Martin
Adams, T.	Burney	Klaver	Metzger
Aufenkamp	Cole	Kotouc	Moulton
Bahensky	Cramer	Larkin	Nelson
Beaver	Diers	Lee	Otto
Bedford	Fenske	Liebers	Perry
Bixler	Foote	McGinley	Person
Bridenbaugh	Hoffmeister	McHenry	Peterson

Pizer	Shultz	Syas	Tvrdik
Ruhnke	Swanson	Thompson	Vogel

Voting in the negative, 0.

Not voting, 3:

Anderson	Morrison	Purdy
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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 127.

A bill for an act to amend sections 76-404 and 76-406, Reissue Revised Statutes of Nebraska, 1943, relating to real property; to provide additional rights for foreign corporations; to remove certain restrictions for corporations in electing aliens as members of its board of directors or board of trustees; 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.	Brower	Kotouc	Nelson
Adams, T.	Burney	Larkin	Otto
Anderson	Cole	Lee	Person
Aufenkamp	Cramer	Liebers	Pizer
Bahensky	Fenske	McGinley	Purdy
Beaver	Foote	McHenry	Shultz
Bedford	Hoffmeister	Martin	Tvrdik
Bixler	Hubka	Morrison	Vogel
Bridenbaugh	Klaver	Moulton	

Voting in the negative, 7:

Diers	Perry	Ruhnke	Thompson
Metzger	Peterson	Swanson	

Not voting, 1:

Syas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 300.

A bill for an act to amend section 66-304, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide for in-

spection of motor vehicle fuels used, and books, records, and other data relating to the use of 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, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrđik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 256.

A bill for an act to authorize the Revisor of Statutes to reissue and bring up-to-date the 1948 reissue of Volume II of and the index to 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, 42:

Adams, J.	Brower	Kotouc	Moulton
Adams, T.	Cole	Larkin	Nelson
Anderson	Cramer	Lee	Otto
Aufenkamp	Diers	Liebers	Perry
Bahensky	Fenske	McGinley	Person
Beaver	Foote	McHenry	Peterson
Bedford	Hoffmeister	Martin	Pizer
Bixler	Hubka	Metzger	Purdy
Bridenbaugh	Klaver	Morrison	Ruhnke

Shultz
Swanson

Syas
Thompson

Tvrdik

Vogel

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 61.

A bill for an act to amend section 57-402, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to extend the provisions for entering into contracts for pipe line easements to trustees for beneficiaries of trust estates; to provide where the proceedings to authorize entering into such contracts shall be brought by an executor, administrator, guardian, or trustee as prescribed; to provide that the district court or any judge thereof may direct to what persons and in what manner notice of hearing the application by the executor, administrator, trustee, or guardian shall be given; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 40. With emergency.

A bill for an act to amend sections 66-410, 66-424.01, 66-428, and 66-452, Revised Statutes Supplement, 1953, relating to motor vehicle fuels; to extend the present rate of gasoline tax and excise tax on motor vehicle fuels until May 9, 1959; to increase the amount that may be used to pay the cost of administering and enforcing the motor vehicle fuel tax laws of this state; 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.	Cole	Liebers	Perry
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Foote	Martin	Ruhnke
Bahensky	Hoffmeister	Metzger	Shultz
Beaver	Hubka	Morrison	Swanson
Bedford	Klaver	Moulton	Thompson
Bixler	Kotouc	Nelson	Tvrdik
Brower	Lee	Otto	Vogel
Burney			

Voting in the negative, 6:

Bridenbaugh	Larkin	Peterson
Fenske	Person	Syas

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 139. With emergency.

A bill for an act to amend section 14-1022, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to authorize retirement, insurance, and annuity benefits for employees and appointees of metropolitan utilities districts as prescribed; to provide that sections 68-601 to 68-619, Revised Statutes Supplement, 1953, shall be applicable to such employees and appointees of metropolitan utilities districts under the prescribed conditions; to provide for a referendum and the supervision thereof; to confer certain powers upon the prescribed officers; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Lee 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.

LEGISLATIVE BILL 36.

A bill for an act to amend section 57-401, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to authorize trustees of trust estates to enter into contracts for easements with pipeline companies, corporations, individuals, or partnerships for construction, operation, and maintenance of oil or gas, and to sell and dispose of an easement under contract for such purposes, upon and across lands, or any interest therein, belonging to the beneficiaries of the trust; 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.	Bahensky	Bridenbaugh	Cramer
Adams, T.	Beaver	Brower	Diers
Anderson	Bedford	Burney	Fenske
Aufenkamp	Bixler	Cole	Foote

Hoffmeister	McGinley	Otto	Shultz
Hubka	McHenry	Perry	Swanson
Klaver	Martin	Person	Syas
Kotouc	Metzger	Peterson	Thompson
Larkin	Morrison	Pizer	Tvrdik
Lee	Moulton	Purdy	Vogel
Liebers	Nelson	Ruhnke	

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 62.

A bill for an act to amend sections 57-222 and 57-223, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to provide that persons having a vested or contingent interest in real estate shall have the same rights as a tenant for life to make application to the district court of the county where the land is located to appoint a trustee for the purpose of leasing the land or entering into pooling or unitization contracts as prescribed; to provide that such a proceeding by a life tenant shall be brought in the district court of the county where the land is located and may include the entering into pooling or unitization contracts; and to repeal the original sections.

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

Voting in the affirmative, 38:

Adams, J.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Purdy
Anderson	Fenske	McHenry	Ruhnke
Aufenkamp	Foote	Martin	Shultz
Bahensky	Hoffmeister	Morrison	Swanson
Beaver	Hubka	Moulton	Syas
Bedford	Klaver	Nelson	Thompson
Bixler	Kotouc	Otto	Tvrdik
Bridenbaugh	Larkin	Perry	Vogel
Burney	Lee		

Voting in the negative, 5:

Brower	Metzger	Person	Peterson
Diers			

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 164.

A bill for an act to amend section 44-301, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to redefine powers, privileges, immunities, duties, and liabilities of corporations; to prescribe certain powers and privileges of an assessment association which maintains reserves and surplus or contingency funds at least equal to those required of a mutual insurance 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, 41:

Adams, J.	Cramer	Liebers	Peterson
Adams, T.	Diers	McGinley	Pizer
Anderson	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 2:

Aufenkamp Nelson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 103.

A bill for an act to amend section 54-104, Reissue Revised Statutes of Nebraska, 1943, relating to livestock; to increase the renewal fee for registering brands or marks; to provide that brands and marks shall be renewed, as prescribed; to prescribe certain procedure, powers, and duties for or of the Secretary of 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, 40:

Adams, J.	Cole	Lee	Perry
Adams, T.	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Peterson
Bahensky	Fenske	McHenry	Purdy
Beaver	Foote	Martin	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Morrison	Swanson
Bridenbaugh	Klaver	Moulton	Syas
Brower	Kotouc	Nelson	Tvrđik
Burney	Larkin	Otto	Vogel

Voting in the negative, 3:

Anderson	Pizer	Thompson
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Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Anderson introduced Mr. Gail Henriksen, Hampton, VA Instructor, and seven veteran farm trainees from Hordville, Nebraska.

SELECT FILE

LEGISLATIVE BILL 296.

Mr. McGinley asked unanimous consent that the following Enrollment and Review amendment be adopted:

1. In Enrollment & Review Amendment 1, line 3 strike "*company*" and in lieu thereof insert "*terminal*"; and in the bill section 1, line 7 before the first comma insert "*company*".

No objections. So ordered.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 248. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 162. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 168. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 246. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 96. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 289. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 361. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Bracketed.

LEGISLATIVE BILL 275. E and R amendments found in the Legislative Journal for the Forty-second Day were adopted.

Advanced to E and R for engrossment.

Mr. Metzger Presiding

GENERAL FILE

LEGISLATIVE BILL 150. Consideration of the Bahensky amendment to the Ruhnke amendment found in the Legislative Journal for the Forty-second Day.

Mr. Bahensky withdrew his amendment to the Ruhnke amendment.

Mr. Martin moved the previous question, which prevailed with 34 ayes, 0 nays and 9 not voting.

The Ruhnke amendment, found in the Legislative Journal for the Forty-second Day, was adopted with 25 ayes, 15 nays and 3 not voting.

Mr. Bixler offered the following amendment, which was adopted:

Amend Section 1, line 14, by inserting after the word "except" the following: "hearing or sight aids for deaf or blind persons,".

Members Excused

Mr. Bridenbaugh asked that the members of the Budget Committee be excused for Friday, March 4, 1955. Consent was granted.

Messrs. Martin, Bixler, Pizer, Hubka, Klaver and Brower were excused for Friday, March 4, 1955.

Mr. McGinley was excused for Friday, March 4, 1955 and Monday, March 7, 1955.

UNANIMOUS CONSENT—Hold LB 364 on General File

Mr. Vogel asked unanimous consent that LB 364 be held on General File until Monday, March 7, 1955. No objections. So ordered.

UNANIMOUS CONSENT—Consideration of LB 150

Mr. Liebers asked unanimous consent that further consideration of LB 150 on General File be postponed until Monday, March 7, 1955. No objections. So ordered.

Visitors

Mr. Tvrdik introduced Mr. George Vana, Omaha, Nebraska.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 377	Monday, March 21, 1955	2:00 p.m.
LB 498	Monday, March 21, 1955	2:00 p.m.
LB 437	Monday, March 28, 1955	2:00 p.m.
LB 482	Monday, March 28, 1955	2:00 p.m.

Banking, Commerce and Insurance

LB 323	Thursday, March 10, 1955	2:00 p.m.
LB 301	Thursday, March 10, 1955	2:00 p.m.
LB 281	Thursday, March 10, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 295. Replaced on Select File as amended.

E and R amendments to LB 295:

1. In the bill section 1, line 5, after "barge" insert ", barge line "; line 7 strike the first word "terminal" and insert in lieu thereof ", barge line,"; line 23 strike "a"; line 30, strike the period and in lieu thereof insert ","; line 39 and also line 43 before "barge line" insert "barge or".
2. In the bill title line 5, strike "or pipe lines" and in lieu thereof insert ", barge line, or pipeline".

LEGISLATIVE BILL 21. Placed on Select File as amended.

E and R amendments to LB 21:

1. In the bill, section 1, line 10, strike "their" and in lieu thereof insert "their its"; line 12, strike "they are" and in lieu thereof insert "they are it is"; insert "," in line 13 before the words "in" and "to", and line 17 before the words "in" and "that"; line 15, insert "the" after "during".
2. In the bill, section 3, line 5, insert "(1)" after "with"; strike lines 7 and 8 and in lieu thereof insert "and with , (2) any city or , (3) any drainage district, or (4) any other county or , (5) any body politic, (6) as well as with any person, (7) any firm, or (8) any indivi-"; line 13, insert "also" after "may".
3. In the bill title, line 6, before the semicolon insert "as prescribed"; and line 7, after the semicolon insert "to reduce the maximum levy for such purpose; to restate the powers of the county board of such a county in regard thereto;".

LEGISLATIVE BILL 401. Placed on Select File as amended.

E and R amendments to LB 401:

1. In the bill page 2, section 1, line 8 after "on" insert "the"; in the same line after "banks" and line 11 after "agent" insert ",".

2. In the bill title line 6 strike “or”; and line 7 strike “when” and insert in lieu thereof “, or otherwise as prescribed when it or he is”.

LEGISLATIVE BILL 326. Placed on Select File as amended.

E and R amendments to LB 326:

1. In Standing Committee Amendment 1, line 4, before the first word “by” insert “by striking *“duly made”* and in the same line”.

2. In Standing Committee Amendment 2, strike lines 3 and 4, commencing with the comma after “retirement” to the period in line 4.

3. In the bill, section 1, line 12, strike *“the contributors”*.

4. In the bill, section 5, line 1, insert *“the”* after *“to”*.

5. In the bill title, line 7, after the semicolon insert “to define terms as prescribed; to provide for the termination of the rights of the members as prescribed;”.

LEGISLATIVE BILL 5. Placed on Select File as amended.

E and R amendments to LB 5:

1. Before new matter in Standing Committee Amendment insert “Sec. 3.” and after new matter add a period.

2. In the bill page 2, section 1, line 6, after “by” insert *“the”*; line 7 before “filed” insert *“shall be”*; and at end of line 15 add *“a”*.

3. In the bill title line 5 strike “and”; and line 6 after “section” insert “; and to declare an emergency”.

LEGISLATIVE BILL 19. Placed on Select File as amended.

E and R amendment to LB 19:

1. In the bill section 2, line 5 after *“same”* insert *“may”*.

LEGISLATIVE BILL 336. Placed on Select File as amended.

E and R amendments to LB 336:

1. In the bill, section 1, line 7, insert *“the”* after *“on”*.

2. In the bill title, line 3, before “provide” insert “strike deputies and employees from those whose salaries shall be fixed by the county board at least sixty days prior to the closing of the filing of certificates of nomination as prescribed; to”.

LEGISLATIVE BILL 58. Correctly engrossed.

LEGISLATIVE BILL 37. Correctly engrossed.

LEGISLATIVE BILL 142. Correctly engrossed.

LEGISLATIVE BILL 322. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:00 noon, on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 4, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bedford, Bixler, Hubka, Klaver, McGinley, Martin, Nelson, Otto, Perry, Pizer, Shultz and Vogel, who were excused.

The Journal for the Forty-third Day was approved as corrected.

Communications

Letter from Mrs. Carl W. Talmon, Omaha, Nebraska, relating to taxes. Referred to Committee on Revenue.

Letter from Mr. and Mrs. Eugene Dahlgren, Omaha, relating to the sale of beer in the Omaha Civic Auditorium. Referred to the Committee on Public Health and Miscellaneous Subjects.

Letter from U.S. Representative Phil Weaver, Washington, D. C., acknowledging receipt of a copy of Legislative Resolution 10.

Twenty postal cards and eight letters opposing, and one letter in favor of LB 353, 442 and 484. Referred to Committee on Judiciary.

One letter opposing LB 475. Referred to Committee on Judiciary.

One postal card opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

One letter in favor of LB 271. Referred to Committee on Public Works.

One letter in favor of LB 128 and LB 476. Referred to Committee on Labor and Public Welfare.

Thirty-four letters and a petition bearing one hundred and eighty signatures in favor of relocation of Highways Nos. 17 and 25, LB 187. Referred to Committee on Public Works.

Bills Referred to Standing Committees

LB	Committee
536	Government
537	Government

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 434. Placed on General File as amended.

Standing Committee amendments to LB 434:

1. Amend pages 2 and 3 of the bill, section 1, lines 4 and 8 by inserting after the word "health" the words and punctuations "*, except the clerk of the district court,*", lines 15 to 22 by striking line 15 commencing with the word "The" by striking all of lines 16 to 21 and by striking the words "under seal." in line 22, and show all the same as stricken matter, by striking line 26 commencing with the word "compensation" and by striking all of line 27 and show the same as stricken matter, lines 40 and 41 by striking line 40 commencing with the word "but", by striking line 41 to and including the word "sheriff" and show the same as stricken matter, line 47 by striking the word "and" and show the same as stricken matter, and by striking line 48 and inserting in lieu thereof "*shall be deducted from, or added to, his compensation , if any. Any excess shall be paid to the county treasurer, taking his receipt therefor, and any deficiency shall be obtained by filing a claim with the county board therefor.*"

2. Amend the title to conform.

(Signed) John Aufenkamp, Chairman

Education

LEGISLATIVE BILL 302. Placed on General File.

(Signed) Glenn Cramer, Chairman

Enrollment and Review Presented to the Governor

Presented to the Governor for approval on March 3, 1955, at 3:30 p.m.

LB 236
LB 16

LB 132
LB 114

LB 93
LB 201

LEGISLATIVE BILL 175. Correctly enrolled.
LEGISLATIVE BILL 358. Correctly enrolled.
LEGISLATIVE BILL 253. Correctly enrolled.
LEGISLATIVE BILL 255. Correctly enrolled.
LEGISLATIVE BILL 254. Correctly enrolled.
LEGISLATIVE BILL 127. Correctly enrolled.
LEGISLATIVE BILL 300. Correctly enrolled.
LEGISLATIVE BILL 256. Correctly enrolled.
LEGISLATIVE BILL 61. Correctly enrolled.
LEGISLATIVE BILL 40. Correctly enrolled.
LEGISLATIVE BILL 139. Correctly enrolled.
LEGISLATIVE BILL 36. Correctly enrolled.
LEGISLATIVE BILL 62. Correctly enrolled.
LEGISLATIVE BILL 164. Correctly enrolled.
LEGISLATIVE BILL 103. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 175	LB 254	LB 61	LB 62
LB 358	LB 127	LB 40	LB 164
LB 253	LB 300	LB 139	LB 103
LB 255	LB 256	LB 36	

RESOLUTIONS

LEGISLATIVE RESOLUTION 11. Re: Enactment of Legislation by Congress of the United States to Amend the Sugar Act of 1948 as Amended.

Introduced by Amos Morrison, 42nd District.

WHEREAS, the Sugar Act of 1948, as amended, provides for an inflexible limitation upon the quantity of sugar which may be marketed in the United States in any one year by the Domestic Beet, Mainland Cane, Hawaiian, Puerto Rican, Virgin Islands, and Philippine sugar industries, and

WHEREAS, since the establishment of these rigid marketing quotas the population of the United States has increased from approximately 150,000,000 to more than 165,000,000 inhabitants, the consumption of sugar by this expanding population has at the same time increased from approximately 7,000,000 tons in 1948 to 8,200,000 tons in 1954, and

WHEREAS, sugar consumption in the United States may be expected to continue to increase at the rate of more than 100,000 tons per year, and

WHEREAS, under provisions of the Sugar Act of 1948, as amended, every ton of this increase in consumption is reserved to Cuban and other foreign producers of sugar, and not one ton of this expanding market may be supplied by our domestic sugar industry, and

WHEREAS, an equitable share of this expanding market is essential to the continued stability and vigor of the domestic sugar industry, and

WHEREAS, the beet sugar industry is prepared to meet the challenge of an expanding market, because it has achieved major gains in productivity per acre and new acreages for the production of sugar beets continue to be developed in the State of Nebraska, and

WHEREAS, the welfare of our state and our nation requires the existence of a strong and vigorous domestic sugar industry, especially during periods of war and national emergency.

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

1. That the Congress of the United States enact legislation amending the Sugar Act of 1948, as amended, in such a manner as to enable the domestic sugar industry of the United States to have a fair and equitable share in our nation's growth.

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 Congress of the United States.

SELECT FILE

LEGISLATIVE BILL 295. 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 21. 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 401. 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 326. 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 5. 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 19. 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 336. E and R amendments found in the Legislative Journal for the Forty-third Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 221 to Select File

Mr. Tyrdik asked unanimous consent that LB 221 be returned to Select File for the following specific amendment:

1. Amend page 2 of the bill, section 1, line 1 by inserting after the word "person" the following:
", except a person who shall have obtained from the Department of Banking a permit to do business as a broker or salesman,".

No objections. So ordered.

LEGISLATIVE BILL 221.

Mr. Tvrdik asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted.

No objections. So ordered.

Advanced to E and R for engrossment.

Visitors

Mr. Brower introduced Mr. and Mrs. Martin Dober, Humphrey, Nebraska.

Mr. Peterson introduced Mr. F. A. Johnson and Mr. Everett Johnson, Burwell, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 388. Laid over until Tuesday, March 8, 1955.

Mr. Metzger Presiding

LEGISLATIVE BILL 136. Considered.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 136, Section 9, page 12, line 12, by striking the word "two" and inserting the word "one".

Advanced to E and R for review.

LEGISLATIVE BILL 41. 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 138. Laid over until Tuesday, March 8, 1955.

LEGISLATIVE BILL 151. Bracketed.

LEGISLATIVE BILL 159. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 443. Laid over.

LEGISLATIVE BILL 265. Laid over.

LEGISLATIVE BILL 224. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 263. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Mr. Brower offered the following amendment, which was adopted:

Amend the title of LB 263, line 2, by striking "decedent's estate" and inserting "decedents' estates" in lieu thereof.

Advanced to E and R for review.

LEGISLATIVE BILL 215. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 42. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Thirty-ninth Day were adopted.

Bracketed until Tuesday, March 8, 1955.

President Warner Presiding

LEGISLATIVE BILL 526. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 464. Laid over.

Mr. Metzger Presiding

LEGISLATIVE BILL 443. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

Amend the title to LB 443, line 5, by adding after the word "mortgage" the words "is offered for filing".

Advanced to E and R for review.

LEGISLATIVE BILL 135. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-first Day were adopted.

Mr. Cramer asked unanimous consent to add the name of Mr. Klaver, 6th District, as one of the introducers of LB 135. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 165. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 327. 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 166. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 374. Read and considered.

Mr. Bridenbaugh moved to indefinitely postpone LB 374.

The motion prevailed with 13 ayes, 8 nays and 22 not voting.

LEGISLATIVE BILL 209. Laid over.

LEGISLATIVE BILL 451. Laid over.

LEGISLATIVE BILL 535. Laid over.

LEGISLATIVE BILL 391. Laid over.

LEGISLATIVE BILL 402. Laid over.

LEGISLATIVE BILL 341. Read and considered.

Advanced to E and R for review.

UNANIMOUS CONSENT—Re-refer Bill

Mr. Aufenkamp asked unanimous consent that LB 64 be re-referred to the Committee on Public Health and Miscellaneous Subjects. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 440	Thursday, March 10, 1955	2:00 p.m.
LB 400	Tuesday, March 15, 1955	2:00 p.m.
LB 510	Tuesday, March 15, 1955	2:00 p.m.
LB 480	Thursday, March 17, 1955	2:00 p.m.
LB 495	Thursday, March 17, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 214. Indefinitely postponed.

LEGISLATIVE BILL 104. Indefinitely postponed.

(Signed) William Moulton, Chairman

LEGISLATIVE BILL 288. Placed on General File.

(Signed) Kathleen A. Foote, Vice Chairman

Education

LEGISLATIVE BILL 422. Placed on General File as amended.

Standing Committee amendments to LB 422:

1. Amend page 2 of the bill, section 1, line 6 by striking the word "as" and inserting in lieu thereof "*or at the time*".

2. Amend page 3 of the bill, section 2, lines 15, 16, 24, and 25 by striking "as the annual meeting of such district" and inserting in lieu thereof "*according to law*".

(Signed) Glenn Cramer, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 354. Placed on General File.

LEGISLATIVE BILL 257. Placed on General File as amended.

Standing Committee amendments to LB 257:

1. Amend page 2 of the bill, section 1, line 29 after "1950," by inserting the word "*and*".

2. Amend page 3 by adding the following section:

"Sec. 3. And to declare an emergency and amend the title to comply."

LEGISLATIVE BILL 182. Placed on General File as amended.

Standing Committee amendments to LB 182:

1. Amend page 2 of the bill, section 1, by striking lines 3 to 6 and inserting in lieu thereof the following:

"Nebraska, as follows: Lincoln State Hospital, Norfolk State Hospital, Hastings State Hospital, and Beatrice State Home."

2. Amend the title of the bill, line 4 by inserting after the word "Nebraska" the following: *"as prescribed"*.

(Signed) O. H. Person, Chairman

Enrollment and Review**LEGISLATIVE BILL 53.** Replaced on Select File as amended.

E and R amendments to LB 53:

1. In the Ruhnke specific Amendment, line 10, strike the word "school" and in lieu thereof insert *"program"* in the Burney Amendment adopted March 1, 1955"; line 11, insert *","* before the word *"and"*.

2. In the Burney Amendment adopted March 1, 1955, strike the first three lines and in lieu thereof insert *"Amend Standing Committee amendment 2, by striking 'any person' in line 19, and by striking the balance of said amendment and inserting in lieu thereof the following:"*.

3. In the bill, section 1, strike lines 6 to 8, commencing with *"and"* in line 6 to and including *"60-409"* in line 8, and show the same as stricken matter:

LEGISLATIVE BILL 249. Placed on Select File as amended.

E and R amendments to LB 249:

1. In the bill, section 1, correct, as in statutes, as follows: line 4, insert a comma before *"and"*; line 5, strike *"personal employment"* and in lieu thereof insert *"persons employed"*; strike lines 10 and 11, and in lieu thereof insert *"upon the assessed value of all the taxable property in such city, except"*; line 12, strike *"," and no"* and in lieu thereof insert *"," No"*.

2. In the bill, insert *","* in: section 2, line 3, after *"controlled"*, line 4, before *"for"*, and line 6, before *"and"*; section 3, line 3, after *"field"*; section 4, line 6, after *"field"*, line 7, before *"or"*, line 8, after *"rules"*, and line 13, before *"or"*.

3. In the bill, section 4, before *"control"* insert *"the"* in lines 5 and 7.

LEGISLATIVE BILL 163. Placed on Select File as amended.

E and R amendment to LB 163:

1. In the bill, section 1, line 5, at the beginning of the line insert "(1)"; line 15, at the beginning of the line insert "(2)"; line 33, at the beginning of the line insert "(3)"; line 34, after "years" insert "(a)"; line 52, strike "or" and in lieu thereof insert "(b)"; line 54, strike "the" and in lieu thereof insert "his", and in the same line, strike the second "or" and in lieu thereof insert "(c)"; line 57, strike ";" and in lieu thereof insert ",", and in the same line, strike "or" before "whose" and in lieu thereof insert "(d)"; line 59, after "or" insert "(e)"; line 62, at the beginning of the line insert "(4)"; line 63, after "years" insert "(a)"; line 64, strike "or who" and in lieu thereof insert "(b) who,"; line 66, strike the second word "or" and in lieu thereof insert "(c)"; line 67, after the first "or" insert "(d)", and in the same line, before "as" insert "so"; line 69, at the beginning of the line insert "(5)"; and insert "," in line 52 after "guardian", line 54 after both of the words "guardian", line 56 after "education", line 57 after "morals", line 58 after "guardian", line 65 after "disobedient", and line 66 after "ian".

LEGISLATIVE BILL 167. Placed on Select File as amended.

E and R amendment to LB 167:

1. In the bill section 1, line 10, strike the first "of" and insert in lieu thereof "as to".

LEGISLATIVE BILL 252. Correctly engrossed.

LEGISLATIVE BILL 250. Correctly engrossed.

LEGISLATIVE BILL 306. Correctly engrossed.

LEGISLATIVE BILL 290. Correctly engrossed.

LEGISLATIVE BILL 251. Correctly engrossed.

LEGISLATIVE BILL 430. Correctly engrossed.

LEGISLATIVE BILL 429. Correctly engrossed.

LEGISLATIVE BILL 87. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) A. A. Fenske

Mr. Tyrdik moved to amend the Fenske motion to read "I move that we adjourn until 10:00 a.m., Monday, March 7, 1955."

The Tvrđik amendment lost.

The Fenske motion prevailed, and at 11:49 a.m., the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 7, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McGinley, who was excused, and Messrs. Martin and Otto, who were excused until 9:50 a.m.

The Journal for the Forty-fourth Day was approved as corrected.

Communications

Telegram from Lee Strong, Mayor of Alliance, Nebraska, regarding LB 362. Referred to Committee on Revenue.

Letter from U. S. Senator Roman L. Hruska, Washington, D. C., acknowledging receipt of Legislative Resolution 10.

LEGISLATIVE EXPENSES, FEBRUARY, 1955**Account E-2 Members Salaries**

Gross Amount\$ 8,600.00

Members Net Payments\$ 7,978.80

W. H. Income Taxes 449.20

Deferred Payment O.A.S.I. Taxes 172.00

\$ 8,600.00**Account E-4 Employees Wages**

	Time	Rate	Gross Wages
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Dianne Alexander, Assistant Committee Clerk 4½ das. @ \$165/mo. \$ 30.94

Lorraine Anderson, Docket Clerk 1 mo. @ 250/mo. 250.00

Jackie Berkheim, Government Committee Clerk 7 das. @ 250/mo. 72.92

Ruby Black, Stenographer 19 das. @ 235/mo. 194.22

Eunice Bradley, Supervisor of Stenographer's Pool..... 1 mo. @ 275/mo. 275.00

Bill Burley, Page 1 mo. @ 165/mo. 165.00

Donna Cleavenger, Office Assistant & Secretary 1 mo. @ 250/mo. 250.00

John Curtis, Assistant Clerk, Bill Room 1 mo./3 hrs. @ 195/mo. 198.05

Darlene Custer, Public Health & Miscellaneous

Subjects Committee Clerk 1 mo. @ 250/mo. 250.00

Clarence M. Davis, Legal Advisor 1 mo. @ 900/mo. 900.00

Adelaide Eichelberger, Stenographer 1 mo. @ 235/mo. 235.00

Jo Fisher, Chief Engrossing Clerk 1 mo. @ 325/mo. 325.00

Ernest Fouts, Chief Legislative Custodian 1 mo. @ 200/mo. 200.00

Dorothea Fuchs, Budget Committee Clerk 1 mo. @ 250/mo. 250.00

Eloise Galloway, Supervisor of Stenographer's Pool..... 1 mo. @ 275/mo. 275.00

	Time	Rate	Gross Wages
Lois Ferguson, Judiciary Committee Clerk	5 das. @	250/mo.	52.09
Viola Gardiner, Stenographer	18½ das. @	235/mo.	181.12
Florence Graham, Assistant Journal Clerk	1 mo. @	260/mo.	260.00
Ramona T. Hansen, Proofreader	63 hrs. @	1.40/hr	88.20
E. C. Hansen, Chaplain	1 mo. @	140/mo.	140.00
Marjory Hines, Revenue Committee Clerk	1 mo. @	250/mo.	250.00
Carl Hoffman, Assistant Custodian	1 mo. @	185/mo.	185.00
Charles Keefer, Assistant Clerk, Bill Room	1 mo./3 hrs. @	195/mo.	198.05
Jane Kenner, Receptionist, Lieutenant Governor	1 mo. @	200/mo.	200.00
Darlene Kepler, Stencil Cutter and Mimeographer	1 mo. @	200/mo.	200.00
Shirley Kling, Stenographer	1 mo./12 hrs. @	235/mo.	249.70
Betty Koch, Education Committee Clerk	1 mo. @	250/mo.	250.00
Carlene Kroese, Stenographer	1 mo. @	235/mo.	235.00
Clara Lewis, Page	1 mo. @	165/mo.	165.00
G. F. Martin, Chief Clerk, Bill Room	1 mo./3 hrs. @	240/mo.	243.75
F. R. Miller, Assistant Clerk, Bill Room	1 mo./3 hrs. @	195/mo.	198.05
Charles Mohrman, Assistant Clerk, Bill Room	1 mo./3 hrs. @	195/mo.	198.05
Kathleen Mulder, Judiciary Committee Clerk	19 das. @	250/mo.	197.92
Barbara Nelson, Agriculture Committee Clerk	1 mo. @	250/mo.	250.00
Ruby Nelson, Postmaster	1 mo. @	180/mo.	180.00
LaVerne Obermeyer, Journal Clerk	1 mo. @	325/mo.	325.00
Ethel Pattison, Page	1 mo. @	165/mo.	165.00
Clyde Pinkerton, Assistant Clerk, Bill Room	1 mo./3 hrs. @	195/mo.	198.05
Eliz. Reger, Proofreader	211½ hrs. @	1.40/hr.	296.10
Ralph Reger, Page	1 mo. @	165/mo.	165.00
Betty Remington, Labor & Public Welfare Committee Clerk	1 mo. @	250/mo.	250.00

	Time	Rate	Gross Wages
Melba Richling, BookKeeper	1 mo. @	275/mo.	275.00
Francis Robinson, Assistant Clerk of Legislature	25 das. @	18/da.	450.00
George Santo, Sergeant-at-Arms	1 mo. @	230/mo.	230.00
Edna Scott, Proofreader	220 hrs. @	1.40/hr.	308.00
Mary Smetter, Proofreader	71½ hrs. @	1.40/hr.	100.10
Verneal Spilker, Page	1 mo. @	165/mo.	165.00
Sue Steenson, Public Works Committee Clerk	1 mo. @	250/mo.	250.00
Ralph Stouffer, Assistant Custodian	1 mo. @	185/mo.	185.00
Ruth Styer, Stenographer	5 das. @	235/mo.	48.96
A. C. Taylor, Assistant Sergeant-at-Arms	1 mo. @	190/mo.	190.00
Ruth Theobald, Banking, Commerce & Insurance Committee Clerk	1 mo. @	250/mo.	250.00
Richard Thoene, Miscellaneous Appropriations & Claims Committee Clerk	1 mo. @	250/mo.	250.00
Charles Touzalin, Assistant Clerk, Bill Room	1 mo./3 hrs. @	195/mo.	198.05
Ruth B. Turner, Stenographer	1 mo./1 da. @	235/mo.	244.80
Gertrude Tyler, Telephone Operator	1 mo. @	180/mo.	180.00
Shirley Walker, Stenographer	1 mo. @	235/mo.	235.00
Tillie Walker, Stenographer	1 da./3 hrs. @	235/mo.	13.48

TOTAL GROSS WAGES\$ 12,765.60

Net Amount Due Employees 10,931.80

W. H. Income Taxes 1,581.30

Deferred Payment O.A.S.I. Taxes 252.50

\$12,765.60

Account E-5 Incidental Expenses

State Purchasing Department, Revolving Fund, Supplies	39.89
Lincoln Telephone & Telegraph Company	39.80
Rosewell Floral Company, three cut flowers and two sprays	39.15
Pegler & Company, ash trays and Pitchers	22.50
World-Herald, yearly subscription	13.00
Capitol Printing, Printing of Bills	2,117.88
Journal Star Printing, Printing of Journals	1,346.44
U. of N. Art Galleries Bookshop, one picture Lincoln, one picture Washington	12.00
Railway Express Agency, expense of Senators Pizer and McHenry	5.79
Acorn Press, Printing 3M Roll Calls	22.00
Lincoln Telephone & Telegraph Company	122.75
Lincoln Office Supply, 60-pronto files with indexes & follow blocks	285.00
Purchasing Department, Postage Meter Fund	1,000.00
Purchasing Department Revolving Fund, Supplies	1,015.97
Capitol Printing, Printing of Bills	6,743.24
Latsch Brothers, three filing cabinets	364.01
A. A. Fenske, Hotel Expenses	10.95
Hal Bridenbaugh, Hotel, mileage, meals, etc.	32.02
Ruby B. Nelson, after 4:30 mailing (postage)	20.00
Wm. McHenry, Hotel Expense	11.00
H. K. Diers, Hotel, Mileage, Meals, etc.	28.00
Acorn Press, Printing Index to Bills	244.80

Total Incidental Expenses ... \$13,536.19

Account 7 Salary of Lieutenant Governor

Lt. Governor Salary, Net	\$ 142.44
Deferred Payment O.A.S.I. Taxes	2.91

Gross Salary, Lt. Governor ..	145.35
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Account 8 Clerk's Salary, Other Wages & Office Expenses

Hugo F. Srb, Clerk of the Legislature, Net Salary	\$ 465.01
W. H. Income Taxes	45.40
Deferred Payment O.A.S.I. Taxes	10.42

Gross Salary, Clerk of Legislature .	520.83
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GRAND TOTAL FEBRUARY EXPENSES	<u>\$35,567.97</u>
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STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 4, 1955, at 3:00 p.m.

LB 40	LB 255	LB 256	LB 62
LB 175	LB 254	LB 61	LB 164
LB 358	LB 127	LB 139	LB 103
LB 253	LB 300	LB 36	

LEGISLATIVE BILL 227. Replaced on Select File as amended.

E and R amendment to LB 227:

1. In the bill, section 1, page 3, line 52, strike the comma at the end of the line and show as stricken matter.

LEGISLATIVE BILL 346. Placed on Select File as amended.

E and R amendment to LB 346:

1. In the bill page 2, section 1, at the end of line 4, add "but"; and strike the comma in line 9 and show as stricken matter.

LEGISLATIVE BILL 503. Placed on Select File as amended.

E and R amendments to LB 503:

1. In the bill page 2, section 1, line 8, after "township" insert ","; lines 21 and 22 strike "recorded owner" and in lieu thereof insert "recorded owner of record"; line 26, strike "person" and insert in lieu thereof "person owner of record,"; and after "abandoned" line 27, insert ", which notice shall be served as is provided for by subsection (2) of this section".

2. In the bill title line 6, before "and" insert "to provide the effect of abandonment as prescribed; to provide for notice thereof;".

LEGISLATIVE BILL 232. Correctly engrossed.

LEGISLATIVE BILL 72. Correctly engrossed.

LEGISLATIVE BILL 162. Correctly engrossed.

LEGISLATIVE BILL 295. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

March 5, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on March 4, 1955, he approved L. B. 223, 235, 40, 237, 244, 46, 54, 176, 240, 55, 236, 16, 132, 114, 93, 201, 175, 358, 253, 255, 254, 127, 300, 256, 61, 139, 36, 62, 164 and 103.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

RESOLUTIONS**LEGISLATIVE RESOLUTION 11.**

LR 11 was adopted with 33 ayes, 0 nays and 10 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 297.

A bill for an act to amend section 66-432, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to redefine tax evasions; 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McHenry	Purdy
Anderson	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Moulton	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Klaver	Perry	Thompson
Bridenbaugh	Kotouc	Person	Tvrdik
Brower	Larkin	Peterson	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 5:

Aufenkamp	McGinley	Martin	Otto
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 298.

A bill for an act to amend section 66-503, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to change the conditions for revocation of a Liquid Fuel Carriers' Permit; 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.	Cole	Lee	Peterson
Adams, T.	Cramer	Liebers	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Metzger	Shultz
Bahensky	Foote	Morrison	Swanson
Beaver	Hoffmeister	Moulton	Syas
Bedford	Hubka	Nelson	Thompson
Bixler	Klaver	Perry	Tvrdik
Brower	Kotouc	Person	Vogel
Burney	Larkin		

Voting in the negative, 0.

Not voting, 5:

Bridenbaugh	Martin	Otto	Ruhnke
McGinley			

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 37-515, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to authorize the Game, Forestation and Parks Commission to use chemicals and other substances in lakes, streams, ponds, and other waters for fish management purposes; 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McHenry	Purdy
Anderson	Fenske	Metzger	Ruhnke
Aufenkamp	Foote	Morrison	Shultz
Bahensky	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Perry	Thompson
Bridenbaugh	Kotouc	Person	Tvrdik
Brower	Larkin	Peterson	Vogel
Burney	Lee		

Voting in the negative, 2:

Beaver Diers

Not voting, 3:

McGinley Martin Otto

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 207.

A bill for an act to amend sections 28-452 and 28-458, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to redefine the unlawful use of narcotic drugs; to reduce the number of grains of codeine or any of its salts or derivatives that may be administered, dispensed, or sold at retail of any medicinal preparation exempted from the provisions of sections 28-451 to 28-472, Reissue Revised Statutes of Nebraska, 1943; to eliminate the provisions for issuing a license to a wholesaler by the Department of Health to manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare narcotic drugs; and to repeal the original sections, and also sections 28-453, 28-454, and 28-455, Reissue 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.	Anderson	Bahensky	Bedford
Adams, T.	Aufenkamp	Beaver	Bixler

Bridenbaugh	Hoffmeister	Metzger	Purdy
Brower	Hubka	Morrison	Ruhnke
Burney	Klaver	Moulton	Shultz
Cole	Kotouc	Nelson	Swanson
Cramer	Larkin	Perry	Syas
Diers	Lee	Person	Thompson
Fenske	Liebers	Peterson	Tvrdik
Foote	McHenry	Pizer	Vogel

Voting in the negative, 0.

Not voting, 3:

McGinley Martin Otto

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 278.

A bill for an act to amend section 25-530, Revised Statutes Supplement, 1953, relating to civil procedure; to provide for service upon the Secretary of State as agent of nonresident owners of motor vehicles when the Secretary of State is not found in his office; 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.	Burney	Larkin	Peterson
Adams, T.	Cole	Lee	Pizer
Anderson	Cramer	Liebers	Purdy
Aufenkamp	Diers	McHenry	Ruhnke
Bahensky	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Hubka	Nelson	Thompson
Bridenbaugh	Klaver	Perry	Tvrdik
Brower	Kotouc	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

McGinley Martin Otto

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 299.

A bill for an act to amend section 66-512, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to make certain acts unlawful; to provide penalties for the transportation of motor vehicle fuels contrary to the provisions of such section 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.	Burney	Larkin	Peterson
Adams, T.	Cole	Lee	Pizer
Anderson	Cramer	Liebers	Purdy
Aufenkamp	Diers	McHenry	Ruhnke
Bahensky	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Syas
Bedford	Hoffmeister	Moulton	Thompson
Bixler	Hubka	Nelson	Tvrdek
Bridenbaugh	Klaver	Perry	Vogel
Brower	Kotouc	Person	

Voting in the negative, 0.

Not voting, 4:

McGinley	Martin	Otto	Swanson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Fenske introduced a group of visitors from Sidney and Sunol, Nebraska.

Mr. Ruhnke introduced Harold Reed, Superintendent, Mrs. Don Korff, Teacher, and sixteen students from Hebron High School, Hebron, Nebraska.

SELECT FILE

LEGISLATIVE BILL 53. E and R amendments found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 249. E and R amendments found in the Legislative Journal for the Forty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 163. 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 167. E and R amendment found in the Legislative Journal for the Forty-fourth Day was adopted.

Mr. Anderson moved to advance LB 167 to E and R for engrossment.

Mr. Anderson requested a Call of the House.

A Call of the House was ordered and showed 38 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed with 33 ayes, 0 nays and 10 not voting.

The Anderson motion to advance lost with 8 ayes, 22 nays and 13 not voting.

Mr. Beaver moved that LB 167 be indefinitely postponed.

The motion prevailed with 27 ayes, 13 nays and 3 not voting.

GENERAL FILE

LEGISLATIVE BILL 150. Laid over until March 14, 1955.

Mr. Moulton Presiding

LEGISLATIVE BILL 364. Remainder of bill read and considered.

Mr. Diers moved to return LB 364 to the committee for further study.

The motion lost with 12 ayes, 21 nays and 10 not voting.

Standing Committee amendment 1, found in the Legislative Journal for the Thirty-eighth Day was not adopted, with 2 ayes, 34 nays and 7 not voting.

Mr. Syas offered the following amendment, which was adopted:

1. Amend Standing Committee amendment 2, line 14 by striking "one half" and inserting "fifty-five per cent".

Standing Committee amendment 2, found in the Legislative Journal for the Thirty-eighth Day, was adopted as amended.

Mr. Perry offered the following amendment, which was adopted:

1. Amend page 6 of the bill, section 2, by striking lines 23 and 24 to and including the word "census" and all amendments thereto and inserting in lieu thereof the following: *"tants and not more than two hundred thousand inhabitants, to be credited to the street fund, a sum equal to forty per cent of the Gasoline Tax Fund allocated to such counties by subdivision (4) of section 66-424.01"*.

Mr. Burney offered the following amendment, which was adopted:

Strike Section 3 and Standing Committee amendment to Section 3 from LB 364, and renumber the sections accordingly; amend the title to conform.

Mr. Burney offered the following amendment, which was adopted:

Amend original Section 4, (renumbered Section 3), lines 2 and 3, by striking the words and figures "and section 66-424.01, Revised Statutes Supplement, 1953," and amend the title to conform.

Mr. Vogel moved that LB 364 be indefinitely postponed.

Mr. Person moved the previous question, which prevailed with 40 ayes, 0 nays and 3 not voting.

Mr. Syas requested a record vote on the Vogel motion.

Voting in the affirmative, 11:

Adams, J.	Klaver	Moulton	Tvrdik
Adams, T.	Larkin	Perry	Vogel
Anderson	Liebers	Syas	

Voting in the negative, 30:

Aufenkamp	Cole	Lee	Peterson
Bahensky	Cramer	McHenry	Pizer
Beaver	Diers	Martin	Purdy
Bedford	Fenske	Metzger	Ruhnke
Bixler	Foote	Nelson	Shultz
Bridenbaugh	Hoffmeister	Otto	Swanson
Brower	Hubka	Person	Thompson
Burney	Kotouc		

Not voting, 2:

McGinley	Morrison
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The motion lost.

Mr. Burney moved that LB 364 be advanced to E and R for review.

Mr. Kotouc requested a record vote.

Voting in the affirmative, 31:

Aufenkamp	Cole	Lee	Peterson
Bahensky	Cramer	McHenry	Pizer
Beaver	Diers	Martin	Purdy
Bedford	Fenske	Metzger	Ruhnke
Bixler	Foote	Morrison	Shultz
Bridenbaugh	Hoffmeister	Nelson	Swanson
Brower	Hubka	Otto	Thompson
Burney	Kotouc	Person	

Voting in the negative, 11:

Adams, J.	Klaver	Moulton	Tvrdik
Adams, T.	Larkin	Perry	Vogel
Anderson	Liebers	Syas	

Not voting, 1:

McGinley

Advanced to E and R for review.

Visitors

Mr. Brower introduced Mrs. Carl Fleming, Mr. and Mrs. Robert Taylor, Mrs. John Storz, Mrs. C. Storostke, James Holmann, Mrs. Lee Nanenburg, Mrs. Lee Woerth and Don Clabalch of Columbus, Platte County, Nebraska.

Mr. Cole introduced Mr. and Mrs. Willard Keller, Mrs. Fred Beutler and Mrs. Irma Reeves of Sheridan County, Nebraska.

Mr. Fenske introduced a delegation from Bayard, Nebraska.

UNANIMOUS CONSENT—Hearing, Judiciary Committee

Mr. Martin asked unanimous consent that the Judiciary Committee be allowed to hold its hearing in the West Senate Chamber this afternoon to accommodate the crowd expected to attend. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 216 Tuesday, March 15, 1955 2:00 p.m.

(Reset from March 15, 1955)

LB 510 Thursday, March 17, 1955 2:00 p.m.
 LB 400 Thursday, March 17, 1955 2:00 p.m.

(Originally set for March 17, 1955)

LB 480 To be set at a later date
 LB 495 To be set at a later date

Judiciary

LB 515 Monday, March 14, 1955 2:00 p.m.
 LB 473 Monday, March 14, 1955 2:00 p.m.
 LB 478 Monday, March 14, 1955 2:00 p.m.
 LB 525 Monday, March 14, 1955 2:00 p.m.
 LB 334 Monday, March 14, 1955 2:00 p.m.
 LB 507 Monday, March 14, 1955 2:00 p.m.
 LB 508 Monday, March 14, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS**Banking, Commerce and Insurance****LEGISLATIVE BILL 286.** Placed on General File.**LEGISLATIVE BILL 420.** Placed on General File as amended.

Standing Committee amendment to LB 420:

1. Amend page 2 of the bill, Section 1, line 9 by inserting after the word, "any" the following, "*city, village,*".

LEGISLATIVE BILL 421. Placed on General File as amended.

Standing Committee amendments to LB 421:

1. Amend page 2 of the bill, Section 1, lines 33 and 34, by striking, "an amount equal to two per cent of the assets of the association" and inserting in lieu thereof the following, "*excess of one hundred thousand dollars*".

2. Amend page 3 of the bill, Section 1, line 36, by striking after, "ation" the following, ", exclusive of cash and bonds on hand"; line 44 by striking the words, "a controlling" and inserting in lieu thereof the following, "*in excess of a ten per cent*"; by striking line 44 commencing with the semicolon, by striking all of lines 45 to 49 to the period in line 49, and showing all of the same as stricken matter.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 105. Replaced on Select File as amended.

E and R amendment to LB 105:

1. In the Syas Specific Amendment 1, line 5, insert “,” after “found”; lines 9 and 10 (10 and 11, mimeograph copy), strike “54-728, and the” and in lieu thereof insert “54-748 , and the . *The*”; line 11 (12, mimeograph copy), strike “its value” and in lieu thereof insert “*its the value thereof*”.

LEGISLATIVE BILL 155. Placed on Select File as amended.

E and R amendments to LB 155:

1. In Standing Committee Amendment 1, line 2, strike “on” and in lieu thereof insert “being driven upon”.

2. In Standing Committee Amendment 8, line 1, strike the figure “2” and in lieu thereof insert “3”.

3. In Standing Committee Amendment 9, line 1, strike the figures “3” and “4” and in lieu thereof insert “4” and “5”, respectively.

4. In the bill, section 1, line 8, strike “this section provided” and in lieu thereof insert “the authority granted by this section if”; line 10, strike “has” and in lieu thereof insert “shall have”; lines 12 and 16, strike the word “has” and in lieu thereof insert “had”; and line 15, insert a comma after “message”.

5. In the bill title, line 6, after the semicolon strike “and” and in lieu thereof insert “to permit arrest of drivers of motor vehicles without a warrant as prescribed;”.

LEGISLATIVE BILL 526. Placed on Select File as amended.

E and R amendment to LB 526:

1. In the bill title, insert a comma in line 5 after the word “carrier”, and line 6 after the word “tax”.

LEGISLATIVE BILL 165. Placed on Select File.

LEGISLATIVE BILL 166. Placed on Select File as amended.

E and R amendment to LB 166:

1. In the bill page 2, section 1, strike, beginning with “for” in line 26, all matter thru and including the comma in line 31 and show as stricken matter; in line 32 strike “that purpose”, in lieu thereof insert “that the purpose or purposes set forth in such subsection”.

LEGISLATIVE BILL 341. Placed on Select File as amended.

E and R amendment to LB 341:

1. In the bill title line 5, after "business" insert "with the prescribed associations"; and in line 6 after "age" insert "as prescribed".

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:08 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 8, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McGinley, who was excused until 9:55 a.m.

The Journal for the Forty-fifth Day was approved as corrected.

Communications

Twenty-five cards and six letters opposing LB 353, 442, 484. Referred to Committee on Judiciary.

One card opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

One letter requesting that the cottonwood tree be named the State Tree. Referred to Committee on Agriculture.

Four completed questionnaires on miscellaneous subjects. Referred to Committee on Public Health and Miscellaneous Subjects.

Invitation

The Clerk announced that Mr. Mike Myers, Omaha, Nebraska, called and extended an invitation to the Members to attend the Omaha Fish and Wild Life Club Sports, Vacation and Boat Show this evening at 9:00 p.m. at the new Auditorium in Omaha.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 59. Replaced on Select File as amended.

E and R amendment to LB 59:

1. In the bill page 3, section 3, line 21, strike the comma.

LEGISLATIVE BILL 449. Placed on Select File as amended.

E and R amendments to LB 449:

1. In the bill page 2, lines 10 and 11 of section 1, strike “, which contract” and insert in lieu thereof “. *Each of such , which contract contracts*”; line 14, section 2, before “shall” insert “,”; and page 3, section 3, line 7, at end of line insert “*as amended by Public Law 761, 83rd Congress,*”.

2. In the bill title line 4, after “a” insert “maximum”; line 6, before “annual” insert “the”; line 9, strike “d” after “218” and insert in lieu thereof “(d) (3)”; and in line 22 after “government” insert “as prescribed”.

LEGISLATIVE BILL 159. Placed on Select File as amended.

E and R amendments to LB 159:

1. In the bill section 1, line 81, page 4, strike “two thirds” and insert in lieu thereof “two-thirds” as shown in statutes; section 3, line 8, page 7, insert “a” at end of line; section 4, line 12, page 8, strike quotation marks and show as stricken matter; line 15, after “under” insert “*the conditions set forth in*”; line 17 strike comma after “carrier” and show as stricken matter; line 38 insert “so” after “when” and “a” before “de-”; page 9, line 49, strike “having made” and in lieu thereof insert “*having made making such*”; line 51 before “in” insert “*but not exceeding five hundred dollars,*”; and line 52 after “Court” strike “, but not exceeding five hundred dollars” and show as stricken matter.

2. Since the section of the Statute in LB 159, section 4, has been amended by section 1 of LB 227, the committee on Enrollment & Review is authorized to correlate the same in LB 159 if LB 227 passes and is approved by the Governor, and also to make such changes in the title and repeal section of LB 159 as will complete the correlation by a certificate without reporting the same on any amendments made by such Enrollment & Review committee.

LEGISLATIVE BILL 215. Placed on Select File as amended.

E and R amendment to LB 215:

1. In the bill page 2, section 1, line 20, strike “, shall” and insert in lieu thereof “*shall,*”.

LEGISLATIVE BILL 297. Correctly enrolled.

LEGISLATIVE BILL 298. Correctly enrolled.

LEGISLATIVE BILL 141. Correctly enrolled.

LEGISLATIVE BILL 299. Correctly enrolled.

LEGISLATIVE BILL 278. Correctly enrolled.

LEGISLATIVE BILL 207. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 297	LB 141	LB 278	LR 11
LB 298	LB 299	LB 207	

STATEMENT—Introduce Bill

The Public Works Committee, by a majority vote, agreed to introduce a bill for the repayment of contracts with the Federal Bureau of Reclamation. (Signed) William Moulton, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Committee on Public Works be permitted to introduce a bill for the repayment of contracts with the Federal Bureau of Reclamation. (Signed) William Moulton, Chairman
The motion prevailed with 32 ayes, 3 nays and 8 not voting.

STATEMENT—Introduce Bill

The Judiciary Committee, by unanimous vote, agreed to introduce a bill relating to motor vehicle fuels; to provide that money in the Gasoline Tax Fund may be expended for maintenance of interstate bridges under certain circumstances. (Signed) Joseph D. Martin, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Committee on Judiciary be permitted to introduce a bill relating to motor vehicle fuels. (Signed) Joseph D. Martin, Chairman

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 538. By Committee on Public Works, William Moulton, 10th District, Chairman.

A bill for an act to amend sections 46-543 and 46-553, Reissue Revised Statutes of Nebraska, 1943, relating to reclamation districts; to provide that repayment of contracts with the federal Bureau of Reclamations may be included in the annual levies of reclamation districts; and to repeal the original sections.

LEGISLATIVE BILL 539. By Committee on Judiciary, Joseph D. Martin, 30th District, Chairman.

A bill for an act to amend section 66-425, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that money in the Gasoline Tax Fund may be expended for maintenance of interstate bridges when such bridges are free bridges and a part of the state highway system; and to repeal the original section.

RESOLUTIONS

LEGISLATIVE RESOLUTION 12. Re: Increase in Allowance for Sundries and Recreation Granted to Persons Receiving Old Age and Blind Assistance.

Introduced by Sam Klaver, 6th District.

WHEREAS, the cost of sundries, household supplies, and recreation has increased, and

WHEREAS, the allowances now made for persons obtaining old age and blind assistance for such items as bedding and linens, utensils for cooking, household supplies for cleaning and laundry, light bulbs, insecticides, soap, powder, and other necessary items are such that these persons cannot obtain the necessary items, and

WHEREAS, persons should be comfortable in their living even though it is necessary that they receive assistance grants.

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

That the Nebraska Division of Public Welfare in determining the monthly allowance to persons receiving old age and blind assistance

grants increase the allowance for sundries and recreation two dollars per month.

Visitors

Mr. Hubka introduced Mr. F. F. Fulton of Wymore, Nebraska, a former member of the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 58.

A bill for an act to amend sections 24-201.01 and 24-301.01, Revised Statutes Supplement, 1953, relating to courts; to increase the salaries of the Chief Justice and Judges of the Supreme Court and the judges of the district court as prescribed; to provide when such increase shall be operative; to provide that the Chief Justice and Judges of the Supreme Court shall not hold other public office or accept public appointment or employment as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 38:

Adams, J.	Cole	Lee	Pizer
Adams, T.	Cramer	Liebers	Purdy
Anderson	Diers	Martin	Shultz
Aufenkamp	Fenske	Metzger	Swanson
Bahensky	Foote	Morrison	Syas
Beaver	Hoffmeister	Moulton	Thompson
Bedford	Hubka	Nelson	Tvrdik
Bixler	Klaver	Otto	Vogel
Brower	Kotouc	Perry	
Burney	Larkin	Person	

Voting in the negative, 4:

Bridenbaugh	McHenry	Peterson	Ruhnke
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Not voting, 1:

McGinley

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 sections 57-201, 57-202, 57-203, and 57-204, Reissue Revised Statutes of Nebraska, 1943, relating to oil and gas; to reduce the time for forfeiture of lease and notice 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, 42:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdek
Brower	Larkin	Person	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 142.

A bill for an act to amend sections 53-118, 53-161, 53-162, and 53-172, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide that the tax on beer shall be paid to the Nebraska Liquor Control Commission on the auditing basis rather than by affixing stamps to the package as prescribed; to provide certain procedure in regard thereto; to provide for a bond; to provide for a permit and the fee for same; to provide penalties; to provide for return of stamps previously issued for value; 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.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Fenske	McHenry	Purdy
Beaver	Foote	Martin	Ruhnke
Bedford	Hoffmeister	Metzger	Shultz
Bixler	Hubka	Morrison	Swanson
Bridenbaugh	Klaver	Moulton	Syas
Brower	Kotouc	Otto	Thompson
Cole	Larkin	Person	Tvrdik
Cramer	Lee	Peterson	Vogel
Diers	Liebers	Pizer	

Voting in the negative, 3:

Burney	Nelson	Perry
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Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 322. With emergency.

A bill for an act to amend sections 10-409 and 17-953, Reissue Revised Statutes of Nebraska, 1943, relating to bonds of indebtedness; to authorize cities of the second class and villages to issue bonds for the erection of a fire station when approved by the electors as required; 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.	Cole	Lee	Person
Adams, T.	Cramer	Liebers	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

McGinley	Tvrdik
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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 Bill to Select File

Mr. Person asked unanimous consent to return LB 206 to Select File for the following specific amendments:

1. Strike Enrollment and Review amendment 1, after the word "and" in line 5 and also in the bill, section 1, strike commencing with the word "where" in line 17 to the end of section 1, and in lieu thereof insert "*where the rights of any resident, individual or corporation are affected, notice in writing must be served ten days prior to the date of hearing the owners of all real estate located within three hundred feet of the property to be zoned or rezoned, shall be personally served with a written notice thereof at least ten days prior to the date of the hearing, if they can be served with such notice within the county where such real estate is located, and where such notice cannot be served personally upon such owners in the county where such real estate is located, a written notice of such hearing shall be mailed to such owners addressed to their last-known addresses at least ten days prior to such hearing.*"

2. Strike Enrollment and Review amendment 2, and in lines 4 and 5 of the bill title strike "mailing of notice to property owners" and in lieu thereof insert "personal service of notice upon the owners of property within three hundred feet of the property to be zoned or rezoned" and line 6, after "property" insert "as prescribed; to provide for mailing such a notice to such owners in the manner and under the conditions prescribed".

No objections. So ordered.

UNANIMOUS CONSENT—Return LB 86 to Select File

Mr. Vogel asked unanimous consent that LB 86 be returned to Select File for the following specific amendment:

1. Amend Standing Committee amendment, line 3, by striking "seventy-five per cent of".

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 86.

Mr. Vogel asked unanimous consent that his specific amendment, found in this day's Legislative Journal, be adopted.

Mr. Ruhnke objected.

Mr. Vogel moved that LB 86 be returned to General File for the above specific amendment.

The motion prevailed with 33 ayes, 1 nay and 9 not voting.

LEGISLATIVE BILL 206.

Mr. Person asked unanimous consent that his specific amendments, found in this day's Legislative Journal, be adopted.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 227. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 105. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 346. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 503. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 155. E and R amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Holiday

Mr. President: I move that when we adjourn on Thursday, April

7, 1955, we reconvene on Tuesday, April 12, 1955 at 10:00 a.m.
(Signed) Charles F. Tvrdik

The motion prevailed with 31 ayes, 7 nays and 5 not voting.

MOTION—Holiday, Employees

Mr. President: I move that the Legislative employees be given the same holiday as voted for the Legislature. (Signed) Charles F. Tvrdik

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 86.

The Vogel amendment, found in this day's Legislative Journal, was adopted with 27 ayes, 10 nays and 6 not voting.

Mr. Otto moved that the Legislature reconsider their vote on the Vogel amendment taking the funds from the schools and allocating them to the Department of Roads.

The Chair declared the Otto motion out of order.

Mr. Otto requested that the bill be laid over for thirty minutes. No objections. So ordered.

LEGISLATIVE BILL 388. Considered.

Mr. Kotouc offered the following amendments, which were adopted:

1. Amend the bill by striking the new matter in lines 26 to 28, and line 31 by inserting after the word "assistants" the following:

"; Provided, that there shall be included in the assessment to be paid by banks organized under the laws of this state, the salaries and expenses of examiners and examiners' helpers attending a school for examiners".

2. Amend the title of the bill by striking lines 4 to 7 and inserting "include in the examination of banks organized under the laws of this state."

Advanced to E and R for review.

LEGISLATIVE BILL 138. Read and considered.

Mr. Bridenbaugh offered the following amendment, which was adopted:

Amend Section 2, Line 13 (Page 4), by striking the period (.), and then adding the following: "Provided, that where such board proposes to pledge all or any part of the revenues and fees from facilities other than the facility to be constructed, the plans for such facility to be constructed, including financing plans, shall first be submitted for approval to the Legislature if in session, or to the Executive Board of the Legislative Council if the Legislature is not in session, after which such board may proceed with construction of the facilities unless the Legislature or the Executive Board of the Legislative Council, as the case may be, shall have by resolution or motion disapproved such plans within thirty days after the same have been so submitted."; and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 86.

Mr. Vogel offered the following amendment:

Strike the words "road fund" from the original Vogel amendment to LB 86 found in the Legislative Journal for the Thirty-fifth Day.

Mr. Beaver asked unanimous consent to amend the Vogel amendment by adding the words "and inserting 'general fund' in lieu thereof".

Mr. Syas objected.

Mr. Beaver moved that his amendment to the Vogel amendment be adopted. The motion prevailed.

The Vogel amendment was adopted as amended.

Mr. Syas moved that LB 86 be indefinitely postponed.

Mr. Bridenbaugh requested a record vote.

Voting in the affirmative, 12:

Adams, J.	Klaver	Metzger	Perry
Cramer	Kotouc	Nelson	Person
Foote	Larkin	Otto	Syas

Voting in the negative, 27:

Anderson	Burney	Liebers	Ruhnke
Aufenkamp	Cole	McGinley	Shultz
Bahensky	Diers	McHenry	Swanson
Beaver	Fenske	Martin	Thompson
Bedford	Hoffmeister	Morrison	Tvrdik
Bridenbaugh	Hubka	Pizer	Vogel
Brower	Lee	Purdy	

Not voting, 4:

Adams, T. Bixler Moulton Peterson

The motion lost.

Advanced to E and R for review.

MOTION—Place LB 459 on General File

Mr. President: I move to place LB 459 on General File notwithstanding the report of the Standing Committee. (Signed) John Adams, Sr.

Mr. Syas asked that consideration of the Adams motion be withheld until tomorrow. No objections. So ordered.

Visitors

Mr. McHenry introduced Oswin Keifer, Bostwick, Nebraska, a former Member of the Legislature.

Mr. Hubka introduced Joe Shalla, Beatrice, Nebraska, a former Member of the Legislature. Mr. Shalla addressed the Legislature briefly.

UNANIMOUS CONSENT—Re-refer LB 523

Mr. Bixler asked unanimous consent that LB 523 be re-referred to the Committee on Banking, Commerce and Insurance.

No objections. So ordered.

Members Excused

Messrs. Klaver and Tvrdik were excused from 9:00 a.m. to 10:00 a.m. Wednesday, March 9, 1955.

Mr. Ruhnke was excused Wednesday morning, March 9, 1955.

ANNOUNCEMENT—Appropriation Bills

Mr. Bridenbaugh suggested that hearings on the appropriation bills be completed as soon as possible to expedite the work of the Budget Committee.

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 273	Thursday, March 24, 1955	2:00 p.m.
LB 384	Thursday, March 24, 1955	2:00 p.m.
LB 308	Thursday, March 24, 1955	2:00 p.m.

Banking, Commerce and Insurance

LB 325	Tuesday, March 15, 1955	2:00 p.m.
LB 360	Tuesday, March 15, 1955	2:00 p.m.
LB 319	Tuesday, March 15, 1955	2:00 p.m.
LB 324	Thursday, March 17, 1955	2:00 p.m.
LB 348	Thursday, March 17, 1955	2:00 p.m.

Labor and Public Welfare

LB 367	Monday, March 21, 1955	2:00 p.m.
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Public Health and Miscellaneous Subjects

LB 399	Tuesday, March 15, 1955	2:00 p.m.
LB 445	Tuesday, March 15, 1955	2:00 p.m.
LB 456	Tuesday, March 15, 1955	2:00 p.m.
LB 439	Thursday, March 17, 1955	2:00 p.m.
LB 376	Thursday, March 17, 1955	2:00 p.m.
LB 490	Thursday, March 17, 1955	2:00 p.m.
LB 64	Thursday, March 17, 1955	2:00 p.m.

Government

LB 99	Wednesday, March 23, 1955	2:00 p.m.
LB 47	Wednesday, March 30, 1955	2:00 p.m.
LB 219	Wednesday, March 30, 1955	2:00 p.m.
LB 479	Wednesday, March 30, 1955	2:00 p.m.

Agriculture

LB 340	Monday, March 28, 1955	2:00 p.m.
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STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 353. Indefinitely postponed.

LEGISLATIVE BILL 442. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Government

LEGISLATIVE BILL 283. Indefinitely postponed.

LEGISLATIVE BILL 284. Indefinitely postponed.

LEGISLATIVE BILL 504. Indefinitely postponed.

LEGISLATIVE BILL 202. Placed on General File.

LEGISLATIVE BILL 512. Placed on General File.

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 168. Replaced on Select File as amended.

E and R amendment to LB 168:

1. In Enrollment and Review Amendment 3, line 3, strike the figure "6" and in lieu thereof insert the figure "5".

LEGISLATIVE BILL 229. Placed on Select File as amended.

E and R amendments to LB 229:

1. In the Perry General File Amendments: in the first line of the new matter inserted in section 1, at the end of line 52, insert "(2)" before "Minors", and in the same newly inserted matter, in the next to the last line, insert "," after "points" and "39-7,128"; and in the new matter inserted in section 1, line 74, insert "or" after the word "license".

2. In the Lee General File Amendments, line 2 (line 3, mimeograph copy), insert "and" after "age".

3. In the bill: section 1, line 2; section 2, line 2; and in the bill title, line 3, after "1943," insert "as amended by section 1, Legislative Bill 28, Sixty-seventh Session, Nebraska State Legislature, 1955,".

4. In the bill, section 1, line 3, insert "(1)" before "No"; line 11, insert "the" after "that"; line 30, strike "a" and in lieu thereof insert "a an operator's"; lines 41 and 46, insert "operator's" after "his"; line 50, insert "a" after "such"; line 51, strike "license" and in lieu thereof insert "operator's license referred to in this subsection of this section"; line 53, at the beginning of the line insert "(3)", and in the same line, strike "that age" and in lieu thereof insert "that the age set forth in subsection (1) of this section"; line 55, insert "," after the words "issued" and "treasurer"; line 60, insert "limited" before "permit"; line 67, insert "(4)" before "Each"; line 68, insert "," after "years", and in the same line, after "first" insert "operator's or probationary"; line 69, before the first comma, insert "or a limited or learner's permit"; line 71, before the period insert ", to show that such applicant has attained the age, respectively, as required by subsections (1), (2), (3), or (4) of this section"; line 72, strike "herein" and in lieu thereof insert "by subsections (2) or (3) of this section, respectively, herein"; line 73, strike

“the” and in lieu thereof insert “the *any*”; and line 77, at the beginning of the line insert “(5)”.

5. In the bill title, line 7, strike “; to provide for violations” and in lieu thereof insert “under the conditions prescribed; to correct designation of public official to harmonize with previous legislation; to require the surrender of an operator’s license as prescribed; to make it unlawful to fail or refuse to surrender such license as prescribed”; and line 8, after the semicolon, insert “to provide for operator’s licenses, probationary licenses, limited permits, and learner’s permits; to provide the fee for probationary licenses; to increase the age limit of persons who may be issued an operator’s license as prescribed; to prescribe certain powers and duties of certain public officers or employees;”.

LEGISLATIVE BILL 98. Placed on Select File as amended.

E and R amendments to LB 98:

1. In Standing Committee Amendment 1, line 9, insert “,” after “*times*”; and line 11, before the period insert “, and except *Nebraska Initial General Elementary School Certificates which, after September 15, 1958, may be renewed as stated in section 79-1211*”.

2. In Standing Committee Amendment 2, strike lines 3 to 5, commencing with “, and” in line 3, and in lieu thereof insert a period.

3. In Standing Committee Amendment 5, line 1, strike the figure “1” and in lieu thereof insert “2”; line 6, before the semicolon insert “as prescribed”; line 9, strike the word “Initial”; line 10, strike “1960;” and in lieu thereof insert “1958, except as prescribed; to permit the issuance of Nebraska Initial General Elementary School Certificates after such date for a one year term and only renewable up to four times as prescribed; to correct designation of public official to harmonize with previous legislation;”.

4. In the bill, renumbered section 2, line 3, strike “Superintendent of Public Instruction” and in lieu thereof insert “Superintendent of Public Instruction *Commissioner of Education*”; line 6, strike “1960” and in lieu thereof insert “1958”; line 7, before the semicolon insert “and thereafter, only *Nebraska Initial General Elementary School Certificate, as permitted in section 79-1211*”.

LEGISLATIVE BILL 443. Placed on Select File as amended.

E and R amendments to LB 443:

1. In the General File amendment strike “is offered” and in lieu thereof insert “or which by its terms in fact constitutes a chattel mort-

gage, on unplanted crops, is presented to the county clerk".

2. In the bill section 1, page 2, line 8, strike "the creditor" and insert in lieu thereof "the a creditor or creditors"; line 22, strike "therein" and in lieu thereof insert "therein by its terms in fact"; line 26 after "lease" insert ", which is presented to the county clerk for filing,"; line 27 after the comma insert "or, by its terms in fact constitutes a chattel mortgage, on unplanted crops,"; and in line 36, page 3 insert "as" after "manner".

3. In the bill title at the end of line 3 insert "to provide for filing chattel mortgages and leases as prescribed; to provide the effect of the filing thereof as prescribed;".

LEGISLATIVE BILL 279. Correctly engrossed.

LEGISLATIVE BILL 233. Correctly engrossed.

LEGISLATIVE BILL 208. Correctly engrossed.

LEGISLATIVE BILL 291. Correctly engrossed.

LEGISLATIVE BILL 248. Correctly engrossed.

LEGISLATIVE BILL 96. Correctly engrossed.

LEGISLATIVE BILL 289. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:05 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 9, 1955

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. J. Adams and Ruhnke, who were excused, and Messrs. Klaver and Tvrdik, who were excused until 10:00 a.m.

The Journal for the Forty-sixth Day was approved as corrected.

Communications

Letter from Mr. and Mrs. H. W. Coleman of Carleton, Nebraska, regarding the high school at Carleton. Referred to Committee on Education.

Letter from Hubert Furse, Harlan County Clerk, Alma, Nebraska, regarding LB 427. Referred to Committee on Agriculture.

Letter from Miss Anna Smrha, Secretary, Council of Human Relations, Lincoln, Nebraska, stating the views of the Council on various subjects before the Legislature. Referred to the Committee on Public Health and Miscellaneous Subjects.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 427	Wednesday, March 23, 1955	2:00 p.m.
LB 428	Wednesday, March 23, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Committee on Committees**

March 8, 1955

Mr. President:

Your Committee on Committees wishes to report favorably on the appointment of Mr. Robert P. Hiatt to the position of Secretary to the State Board of Educational Lands and Funds and recommends that it be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr., Chairman

MOTION—Adopt Report of Committee

Mr. President: I move that the report of the Committee be accepted.
(Signed) Otto Kotouc, Sr.

The motion prevailed.

Vote on Mr. Hiatt

Voting in the affirmative, 32.

Voting in the negative, 0.

Not voting, 11.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hiatt confirmed.

Bills Referred to Standing Committees

LB	Committee
538.....	Agriculture
539.....	Government

STANDING COMMITTEE REPORTS**Enrollment and Review****LEGISLATIVE BILL 224.** Placed on Select File as amended.

E and R amendment to LB 224:

1. In the bill, section 1, line 3, insert "(1)" before "Any"; line 7, strike "(1)" and in lieu thereof insert "{1} (a)"; line 9, strike "(2)" and in lieu thereof insert "{2} (b)"; line 10, strike "(3)" and in lieu thereof insert "{3} (c)"; line 13, strike "(4)" and in lieu thereof insert

"(4) (d)"; line 32, insert "(2)" before "For", and in the same line, insert "subsection (1) of" before "this"; line 34, strike "a" and in lieu thereof insert "the"; and line 38, insert "subsection (1) of" before "this".

LEGISLATIVE BILL 227. Correctly engrossed.

LEGISLATIVE BILL 58. Correctly enrolled.

LEGISLATIVE BILL 37. Correctly enrolled.

LEGISLATIVE BILL 142. Correctly enrolled.

LEGISLATIVE BILL 322. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 58

LB 37

LB 142

LB 322

RESOLUTIONS

LEGISLATIVE RESOLUTION 13. Re: Memorialization of the Eighty-fourth Congress of the United States to Provide Appropriations for the Completion of the Transmission Line from Ft. Randall to Grand Island in 1956.

Introduced by Joseph D. Martin, 30th District, and Otto Kotouc, Sr., 1st District.

WHEREAS, the economy of the State of Nebraska is dependent primarily on the production of food and fiber products from its lands, and

WHEREAS, Nebraska is blessed with the priceless asset of an abundant underground water supply in much of its area, and

WHEREAS, the productivity of much of Nebraska has already been materially increased by means of pump irrigation and rural electrification, and

WHEREAS, the United States Bureau of Reclamation has recently initiated a special rate for electric power used for irrigation pumping, by which large quantities of surplus power available during the summer months from the Missouri River Basin Project can be put to beneficial use for irrigation and reclamation purposes, and

WHEREAS, there is 30,000 KW of firm power allocated to Nebraska for 1956, and additional blocks of firm power will also become available in subsequent years, as the other power developments on the Missouri River are completed, and

WHEREAS, there is and will be a need of such additional amounts of firm electric power in Nebraska in 1956 and subsequent years for defense purposes and for rapidly increasing electrical requirements for farms and ranches, agricultural processing, and homes, and

WHEREAS, to effect delivery of such low-cost power from the hydroelectric plants on the Missouri River to areas of Nebraska where it can be most effectively used requires the construction of a 230,000 volt transmission line capable of carrying some 150,000 KW of power from the Fort Randall hydroelectric power plant to the vicinity of Grand Island, Nebraska, and

WHEREAS, the United States Bureau of Reclamation has built many similar transmission lines in other states in the Missouri Basin, and

WHEREAS, the members of the Nebraska Legislature being interested in all programs which further expand the economy of the state, are vitally interested in the development of additional pump irrigation as well as its agricultural production and processing throughout the state.

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

1. That the Eighty-fourth Congress of the United States be memorialized to provide appropriations for the construction of the 230,000 volt transmission line from Ft. Randall to Grand Island in such amounts as may be necessary to complete construction of such line in 1956.

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 Congress of the United States.

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 66-519, Reissue Revised Statutes of Nebraska, 1943, relating to transportation of motor vehicle

fuels; to provide that service of process upon the Secretary of State shall constitute valid legal service upon nonresidents and foreign corporations applying for or having permits to transport motor vehicle fuels in Nebraska; to provide how such service may be made; to provide duties and powers of the Secretary of State as prescribed; to provide for furnishing the prescribed information on or with such summons or process for the purpose of notification; 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.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Vogel
Burney	Lee	Perry	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Klaver	Ruhnke	Tvrdik
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 250.

A bill for an act to amend section 18-1604, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to clarify the provisions of the form of bond issued by a municipality for industrial development; 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.	Aufenkamp	Beaver	Bixler
Anderson	Bahensky	Bedford	Bridenbaugh

Brower	Hubka	Metzger	Pizer
Burney	Kotouc	Morrison	Shultz
Cole	Larkin	Moulton	Swanson
Cramer	Lee	Nelson	Syas
Diers	Liebers	Otto	Thompson
Fenske	McGinley	Perry	Vogel
Foote	McHenry	Person	
Hoffmeister	Martin	Peterson	

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Purdy	Ruhnke	Tvrdik
Klaver			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 306.

A bill for an act to amend section 32-231, Revised Statutes Supplement, 1953, relating to elections; to increase the salaries of the election commissioner and chief deputy commissioner in counties having a population of more than two hundred thousand inhabitants; to provide when such increases shall be effective; 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.	Cole	Lee	Otto
Anderson	Cramer	Liebers	Perry
Bahensky	Diers	McGinley	Peterson
Beaver	Fenske	McHenry	Pizer
Bedford	Foote	Martin	Shultz
Bixler	Hoffmeister	Metzger	Swanson
Bridenbaugh	Hubka	Morrison	Syas
Brower	Kotouc	Moulton	Thompson
Burney	Larkin	Nelson	Vogel

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Klaver	Purdy	Tvrdik
Aufenkamp	Person	Ruhnke	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 290.

A bill for an act to amend section 39-7,107.01, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to increase the minimum penalty for reckless driving; 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.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Vogel
Burney	Lee	Perry	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Klaver	Ruhnke	Tvrdik
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 251. Read and laid over.

LEGISLATIVE BILL 430.

A bill for an act to amend section 2-203.03, Reissue Revised Statutes of Nebraska, 1943, relating to county agricultural societies and fairs; to remove the limitations on the one-fourth mill levy for premiums and permanent improvements as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, "Shall the bill pass?" "

Voting in the affirmative, 37:

Adams, T.	Cramer	Liebers	Perry
Anderson	Diers	McGinley	Person
Aufenkamp	Fenske	McHenry	Peterson
Bahensky	Foote	Martin	Pizer
Beaver	Hoffmeister	Metzger	Purdy
Bedford	Hubka	Morrison	Shultz
Bixler	Kotouc	Moulton	Swanson
Bridenbaugh	Larkin	Nelson	Thompson
Burney	Lee	Otto	Vogel
Cole			

Voting in the negative, 1:

Brower

Not voting, 5:

Adams, J.	Ruhnke	Syas	Tvrdik
Klaver			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 429.

A bill for an act to amend section 2-201, Reissue Revised Statutes of Nebraska, 1943, relating to county agricultural societies and fairs; to provide that after the effective date of this act a new society shall not be formed in the county if one then exists; 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.	Cole	Liebers	Perry
Anderson	Cramer	McGinley	Person
Aufenkamp	Diers	McHenry	Peterson
Bahensky	Fenske	Martin	Pizer
Beaver	Foote	Metzger	Purdy
Bedford	Hoffmeister	Morrison	Shultz
Bixler	Hubka	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Ruhnke	Syas	Tvrdik
Klaver			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 87. With emergency.

A bill for an act relating to agriculture; to provide for the regulation, sale, and distribution of mixed fertilizers and fertilizer materials; to provide powers and duties for the Director of the Department of Agriculture and Inspection; to define terms; to provide violations; to provide penalties; to provide how this act shall be known and cited; to repeal sections 81-2,158, 81-2,159, 81-2,160, 81-2,161, 81-2,161.01, 81-2,161.02, and 81-2,162, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, T.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Vogel
Burney	Lee	Perry	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Klaver	Ruhnke	Tvrdik
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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 "aye" on Legislative Resolution 11, and on the following bills: 297, 298, 141, 207, 278, 299, 58, 37, 142, and 322. (Signed) Donald F. McGinley

SELECT FILE

LEGISLATIVE BILL 59. E and R amendment found in the Legislative Journal for the Forty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 168. E and R amendment found in the Legislative Journal for the Forty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 526. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Laid over.

LEGISLATIVE BILL 165. Advanced to E and R for engrossment.

LEGISLATIVE BILL 166. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 341. E and R amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 449. 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 159. 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 215. E and R amendment found in the Legislative Journal for the Forty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 229. 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 98. 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 443. E and R amendments found in the Legislative Journal for the Forty-sixth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Peterson introduced Lester Schloatman and Rev. E. M. Littrell, Arnold, Nebraska.

Mr. Thompson introduced Miss Helen Storms, Instructor of Political Science, and thirty-five students from McCook College, McCook, Nebraska.

Mr. Hoffmeister Presiding

UNANIMOUS CONSENT—Motion, LB 459

Mr. Syas asked unanimous consent that discussion on the J. Adams motion to place LB 459 on General File be laid over until Mr. Adams is present. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 42. Laid over temporarily.

LEGISLATIVE BILL 265. Laid over temporarily.

LEGISLATIVE BILL 464. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-first Day was adopted.

Mr. Beaver moved that LB 464 be indefinitely postponed.

Mr. Nelson requested a record vote.

Voting in the affirmative, 9:

Anderson	Burney	Kotouc
Beaver	Diers	Metzger
Bixler	Hubka	Vogel

Voting in the negative, 26:

Adams, T.	Fenske	Morrison	Pizer
Aufenkamp	Foote	Moulton	Purdy
Bahensky	Klaver	Nelson	Swanson
Bedford	Larkin	Otto	Syas
Brower	Liebers	Perry	Thompson
Cole	McGinley	Peterson	Tvrdik
Cramer	Martin		

Not voting, 8:

Adams, J.	Hoffmeister	McHenry	Ruhnke
Bridenbaugh	Lee	Person	Shultz

The motion lost.

Advanced to E and R for review.

Visitors

Mr. T. Adams introduced four House Mothers from the University of Nebraska, Lincoln: Mrs. Nina Searle of Wilson Hall, Mrs. Fern Grewcock of Alpha Xi Delta, Mrs. Florence Janssen of Farm House, and Mrs. Mary Nelson of Love Hall.

LEGISLATIVE BILL 42. Considered.

Mr. Lee offered the following amendment, which was adopted:

Amend Standing Committee amendment 1, line 2, by striking the word and punctuation "own," and inserting in lieu thereof the words "acquire, own, manage", and amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 265. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 209. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-second Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 451. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 535. 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 391. Read.

Laid over.

LEGISLATIVE BILL 402. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-second Day was adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend LB 402, page 2, Section 1, line 12, by striking "*three thousand*" and inserting "*twenty seven hundred*".

Laid over.

LEGISLATIVE BILL 418. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 419. Read and considered.

Mr. Bedford offered the following amendment, which was adopted:

Amend the Committee amendment to LB 419 by striking from the 6th line of the new matter the figure "(1)" and the word "or" and substituting the figure "\$1,500" for "\$2,500"; and by adding after the word "years" the following: "supported by a written property statement on forms to be prescribed by the Department of Banking."

Standing Committee amendment found in the Legislative Journal for the Forty-second Day was adopted as amended.

Advanced to E and R for review.

LEGISLATIVE BILL 402. Advanced to E and R for review.

LEGISLATIVE BILL 414. Laid over.

LEGISLATIVE BILL 434. 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 with 12 ayes, 6 nays and 25 not voting.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 465	Wednesday, March 16, 1955	2:00 p.m.
LB 314	Wednesday, March 16, 1955	2:00 p.m.
LB 317	Wednesday, March 16, 1955	2:00 p.m.
LB 343	Wednesday, March 16, 1955	2:00 p.m.
LB 344	Wednesday, March 16, 1955	2:00 p.m.

Government

LB 426	Wednesday, April 6, 1955	2:00 p.m.
LB 80	Wednesday, April 6, 1955	2:00 p.m.
LB 454	Wednesday, April 6, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 119. Placed on General File.

LEGISLATIVE BILL 110. Placed on General File.

(Signed) Glenn Cramer, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 8, 1955, at 4:20 p.m.

LB 297	LB 141	LB 278
LB 298	LB 299	LB 207

LEGISLATIVE BILL 249. Replaced on Select File as amended.

E and R amendment to LB 249:

1. In Enrollment and Review Amendment 1, line 6, after "city" insert "*or village*"; and in the bill section 4, insert ",", at the end of line 4.

LEGISLATIVE BILL 163. Replaced on Select File as amended.

E and R amendment to LB 163:

1. In the bill section 1, line 57, strike the comma after "*child*" and insert "*semicolon*"; and at the end of line 61 strike the period and in lieu thereof insert "*semicolon*".

LEGISLATIVE BILL 41. Placed on Select File as amended.

E and R amendments to LB 41:

1. In Standing Committee Amendment 1, line 2, reinsert "of"; in lines 5, 6, 7, 9, 10 and 16 strike quotation marks before and after "Grade A"; in amendment 2, line 3, insert "a" after "when" and in line 4, strike "for waiver of fees for inspection" and insert in lieu thereof "fees for inspection waived".

2. In the bill page 2, section 1, lines 12, 13, and 16, strike the quotation marks and show as stricken matter; line 13 after "holder" and line 17 after "Nebraska" insert "*, except as otherwise provided in this section*"; and line 20, strike "However, if" and insert in lieu thereof "However, *if*".

3. In the bill title line 4, strike the quotation marks; and in line 8, before "and" insert "to provide for the inspection fee of Grade A raw milk";.

4. In the bill section 1, line 26, strike the quotation marks; and in line 15 before "two" insert "*not to exceed*".

LEGISLATIVE BILL 263. Placed on Select File as amended.

E and R amendments to LB 263:

1. In the bill page 2, section 1, line 11, after "determination of" insert (1); line 12, before "who" insert "(2)" and in same line after "legatees" insert a comma; line 13, strike the second "the" and in lieu thereof insert "(3) their"; line 13 after "are", line 15 after "state", line 1, Sec. 4, after "decree", line 2, after "and" and line 5, before "or" insert commas; and in line 7, Sec. 2. strike "three con-

secutive" and in lieu thereof insert "where such petition is filed three successive".

2. In the bill title line 4, after "testate" insert "as prescribed".

LEGISLATIVE BILL 135. Placed on Select File as amended.

E and R amendments to LB 135:

1. In Standing Committee Amendment 2, line 5, strike ", and" and in lieu thereof insert a semicolon; line 6, insert "the" after "pay".

2. In the bill, section 1, line 10, strike "actual" and in lieu thereof insert "actual assessed".

3. In the bill, section 2, insert "," in line 8 after "levy", and in line 10 before "shall".

4. In the bill, section 3, line 25, strike the comma after "annually" and show the same as stricken matter; line 26, insert "," after "clerk".

5. In the bill title, line 6, after the semicolon insert "to make correction to agree with previous legislation;" and line 15, before "shall" insert "as prescribed".

LEGISLATIVE BILL 296. Correctly re-engrossed.

LEGISLATIVE BILL 131. Correctly engrossed.

LEGISLATIVE BILL 275. Correctly engrossed.

LEGISLATIVE BILL 401. Correctly engrossed.

LEGISLATIVE BILL 5. Correctly engrossed.

LEGISLATIVE BILL 19. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Invitation

Invitation from the University of Nebraska and the Nebraska High School Activities Association to the Members to be their guests at the forthcoming state high school basketball tournament.

Adjournment

At 11:56 a.m., on a motion by Mr. Cole, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 10, 1955

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. Swanson, who was excused, and Messrs. J. Adams and Larkin, who were excused until 10:00 a.m.

The Journal for the Forty-seventh Day was approved as corrected.

Member Excused

Mr. Beaver was excused at 11:00 a.m. today and for Friday, March 11, 1955.

Communications

Cards from Mrs. Anna E. Nolde and Adeline Nolde, Lincoln, Nebraska, favoring tax exemption on musical instruments. Referred to Committee on Revenue.

Card from Mrs. Agnes Plunket, Omaha, Nebraska, opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

Cards from Mrs. Henry Lieneman, Filley, Nebraska, and Mrs. Don Neuharth, Minatare, Nebraska, and letters from Mr. and Mrs. James Faden, Kimball, Nebraska, opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

Letter from Mr. and Mrs. Lyle Williamson favoring LB 399 and 439. Referred to Committee on Public Health and Miscellaneous Subjects.

Telegram from Edgar I. Anderson, Mayor of Ashland, Nebraska, stating that the City Council of Ashland and he unanimously endorsed passage of LB 362. Referred to Committee on Revenue.

Copy of resolution adopted by the City Council of Norfolk, Nebraska, opposing LB 362. Referred to Committee on Revenue.

Telegram from Mrs. Harry Schneiderwind, Omaha Council of Parents and Teachers, favoring LB 459. Referred to Committee on Public Health and Miscellaneous Subjects.

Invitation

Invitation from John M. Clema, Secretary, Nebraska Rural Electric Association to the Members to attend a dinner on Monday, March 14, 1955 at the Lincoln Hotel and a luncheon Monday noon, March 14, 1955 at the Lincoln Hotel.

Visitors

Mr. Peterson introduced Mr. Frank Kroeger, Litchfield, Nebraska.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 261	Monday, March 28, 1955	2:00 p.m.
LB 476	Monday, March 28, 1955	2:00 p.m.

Public Works

LB 519	Friday, March 18, 1955	2:00 p.m.
LB 357	Friday, March 25, 1955	2:00 p.m.
LB 359	Thursday, March 31, 1955	2:00 p.m.
LB 458	Thursday, March 31, 1955	2:00 p.m.
LB 517	Friday, April 1, 1955	2:00 p.m.
LB 335	Friday, April 1, 1955	2:00 p.m.
LB 381	Friday, April 1, 1955	2:00 p.m.
LB 368	Thursday, April 14, 1955	2:00 p.m.
LB 452	Thursday, April 14, 1955	2:00 p.m.
LB 501	Thursday, April 14, 1955	2:00 p.m.

Miscellaneous Appropriations and Claims

LB 311	Friday, April 1, 1955	2:00 p.m.
LB 500	Wednesday, March 30, 1955	2:00 p.m.
LB 438	Wednesday, March 23, 1955	2:00 p.m.
LB 516	Wednesday, March 16, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 461. Placed on General File as amended.

Standing Committee amendments to LB 461:

1. Amend page 2 of the bill, section 1, lines 6 to 8 by striking the new material and reinstating the stricken material, and line 12 by inserting after the word "perform" the following:

"": Provided, that the provisions of this section, shall not apply to any person, firm, or corporation owning or operating an assembling plant, work shop, or mechanical establishment employing one or more persons, where such assembling plant, work shop, or mechanical establishment operates in three shifts of eight hours each twenty-four hours".

2. Amend title to conform.

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 50. Placed on Select File as amended.

E and R amendments to LB 50:

1. At the beginning of line 61, section 1, page 3, reinsert "pupils ;" which was stricken by General File Amendment; and in General File Amendment line 3, after "contracting" insert ",".

2. In the bill section 1, page 3, line 38, strike "Superintendent of Public Instruction" and insert in lieu thereof "Superintendent of Public Instruction *Commissioner of Education*"; line 58, after "to" insert "a"; line 59 after "ing" insert "district or".

3. The Committee on Enrollment & Review is authorized, if LB 162 passes and is signed by the Governor to correlate all sections of LB 50 and the title with section 1 of LB 162 without reporting such changes back to the Legislature as amendments.

4. In the bill title line 4, strike "which contract" and insert in lieu thereof "contracting, as of January 1, 1955,"; and in line 6, strike "located within the boundaries of the district".

Presented to the Governor

Presented to the Governor for approval on March 9, 1955 at 4:00 p.m.

LEGISLATIVE BILL 21. Correctly engrossed.

LEGISLATIVE BILL 336. Correctly engrossed.

LEGISLATIVE BILL 59. Correctly engrossed.

LEGISLATIVE BILL 87. Correctly enrolled.

LEGISLATIVE BILL 429. Correctly enrolled.

LEGISLATIVE BILL 430. Correctly enrolled.

LEGISLATIVE BILL 290. Correctly enrolled.

LEGISLATIVE BILL 306. Correctly enrolled.

LEGISLATIVE BILL 250. Correctly enrolled.

LEGISLATIVE BILL 252. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 87

LB 430

LB 306

LB 252

LB 429

LB 290

LB 250

RESOLUTIONS

LEGISLATIVE RESOLUTION 13.

LR 13 was adopted with 37 ayes, 0 nays and 6 not voting.

STATEMENT—Introduce Bill

The Committee on Miscellaneous Appropriations and Claims voted unanimously to introduce this bill. It was felt that the salaries of the Clerk of the Legislature and his Deputy were not in line with salaries drawn by other office holders at this time. (Signed) John Aufenkamp, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Committee on Miscellaneous Appropriations and Claims be permitted to introduce a bill to increase the salaries of the Clerk and assistant clerk of the Legislature. (Signed) John Aufenkamp, Chairman

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

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 540. By Committee on Miscellaneous Appropriations and Claims, John Aufenkamp, 2nd District, Chairman.

A bill for an act to amend section 50-112, Revised Statutes Supplement, 1953, relating to the Legislature; to increase the salary of the Clerk of the Legislature and the first assistant clerk; to provide when such increases in salary shall become effective; to repeal the original section; and to declare an emergency.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 232. With emergency.

A bill for an act relating to schools; to authorize a tax levy of one half mill upon the assessed value of all the taxable property in this state, except intangible property, for the years 1955 and 1956 as prescribed; to provide the purpose of the levy and that the proceeds of such tax levy shall be placed in the Service Annuity Fund of this state; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Cole	Liebers	Person
Anderson	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrdik
Brower	Kotouc	Otto	Vogel
Burney	Lee	Perry	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Larkin	Purdy	Swanson
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A constitutional two-thirds majority having voted in the affirma-

tive, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 72.

A bill for an act to amend section 84-206, Revised Statutes Supplement, 1953, relating to state officers; to increase the maximum salary which may be paid to the deputy attorney general; to provide when a change in the salary of such deputy 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, 34:

Adams, T.	Cole	Lee	Perry
Anderson	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	Martin	Shultz
Beaver	Foote	Metzger	Syas
Bedford	Hoffmeister	Morrison	Thompson
Bixler	Hubka	Moulton	Tvrdik
Brower	Klaver	Otto	Vogel
Burney	Kotouc		

Voting in the negative, 4:

Bridenbaugh	McHenry	Peterson	Ruhnke
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Not voting, 5:

Adams, J.	Nelson	Swanson
Larkin	Purdy	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 162.

A bill for an act to amend section 79-486, Revised Statutes Supplement, 1953, relating to schools; to provide that the county superintendent shall not be required to dissolve and attach to neighboring districts any school district which borders another state and which has for five consecutive years contracted for the instruction of its pupils with a school district in an adjoining state; to correct designation of public official to harmonize with previous 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, 39:

Adams, T.	Cole	Liebers	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Diers	McHenry	Purdy
Bahensky	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Otto	Tvrdik
Brower	Kotouc	Perry	Vogel
Burney	Lee	Person	

Voting in the negative, 1:

Nelson

Not voting, 3:

Adams, J.	Larkin	Swanson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 295.

A bill for an act to amend section 66-412, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide collection of tax on motor vehicle fuels imported by barge, barge line, or pipeline or refined in a refinery in this state and stored thereat as prescribed; to provide for exemptions; 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.	Bridenbaugh	Hoffmeister	Martin
Adams, T.	Brower	Hubka	Metzger
Anderson	Burney	Klaver	Morrison
Aufenkamp	Cole	Kotouc	Moulton
Bahensky	Cramer	Lee	Nelson
Beaver	Diers	Liebers	Otto
Bedford	Fenske	McGinley	Perry
Bixler	Foote	McHenry	Person

Peterson	Ruhnke	Thompson
Pizer	Shultz	Tvrdik
Purdy	Syas	Vogel

Voting in the negative, 0.

Not voting, 2:

Larkin Swanson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. Fenske was excused for the remainder of the day and for Friday, March 11, 1955.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that we suspend the rules and take up LB 279, 233, 208, 291, 248, 96 and 289 on Final Reading today. (Signed) Hal Bridenbaugh

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

Member Excused

Mrs. Foote was excused for the remainder of the morning.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 279.

A bill for an act to amend sections 21-192 and 21-1201, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to provide for service upon the Secretary of State, when the Secretary of State is not found in his office and otherwise as prescribed; to provide for certain information to be furnished in or with the process; to provide for fees; 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.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Cramer	McGinley	Person
Beaver	Diers	McHenry	Peterson
Bedford	Hoffmeister	Martin	Pizer
Bixler	Hubka	Metzger	Ruhnke
Bridenbaugh	Klaver	Morrison	Shultz
Brower	Kotouc	Nelson	Syas
Burney	Lee	Otto	Thompson
Cole	Liebers	Perry	Tvrdik
			Vogel

Voting in the negative, 0.

Not voting, 6:

Fenske	Larkin	Purdy
Foote	Moulton	Swanson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 233.

A bill for an act to amend section 13-113, Reissue Revised Statutes of Nebraska, 1943, and sections 83-107.01 and 83-107.02, Revised Statutes Supplement, 1953, relating to state institutions; to eliminate therefrom reference to the Nebraska Maternity Home, which has been abolished; to include the official name of Nebraska Psychiatric Institute, which has been established as a state hospital; 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.	Cole	McHenry	Peterson
Adams, T.	Cramer	Martin	Pizer
Anderson	Diers	Metzger	Purdy
Aufenkamp	Hoffmeister	Morrison	Ruhnke
Beaver	Hubka	Moulton	Shultz
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Lee	Perry	Tvrdik
Brower	Liebers	Person	Vogel
Burney	McGinley		

Voting in the negative, 0.

Not voting, 5:

Bahensky	Foote	Swanson
Fenske	Larkin	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 208.

A bill for an act to amend section 23-1306, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to change the date when the county clerk shall report the names of county officers with their official signatures and seals of their respective offices to the Secretary of 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, 40:

Adams, J.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Fenske	Foote	Swanson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 291. With emergency.

A bill for an act relating to cities of the first class; to authorize partial payment as work progresses in water and sewer districts of such cities; to provide for issuance of warrants, rate of interest, and provisions for payment; and to declare an emergency.

Whereupon the President stated: "All provisions of 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.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Fenske	Foote	Swanson
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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 248.

A bill for an act to amend section 79-420, Revised Statutes Supplement, 1953, relating to schools; to harmonize the provisions thereof as to required minimum length of time of school year with other statutory provisions; to correct designation of public official to harmonize with previous 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, 38:

Adams, J.	Bridenbaugh	Klaver	Metzger
Adams, T.	Brower	Kotouc	Morrison
Anderson	Burney	Larkin	Moulton
Aufenkamp	Cole	Lee	Otto
Bahensky	Cramer	Liebers	Perry
Beaver	Diers	McGinley	Person
Bedford	Hoffmeister	McHenry	Peterson
Bixler	Hubka	Martin	Pizer

Ruhnke	Syas	Tvrdik
Shultz	Thompson	Vogel

Voting in the negative, 2:

Nelson	Purdy
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Not voting, 3:

Fenske	Foote	Swanson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 96.

A bill for an act to amend section 81-290, Reissue Revised Statutes of Nebraska, 1943, relating to oleomargarine and butterine; to increase the license fee for retail dealers in imitation butter or imitation cheese; to provide when a license to sell imitation butter or imitation cheese 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, 39:

Adams, J.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	

Voting in the negative, 0.

Not voting, 4:

Fenske	Foote	Swanson	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 289.

A bill for an act to amend section 39-745, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to change internal references;

to provide certain exemptions to the prescribed speed limitations; to prescribe limitations to such exemptions; 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.	Burney	Liebers	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	McHenry	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Hoffmeister	Metzger	Shultz
Beaver	Hubka	Morrison	Syas
Bedford	Klaver	Moulton	Thompson
Bixler	Kotouc	Nelson	Tvrdik
Bridenbaugh	Larkin	Otto	Vogel
Brower	Lee	Person	

Voting in the negative, 1:

Perry

Not voting, 3:

Fenske	Footo	Swanson
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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 to amend section 19-1403, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages of particular classes; to restate the limit on the amount of bonds that may be issued for municipal heat, light, and ice plants to agree with the actual value of property assessed for taxation; to provide that the last assessment for taxation shall be used in figuring such limit 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, 38:

Adams, J.	Anderson	Beaver	Bixler
Adams, T.	Bahensky	Bedford	Bridenbaugh

Brower	Larkin	Moulton	Ruhnke
Cole	Lee	Nelson	Shultz
Cramer	Liebers	Otto	Syas
Diers	McGinley	Perry	Thompson
Hoffmeister	McHenry	Person	Tvrdik
Hubka	Martin	Peterson	Vogel
Klaver	Metzger	Pizer	
Kotouc	Morrison	Purdy	

Voting in the negative, 0.

Not voting, 5:

Aufenkamp	Fenske	Foote	Swanson
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. T. Adams was excused for the remainder of the morning.

MOTION—Place LB 459 on General File

Consideration of the J. Adams motion to place LB 459 on General File, found in the Legislative Journal for the Forty-sixth Day.

Mr. J. Adams requested a Call of the House.

A Call of the House was ordered and showed 35 members present.

Mr. Lee moved that the Call be raised. The motion prevailed.

The J. Adams motion lost with 11 ayes, 17 nays and 15 not voting.

Explanation of Vote

Mr. President: I voted to place LB 459 on General File because it is sound government to give the people of Omaha the right to vote on the fluoridation question. If this bill forced the fluoridating of Omaha's water supply, my vote would have been "no". (Signed) George Syas

Member Excused

Mr. Cole was excused at 11:00 a.m. and for Friday, March 11, 1955.

Visitors

Mr. Bedford introduced Clayton Feis, Teacher, Harold Porter, Superintendent, and thirteen seniors from Dorchester High School, Dorchester, Nebraska.

SELECT FILE

LEGISLATIVE BILL 249. 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 163. 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 526. Advanced to E and R for engrossment.

LEGISLATIVE BILL 224. 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 41. 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 263. 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 135. E and R amendments found in the Legislative Journal for the Forty-seventh Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Bahensky Presiding

LEGISLATIVE BILL 391. Laid over.

LEGISLATIVE BILL 414. Read.

Laid over until Monday, March 14, 1955.

LEGISLATIVE BILL 302. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 391. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 288. 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-fourth Day were adopted.

Mr. Cramer offered the following amendment, which was adopted:

Amend LB 422, Section 2, by striking in line 31 the words "found by it to be".

Laid over until Monday, March 14, 1955.

LEGISLATIVE BILL 354. Read and considered.

Laid over until Monday, March 14, 1955.

NOTICE OF COMMITTEE HEARINGS**Agriculture**

LB 431	Wednesday, March 30, 1955	2:00 p.m.
LB 471	Wednesday, March 30, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Agriculture**

LEGISLATIVE BILL 425. Indefinitely postponed.

LEGISLATIVE BILL 499. Indefinitely postponed.

LEGISLATIVE BILL 287. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Judiciary

LEGISLATIVE BILL 463. Indefinitely postponed.

LEGISLATIVE BILL 533. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 274. Placed on General File as amended.

Standing Committee amendments to LB 274:

1. Amend page 2 of the bill, section 1, line 4 by inserting after the word "cept" the following: "members of the Nebraska Safety Patrol, employees of the Department of Agriculture and Inspection performing their services at ports of entry, and".

2. Amend page 2 of the bill, section 4, line 5 by striking the comma after "1955" and inserting a period, and by striking lines 6 to 9.

(Signed) George Syas, Chairman

Education

LEGISLATIVE BILL 259. Placed on General File.

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 327. Placed on Select File as amended.

E and R amendments to LB 327:

1. In Standing Committee Amendment 2, line 7, insert "*any*" after "*possess*"; line 9, after the semicolon insert "*and*"; line 12, strike "*or*" before "*liniment*", and in the same line, strike "*in any other way*" and in lieu thereof insert "*otherwise*"; lines 16 and 17, strike "*or mixtures*" and in lieu thereof insert "*, mixtures,*".

2. In the bill, section 1, line 7, insert "*and*" before "*compounded*"; line 9, strike "*,* and *no*" and in lieu thereof insert "*, and no . No*"; line 13, insert "*,*" before "*and*".

3. In the bill, section 2, line 5, strike the comma after "*drug*" and in lieu thereof insert "*, or*".

4. In the bill, section 3, lines 20 and 21, strike "*or compounds or mixtures*" and in lieu thereof insert "*or , compounds, or mixtures,*";

lines 29 and 30, strike "or a gargle or a liniment or in any other wise" and in lieu thereof insert ", or a gargle, or a liniment, or in any other wise otherwise"; line 30, insert "and" after the semicolon; line 31, strike "compounds or mixture" and in lieu thereof insert "compounds or compound, mixture,"; line 36, insert "," after "mixtures".

5. In the bill, section 4, line 15, insert "a" after "such".

6. In the bill title, line 7, after the semicolon insert "to make certain acts unlawful,"; and line 8, before "and" insert "to provide certain exceptions,".

LEGISLATIVE BILL 168. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Person, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 11, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Beaver, Bridenbaugh, Cole, Diers, Fenske, McHenry, Perry, Purdy, Shultz and Vogel, who were excused.

The Journal for the Forty-eighth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 455 Wednesday, March 16, 1955 2:00 p.m.

Agriculture

LB 157 Monday, April 4, 1955 2:00 p.m.

LB 486 Monday, April 4, 1955 2:00 p.m.

LB 204 Wednesday, April 6, 1955 2:00 p.m.

LB 403 Wednesday, April 6, 1955 2:00 p.m.

LB 260 Wednesday, April 13, 1955 2:00 p.m.

LB 518 Wednesday, April 13, 1955 2:00 p.m.

Visitors

Mr. Lee introduced Dennis Maine, Superintendent, and nine seniors from Fort Calhoun High School, Fort Calhoun, Nebraska.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

LB 523 Tuesday, March 22, 1955 2:00 p.m.

Bills Referred to Standing Committees

LBCommittee
540.....Miscellaneous Appropriations and Claims

STANDING COMMITTEE REPORTS**Miscellaneous Appropriations and Claims**

LEGISLATIVE BILL 470. Placed on General File.

(Signed) John Aufenkamp, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on March 10, 1955, at 4:15 p.m.

LB 430	LB 306	LB 252	LB 87
LB 429	LB 290	LB 250	

LEGISLATIVE BILL 53. Replaced on Select File as amended.

E and R amendment to LB 53:

1. In Standing Committee Amendment 2, line 3, strike "*State*" and also in the bill section 3, line 4.

LEGISLATIVE BILL 86. Placed on Select File.

LEGISLATIVE BILL 171. Placed on Select File as amended.

E and R amendment to LB 171:

1. In the bill section 1, page 2, strike the quotation marks in lines 3, 7, 10, 13, 15 and 18, and show as stricken matter; lines 16 and 18, section 2, insert a comma after "property"; line 24 after "distributees"; line 25 after "section"; and in section 3, line 2, after "fer".

LEGISLATIVE BILL 221. Correctly engrossed.

LEGISLATIVE BILL 346. Correctly engrossed.

LEGISLATIVE BILL 249. Correctly engrossed.

LEGISLATIVE BILL 163. Correctly engrossed.

LEGISLATIVE BILL 232. Correctly enrolled.

LEGISLATIVE BILL 72. Correctly enrolled.

LEGISLATIVE BILL 162. Correctly enrolled.
LEGISLATIVE BILL 295. Correctly enrolled.
LEGISLATIVE BILL 279. Correctly enrolled.
LEGISLATIVE BILL 233. Correctly enrolled.
LEGISLATIVE BILL 208. Correctly enrolled.
LEGISLATIVE BILL 291. Correctly enrolled.
LEGISLATIVE BILL 248. Correctly enrolled.
LEGISLATIVE BILL 96. Correctly enrolled.
LEGISLATIVE BILL 289. Correctly enrolled.
LEGISLATIVE BILL 251. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Public Health and Miscellaneous Subjects

March 10, 1955

Mr. President and Members of the Legislature:

By the action of this Sixty-seventh Session of the Legislature, your committee on Public Health and Miscellaneous Subjects was directed to make a study of and recommendations regarding the School for the Blind.

The members of the committee made three trips to the school for the purpose of making an inspection, it has had committee hearings, and it has interviewed many persons.

The committee has determined that:

- (1) The school has a good rating academically;
- (2) The teaching staff is reasonably adequate;
- (3) The buildings are clean and warm; and
- (4) The grounds are kept in a good condition.

The committee recommends:

(1) That the Board of Control seriously consider construction of a new dormitory in the immediate future;

(2) That the Board of Control investigate the feasibility of adding a swimming pool and other recreational facilities within the needs of a school for such handicapped persons;

(3) If a new dormitory is built, that the Board of Control con-

sider removal of either or both wings of the main building and then the building to be used chiefly for education or recreational purposes; and

(4) That the old building, while safe and the fire hazard reduced to a minimum due to the sprinkling and alarm system, be not used as a dormitory.

That the committee feels that the indefinite postponement of Legislative Bills 79, 331, and 373 was the answer to whether or not the school should be moved to another location.

(Signed) O. H. Person, Chairman

Mr. Person moved that the report of the committee be adopted.

UNANIMOUS CONSENT—Lay Over Report

Mr. Burney asked unanimous consent that the report be laid over until Tuesday, March 15, 1955. No objections. So ordered.

MOTION—Flowers

Mr. President: I move that the Legislature send flowers to Mrs. Swanson. (Signed) Donald F. McGinley

The motion prevailed.

President Signs

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

LB 232	LB 295	LB 208	LB 96
LB 72	LB 279	LB 291	LB 289
LB 162	LB 233	LB 248	LB 251
			LR 13

SELECT FILE

LEGISLATIVE BILL 50. 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 327. E and R amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

Mr. Peterson Presiding

LEGISLATIVE BILL 257. 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 182. 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 286. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 420. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-fifth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 421. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-fifth Day were adopted.

Advanced to E and R for review.

Visitors

Mr. Morrison introduced Jim Laessle and Howard Hall, Scotts Bluff County, Nebraska.

Mr. Burney introduced a group of Pep Club girls from Hartington, Nebraska, and their sponsor, Mrs. Karkoski; his son, Willard Burney; his granddaughter, Patricia Burney; and his grandsons, Travis and Jim Burney.

Mr. Morrison introduced a group of high school students from Scottsbluff, Nebraska.

LEGISLATIVE BILL 202. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 512. Read and considered.

Mr. Burney raised the question of a quorum. A roll call was taken and showed 27 members present.

LB 512 was advanced to E and R for review.

UNANIMOUS CONSENT—Re-refer LB 314

Mr. Martin asked unanimous consent that LB 314 be re-referred to the Committee on Labor and Public Welfare.

Mr. Lee objected.

UNANIMOUS CONSENT—LB 202

Mr. Klaver asked unanimous consent that the Committee on Enrollment and Review be instructed to strike the word "*syster*" in LB 202, Section 1, line 18 and insert the word "*system*" in lieu thereof.

No objections. So ordered.

GENERAL FILE**LEGISLATIVE BILL 119.** Read and considered.

Mr. J. Adams moved to strike the enacting clause from LB 119.

Mr. Moulton raised the question of a quorum. A roll call was taken and showed 29 members present.

The J. Adams motion to strike the enacting clause pending.

STANDING COMMITTEE REPORTS**Revenue****LEGISLATIVE BILL 149.** Placed on General File as amended.

Standing Committee amendments to LB 149:

1. Amend page 2, section 1, line 12 after the word "merchant," by striking the remainder of line 12 and all of lines 13 and 14, and in line 15 to and including the word "he", and in line 15 inserting in lieu thereof the word "*and*" before the word "*shall*".

2. Amend by striking the emergency clause and amend the title to conform.

(Signed) Monroe Bixler, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 338. Indefinitely postponed.

LEGISLATIVE BILL 529. Indefinitely postponed.

LEGISLATIVE BILL 156. Indefinitely postponed.

(Signed) John J. Larkin, Jr., Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 435. Placed on General File as amended.

Standing Committee amendments to LB 435:

1. Amend page 2 of the bill, section 1, line 8 by striking lines 8 and 9 and inserting "*General he will receive the pay and allowances of his grade.*"

2. Amend page 3 of the bill, section 6, line 5 by striking "court-martial" and inserting "*courts-martial*", and line 7 by striking "court-martial" and inserting "*courts-martial*".

3. Amend page 2 by striking section 3 and renumbering subsequent sections and amend the title to conform.

LEGISLATIVE BILL 460. Placed on General File as amended.

Standing Committee amendments to LB 460:

1. Amend page 2 of the bill, section 1, line 4 by inserting "*and sections 8 to 13 of this act,*" before the word "unless".

2. Amend page 5 of the bill, section 4, line 3 by inserting "*professional*" before the word "nurse", and line 7 by inserting "*; graduated*" before the word "from".

3. Amend page 6 of the bill, section 6, line 19 by inserting after the word and punctuation "renewal." the following: "*Any licensee who fails to pay the renewal fee of two dollars on or before January 1 shall have his license suspended; Provided, any licensee who allows his license to lapse by failing to renew the same as herein provided, may be reinstated by the board upon payment of the renewal fee then due, together with an additional reinstatement fee of five dollars. A fee of five dollars shall be charged to any licensed nurse for the issuance of a certification of credentials to another state, and to any educational institution or agency located outside of the State of Nebraska.*"

LEGISLATIVE BILL 386. Placed on General File as amended.

Standing Committee amendment to LB 386:

Add Section 4 as follows: *"Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law" and amend the title to conform.*

(Signed) O. H. Person, Chairman

Enrollment and Review

LEGISLATIVE BILL 246. Replaced on Select File as amended.

E and R amendment to LB 246:

1. In Enrollment and Review Amendment 2, lines 2 and 3, strike the new insertion and in lieu thereof insert *"and provided further, provided, however,"*.

LEGISLATIVE BILL 165. Correctly engrossed.

LEGISLATIVE BILL 341. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

MOTION—Adjourn

Mr. President: I move that we adjourn until 10:00 a.m., Monday, March 14, 1955. (Signed) Otto Kotouc, Sr.

Mr. Metzger moved to amend the Kotouc motion by striking "10:00 a.m." and inserting "9 a.m." in lieu thereof.

Mr. Moulton requested a record vote.

Voting in the affirmative, 13:

Bahensky	Foote	Morrison	Peterson
Bixler	Hoffmeister	Nelson	Ruhnke
Brower	Metzger	Person	Thompson
Burney			

Voting in the negative, 12:

Bedford	Lee	Moulton	Swanson
Hubka	McGinley	Otto	Syas
Larkin	Martin	Pizer	Tvrđik

Not voting, 18:

Adams, J.	Bridenbaugh	Klaver	Perry
Adams, T.	Cole	Kotouc	Purdy
Anderson	Cramer	Liebers	Shultz
Aufenkamp	Diers	McHenry	Vogel
Beaver	Fenske		

The amendment was adopted.

The Kotouc motion was adopted as amended, and at 12:10 p.m., the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 14, 1955

Pursuant to adjournment, the Legislature met at 9:03 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 until 10:15 a.m.

The Journal for the Forty-ninth Day was approved as corrected.

Communications

Letter from Dr. F. A. Pierson, Secretary, Nebraska State Dental Association, Lincoln, enclosing a copy of a resolution concerning application and renewal fees. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Geraldine Ostroot, Secretary of State, Pierre, South Dakota, enclosing copy of Senate Joint Resolution No. 5, concerning a convention for proposing amendments to the Constitution of the United States. Referred to Committee on Judiciary.

Letter from Mrs. Mary I. Baker, Jacksonville, Florida, concerning the bill on mourning doves. Referred to Committee on Agriculture.

Letter from U. S. Representative A. L. Miller, Washington, D. C., acknowledging receipt of LR 11 and enclosing copies of letters on this subject. Referred to Committee on Agriculture.

Letter from John H. Spell, Recording Secretary, International Association of Machinists, Local Lodge No. 612, Lincoln, opposing LB 400. Referred to Committee on Revenue.

Ten postal cards and two letters opposing LB 353, 442 and 484. Referred to Committee on Judiciary.

One postal card opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

One letter dealing with miscellaneous subjects. Referred to Committee on Public Health and Miscellaneous Subjects.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 450. Placed on General File as amended.

Standing Committee amendment to LB 450:

1. Amend page 2 of the bill, section 1, lines 8 and 9, by striking the words "*hundred five thousand*" and inserting in lieu thereof "*forty-five hundred*".

(Signed) John Aufenkamp, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 12.

Mr. Klaver requested a record vote.

Mr. Klaver requested a Call of the House.

A Call of the House was ordered and showed 42 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

Voting in the affirmative on the passage of LR 12, 19:

Adams, J.	Fenske	McGinley	Purdy
Adams, T.	Foote	Martin	Syas
Anderson	Hubka	Moulton	Thompson
Burney	Klaver	Otto	Tvrdik
Cramer	Liebers	Pizer	

Voting in the negative, 22:

Bahensky	Cole	Metzger	Peterson
Beaver	Diers	Morrison	Ruhnke
Bedford	Hoffmeister	Nelson	Shultz
Bixler	Kotouc	Perry	Swanson
Bridenbaugh	Lee	Person	Vogel
Brower	McHenry		

Not voting, 2:

Aufenkamp	Larkin
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The resolution was not adopted.

LEGISLATIVE RESOLUTION 14. Re: Enactment of Laws Forbidding Importing of Canned Ham from Communist Dominated Countries.

Introduced by Charles F. Tvrdik, 7th District; John Aufenkamp, 2nd District; Arnold Ruhnke, 22nd District.

WHEREAS, farmers are watching their hogs sink to new price lows, and

WHEREAS, imports of canned hams imported from Communist Poland increased fifty-five per cent over January, 1954 or from 2,339,000 pounds to 3,627,000 pounds, and

WHEREAS, imports from the Red-dominated country during 1954 ran up to almost 20,000,000 pounds, and

WHEREAS, it has been revealed that further tariff cuts on canned hams are under consideration.

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

1. That the Congress of the United States be urged to enact laws forbidding the importing of canned ham from Communist dominated countries.

2. That copies of this resolution be transmitted by the Clerk of the Legislature to the Vice President of the United States as President 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.

Visitors

Speaker Burney introduced former Governor Robert B. Crosby who, in turn, introduced Dr. Ralph C. Bedell, recently appointed Principal Administrative Officer of the South Pacific Commission. Dr. Bedell addressed the Legislature briefly.

Speaker Burney escorted Dr. Bedell from the rostrum.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 227.

A bill for an act to amend section 48-128, Reissue Revised Statutes of Nebraska, 1943, relating to workmen's compensation; to provide that any deficit to meet payments out of the Second Injury Fund shall be payable out of the state General Fund; to restate sources of Second Injury Fund; to correct limiting internal references; 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.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Tvrdek
Brower	Lee	Perry	Vogel

Voting in the negative, 2:

Diers	Thompson
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Not voting, 1:

Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 296.

A bill for an act to amend section 66-426, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to change the requirements of the contents of reports of common carriers of motor vehicle fuels as prescribed; to make the prescribed changes as to those who may be required to make such reports; 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.	Anderson	Bahensky	Bedford
Adams, T.	Aufenkamp	Beaver	Bixler

Bridenbaugh	Hubka	Morrison	Ruhnke
Brower	Klaver	Moulton	Shultz
Burney	Kotouc	Nelson	Swanson
Cole	Lee	Otto	Syas
Cramer	Liebers	Perry	Thompson
Diers	McGinley	Person	Tvrdik
Fenske	McHenry	Peterson	Vogel
Foote	Martin	Pizer	
Hoffmeister	Metzger	Purdy	

Voting in the negative, 0.

Not voting, 1:

Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 131.

A bill for an act to amend section 25-1626, Revised Statutes Supplement, 1953, as amended by section 2, Legislative Bill 175, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to procedure in the district court; to eliminate the salary of the jury commissioner in counties having a population of not to exceed 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, 41:

Adams, J.	Cole	Lee	Person
Adams, T.	Cramer	Liebers	Peterson
Anderson	Diers	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Ruhnke
Bahensky	Foote	Martin	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bedford	Hubka	Morrison	Syas
Bixler	Klaver	Moulton	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney			

Voting in the negative, 2:

Nelson Purdy

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 275. With emergency.

A bill for an act to amend sections 77-2101 and 77-2102, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide for an estate tax upon the transfer of property from resident decedents to others; to provide for the method and time of payment of the tax and the limitation of time during which the return is open to inspection; to fix the liability for the payment of the tax; to provide that the tax shall constitute a lien on the property subject thereto as prescribed; to provide for interest on delinquent tax payments at the rate of six per cent per annum 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, 42:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdek
Brower	Larkin	Perry	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

Purdy

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 section 24-334, Reissue Revised Statutes of Nebraska, 1943, relating to judicial bonds; to provide that no bond for injunction shall be required for the State of Nebraska, or

any officer, board, commission, head of department, agent, employee, or otherwise as prescribed when it or he is a party litigant in its or his official capacity; 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.	Brower	Kotouc	Purdy
Adams, T.	Burney	Larkin	Ruhnke
Anderson	Cole	Liebers	Shultz
Aufenkamp	Cramer	Martin	Swanson
Bahensky	Fenske	Morrison	Syas
Bedford	Foote	Moulton	Thompson
Bixler	Hoffmeister	Nelson	Tvrdik
Bridenbaugh	Klaver	Otto	

Voting in the negative, 12:

Beaver	Lee	Metzger	Peterson
Diers	McGinley	Perry	Pizer
Hubka	McHenry	Person	Vogel

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 5. With emergency.

A bill for an act to amend section 3-151, Reissue Revised Statutes of Nebraska, 1943, relating to aeronautics; to extend the time for filing claims for reimbursement of aircraft gasoline 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.	Bixler	Fenske	Liebers
Adams, T.	Bridenbaugh	Foote	McGinley
Anderson	Brower	Hoffmeister	McHenry
Aufenkamp	Burney	Hubka	Martin
Bahensky	Cole	Kotouc	Metzger
Beaver	Cramer	Larkin	Morrison
Bedford	Diers	Lee	Moulton

Nelson	Peterson	Shultz	Tvrdik
Otto	Pizer	Swanson	Vogel
Perry	Purdy	Syas	
Person	Ruhnke	Thompson	

Voting in the negative, 1:

Klaver

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 19. With emergency.

A bill for an act to amend section 84-509, Revised Statutes Supplement, 1953, relating to state officers; to provide for the fixing of the salary of the deputy secretary of state within the prescribed limit; to provide when a change in the salary of such deputy shall become operative; 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.	Burney	Larkin	Moulton
Adams, T.	Cole	Lee	Otto
Anderson	Cramer	Liebers	Perry
Aufenkamp	Foote	McGinley	Pizer
Bahensky	Hoffmeister	Martin	Swanson
Beaver	Hubka	Metzger	Syas
Bedford	Klaver	Morrison	Tvrdik
Bixler	Kotouc		

Voting in the negative, 13:

Bridenbaugh	McHenry	Peterson	Shultz
Brower	Nelson	Purdy	Thompson
Diers	Person	Ruhnke	Vogel
Fenske			

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.

Explanation of Vote

Mr. President: Had I been present, I would have voted "aye" on LB 227 and LB 296. (Signed) John J. Larkin, Jr.

Visitors

Mr. Fenske introduced Mr. George Fleming, a Commissioner from Cheyenne County, Nebraska.

Mr. Hubka introduced the Rev. John Strang, Pastor of St. John's Lutheran Church, Beatrice, Nebraska.

Mrs. Foote introduced Mr. and Mrs. Archie Bloom of Axtell, Nebraska.

Appreciation

Mr. Swanson expressed his appreciation for the flowers sent to Mrs. Swanson while she was in the hospital.

Speaker Burney Presiding**SELECT FILE**

LEGISLATIVE BILL 53. E and R amendment found in the Legislative Journal for the Forty-ninth Day was adopted.

Advanced to E and R for engrossment with 24 ayes, 8 nays and 11 not voting.

LEGISLATIVE BILL 246. 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 86. Advanced to E and R for engrossment.

LEGISLATIVE BILL 171. E and R amendment found in the Legislative Journal for the Forty-ninth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 119. Laid over until Thursday, March 17, 1955.

LEGISLATIVE BILL 150. Laid over until Wednesday, March 16, 1955.

LEGISLATIVE BILL 414. Bracketed.

LEGISLATIVE BILL 422. Considered.

Mr. Cramer offered the following amendment, which was adopted:

Amend LB 422, Section 1, line 20 by inserting before the semicolon the following: "and the necessary cash reserve".

Advanced to E and R for review with 18 ayes, 17 nays and 8 not voting.

LEGISLATIVE BILL 354. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 110. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 461. 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.

Visitors

Mr. J. Adams introduced Rev. Laurence Parker and Mr. and Mrs. Aubrey Wise, Omaha, Nebraska.

Mr. Person introduced Marlene Olson, teacher, and twenty-nine students from District 23, Wahoo, Nebraska.

Mr. Morrison introduced Mr. Wm. Skinner and family from Scotts-bluff, Nebraska.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 307	Monday, March 21, 1955	2:00 p.m.
LB 446	Monday, March 21, 1955	2:00 p.m.
LB 527	Monday, March 21, 1955	2:00 p.m.
LB 528	Monday, March 21, 1955	2:00 p.m.
LB 453	Monday, March 21, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Public Works**

LEGISLATIVE BILL 218. Placed on General File as amended.

Standing Committee amendment to LB 218:

Section 1, Line 16. After the word "district.", add the following new material: *"Any such district can be dissolved, if there are no outstanding debts, by the Board of Trustees of any such district, on its own motion or on the request in writing of ten electors, submitting at any regular election, on due notice by publication as provided in subsection (1) of section 39-362, the question of dissolution of the Road Improvement District. If fifty-one percent of the votes cast on the question at such election are in favor of such dissolution, the Trustees shall cause a record of such election and the vote thereon to be made in the office of the County Clerk where the election was held to create the district, and the District shall thereupon stand dissolved. In case a district is dissolved the funds on hand or to be collected shall be held by the County Treasurer in a separate fund, and the Trustees of the District shall petition the district court of the county in which the election to form the district was held, for an order approving the distribution of funds to the landowners or easement owners as a dividend on the same basis as collected; provided, an election will not be required for dissolution of the district if a petition requesting the district be dissolved, signed by fifty per cent of the owners of property located within the district, is presented to the county board of said County. The county board shall determine the sufficiency of the petition and by order dissolve the district."*

LEGISLATIVE BILL 390. Placed on General File.

LEGISLATIVE BILL 351. Placed on General File.

(Signed) William Moulton, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on March 11, 1955, at 3:45 p.m.

LB 295	LB 232	LB 251	LB 162
LB 291	LB 279	LB 208	LB 72
LB 289	LB 233	LB 248	LB 96

LEGISLATIVE BILL 136. Placed on Select File as amended.

E and R amendments to LB 136:

1. Strike the quotation marks and show the same as stricken matter in: section 1, lines 4 and 58; page 11, section 7, line 93.

2. Insert “,” in: section 1, line 28 after “sion”, line 36 before “or”, line 38 before “was”, line 41 after “trade”; section 3, line 6 before “and”, and line 24 before “and”; section 4, line 25 before “or”; section 7, line 16 before “and”, line 29 before “and”, line 42 before “as ”, line 43 before “the”, line 49 before the first “or”, line 63 after “establishment”, and line 95 after “college”; section 8, line 9 before “and”.

3. In the bill, section 1, line 38, strike “which” and in lieu thereof insert “*employer which*,”; line 58, strike “paragraph” and in lieu thereof insert “*paragraph subdivision*”.

4. In the bill, section 3, line 7, strike “of the members” and show the same as stricken matter; line 8, strike “representative” and in lieu thereof insert “*representative representatives*”.

5. In the bill, section 6, lines 16, 18, and 26, strike the period and in lieu thereof insert “. ,”; line 24, insert “*the*” before “date”; line 44, strike the period and in lieu thereof insert “. , and”.

6. In the bill, section 7, line 58, strike “or financing” and in lieu thereof insert “or , financing,”.

7. In the bill, section 8, line 3, before “To” insert “(1)”; line 9, insert “one” after “other”; line 22, strike the period and in lieu thereof insert “*except as is provided in subsection (2) of this section. (2)*”; line 36, before “The” insert “(3)”.

8. In the bill, section 9, line 12, strike “years” and in lieu thereof insert “*years year*”; line 14, strike “three” and in lieu thereof insert “*three two*”; line 23, strike the period and in lieu thereof insert “. ,”; line 26, strike the period and in lieu thereof insert “. , and”.

9. In the bill, section 10, line 25, strike “provided” and in lieu thereof insert “*provided if*”.

10. In the bill title, line 12, insert “fee” before “of”; line 14, insert “, and his duties and qualifications” before the semicolon; and in lines 14 and 15, strike “period of benefit experience for reduced rate” and in lieu thereof insert “the method of determining the contribution rate applicable to employers as prescribed”.

LEGISLATIVE BILL 535. Placed on Select File as amended.

E and R amendments to LB 535:

1. In the bill page 2, section 1, line 6, after the first comma insert “a”; also in same line before “falls” insert a comma; and line 8,

strike "business day" and insert in lieu thereof "day, which is not a Saturday, a Sunday, or a day declared by such enactment or proclamation to be a holiday,".

2. In the bill title line 3, before "for" insert "the time"; and in line 4, strike "with respect to".

LEGISLATIVE BILL 302. Placed on Select File as amended.

E and R amendment to LB 302:

1. In the bill page 2, section 1, line 2, strike ", may" and insert in lieu thereof "may,"; and in line 5 strike ", when" and insert in lieu thereof "when,".

LEGISLATIVE BILL 503. Correctly engrossed.

LEGISLATIVE BILL 166. Correctly engrossed.

LEGISLATIVE BILL 449. Correctly engrossed.

LEGISLATIVE BILL 526. Correctly engrossed.

LEGISLATIVE BILL 41. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Revenue

LEGISLATIVE BILL 148. Placed on General File.

(Signed) Monroe Bixler, Chairman

Approved by the Governor

March 14, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on March 11, 1955, he approved LB 207 and 58 and on March 12, 1955, he approved LB 297, 298, 141, 299, 278 and 322 and on March 13, 1955, he approved LB 142, 37, 87, 250, 252, 290, 306, 429, 430, 248, 291, 96, 251, 233, 279, 295, 72, 232, 289 and 208.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Adjournment

At 11:53 a.m., on a motion by Mrs. Foote, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 15, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fiftieth Day was approved as corrected.

Communications

Letters from U. S. Senator Roman L. Hruska, U. S. Representative R. D. Harrison, and Speaker Sam Rayburn, Washington, D. C. acknowledging receipt of LR 11.

Member Excused

Mr. J. Adams was excused from 11:00 a.m. today until Thursday morning, March 17, 1955.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 333. Placed on General File.

(Signed) John Aufenkamp, Chairman

Government

LEGISLATIVE BILL 433. Indefinitely postponed.

LEGISLATIVE BILL 424. Placed on General File as amended.

Standing Committee amendments to LB 424:

1. Section 1, Page 2, Line 23, after the word "than", strike the word "six" and add in lieu thereof the word "four".

2. Section 1, Page 2, Line 24, after the word "paid", strike the words "to the hospital".

3. Section 1, Page 2, Line 29, after the word "to", strike the word "the" and add in lieu thereof the words "a state".

LEGISLATIVE BILL 447. Placed on General File as amended.

Standing Committee amendment to LB 447:

1. Section 1, Page 2, Line 19 after the word "made," this sentence be added "Such deferred assessments shall not constitute a lien."

LEGISLATIVE BILL 66. Placed on General File as amended.

Standing Committee amendment to LB 66:

1. Amend page 3 of the bill, section 1 by striking lines 40 to 47 and inserting the following:

"After November 1, 1955, (1) when any person holding a valid Nebraska operator's license attains the age of thirty, forty, fifty, or sixty years he shall be re-examined before he shall be issued a renewal of his license, and (2) when any person holding a valid Nebraska operator's license attains the age of sixty-five, seventy, seventy-five, eighty, eighty-five, ninety, or ninety-five years, he shall be re-examined before he shall be issued a renewal license; Provided, that no renewal may be obtained at the ages prescribed in either subdivision (1) or (2) until satisfactory evidence is presented to the county treasurer showing that the applicant has passed such re-examination."

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 227. Correctly enrolled.

LEGISLATIVE BILL 296. Correctly enrolled.

LEGISLATIVE BILL 131. Correctly enrolled.

LEGISLATIVE BILL 275. Correctly enrolled.

LEGISLATIVE BILL 401. Correctly enrolled.

LEGISLATIVE BILL 5. Correctly enrolled.

LEGISLATIVE BILL 19. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 227	LB 131	LB 401	LB 19
LB 296	LB 275	LB 5	

RESOLUTIONS

LEGISLATIVE RESOLUTION 14. Laid over.

LEGISLATIVE RESOLUTION 15. Re: Educational Services for Blind Children of the State and Appointment of Study Committee to Report on Such Educational Services for the Blind.

Introduced by Donald F. McGinley, 39th District.

WHEREAS, the Committee on Public Health and Miscellaneous Subjects, by action of this 67th Session of the Legislature was directed to consider Resolution No. 7; and

WHEREAS, no action has thus far been taken on this resolution in accordance with the rules of the Legislature; and

WHEREAS, three bills were introduced in the Legislature on the subject of educational services for blind children indicating broad public interest in educational facilities for our blind children of the State of Nebraska; and

WHEREAS, testimony given at the hearing on these three bills indicates that opportunities for education of our blind children are inadequate in comparison with opportunities for normal sighted children; and

WHEREAS, existing facilities make it impossible or impracticable for many blind children of the State to be served, and still maintain for them a proper home and family relationship.

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

1. That buildings of the School for the Blind in Nebraska City be maintained and improved for blind children; and

2. That a select committee of nine, two from each congressional district and one at large, be assigned to make a report within 45 days on possibilities of additional facilities within the State to give equal educational opportunity and training to all pre-school and school age blind children.

Visitors

Mr. Metzger introduced Bob Theede, Charles Rook, Dick Seymour, Barbara Bible, Sally Williams and Susan Fraser, high school students from Lincoln, and the following exchange students now attending Lincoln high schools: Seija Kaiti from Finland; Renate Kahl from Germany; Dieter Freese from Germany; John Hartnett from England; and Tony DiPietro from Italy.

Mr. T. Adams introduced Edward Vozbut, Supervisor, Ray Elwell, Carolyn Auld and Jerry Frandson, Teachers, and forty-five students from the University of Nebraska Teachers College High School, Lincoln.

STATEMENT—Introduce Bill

The Aeronautics Department presented a bill to the Public Works Committee for introduction if they so see fit, which would give them the power to regulate radio towers, etc., within a certain radius of airports and airways.

The Committee voted unanimously to introduce this bill.

(Signed) William Moulton, Chairman

Permission to introduce the bill granted with 36 ayes, 0 nays and 7 not voting.

STATEMENT—Introduce Bill

The Judiciary Committee by unanimous vote agreed to introduce a bill relating to criminal procedures; to redefine the term "sexual psychopath".

(Signed) Joseph D. Martin, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Committee on Judiciary be permitted to introduce a bill relating to criminal procedure; to redefine the term "sexual psychopath". The motion prevailed with 9 ayes. (Signed) Joseph D. Martin, Chairman

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

STATEMENT—Introduce Bill

The Judiciary Committee by unanimous vote agreed to introduce a bill relating to the State Railway Commission; to authorize common

carriers to render to the United States transportation services at free or reduced rates.

(Signed) Joseph D. Martin, Chairman

MOTION—Introduce Bill

Mr. President: I move that the Committee on Judiciary be permitted to introduce a bill relating to the State Railway Commission; to authorize common carriers to render to the United States transportation services at free or reduced rates. The motion prevailed with 9 ayes. (Signed) Joseph D. Martin, Chairman.

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

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 541. By Committee on Public Works, William Moulton, 10th District, Chairman.

A bill for an act relating to aeronautics; to declare the right of transit through the air space; to define terms; to regulate the erection and maintenance of structures which may constitute a hazard to air traffic; to regulate the height of structures, and the lighting and marking thereof; to provide that the Department of Aeronautics may adopt rules and regulations with reference thereto; to provide that the Department of Aeronautics may issue permits for the erection of structures; to provide penalties for the violation of the provisions of this act; and to declare an emergency.

LEGISLATIVE BILL 542. By Committee on Judiciary, Joseph D. Martin, 30th District, Chairman.

A bill for an act to amend section 29-2901, Revised Statutes Supplement, 1953, relating to criminal procedures; to redefine the term "sexual psychopath"; and to repeal the original section.

LEGISLATIVE BILL 543. By Committee on Judiciary, Joseph D. Martin, 30th District, Chairman.

A bill for an act to amend section 75-508, Reissue Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to authorize common carriers to render to the United States transportation services at free or reduced rates; to provide that no common carrier shall be subject to fine, penalty or forfeiture of any kind for having heretofore failed to collect the lawfully established intrastate rate for any intrastate in Nebraska transportation service heretofore performed for the United States; and to repeal the original section.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 21.

A bill for an act to amend sections 23-320.01, 23-320.05, and 23-320.06, Reissue Revised Statutes of Nebraska, 1943, relating to flood control; to authorize counties to appropriate and expend funds to develop and carry out a coordinated program of flood control as prescribed; to authorize the levy of taxes for such purpose; to reduce the maximum levy for such purpose; to restate the powers of the county board of such a county in regard thereto; to authorize counties to employ the services of any nonprofit corporation or organization that has as one of its principal objectives the promotion and development of flood control within such counties to aid and assist in such program; 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

Tvrdik

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 23-1114, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to strike deputies and employees

from those whose salaries shall be fixed by the county board at least sixty days prior to the closing of the filing of certificates of nomination as prescribed; to provide when and by whom salaries of deputies in offices of elected officers of the county may be determined; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 59.

A bill for an act to amend sections 57-211 and 57-212.01, Reissue Revised Statutes of Nebraska, 1943, and sections 57-210 and 57-212, Revised Statutes Supplement, 1953, relating to oil and gas; to provide that proceedings may be had in the district court of the county in which real estate is located for authority to lease any interest in real estate, or any part thereof, by the legal representative of the estate of a deceased person, trustee of a trust, or guardian of a minor or incompetent; to extend the proceedings prescribed in this act to pooling or unitization contracts; and to repeal the original sections.

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

Voting in the affirmative, 43:

Adams, J.	Anderson	Bahensky	Bedford
Adams, T.	Aufenkamp	Beaver	Bixler

Bridenbaugh	Hubka	Metzger	Purdy
Brower	Klaver	Morrison	Ruhnke
Burney	Kotouc	Moulton	Shultz
Cole	Larkin	Nelson	Swanson
Cramer	Lee	Otto	Syas
Diers	Liebers	Perry	Thompson
Fenske	McGinley	Person	Tvrdik
Foote	McHenry	Peterson	Vogel
Hoffmeister	Martin	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 168. With emergency.

A bill for an act to amend sections 17-534 and 18-1502, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide for borrowing money and issuing bonds as prescribed; to provide when such bonds shall become due and when interest is payable; to provide for the levy and collection of taxes 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, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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.

Visitors

Mr. McHenry introduced Mr. Emmet M. Gannon, Superintendent, and the American Government class of the Naponee High School, Naponee, Nebraska; also their sponsors, Mr. and Mrs. Lawrence Wohlet, Mrs. Phoebe Applebee, Mr. Clay Dixon and Mr. Charley Kreydle.

UNANIMOUS CONSENT—Return LB 174 to Select File

Mr. Martin asked unanimous consent that LB 174 be returned to Select File for the following specific amendment:

1. Amend page 2 of the bill, section 2, by striking the new matter in lines 12 to 16 and all amendments thereto and insert in lieu thereof the following:

"The order to show cause and the notice thereof shall describe the real estate proposed to be sold, and state that it is not exempt from sale by reason of being the homestead or for any other reason."

2. Amend page 3 of the bill, section 3, line 16 by striking the word "a" and inserting the word "the".

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 174.

Mr. Martin asked unanimous consent that his specific amendments, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 136. E and R amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Mr. Burney asked unanimous consent that the following amendment be adopted:

Amend LB 136, Section 9, page 13, line 14 by striking the word "three" and inserting the word "two".

No objections. So ordered.

Bracketed.

LEGISLATIVE BILL 535. E and R amendments found in the Legislative Journal for the Fiftieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 302. E and R amendment found in the Legislative Journal for the Fiftieth Day was adopted.

Advanced to E and R for engrossment.

Special Order

Consideration of the Person motion to adopt the report of the Committee on Public Health and Miscellaneous Subjects found in the Legislative Journal for the Forty-ninth Day.

Mr. McGinley asked unanimous consent to lay over consideration of the report until tomorrow when LR 15 is discussed.

Mr. Person objected.

The report of the Committee on Public Health and Miscellaneous Subjects was adopted.

Mr. Swanson Presiding

GENERAL FILE

LEGISLATIVE BILL 274. Section 1 read.

Bracketed.

LEGISLATIVE BILL 259. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 470. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 435. 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 460. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Pending.

UNANIMOUS CONSENT—General File

Mr. Liebers asked unanimous consent that LB 149, LB 150 and LB 151 in that order be placed directly below LB 148 on General File. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS**Banking, Commerce and Insurance**

LB 485	Thursday, March 24, 1955	2:00 p.m.
LB 316	Tuesday, March 29, 1955	2:00 p.m.
LB 318	Tuesday, March 29, 1955	2:00 p.m.
LB 347	Thursday, March 31, 1955	2:00 p.m.
LB 320	Thursday, March 31, 1955	2:00 p.m.

Public Health and Miscellaneous Subjects

LB 199	Tuesday, March 22, 1955	2:00 p.m.
LB 200	Tuesday, March 22, 1955	2:00 p.m.
LB 161	Tuesday, March 22, 1955	2:00 p.m.
LB 511	Tuesday, March 22, 1955	2:00 p.m.
LB 397	Thursday, March 24, 1955	2:00 p.m.
LB 481	Tuesday, March 29, 1955	2:00 p.m.
LB 497	Tuesday, March 29, 1955	2:00 p.m.
LB 407	Thursday, March 31, 1955	2:00 p.m.
LB 412	Thursday, March 31, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 484. Indefinitely postponed.

LEGISLATIVE BILL 478. Indefinitely postponed.

LEGISLATIVE BILL 507. Indefinitely postponed.

LEGISLATIVE BILL 525. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Agriculture

LEGISLATIVE BILL 293. Placed on General File.

LEGISLATIVE BILL 506. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Judiciary

LEGISLATIVE BILL 350. Indefinitely postponed.

LEGISLATIVE BILL 203. Indefinitely postponed.

LEGISLATIVE BILL 508. Placed on General File as amended.

Standing Committee amendments to LB 508:

1. Section 1, Line 4, strike "three hundred dollars" and substitute "two hundred dollars".

2. Section 2, Line 5, strike "three hundred dollars" and substitute "two hundred dollars".

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 388. Placed on Select File as amended.

E and R amendments to LB 388:

1. In the Kotouc General File Amendment 2, line 2, insert "assessment for the" before "examination"; and line 3, strike the period and in lieu thereof insert a comma.

2. In the bill, section 1, line 3, insert "(1)" before "To"; line 7, insert "," before "and"; line 13, strike "annually, an assessment" and in lieu thereof insert "annually, an assessment each year"; lines 14 and 15, strike ". Such assessment" and in lieu thereof insert "*as set forth in subsection (1) of this section and subject to the additional assessments and adjustments referred to in subsection (3) of this section. (2) Such The assessment , referred to in subsection (1) of this section and the additional assessments provided for by subsection (3) of this section,*"; line 17, insert "," before "and"; lines 22 and 23, strike "(1)" and "(2)", respectively, and in lieu thereof insert "{1} (a)" and "{2} (b)", respectively; line 26, strike "(3)" and in lieu thereof insert "{3} and (c)"; line 40, insert "," before "as"; line 55, after the period insert "(3)"; lines 56 and 57, strike "any such institution" and in lieu thereof insert "*any each of such institution institutions subject to such an assessment, as provided for by subsections (1) and (2) of this section,*"; line 59, strike "estimated" and in lieu thereof insert "*which was estimated, under the provisions of subsection (2) of this section*", and in the same line insert "the" after "on"; line 61, strike ", and, if" and

in lieu thereof insert “, and, if . If”; line 66, strike “then” and show the same as stricken matter.

LEGISLATIVE BILL 464. Placed on Select File as amended.

E and R amendments to LB 464:

1. In the bill, section 3, line 8, strike “as” and in lieu thereof insert “in regard thereto as are”.

2. In the bill title, line 8, after the semicolon insert “to fix a time for applications to insure the issuance of such plates by the Department of Roads and Irrigation; to provide for the making of rules and regulations as prescribed;”.

LEGISLATIVE BILL 209. Placed on Select File as amended.

E and R amendments to LB 209:

1. In the bill page 2, section 1, line 12, strike “then”.

2. In the bill title line 5, after “Nebraska” insert “or propositions as prescribed”; and at the end of the same line insert “to prescribe certain duties of the Secretary of State;”.

LEGISLATIVE BILL 451. Placed on Select File as amended.

E and R amendments to LB 451:

1. In the bill page 2, section 1, line 4, after “to” insert “(1)”; line 5, strike “to” and insert in lieu thereof “to (2)”; and in line 10, after “both” insert “such a fine or imprisonment”.

2. In the bill title line 4, strike the first “of” and insert “for the”; and in line 5, after “highways” insert “in the manner prescribed”.

LEGISLATIVE BILL 402. Placed on Select File as amended.

E and R amendment to LB 402:

1. In the bill page 3, section 2, line 4, after “judges” insert “whose salaries are changed by said section 1” and in the same line after “such” insert “changes in”.

LEGISLATIVE BILL 391. Placed on Select File as amended.

E and R amendments to LB 391:

1. In the bill page 2, section 1, line 4, after “rules”; line 7, after “government”; line 8, after “commerce” insert “,”; line 14 strike “in”

and insert in lieu thereof “, in the” and in the same line after “of” insert “the”; line 15 after “ment” insert “thereof,”; and in line 17 after “city” insert “,”.

2. In the bill title line 5, after “ordinances” insert “under the conditions prescribed”.

LEGISLATIVE BILL 288. Placed on Select File as amended.

E and R amendment to LB 288:

1. In the bill, section 1, line 9, insert “,” after “form”.

LEGISLATIVE BILL 286. Placed on Select File as amended.

E and R amendments to LB 286:

1. In the bill page 2, section 1, line 4, after “either” insert “of such persons”; line 5, before “increase” insert “the” and before “may” insert a comma; in line 7 strike “in” and insert in lieu thereof “of such persons in the”.

2. In the bill title line 7, after “survivors” insert “; and to provide for the payment thereof as prescribed”.

LEGISLATIVE BILL 105. Correctly engrossed.

LEGISLATIVE BILL 98. Correctly engrossed.

LEGISLATIVE BILL 443. Correctly engrossed.

LEGISLATIVE BILL 224. Correctly engrossed.

LEGISLATIVE BILL 53. Correctly engrossed.

LEGISLATIVE BILL 246. Correctly engrossed.

LEGISLATIVE BILL 86. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:01 p.m., on a motion by Mr. Brower, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 16, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

Members Excused

Mr. Hubka was excused for Wednesday, Thursday and Friday, March 16, 17 and 18, 1955.

Mr. Kotouc was excused from Noon on Thursday, March 17, and for Friday, March 18, 1955.

MOTION—Flowers

Mr. President: I move that flowers be sent to the funeral of Ladd Hubka and, if possible, a committee be appointed to represent the Legislature at the funeral. (Signed) Sam Klaver

The motion prevailed and President Warner appointed Mr. Klaver as chairman of the committee.

The Journal for the Fifty-first Day was approved as corrected.

Communications

Petition containing 269 signatures of residents of Holt County, Nebraska, opposing the revised Highway System. Referred to Committee on Public Works.

Petition containing 42 signatures of railroad employees and taxpayers of Nebraska in favor of LB 362. Referred to Committee on Revenue.

Four letters from Ted Evers, President, Men's Club of Florence, Omaha, Nebraska, concerning LB 364, LB 292, LB 158 and LB 293. Referred to Committees on Revenue, Government, Public Works and Agriculture, respectively.

Invitation

Letter from Major General Guy N. Henninger, Adjutant General, Lincoln, Nebraska, inviting members, State officials and friends to inspect the National Guard installations at the Lincoln Air Force Base, and to have luncheon at the Base, on Tuesday, April 5, 1955.

MOTION—Accept Invitation

Mr. Burney moved that the Legislature accept Major General Henninger's invitation.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Miscellaneous Appropriations and Claims

LB 540 Wednesday, March 23, 1955 2:00 p.m.

Education

LB 330 Tuesday, April 5, 1955 2:00 p.m.

Revenue

LB 152 Tuesday, March 22, 1955 2:00 p.m.

LB 369 Tuesday, March 22, 1955 2:00 p.m.

Bills Referred to Standing Committees

LB	Committee
541.....	Public Works
542.....	Judiciary
543.....	Public Works

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 7. Indefinitely postponed.

(Signed) George Syas, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on March 15, 1955, at 4:00 p.m.

LB 401	LB 275	LB 131	LB 5
LB 296	LB 227	LB 19	

LEGISLATIVE BILL 168. Correctly enrolled.

LEGISLATIVE BILL 59. Correctly enrolled.

LEGISLATIVE BILL 336. Correctly enrolled.

LEGISLATIVE BILL 21. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 168	LB 59	LB 336	LB 21
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RESOLUTIONS

LEGISLATIVE RESOLUTION 16. Re: Committee to Make a Study of the Game and Fish Laws, the State Park System, and the Game, Forestation and Parks Commission.

Introduced by George Syas, 4th District; Frank Nelson, 28th District; and O. H. Person, 17th District.

WHEREAS, the Game, Forestation and Parks Commission is charged with the enforcement of the game and fish laws of this state and supervision of the state parks of this state, and

WHEREAS, as part of the enforcement of game and fish laws, the Game, Forestation and Parks Commission is responsible for effecting plans of forestation, replenishing and stocking game and fish, maintaining hatcheries, nurseries, recreation grounds, game farms, game refuges, and public shooting grounds, and

WHEREAS, there has been legislation proposed at this session of the Legislature to expand our game and fish laws.

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

That the Legislative Council appoint a committee to make a study of the game and fish laws, the state park system, and the powers and duties of the Game, Forestation and Parks Commission, and report to the next regular session of the Legislature their recommendations, if any, that may be for the betterment of the game and fish laws and the park system.

LEGISLATIVE RESOLUTION 17. Re: Committee to Make a Study of the Ground Water and Surface Water of Nebraska.

Introduced by Don Thompson, 33rd District; Joseph D. Martin, 30th District; and Kathleen A. Foote, 31st District.

WHEREAS, the use of ground water for domestic, agricultural, industrial, and other uses has increased, and

WHEREAS, a study should be made as to whether legislation is necessary or advisable in regard to the use of ground water.

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

1. That the Legislative Council appoint a committee of seven members to make a comprehensive and detailed study of the ground water and surface water as it relates to ground water of this state. The report to provide:

- (a) Results of its study;
- (b) Recommendations; and
- (c) Necessary bills to be introduced in the Legislature, if any are recommended.

2. The committee shall arrange hearings at various places throughout the state.

3. The committee shall use the facilities of existing state agencies and shall be authorized to hire necessary personnel to make a complete study.

LEGISLATIVE RESOLUTION 15.

Mr. McGinley asked unanimous consent to strike the first two paragraphs, beginning with the word "WHEREAS", from the Resolution. No objections. So ordered.

Mr. McGinley asked unanimous consent to delete the paragraph numbered 1 and also the number "2" in paragraph numbered 2 in LR 15. No objections. So ordered.

Mr. McGinley asked unanimous consent that the resolution of LR 15 be amended to carry the suggestion of a Legislative Council study instead of a select committee study during the 67th session.

Mr. McGinley asked unanimous consent that LR 15 be withdrawn. No objections. So ordered.

STATEMENT—Introduce Bill

The Committee on Revenue has introduced and is submitting to the Legislature for approval, a bill to increase the tax on liquor and beer. The increase suggested would be 2c per gallon on beer or a total of 6c and 5c per gallon on liquor for a total of \$1.25 for liquor. Evidence presented indicated that this would raise \$868,325.70 per biennium on beer and \$132,960.40 per biennium on liquor.

(Signed) Monroe Bixler, Chairman

Mr. Bixler requested permission to introduce the bill. Motion.

Mr. Person requested a record vote.

Mr. Bixler requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 13:

Beaver	Lee	Martin	Otto
Bixler	Liebers	Metzger	Peterson
Burney	McGinley	Morrison	Ruhnke
Foote			

Voting in the negative, 8:

Bedford	Fenske	Person	Syas
Brower	Hoffmeister	Pizer	Thompson

Not voting, 22:

Adams, J.	Cole	Larkin	Purdy
Adams, T.	Cramer	McHenry	Shultz
Anderson	Diers	Moulton	Swanson
Aufenkamp	Hubka	Nelson	Tvrdik
Bahensky	Klaver	Perry	Vogel
Bridenbaugh	Kotouc		

The motion was lost.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 221.

A bill for an act relating to civil actions; to provide a remedy for damages from the sale, issuance, exchange, or transfer of securities or interest in violation of sections 81-302 to 81-346, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof; to provide certain procedure for such remedy; and to provide where and within what time such an action shall be commenced.

Whereupon the 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	Cole	McHenry	Pizer
Aufenkamp	Cramer	Martin	Purdy
Bahensky	Diers	Metzger	Ruhnke
Beaver	Fenske	Morrison	Shultz
Bedford	Foot	Nelson	Swanson
Bixler	Hoffmeister	Otto	Syas
Bridenbaugh	Lee	Perry	Thompson
Brower	Liebers	Person	Tvrdik
Burney	McGinley	Peterson	Vogel

Voting in the negative, 1:

Klaver

Not voting, 6:

Adams, J.	Hubka	Larkin	Moulton
Adams, T.	Kotouc		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 346.

A bill for an act to amend section 44-219.06, Revised Statutes Supplement, 1953, relating to insurance; to reduce the allowable rate of interest on guaranty capital certificates; to provide the legal effect of such certificates and the rights of the holders 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:

Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Nelson	Swanson
Bixler	Klaver	Otto	Syas
Bridenbaugh	Kotouc	Perry	Thompson
Brower	Lee	Person	Tvrdik
Burney	Liebers	Peterson	Vogel
Cole	McGinley		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Hubka	Larkin	Moulton
Adams, T.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 249.

A bill for an act to amend sections 18-1505, 18-1506, 18-1507, 18-1508, and 18-1509, Reissue Revised Statutes of Nebraska, 1943, relating to all cities and villages; to extend the provisions thereof to all cities and villages to correspond with amendments heretofore made to the same act; and to repeal the original sections.

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

Voting in the affirmative, 32:

Adams, T.	Burney	Lee	Otto
Anderson	Cole	Liebers	Perry
Aufenkamp	Cramer	McGinley	Pizer
Bahensky	Fenske	McHenry	Purdy
Beaver	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Swanson
Bixler	Klaver	Morrison	Syas
Bridenbaugh	Kotouc	Nelson	Tvrdik

Voting in the negative, 6:

Brower	Person	Ruhnke	Thompson
Diers	Peterson		

Not voting, 5:

Adams, J.	Larkin	Moulton	Vogel
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 163.

A bill for an act to amend section 43-201, Reissue Revised Statutes of Nebraska, 1943, relating to infants; 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, 38:

Adams, T.	Cole	McHenry	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Nelson	Swanson
Bedford	Hoffmeister	Otto	Syas
Bixler	Klaver	Perry	Thompson
Bridenbaugh	Kotouc	Person	Tvrdik
Brower	Lee	Peterson	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Adams, J.	Larkin	McGinley	Moulton
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 165. With emergency.

A bill for an act relating to sanitary districts; to provide for the enlargement of a sanitary drainage district heretofore created under sections 31-501 to 31-523, Reissue Revised Statutes of Nebraska,

1943, and amendments thereof, so as to include municipalities formerly within the boundaries of such sanitary district, but which have enlarged beyond the boundaries of such sanitary district; to provide for filing of a description of such enlarged district together with a certified copy of the resolution so adopted with the county board of the county wherein such district is situated; to provide for the continuance in office of the trustees until their successors are duly elected and qualified; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Cole	McGinley	Pizer
Anderson	Cramer	McHenry	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers	Peterson	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Hubka	Larkin	Moulton
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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 341.

A bill for an act to amend section 8-318, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to provide that minors regardless of age, may transact business with the prescribed associations as though such person were of full age as prescribed; and to repeal the original section.

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

Voting in the affirmative, 36:

Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Lee	Otto	Tvrdek
Cole	Liebers	Perry	Vogel

Voting in the negative, 3:

Brower	Person	Peterson
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Not voting, 4:

Adams, J.	Burney	Hubka	Larkin
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Bedford introduced Mr. Esmond Chun, Superintendent, Robert Battreall, Principal, and seventeen students from Grafton High School, Grafton, Nebraska.

SELECT FILE

LEGISLATIVE BILL 388. 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 464. 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 209. 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 451. 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 402. 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 391. 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 288. 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 286. E and R amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 460. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 386. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Forty-ninth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 450. Laid over.

LEGISLATIVE BILL 218. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fiftieth Day was adopted.

Advanced to E and R for review.

Mr. Diers Presiding

UNANIMOUS CONSENT—Withdraw LB 415

Mr. Morrison asked unanimous consent that LB 415 be withdrawn. No objections. So ordered.

LEGISLATIVE BILL 351. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 390. Read and considered.

Laid over.

LEGISLATIVE BILL 148. Laid over until Monday, March 21, 1955.

LEGISLATIVE BILL 149. Laid over until Monday, March 21, 1955.

LEGISLATIVE BILL 150. Laid over until Monday, March 21, 1955.

LEGISLATIVE BILL 151. Laid over until Monday, March 21, 1955.

LEGISLATIVE BILL 333. Read and considered.

Laid over.

LEGISLATIVE BILL 424. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 447. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-first Day was adopted.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 154 Wednesday, March 23, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 92. Placed on General File as amended.

Standing Committee amendments to LB 92:

1. Amend section 7 of the bill, page 3, line 3 by inserting "or denoting" after the word "marking".
2. Amend section 8 of the bill, page 3, line 2 by striking "firm, or corporation" and inserting "partnership, corporation, agency, or any other type of business".
3. Amend section 9 of the bill, page 3, lines 9 and 10 and inserting "The Department of Agriculture and Inspection, through its inspectors, agents and employees may enter any premises within the state where eggs are held, during ordinary business hours, and may".
4. Amend section 11 of the bill, page 4, line 3 by inserting after the word "fee" and before the word "based" the following: "of one-dollar and inspection fee".
5. Amend section 11 of the bill, page 5, line 38 by inserting after the word "license" and before the word "fees" the following: "and inspection".
6. Amend section 12 of the bill, page 5, line 1 by inserting after the word "license" and before the word "fees" the following: "and inspection".
7. Amend the title to conform.

(Signed) Frank Nelson, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 456. Indefinitely postponed.

LEGISLATIVE BILL 313. Indefinitely postponed.

LEGISLATIVE BILL 445. Placed on General File as amended.

Standing Committee amendments to LB 445:

1. Amend page 2 of the bill, section 1, line 14, by adding after the word and punctuation "practiced." the following:

"The Department of Health shall prescribe such rules as it may deem necessary with reference to the conditions under which the practice of massage shall be carried on, and the precautions necessary to be employed, to prevent the spread of infectious and contagious diseases. The department shall have the power to enforce the provisions of this act and all necessary inspections in connections therewith."

2. Amend the bill by adding two new sections immediately following section 2 to be known as sections 3 and 4 and to read as follows:

"Sec. 3. A Board of Examiners in Massage to consist of three members who are graduates of an accredited school of massage and who have been a practicing masseur or masseuse in this state for at least three years prior to his appointment. The Governor shall appoint the members of the board for a term of five years from a list of five names submitted by the Nebraska Association of Masseurs. In making the initial appointments, the Governor shall appoint one member for a term of three years, one for a term of four years, and one for a term of five years, and as their terms expire, he shall appoint the successor for a term of five years. The compensation per day for the members of the board shall be ten dollars and expenses; *Provided*, there shall not be paid for examiners compensation and expenses a greater sum than is received in fees from the applicants taking the examination. The board shall conduct examinations of applicants for certificates of registration to practice as registered masseurs and to determine their educational fitness, not less than once each year or oftener if the board deems necessary. The examination of applicants for certification of registration as masseurs shall include both practical demonstration and a written and oral test, and shall embrace the subjects usually taught in a school of massage and approved by the board. A majority of the board shall constitute a quorum.

Sec. 4. Members of the Board of Examiners in Massage appointed to fill vacancies caused by death, resignation, removal or otherwise shall serve during the unexpired term of their predecessor. The board shall report annually to the Department of Health. It shall include (1) a full statement of its receipts and disbursements (2) a full statement of its work during the year and (3) such recommendations as it deems expedient. The board shall have the authority, with the consent of the director of the department, to employ such inspectors and clerks as are necessary to carry out the provisions of this act. No owner, agent or employee of any school of instruction shall be eligible to membership on the board. Any member of the board or its agents, shall have authority to enter upon and inspect any school, shop or person engaged in the business of massage at any time during business hours."

3. Amend the bill by renumbering section 3 as section 5.

4. Amend the bill by adding a new section immediately following renumbered section 5 to be known as section 6 and to read as follows:

"Sec. 6. Each applicant for examination in massage shall (1) make application to the Board of Examiners in Massage on blank forms prepared and furnished by the Department of Health, which shall contain proof under the applicant's oath of the particular qualifications of the applicant, (2) furnish to the board two signed photographs of the applicant, five by three inches, both to accompany the application, one

of which shall be returned to the applicant, to be presented to the board when the applicant appears for examination, and (3) pay to the department the required fee. The board shall prepare rules regulating examinations and grading of examination papers and demonstrations.

Applicants shall be required to attain an average grade of seventy-five per cent, and not to fall below sixty per cent in any one subject. When an applicant falls below sixty per cent in two subjects, he may take those two subjects over without charge any time within twelve months. If an applicant falls below sixty per cent in more than two subjects, or if he fails to obtain an average grade of seventy-five in all subjects, he shall take the entire examination over, and may do so without charge at any time within twelve months, or at the first meeting of the board if it is not in session within that time."

5. Amend the bill by renumbering sections 4 to 9 as sections 7 to 12, respectively.

6. Amend renumbered section 8, line 7 by inserting after "act." the words and punctuation "An apprentice shall have the privilege of renewing his license, as such, once.", and line 9 by inserting after the word "Masseur" the following:

"*;* *Provided*, that no registered masseur shall receive any money or thing of value from such registered apprentice for such assistance. Every student entering a recognized school of massage, or becoming an apprentice under a registered masseur in this state, shall have the date of his entrance registered with the Department of Health."

7. Amend renumbered section 12, line 1 by striking "May" and inserting "November", line 3 by striking "five" and inserting "three", line 4 by striking "three" and inserting "five", and line 14 by inserting after the word and punctuation "dollars." the following:

"All fees collected from the enforcement of this act, shall be placed in the state treasury in a fund for the purpose of carrying out the provisions of this act. The Board of Examiners in Massage may select one of its members to attend the annual meeting of the convention of the American Association of Masseurs and Masseuses. The member so selected shall receive his necessary traveling and hotel expenses in attending such meeting if there are funds available in the treasury."

8. Amend the bill by striking section 10 and inserting four new sections to be known as sections 13 to 16, respectively, and to read as follows:

"Sec. 13. At least thirty days before the expiration of his license, the Department of Health shall notify each licensee by a letter addressed to him at his last place of residence as noted upon its records. Any licensee, who fails to pay the renewal fee on or before

the date of expiration of his license, shall be given a second notice in the same manner advising him of his failure to pay, that his license on that account has expired, that the department will suspend action for thirty days following the date of expiration, that upon the receipt of the annual renewal fee, together with an additional fee of one dollar, within that time, no order of revocation will be entered, and that upon the failure to receive the amount then due and one dollar in addition to the regular renewal fee, an order of revocation will be entered.

Any licensee who allows his license to lapse by failing to renew the same, as provided in section 11 of this act, may be reinstated upon the recommendation of the Board of Examiners in Massage and the payment of the regular and additional renewal fees then due. Whenever the provisions of this act have been complied with, the department shall issue a certificate of registration as a registered masseur or school of massage, as the case may be. Every holder of either certificate of registration must display it in a conspicuous place in the reception room of the establishment wherein the licensee is employed.

Sec. 14. The Department of Health may either refuse to issue or renew, or may suspend or revoke, any certificate of registration for any of the following causes, or combination thereof: (1) Conviction of a felony as shown by a certified copy of the court of conviction; (2) malpractice or gross incompetence; (3) use of untruthful or improbable statements, or flamboyant, exaggerated or extravagant claims, concerning such licensee's professional excellence or abilities, in advertisements; (4) habitual drunkenness or habitual use of any habit-forming drugs; (5) immoral or unprofessional conduct; or (6) failure to comply with any valid regulation or order of the Board of Examiners in Massage. No certificate shall be withdrawn except at a public hearing held by the department after twenty days' written notice to the holder thereof. Upon such a hearing, the department may administer oaths and procure the attendance of witnesses and the production of relevant books and papers by its subpoena.

Sec. 15. Each of the following violations shall constitute a misdemeanor, punishable upon conviction thereof, by a fine of not less than ten dollars nor more than fifty dollars: (1) The violation of any of the provisions of this act; (2) permitting any person in his employ, supervision, or control to practice as an apprentice unless that person has registered with the Department of Health; or (3) the failure to display a certificate of registration.

Sec. 16. Any person may appeal from any decision or order of the Department of Health to the district court of Lancaster County within thirty days after receiving official notice thereof. Such appeal

may be taken by filing of a petition on appeal. It shall proceed in the manner provided by law in regard to appeals from the county court to the district court and shall be prosecuted to effect as in such case. The court shall hear the appeal as in equity without a jury and judgment and apportion costs as may be equitable."

LEGISLATIVE BILL 125. Placed on General File as amended.

Standing Committee amendments to LB 125:

1. Amend page 2 of the bill, section 1, line 6 by inserting after "garage" the following: "or any person, partnership, or corporation in whose name ten or more motor vehicles are registered in this state and who operates in this state or in an area contiguous to but outside of this state and having an establishment for the inspection, repair, and maintenance of motor vehicles operated by such person, partnership, or corporation".

2. Amend page 3 of the bill, section 7, line 2 by striking "fifty cents" and inserting "one dollar", line 3 by striking "twenty" and inserting "fifty", and line 4 by striking "twenty-five" and inserting "fifty".

(Signed) O. H. Person, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 301. Placed on General File.

LEGISLATIVE BILL 323. Placed on General File.

LEGISLATIVE BILL 389. Indefinitely postponed.

LEGISLATIVE BILL 491. Indefinitely postponed.

LEGISLATIVE BILL 315. Placed on General File as amended.

Standing Committee amendments to LB 315:

1. Amend page 4, Section 1, subsection 8, line 84 by inserting after the word, "banks" the following, "*, not members of the Federal Deposit Insurance Corporation,*".

2. Amend page 6, Section 1, subsection 11, line 151 by striking the word, "fifty" and inserting in lieu thereof, "forty".

3. Amend page 7, Section 1, by adding a new paragraph beginning with line 175, as follows,

"This act shall not be construed to apply to any incorporated religious, charitable, or eleemosynary institution, nor shall it apply to the Board of Trustees of any college or university, or of any endowment

fund of any college or university, or of any corporation formed under section 21-715, 1943 Revised Statutes, nor any corporation formed under section 21-1501, 1943 Revised Statutes, except to the extent that any such board or corporation may be named as specific trustee under a will or other specific trust instrument.”.

4. Amend the title of the bill to conform.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 174. Replaced on Select File as amended.

E and R amendment to LB 174:

In Enrollment and Review Committee Amendment 5 to the title strike the 7th, 8th and 9th lines and to but not including the word “homestead” in the 10th line thereof, and in lieu thereof insert “shall describe the real estate proposed to be sold, and state that it is not exempt from sale by reason of being the” to conform to the new amendment made.

LEGISLATIVE BILL 265. Placed on Select File as amended.

E and R amendment to LB 265:

1. In the bill title, line 4, insert “as prescribed” after the word “property”.

LEGISLATIVE BILL 257. Placed on Select File as amended.

E and R amendments to LB 257:

1. Strike Standing Committee Amendment 1, and in the bill section 1, line 29, strike “and” and in lieu thereof insert “and”.

2. In the bill page 2, section 1, lines 5, 11, 12, 19, 27, and 28, strike the quotation marks and show as stricken matter; and strike the commas after “headquarters” line 8, “1917” line 13, “1941” line 21, “1950” line 29, and show as stricken matter.

LEGISLATIVE BILL 420. Placed on Select File as amended.

E and R amendment to LB 420:

1. In the bill, page 2, section 1, lines 5, after “contingency” and 8 after “obligations” insert “,”; line 7, after “in” insert “(1)”; line 8, strike the comma after “States” and insert in lieu thereof “, or”; line 10, strike the comma after “Nebraska” and show as stricken matter; at the

end of line 11, insert "(2)"; and in lines 15 and 16, strike ", and" and insert in lieu thereof "and . *Any association*".

LEGISLATIVE BILL 421. Placed on Select File as amended.

E and R amendments to LB 421:

1. In the bill page 2, section 1, line 12, strike "above prescribed" and insert in lieu thereof "*above prescribed in subsection (1) of this section*"; line 23, after the semicolon insert "*and*"; page 3, line 28 strike "*above prescribed*" and insert in lieu thereof "*prescribed in subsection (2) of this section*"; line 41 after "*by*" insert "*subsection (2) of*"; and in line 43 after "*corporation*" insert ",".

2. In the bill title line 5, before "and" insert "to restate such limits,".

LEGISLATIVE BILL 202. Placed on Select File as amended.

E and R amendments to LB 202:

1. In the bill page 2, section 1, line 6, strike the comma before "or"; line 4 after "operate", end of line 5, and line 8 after "disposal" insert ","; line 18 strike the comma before "or" and insert in lieu thereof "*or combination storm and sanitary sewer system,*"; lines 20 and 21 strike "exceeding" and insert in lieu thereof "*exceeding to exceed*"; section 2, line 9, strike "hereby" and show as stricken matter; line 10, page 3, at the end of line insert "*the provisions of*"; line 14, after "which" insert "*interest*"; line 15, after "have" insert "*the*"; and in line 17 strike "payment" and insert in lieu thereof "*the payment thereof*".

2. In the bill title line 7, insert "as prescribed" after "systems".

LEGISLATIVE BILL 215. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 17, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by Dr. Harold C. Sandall, Pastor, Grace Methodist Church, Lincoln, Nebraska.

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

The Journal for the Fifty-second Day was approved.

Communications

Telegram from Wayne E. Sherman, Legislative Chairman, Lincoln Industrial Union Council CIO, opposing LB 400 and 510. Referred to Committee on Revenue.

Letter from U.S. Representative A. L. Miller, Washington, D. C., acknowledging receipt of LR 13.

Letters from U.S. Senator Carl T. Curtis, Washington, D. C., acknowledging receipt of LR 13 and LR 11.

Copy of resolution passed by the Sarpy County Board of Commissioners favoring LB 362. Referred to Committee on Revenue.

Letter from Raymond B. Morrissey, Attorney, Tecumseh, Nebraska, enclosing copy of a resolution passed by the Johnson County Board of County Commissioners favoring LB 362. Referred to Committee on Revenue.

Appointment of Committee to Represent Legislature

President Warner appointed the following members to serve on the committee to represent the Legislature at the funeral of Ladd J.

Hubka: Klaver, Chairman, T. Adams, Anderson, Burney, Tvrdik, Lee, Peterson and Pizer.

Approved by the Governor

March 17, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on March 16, 1955, he approved LB 162.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

LB 370 Monday, March 28, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 355. Placed on General File.

LEGISLATIVE BILL 516. Placed on General File.

(Signed) John Aufenkamp, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 16, 1955 at 3:45 p.m.

LB 21

LB 59

LB 168

LB 336

LEGISLATIVE BILL 341. Correctly enrolled.

LEGISLATIVE BILL 165. Correctly enrolled.

LEGISLATIVE BILL 163. Correctly enrolled.

LEGISLATIVE BILL 249. Correctly enrolled.

LEGISLATIVE BILL 346. Correctly enrolled.

LEGISLATIVE BILL 221 Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 341

LB 163

LB 346

LB 221

LB 165

LB 249

RESOLUTIONS

LEGISLATIVE RESOLUTION 18. Re: In Memory of Latimer J. Hubka

Introduced by Sam Klaver, 6th District; Charles F. Tvrdik, 7th District; Dwight W. Burney, 14th District; Lester H. Anderson, 25th District; Harry L. Pizer, 38th District; Thomas H. Adams, 19th District; Earl J. Lee, 11th District; K. W. Peterson, 35th District.

Latimer J. Hubka, a member of the Nebraska State Legislature for the years 1943 and 1945, and the special sessions in 1944, and 1945, died March 15, 1955, at Beatrice, Nebraska. He was born at Virginia, Nebraska, on September 29, 1900. He attended the public schools of Virginia, York College, and the University of Nebraska, where he received his L.L.B. degree. He was athletic director at York College. He practiced law at Beatrice from 1928 until the time of his death. He was active in church and civic affairs, and took part in community work. He leaves a wife and three children to mourn his death.

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-SEVENTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Latimer J. Hubka, 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.

SUSPEND RULES—Adopt LR 18

Mr. President: I move that the rules be suspended and LR 18 be adopted. (Signed) Sam Klaver

The motion prevailed with 41 ayes, 0 nays and 2 not voting.

The members of the Legislature stood in silent tribute to the memory of Mr. Hubka.

LEGISLATIVE RESOLUTION 17.

Mr. Thompson moved that LR 17 be adopted.

The motion prevailed with 41 ayes, 0 nays and 2 not voting.

Member Excused

Mr. Morrison was excused from noon Thursday, March 17, for the remainder of the day, and for Friday, March 18, 1955.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 503.

A bill for an act to amend section 12-701, Reissue Revised Statutes of Nebraska, 1943, relating to cemeteries; to provide that the provisions of Chapter 12, article 7, Reissue Revised Statutes of Nebraska, 1943, shall apply to cemeteries of townships; to provide the effect of abandonment as prescribed; to provide for notice 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, 40:

Adams, J.	Bahensky	Bridenbaugh	Cramer
Adams, T.	Beaver	Brower	Diers
Anderson	Bedford	Burney	Fenske
Aufenkamp	Bixler	Cole	Foote

Hoffmeister	McHenry	Otto	Ruhnke
Klaver	Martin	Perry	Shultz
Kotouc	Metzger	Person	Swanson
Larkin	Morrison	Peterson	Thompson
Liebers	Moulton	Pizer	Tvrdik
McGinley	Nelson	Purdy	Vogel

Voting in the negative, 0.

Not voting, 3:

Hubka Lee Syas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 166. With emergency.

A bill for an act to amend section 31-513, Revised Statutes Supplement, 1953, relating to sanitary districts; to extend the additional levy of one mill for another four years; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 42:

Adams, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 1:

Hubka

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

LEGISLATIVE BILL 449. With emergency.

A bill for an act to amend sections 14-1323 and 14-1325, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to provide for a maximum total contribution to the retirement fund of the university and to Social Security of seven and one half per cent of the annual compensation and a like amount by the municipal university for employees who may become eligible to the benefits of Old Age and Survivors Insurance under the provisions of section 218 (d) (3) of the Social Security Act as amended by Public Law 761, 83rd Congress; to provide that the benefits provided for employees of a municipal university under any contributory plan adopted by the board of regents under the authority of section 14-1321, Reissue Revised Statutes of Nebraska, 1943, subsequent to the effective date of this act shall be supplemental to the benefits provided under the Social Security Act; to provide that the employees of a municipal university who are participating in an existing retirement system shall constitute a separate coverage group for exclusion or inclusion under a state social security agreement with the federal government 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, 42:

Adams, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 1:

Hubka

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

LEGISLATIVE BILL 526. With emergency.

A bill for an act to amend section 66-635, Revised Statutes Supplement, 1953, relating to special fuel tax; to increase the radius surrounding a municipality within which a motor carrier, otherwise qualifying to pay an equalization fee in lieu of an excise tax, may conduct his operations; 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel

Voting in the negative, 2:

Burney Shultz

Not voting, 1:

Hubka

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

LEGISLATIVE BILL 41.

A bill for an act to amend section 81-263.07, Revised Statutes Supplement, 1953, relating to milk and milk products; to provide an inspection fee for Grade A raw milk by a certificate holder when the certificate is issued by a political subdivision having a law or regulation as provided by section 81-263.04, Revised Statutes Supplement, 1953; to provide when a certificate of inspection may be accepted from other states and fees for inspection waived; to provide for the inspection fee of Grade A raw milk; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Adams, T.	Cole	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Bedford	Foote	Morrison	Ruhnke
Bixler	Hoffmeister	Nelson	Shultz
Bridenbaugh	Kotouc	Otto	Swanson
Brower	Lee	Perry	Vogel
Burney	Liebers		

Voting in the negative, 11:

Adams, J.	Klaver	Moulton	Thompson
Beaver	Larkin	Person	Tvrdik
Cramer	Metzger	Syas	

Not voting, 2:

Aufenkamp Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Members Excused

Mr. Lee was excused from noon Thursday, March 17, for the remainder of the day, and for Friday, March 18, 1955.

Mr. Thompson was excused for Friday, March 18, 1955.

SELECT FILE

LEGISLATIVE BILL 174. E and R amendment found in the Legislative Journal for the Fifty-second Day was adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 265. E and R amendment found in the Legislative Journal for the Fifty-second Day was adopted.

Mr. Klaver asked unanimous consent that the following amendment be adopted:

Strike the words "or imprisoned not more than one year", in

lines 12 and 13 of section 1, and show the same as stricken matter, and amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 257. 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 420. E and R amendment found in the Legislative Journal for the Fifty-second Day was adopted.

Advanced to E and R for engrossment.

Mr. Pizer Presiding

LEGISLATIVE BILL 421. 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 202. E and R amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Advanced to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 14.

Mr. Tvrdik offered the following amendment to LR 14, which was adopted:

1. Amend the resolution by striking paragraph numbered 1 and inserting the following in lieu thereof:

"1. That the Congress of the United States be urged to investigate the importing of canned ham from Communist dominated countries and take immediate action that such imports be stopped."

LR 14 was adopted with 36 ayes, 0 nays and 7 not voting.

GENERAL FILE

LEGISLATIVE BILL 119. Consideration of the J. Adams motion to strike the enacting clause, found in the Legislative Journal for the Forty-ninth Day.

Mr. J. Adams requested a record vote.

Voting in the affirmative, 17:

Adams, J.	Burney	Lee	Morrison
Adams, T.	Cole	McGinley	Nelson
Bedford	Hoffmeister	Martin	Peterson
Bridenbaugh	Klaver	Metzger	Pizer
Brower			

Voting in the negative, 24:

Anderson	Diers	McHenry	Shultz
Aufenkamp	Fenske	Moulton	Swanson
Bahensky	Foote	Otto	Syas
Beaver	Kotouc	Perry	Thompson
Bixler	Larkin	Person	Tvrdik
Cramer	Liebers	Ruhnke	Vogel

Not voting, 2:

Hubka	Purdy
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The motion lost.

Mr. Moulton offered the following amendment, which was adopted:

Amend Section 9, line 7 of LB 119 by adding before the word "school" the word "high".

Mr. Klaver offered the following amendment:

Amend Section 1, line 8 by adding after the word "sold" "that the people of Omaha shall be given an opportunity to vote on the question of whether or not to sell Central High School".

Mr. Moulton asked unanimous consent that LB 119 be laid over until Tuesday, March 22, 1955. No objections. So ordered.

Members Excused

Mr. McGinley was excused for the remainder of the morning.

Mr. Hoffmeister was excused for Friday, March 18, 1955.

Visitors

Mr. Bixler introduced Dr. Robert Ellwood and ten students from Chadron State Teachers College, Chadron, Nebraska.

Mr. Lee introduced Ray Hilgenkamp, Chairman of State Affairs, Washington County Farm Bureau, and fourteen Farm Bureau members from Washington County.

Mr. Bedford introduced eight members of the Fillmore County Farm Bureau.

UNANIMOUS CONSENT—Revenue Committee Hearing

Mr. Bixler asked unanimous consent that the Revenue Committee be permitted to hold its hearing in the West Senate Chamber this afternoon to accommodate the large crowd expected to attend. No objections. So ordered.

LEGISLATIVE BILL 450. Read and considered.

Mr. Tvrdik offered the following amendment, which was adopted:

Amend the Standing Committee amendment to LB 450 by striking "forty-five" and inserting "forty-two" in lieu thereof.

Standing Committee amendment found in the Legislative Journal for the Fiftieth Day was adopted as amended.

Advanced to E and R for review.

LEGISLATIVE BILL 390. Considered.

Mr. Metzger offered the following amendments, which were adopted:

1. Amend pages 2 and 3 of the bill, section 1, line 19 by striking the word "and" and show the same as stricken matter, and line 22 by inserting the following:

" , and (g) whether the purpose of the corporation shall be installing a sewer system, installing a water system, installing a system of public roads, streets and highways, contracting for water for fire protection and for resale to residents of the district, or contracting for street lighting for the public streets and highways within the proposed district, or a combination of any one of such purposes, or all of such purposes" after the word "thereby", and line 43 by inserting a new sentence after the punctuation to read as follows:

"No corporation formed or hereafter formed shall perform any new functions other than those for which the corporation was formed without amending its articles of incorporation to include the new function."

2. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 333. Laid over.

LEGISLATIVE BILL 66. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-first Day was adopted.

Mr. Burney offered the following amendment, which was adopted:

Amend the title of LB 66 to conform to the body of the bill.

Mr. Tvrdik asked unanimous consent that LB 66 be laid over until Tuesday, March 22, 1955. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 432	Thursday, March 24, 1955	2:00 p.m.
LB 285	Tuesday, March 29, 1955	2:00 p.m.
LB 495	Tuesday, March 29, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 534. Placed on General File as amended.

Standing Committee amendment to LB 534:

1. Amend section 1 of the bill, line 12 by striking the new matter and reinstating the stricken matter, line 21 by inserting after the word and punctuation "irrigation.", a new subsection to read as follows:

"(c) Every farm tractor upon a highway within this state during the period from a half hour after sunset to a half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible persons or vehicles upon the highway at a distance of five hundred feet ahead, shall be equipped with two or more head lamps, at the front or on opposite sides of the tractor, and with a lamp on the rear exhibiting a red light visible under normal atmospheric conditions from a distance of at least five hundred feet to the rear of such tractor, which head lamps shall comply with the requirements and limitations set forth in sections 39-780 and 39-781, and shall be of a type which has been approved by the Department of Roads and Irrigation."

line 22 by striking "(c)" and inserting "(c) (d)", line 30 by striking "(d)" and inserting "(c) (e)", and line 37 by striking "(e)" and inserting "(c) (f)".

LEGISLATIVE BILL 477. Placed on General File.

LEGISLATIVE BILL 372. Placed on General File as amended.

Standing Committee amendments to LB 372:

1. Amend section 1 of the bill, line 52, page 3, as follows: (a) Strike the semicolon (;) and insert in lieu thereof a period (.). (b) Strike the words "*except that if*" and insert in lieu thereof the word "*when*".

2. Amend section 1 of the bill, line 54, page 3, by inserting the word "*then*" after the word "Inspection" and before the word "the".

LEGISLATIVE BILL 113. Placed on General File as amended.

Standing Committee amendments to LB 113:

1. Amend section 1 of the bill, page 2, line 5 by striking after the word "counties:" the following: "*Adams,*".

2. Amend section 1 of the bill, page 2, line 7 by striking after the word "Cheyenne," the following: "*Clay,*".

(Signed) Frank Nelson, Chairman

Education

LEGISLATIVE BILL 406. Placed on General File.

LEGISLATIVE BILL 193. Placed on General File.

LEGISLATIVE BILL 169. Placed on General File.

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 229. Replaced on Select File as amended.

E and R amendments to LB 229:

1. In the Perry General File Amendment to section 1, renumbered line 88, insert "(6)" before the word "*The*".

2. In Enrollment and Review Amendment 4, line 21, strike the comma before the stricken word "*herein*".

LEGISLATIVE BILL 363. Placed on Select File as amended.

E and R amendments to LB 363:

1. In original Diers Specific Amendment 1, line 3, after "matter" insert "and amendments thereto"; line 5 (6, mimeograph copy), strike the inserted word "lot" and in lieu thereof insert "result"; line 6 (7, mimeograph copy), strike the stricken period and in lieu thereof insert "sioners"; line 8, insert stricken quotation marks after commissioners."; line 18, (22, mimeograph copy), reinsert "*The electors' votes against the pro-*"; and line 20 (24, mimeograph copy), insert "three commissioners" before "shall".

2. In Diers Specific Amendment 2, in the newly inserted section 2, line 3, before "in" insert "*the same is authorized by section 23-148*"; line 4, before "a" insert ","; line 6, strike "voting at the last general election," and show the same as stricken matter; line 11, strike "forms" and in lieu thereof insert "form"; strike lines 12 and 13, commencing with the word "respectively" in line 12 to and including the quotation marks after "commissioners" in line 13 and in lieu thereof insert "respectively: *For threecommissioners*" and "*For five Againstcommissioners*", with the blank filled in with the number of commissioners it is proposed to have in accordance with the petition as submitted"; and strike lines 16 to 24, commencing with "If" in line 16 to and in the period in line 24, and show the same as stricken matter and after the stricken matter insert "*Results of the election shall be determined on the basis of a majority of the votes cast for and against the proposition.*".

3. In Diers Specific Amendment 2, in the newly inserted section 3, line 6, insert "," after "two", and in the same line, strike "districts as provided for in" and in lieu thereof insert "*or seven districts as provided for in or authorized by*"; lines 7 and 8, strike "respectively, one, two, three, four and five" and in lieu thereof insert "*respectively, one, two, three, four and to five or one to seven, as the case may be*"; line 10, insert "," after "four"; line 11, before "shall" insert "*in all counties, commissioner districts*"; line 15, strike "commission" and in lieu thereof insert "commissioner"; line 18, before the period insert "*inhabitants*"; line 22, after "counties" insert "*containing more than sixty thousand inhabitants*"; and line 42, after the period insert "*After each state or federal census where redistricting is necessary in any county because of changes in population, the county board at its first meeting after the official publication of such census shall proceed to redistrict to make such districts conform to law, and thereafter each incumbent commissioner shall continue to represent the number district from which he was elected, regardless of the fact that such redistricting may place his residence in a different numbered district.*".

4. In the bill, section 1, line 5, before "and" insert "*except where five or seven commissioners are permitted and authorized in accordance with this section or section 23-149.*".

5. In the bill title, line 2, strike "section" and in lieu thereof insert "sections", and in the same line, before "Reissue" insert "23-149, and 23-151,"; line 7, after the semicolon, insert "to provide for the determination of the number of commissioners; to provide for certain elections and procedure and requirements in regard thereto; to provide for terms of commissioners and selection thereof; to provide powers and duties of the prescribed public officials,"; and line 8, strike "section" and in lieu thereof insert "sections".

LEGISLATIVE BILL 364. Placed on Select File as amended.

E and R amendments to LB 364:

1. In original Standing Committee Amendment 2, line 11 (12, mimeograph copy), after "city" insert "*in such a county*"; line 14 (15, mimeograph copy), strike "*Douglas County*" and in lieu thereof insert "*such a county where such a city is situated*"; and line 15 (17, mimeograph copy), strike the comma after "*street fund*".

2. In the Syas General File Amendment 1, line 1, strike the figure "14" and in lieu thereof insert "13 of the original amendment".

3. In the Perry General File Amendment 1, line 6, strike "counties" and in lieu thereof insert "*a county where such a city is situated*".

4. Strike the second Burney General File Amendment and in lieu thereof in original section 4 of the bill (renumbered section 3), line 3, strike "66-424.01, Revised Statutes Supplement, 1953,".

5. In the bill, section 1, line 2, after "1943," insert "as amended by section 1, Legislative Bill 15, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 5, strike "first tenth" and in lieu thereof insert "tenth"; strike lines 105 to 129 and in lieu thereof insert "same formula as the Gasoline Tax Fund was distributed during the month of July, 1954,".

6. In the bill, section 2, line 14, after "*village*" insert "*in such a county*"; line 18, after "city" insert "*in such a county*"; line 21, after the second "city" insert "*in such a county*"; line 48, insert "," after "oiling".

7. In the bill, renumbered section 3, line 1, strike "sections 66-422 and" and in lieu thereof insert "section"; line 3, before "are" insert "66-422, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 15, Sixty-seventh Session, Nebraska State Legislature, 1955,".

8. In the bill title, line 2, strike "sections 66-422 and" and in lieu thereof insert "section"; strike line 4, and in lieu thereof insert "66-422,

Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 15, Sixty-seventh Session, Nebraska State Legislature, 1955, re-".

LEGISLATIVE BILL 42. Placed on Select File as amended.

E and R amendments to LB 42:

1. In Standing Committee Amendment 1, line 3, insert ",", after "fourth"; line 5, insert "," after "which" and in the same line, strike "purchase" and in lieu thereof insert "*such purchasing or acquiring*"; lines 6 and 7, respectively, strike "*the purchaser's*" and in lieu thereof insert "*such*"; line 8, strike "*the purchaser*" and in lieu thereof insert "*such district*"; line 10, strike "*purchaser's*", and in the same line before the period insert "*of such a school district*".

2. In Standing Committee Amendment 2, line 2, strike the numerals "2" and "3" and in lieu thereof insert the numerals "3" and "4", respectively; line 4, strike the numeral "3" and in lieu thereof insert "4".

3. In Standing Committee Amendment 3, line 4, strike "own" and in lieu thereof insert "acquire, own, manage", and in the same line insert "school" after "future".

4. In the Lee General File Amendment, insert "," after the newly inserted word "manage".

LEGISLATIVE BILL 419. Placed on Select File as amended.

E and R amendments to LB 419:

1. In the Standing Committee Amendment strike commencing with the word "word" in the second line of the original amendment and in lieu thereof insert "word, 'the'" in line 48, and insert in lieu thereof, the following:

' or (2) are for property alteration, repair, or improvement; Provided, that (a) the aggregate amount of loans made under subdivisions (1) and (2) of this paragraph of this section shall not, at any time, exceed fifteen per cent of the association's assets; (b) the amount of each loan under subdivision (2) of this paragraph of this section shall not exceed fifteen hundred dollars; and (c) each loan made under subdivision (2) of this paragraph of this section shall be repayable in regular monthly installments within a period of five years and be supported by a written property statement on forms to be prescribed by the Department of Banking. The that the'; and also strike the Bedford General File Amendment".

2. In the bill page 2, section 1, line 6, after "association" insert

“;” line 8 after “loan” and line 27 after “on” strike the comma and lines 20 and 21 strike quotation marks and show all of the same as stricken matter; line 8 strike “herein provided” and insert in lieu thereof “*herein otherwise provided in this section*”; line 15 strike “; *Provided, that any*” and insert in lieu thereof “; *Provided, that any* . *An*”; line 24, strike “him” and insert in lieu thereof “*him such veteran*”; lines 33 and 34 strike “; *provided further, that associations are* ” and insert in lieu thereof “; *provided further, that associations are* . *An association is* ”; page 3, line 36, strike “, and loans” and insert in lieu thereof “*under Title 11 of the National Housing Act as amended, and such loans so*”; line 37, strike “restriction of” and insert in lieu thereof “*restriction of restrictions set forth in*”; line 38 after “to” insert “*the*”; lines 38 and 39 strike “loan; *provided further, an*” and insert in lieu thereof “*a loan; . An*”; line 50 strike “In addition, any” and insert in lieu thereof “*In addition, any An*”; and in line 52 strike “provided” and insert in lieu thereof “*provided set forth*”.

3. In the bill title line 5, strike “in making” and insert in lieu thereof “to include the making of” and after “members” insert “under the conditions prescribed; to restate certain requirements and restrictions in regard to making the prescribed types of loans to members”.

LEGISLATIVE BILL 461. Placed on Select File as amended.

E and R amendments to LB 461:

1. In Standing Committee Amendment 1, line 3, strike “perform” and insert “performed”.

2. In the bill page 2, section 1, line 12, insert “*the*” after the word “on”.

3. In the bill title line 4, strike “change” and insert in lieu thereof “provide exceptions to”.

LEGISLATIVE BILL 206. Correctly engrossed.

LEGISLATIVE BILL 155. Correctly engrossed.

LEGISLATIVE BILL 263. Correctly engrossed.

LEGISLATIVE BILL 535. Correctly engrossed.

LEGISLATIVE BILL 302. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

President Warner Presiding

President Signs

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

Mr. Pizer Presiding

Adjournment

At 12:00 Noon, on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 18, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hoffmeister, Hubka, Klaver, Kotouc, Lee, Morrison and Thompson, who were excused.

UNANIMOUS CONSENT—Public Works Committee Hearing

Mr. Moulton asked unanimous consent that the Public Works Committee be permitted to hold its hearing in the East Senate Chamber this afternoon to accommodate the large crowd expected to attend. No objections. So ordered.

The Journal for the Fifty-third Day was approved as corrected.

Communications

Letter from Jackson B. Chase, U. S. Representative, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 13.

Letter from James L. Colburn, City Clerk, concerning a resolution of the City Council of Valentine, Nebraska, on LB 362. Referred to Committee on Revenue.

UNANIMOUS CONSENT—Withdraw Notice of Hearings

Mr. Larkin asked unanimous consent that the Committee on Banking, Commerce and Insurance be permitted to withdraw the committee hearing notices, set for March 31, 1955, on LB 347 and LB 320. No objections. So ordered.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Larkin asked unanimous consent to withdraw LB 347. No objections. So ordered.

STANDING COMMITTEE REPORTS**Enrollment and Review****Presented to the Governor**

Presented to the Governor for approval on March 17, 1955, at 4:30 p.m.

LB 341	LB 163	LB 346
LB 165	LB 249	LB 221

LEGISLATIVE BILL 41. Correctly enrolled.

LEGISLATIVE BILL 526. Correctly enrolled.

LEGISLATIVE BILL 449. Correctly enrolled.

LEGISLATIVE BILL 166. Correctly enrolled.

LEGISLATIVE BILL 503. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 41	LB 449	LB 503	LR 17
LB 526	LB 166	LR 14	

Visitors

Mr. Bahensky introduced Mr. Bert Sell, President of Highway 80 Association, Arcadia, Nebraska.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Larkin asked unanimous consent to withdraw LB 137. No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 105.

A bill for an act to amend sections 54-726.02, 54-753.01, 54-753.02, and 54-753.03, Revised Statutes Supplement, 1953, relating to livestock; to extend the provisions of sections 54-753.01 to 54-753.03, Revised Statutes Supplement, 1953; to provide that the provisions for reimbursing the owner of swine found to be infected with vesicular exanthema shall not apply to swine that have been fed raw garbage; to change the requirements for feeding of garbage to animals; to require a permit for processing public or commercial garbage for swine; to provide procedure for issuing permit; to provide for a permit fee; to provide for violations; 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, 33:

Adams, J.	Brower	Liebers	Person
Adams, T.	Burney	McGinley	Peterson
Anderson	Cole	McHenry	Ruhnke
Aufenkamp	Cramer	Martin	Shultz
Bahensky	Diers	Metzger	Swanson
Beaver	Fenske	Moulton	Syas
Bedford	Foote	Otto	Tvrdik
Bixler	Larkin	Perry	Vogel
Bridenbaugh			

Voting in the negative, 2:

Nelson	Pizer
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Not voting, 8:

Hoffmeister	Klaver	Lee	Purdy
Hubka	Kotouc	Morrison	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 98.

A bill for an act to amend sections 79-1208, 79-1209, 79-1211, 79-1212, and 79-1213, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide for renewal of certificates as prescribed; to provide that Nebraska Third Grade Elementary School Certificates shall be issued only until September 15, 1958; to provide that Nebraska General Elementary School Certificates shall be issued only until September 15, 1958, except as prescribed; to permit the issuance of Nebraska

Initial General Elementary School Certificates after such date for a one year term and only renewable up to four times as prescribed; to correct designation of public official to harmonize with previous legislation; and to repeal the original sections.

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

Voting in the affirmative, 29:

Adams, J.	Brower	Larkin	Perry
Adams, T.	Burney	Liebers	Peterson
Anderson	Cole	McHenry	Ruhnke
Aufenkamp	Cramer	Martin	Swanson
Bahensky	Diers	Metzger	Syas
Beaver	Fenske	Moulton	Tvrdik
Bedford	Foote	Otto	Vogel
Bixler			

Voting in the negative, 6:

Bridenbaugh	Person	Purdy	Shultz
McGinley	Pizer		

Not voting, 8:

Hoffmeister	Klaver	Lee	Nelson
Hubka	Kotouc	Morrison	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 443.

A bill for an act to amend section 36-301, Reissue Revised Statutes of Nebraska, 1943, relating to chattel mortgages; to provide for filing chattel mortgages and leases as prescribed; to provide the effect of the filing thereof as prescribed; to provide that when a lease, in which there is an agreement to execute a chattel mortgage or which by its terms in fact constitutes a chattel mortgage, on unplanted crops, is presented to the county clerk for filing, the county clerk shall show the lease on his chattel mortgage records; 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.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Cramer	Martin	Peterson
Beaver	Diers	Metzger	Pizer
Bedford	Fenske	Moulton	Shultz
Bixler	Larkin	Nelson	Swanson
Bridenbaugh	Liebers	Otto	Syas
Brower	McGinley	Perry	Tvrdik
Burney	McHenry	Person	Vogel
Cole			

Voting in the negative, 3:

Foote	Purdy	Ruhnke
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Not voting, 7:

Hoffmeister	Klaver	Lee	Thompson
Hubka	Kotouc	Morrison	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 224.

A bill for an act to amend section 77-2002, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide the date when transfer shall be treated as having been made in contemplation of death for the purpose of determining inheritance tax; and to repeal the original section.

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

Voting in the affirmative, 30:

Adams, J.	Burney	McGinley	Person
Adams, T.	Cole	McHenry	Pizer
Anderson	Cramer	Martin	Shultz
Bahensky	Diers	Metzger	Swanson
Bedford	Fenske	Moulton	Syas
Bixler	Foote	Otto	Tvrdik
Bridenbaugh	Larkin	Perry	Vogel
Brower	Liebers		

Voting in the negative, 5:

Beaver	Peterson	Purdy	Ruhnke
Nelson			

Not voting, 8:

Aufenkamp	Hubka	Kotouc	Morrison
Hoffmeister	Klaver	Lee	Thompson

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 60-408, Reissue Revised Statutes of Nebraska, 1943, and section 60-409, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 130, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to motor vehicles; to increase the fee for an operator's license; to provide for the additional fee and disbursement thereof; to provide for Driver Education and Traffic Safety Fund and the use thereof; to provide duties for the prescribed public officials; to provide requirements for schools to participate in the distribution as prescribed; to limit the expense for administration and supervision of the program as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 22:

Adams, T.	Bixler	Fenske	Moulton
Anderson	Bridenbaugh	McGinley	Otto
Aufenkamp	Brower	McHenry	Perry
Bahensky	Burney	Martin	Ruhnke
Beaver	Cole	Metzger	Swanson
Bedford	Diers		

Voting in the negative, 13:

Adams, J.	Liebers	Peterson	Shultz
Cramer	Nelson	Pizer	Syas
Foote	Person	Purdy	Tvrdik
Larkin			

Not voting, 8:

Hoffmeister	Klaver	Lee	Thompson
Hubka	Kotouc	Morrison	Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 246.

A bill for an act to amend sections 15-111, 19-404, 19-414, 19-601, and 19-1003, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the primary class and to cities and villages of particular classes; to correct the population limits therein stated of cities of the primary class; 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, J.	Burney	McHenry	Peterson
Adams, T.	Cole	Martin	Purdy
Anderson	Cramer	Metzger	Ruhnke
Bahensky	Diers	Moulton	Shultz
Beaver	Fenske	Nelson	Swanson
Bedford	Foote	Otto	Syas
Bixler	Larkin	Perry	Tvrdik
Bridenbaugh	Liebers	Person	Vogel
Brower	McGinley		

Voting in the negative, 1:

Pizer

Not voting, 8:

Aufenkamp	Hubka	Kotouc	Morrison
Hoffmeister	Klaver	Lee	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 86. Laid over.

NOTICE OF COMMITTEE HEARINGS
Public Health and Miscellaneous Subjects

Mr. Person, Chairman of the Committee on Public Health and Miscellaneous Subjects, asked unanimous consent to withdraw the public hearing date on LB 397, which was set for Thursday, March 24, 1955, and in lieu thereof, to set LB 520 for public hearing on that date. No objections. So ordered.

Member Excused

Mr. Cramer was excused for Monday, March 21, 1955.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Larkin asked unanimous consent to withdraw LB 145. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

LB 320 Thursday, March 24, 1955 2:00 p.m.

SELECT FILE

LEGISLATIVE BILL 229. 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 363. E and R amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Laid over.

LEGISLATIVE BILL 364. E and R amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Mr. Tvrdik asked unanimous consent to strike the emergency clause.

Mr. Burney objected.

Mr. Tvrdik moved that LB 364 be returned to General File for a specific amendment to strike the emergency clause.

Mr. Tvrdik requested a Call of the House.

A Call of the House was ordered and showed 34 members present.

Mr. Brower moved that the Call be raised. The motion prevailed.

The Tvrdik motion lost with 16 ayes, 18 nays and 9 not voting.

Advanced to E and R for engrossment with 22 ayes, 10 nays and 11 not voting.

LEGISLATIVE BILL 42. E and R amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Mr. J. Adams asked unanimous consent that LB 42 be laid over.

Mr. Tvrdik objected.

Mr. J. Adams moved that LB 42 be laid over.

The motion lost with 7 ayes, 17 nays and 19 not voting.

Unanimous consent granted to lay over LB 42 until Monday, March 21, 1955.

LEGISLATIVE BILL 419. 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 461. E and R amendments found in the Legislative Journal for the Fifty-third Day were adopted.

Advanced to E and R for engrossment.

Mr. Bridenbaugh Presiding

GENERAL FILE

LEGISLATIVE BILL 333. Laid over until Wednesday, March 23, 1955.

LEGISLATIVE BILL 293. Read and considered.

Mr. Syas moved that LB 293 be indefinitely postponed.

The motion lost.

Advanced to E and R for review.

Members Excused

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

Mr. Peterson was excused for the remainder of the day and for Monday, March 21, 1955.

LEGISLATIVE BILL 508. Laid over.

LEGISLATIVE BILL 92. Laid over.

LEGISLATIVE BILL 445. Laid over.

LEGISLATIVE BILL 125. Laid over.

LEGISLATIVE BILL 301. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 323. Read and considered.

Mr. Larkin offered the following amendment, which was adopted:

Amend LB 323, Section 10, line 32 by striking "44-4161" and inserting "44-1461" in lieu thereof.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARINGS**Judiciary**

LB 90	Monday, March 28, 1955	2:00 p.m.
LB 487	Monday, March 28, 1955	2:00 p.m.
LB 509	Monday, March 28, 1955	2:00 p.m.
LB 226	Monday, March 28, 1955	2:00 p.m.
LB 228	Monday, March 28, 1955	2:00 p.m.
LB 153	Wednesday, March 30, 1955	2:00 p.m.
LB 392	Wednesday, March 30, 1955	2:00 p.m.
LB 393	Wednesday, March 30, 1955	2:00 p.m.
LB 349	Wednesday, March 30, 1955	2:00 p.m.
LB 195	Monday, April 4, 1955	2:00 p.m.
LB 264	Monday, April 4, 1955	2:00 p.m.
LB 328	Monday, April 4, 1955	2:00 p.m.
LB 379	Monday, April 4, 1955	2:00 p.m.
LB 270	Wednesday, April 6, 1955	2:00 p.m.
LB 417	Wednesday, April 6, 1955	2:00 p.m.
LB 472	Wednesday, April 6, 1955	2:00 p.m.
LB 494	Wednesday, April 6, 1955	2:00 p.m.
LB 532	Wednesday, April 6, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS**Public Works****LEGISLATIVE BILL 387.** Placed on General File as amended.

Standing Committee amendments to LB 387:

1. Amend Section 1 by striking Lines 15 and 16 beginning with the words "The State Engineer".
2. Amend title to conform.

LEGISLATIVE BILL 217. Indefinitely postponed.

(Signed) Kathleen A. Foote, Vice-Chairman

Enrollment and Review**LEGISLATIVE BILL 182.** Placed on Select File as amended.

E and R amendment to LB 182:

1. In the bill page 2, section 1, line 8, after "members" insert "of each of such boards"; line 12 after "knowledge" and also line 6 of section 2, after "place" insert a comma; section 2, line 1, strike "boards" and insert in lieu thereof "board for each of such hospitals or home,"; line 3 after "facility" insert "of such board"; section 3, line 1, strike "the board" and insert in lieu thereof "each board,"; line 2 strike "shall each" and insert in lieu thereof ", shall "; line 3, at end of line insert "of such boards"; and line 5 after "attending" insert "to the".

LEGISLATIVE BILL 418. Placed on Select File as amended.

E and R amendments to LB 418:

1. In the bill section 1, page 2, line 16, after "securities", at end of line 62, page 3, line 63 after "credits", line 92, page 4 after "subordinated", line 135, page 5 after "maintenance", page 6, line 144 after "leased", 147 after "providing" and "things", page 8, line 218 after "maintained", page 10, line 275 after "purchase", line 278 after "debentures" insert ";"; page 3, lines 55 and 56, page 7, lines 185 and 186, line 190, page 8, line 224, strike the quotation marks, page 6, line 156, after "States", strike the comma and show all of the same as stricken matter; page 8, line 226, strike "part (a) hereof" and in lieu thereof insert "part (a) hereof subdivision (a) of this subsection"; and at the end of line 277, page 10, insert "and".

2. In the bill title line 4 after "in" insert "the prescribed" and in line 5 strike "of" and insert "and share certificates issued by".

3. In the bill page 6, line 146, strike "subsection (5) (b)" and insert in lieu thereof "*paragraph (b) of this subsection (5) (b)*".

LEGISLATIVE BILL 434. Placed on Select File as amended.

E and R amendments to LB 434:

1. In the bill page 2, line 3, section 1, after the period insert "(1)"; line 22, before "The" insert "(2)"; line 24 after the period insert "(3)"; line 30, after the period insert "(4)"; line 32, after the period insert "(5)".

2. In the Standing Committee Amendment 1, after "therefor." in the new matter to replace stricken line 48, insert "If".

3. In the bill title line 7 after "inhabitants" insert "as prescribed"; and in line 8 after the semicolon insert "to eliminate the fees to the clerk of the district court for serving on such board as prescribed; to

eliminate the per diem fee of the sheriff as prescribed; to change the advancement of funds for expenses in taking a person to or from a hospital as prescribed; to provide for the return of any excess amount of such advancement and the procedure to secure any deficiency of such advancement;".

LEGISLATIVE BILL 174. Correctly re-engrossed.

LEGISLATIVE BILL 229. Correctly engrossed.

LEGISLATIVE BILL 50. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:00 Noon, on a motion by Mr. Burney, the Legislature adjourned until 9:30 a.m., Monday, March 21, 1955.

Hugo F. Srb
Clerk of the Legislature

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 21, 1955

Pursuant to adjournment, the Legislature met at 9:34 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Anderson, Brower, Burney, Cramer, McHenry and Peterson, who were excused, and Messrs. Diers and Otto, who were excused until 11:00 a.m.

The Journal for the Fifty-fourth Day was approved.

Communications

Postal card from Mrs. J. N. Martin of Lincoln, Nebraska, relating to aid to schools for retarded children. Referred to Committee on Education.

Letter from U. S. Representative Phil Weaver, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 11.

Letter from U. S. Senator Roman L. Hruska, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 13.

Letter from Isabel Klopp, Blair, Nebraska, relating to LB 498. Referred to Committee on Agriculture.

Letters from Lewis R. Leigh, Secretary, South Omaha Merchants Association, relating to LB 293 and 343. Referred to Committees on Agriculture and Judiciary, respectively.

Letter from R. V. Denney, of Denney and Denney, Attorneys, Fairbury, Nebraska, enclosing copy of Resolution passed by the City Council of Fairbury, favoring the passage of LB 362. Referred to Committee on Revenue.

Letter received by Mr. Klaver from B. M. Howard, Lincoln, Nebraska, which was addressed to the Lincoln Journal, concerning LB 366.

Letter from U. S. Representative R. D. Harrison, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 13.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 319. Placed on General File.

LEGISLATIVE BILL 325. Placed on General File as amended.

Standing Committee amendments to LB 325:

1. Strike the comma in line 6, Section 1, and strike the following words in lines 6, 7, and 8: "but including all of the employees of the employer except any as to whom evidence of insurability is not satisfactory to the insurer".

2. Add a section immediately following Section 1, to read as follows:

"Sec. 2. The term employees, as used herein, may include the individual proprietors or partners if the employer is an individual proprietor or partnership, and the directors of a corporate employer, provided each individual proprietor, partner or director devotes a substantial part of his time to the business of the proprietorship, partnership or corporate employer."

LEGISLATIVE BILL 352. Indefinitely postponed.

LEGISLATIVE BILL 405. Placed on General File as amended.

Standing Committee amendments to LB 405:

1. Amend page 2 of the bill, section 1, line 8 by inserting the word "premiums" after the word "writing", and line 11 by striking the period after the word "accounts" and adding the following: "*if such attorney be domiciled in Nebraska, or a tax of two per cent of the gross amount of direct writing premiums or deposits received from Nebraska subscribers during the calendar year, less all amounts returned to the subscribers or credited to their accounts, if such attorney be not domiciled in Nebraska.*"

2. Amend the title to conform.

(Signed) John J. Larkin, Jr., Chairman

Public Works

LEGISLATIVE BILL 462. Indefinitely postponed.

LEGISLATIVE BILL 158. Indefinitely postponed.

(Signed) William Moulton, Chairman

Enrollment and Review

LEGISLATIVE BILL 451. Replaced on Select File as amended.

E and R amendment to LB 451:

1. In Enrollment and Review Amendment 1, line 4, strike "or" and in lieu thereof insert "and".

LEGISLATIVE BILL 402. Replaced on Select File as amended.

E and R amendments to LB 402:

To correlate LB 402 with LB 76:

1. In the bill, section 1, line 2; section 3, line 2; and in the bill title, line 3; after "1943," insert "as amended by section 1, Legislative Bill 76, Sixty-seventh Session, Nebraska State Legislature, 1955,".

2. In the bill, section 1, line 34, strike "seventy-two" and in lieu thereof insert "ninety-six"; and line 36, strike "seventy-five" and in lieu thereof insert "ten thousand four".

LEGISLATIVE BILL 386. Placed on Select File as amended.

E and R amendments to LB 386:

1. In Standing Committee Amendment line 3, after "law" insert a period.

2. In the bill section 1, line 14 after "embalming" and line 15, after "optometry" insert "," also in line 21 after "receive"; and strike all of line 22 and insert in lieu thereof "*all of the renewal fees in excess of two dollars, after*".

3. In the bill title line 7, strike "to" and insert in lieu thereof "for".

LEGISLATIVE BILL 447. Placed on Select File as amended.

E and R amendments to LB 447:

1. In the bill line 3, section 1, page 2, insert "the" after "have"; line 6, strike the first "or" and show as stricken matter; line 7, after "may" insert "determine"; line 8, strike "determine" and show as stricken matter; and in line 9, after "improvement", line 10, after "imposed", line 13, after "assessment", and line 15 after "sewers" insert ",".

2. In the bill title line 5, after "in" insert "the"; line 7, strike "collections shall be" and insert in lieu thereof "deferred assessments or charges shall be collected"; and in lines 8 and 9, strike "filing of certificates" and insert in lieu thereof "making and filing a report".

LEGISLATIVE BILL 293. Placed on Select File as amended.

E and R amendment to LB 293:

1. In the bill, section 1, line 8, and in the bill title, line 5, strike the quotation marks.

LEGISLATIVE BILL 301. Placed on Select File.

LEGISLATIVE BILL 327. Correctly engrossed.

LEGISLATIVE BILL 171. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on March 19, 1955, at 9:15 a.m.

LB 41

LB 503

LB 449

LB 166

LB 526

LEGISLATIVE BILL 246. Correctly enrolled.

LEGISLATIVE BILL 53. Correctly enrolled.

LEGISLATIVE BILL 224. Correctly enrolled.

LEGISLATIVE BILL 443. Correctly enrolled.

LEGISLATIVE BILL 98. Correctly enrolled.

LEGISLATIVE BILL 105. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 246

LB 224

LB 98

LB 105

LB 53

LB 443

MOTION—Place LB 7 on General File

Mr. President: I move that LB 7 be placed on General File notwithstanding the report of the Standing Committee. (Signed) John Adams, Sr.

Mr. J. Adams asked unanimous consent to lay over consideration of his motion until 11:30 a.m. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 19. Re: Committee to Study Providing of Facilities for Training and Education of Mentally-Retarded Children.

Introduced by Robert Perry, 20th District; Otto Kotouc, Sr., 1st District; LeRoy Bahensky, 29th District.

WHEREAS, there are a sizeable number of children in Nebraska who, because of their being severely retarded mentally, cannot and do not attend the public schools, and

WHEREAS, the state provides financial assistance to school districts which provide special classes for those mentally-retarded children who are considered educable and for the physically handicapped, while no program has been established to assist in the training of the severely mentally-retarded children, and

WHEREAS, while severely mentally-retarded children are considered uneducable, they are considered trainable, and experience has shown that many of these children receive substantial benefit from special education classes, and

WHEREAS, there is a growing awareness of, and interest in, these severely mentally-retarded children as evidenced by the activities of the National Association for Retarded Children, and the fact that private groups in Omaha, Norfolk, and Lincoln are providing at their own expense training facilities for a limited number of these children, and

WHEREAS, the severely mentally-retarded children have an equal right with normal children to receive from the state whatever educational or training opportunities that will benefit them.

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

1. That the Legislative Council appoint a committee to make a study of the problem of providing facilities for the training or education of severely mentally-retarded children, such study to include:

(a). A determination of the number of children in the state who are not able to attend the public schools by reason of being severely mentally-retarded.

(b). A survey of the programs adopted in the other states in financing and providing educational or training facilities for these children.

2. That such committee be directed to make its report and recommendations to the next regular session of the Legislature.

UNANIMOUS CONSENT—Pass Over Final Reading

Mr. Moulton asked unanimous consent that LB 86 and LB 215 be laid over on Final Reading until tomorrow. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 363. Laid over.

LEGISLATIVE BILL 42. Laid over until LB 119 is considered on General File.

LEGISLATIVE BILL 182. 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 418. 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 434. E and R amendments found in the Legislative Journal for the Fifty-fourth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. T. Adams introduced Mr. E. W. Scheer, Teacher, and twenty-eight students from Trinity Lutheran School, Lincoln, Nebraska.

MOTION—Return LB 82 to Select File

Mr. President: I move that LB 82 be returned to Select File for the following specific amendment:

1. Amend the bill by adding a new section immediately after re-numbered section 13 to be known as section 14, and to read as follows:

"Sec. 14. Any rural or suburban fire protection district may enter into contracts on an annual or other basis with any rural fire protection district of an adjoining county or counties of another state having a general fire protection program or fire fighting equipment under the control of the fire protection district for the fire protection services or fire protection cooperation. All such contracts shall be upon terms suitable to all concerned. The terms and conditions upon and in compliance with which each district is to cooperate in furnishing, maintaining and operating fire equipment for outside aid, mutual aid, or making payment for such service shall be expressly stipulated. The secretary-treasurer of the fire protection district is authorized to pay over money to the treasurer or other proper officer of the fire protection district in an adjoining state authorized to receive the same in accordance with the terms of the contract and upon the order of the board of directors. Any fire protection district, department, company or firemen answering any fire alarm or performing fire prevention services or rescue, resuscitation, first aid, inspection, or any other official work outside its state and within a rural or suburban fire protection district organized under the provisions of Chapter 35, article 5, shall be considered an agent of the rural or suburban fire protection district located in the State of Nebraska, and acting solely and alone in a governmental capacity, and such rural or suburban fire protection district located in another state shall not be liable in damages for any act of commission, omission, or negligence while answering or returning from any fire, or reported fire, or doing or performing any fire prevention work or rescue, resuscitation, first aid, inspection, or other official work."

2. Amend the bill by renumbering renumbered section 14 as section 15.

3. Amend the title of the bill by amending Enrollment and Review amendment 13, line 14 by inserting after the semicolon the following:

"to provide for making of certain contracts with certain fire protection districts of other states for fire protection and fire prevention purposes, prescribing certain powers, duties, liabilities, and immunities;"

(Signed) Earl J. Lee

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

GENERAL FILE

LEGISLATIVE BILL 148. Laid over.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 151. Laid over.

Mr. Person Presiding

LEGISLATIVE BILL 508. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-first Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 92. Laid over until Wednesday, March 23, 1955.

LEGISLATIVE BILL 445. Laid over until Thursday, March 24, 1955.

LEGISLATIVE BILL 125. Laid over.

LEGISLATIVE BILL 315. Read and considered.

Standing Committee amendments 1 and 2, found in the Legislative Journal for the Fifty-second Day, were adopted.

Mr. Beaver offered the following amendment to Standing Committee amendment 3, which was adopted:

Amend Standing Committee Amendment 3 to LB 315 by adding the following after the word "*instrument*": "*nor any corporation formed under the terms of Section 21-608, Revised Statutes Supplement, 1953.*"

Standing Committee amendment 3, found in the Legislative Journal for the Fifty-second Day, was adopted as amended.

Standing Committee amendment 4, found in the Legislative Journal for the Fifty-second Day, was adopted.

Mr. Kotouc offered the following amendment, which was adopted:

Amend the title of LB 315 by adding the words "in which" following the word "investments".

Advanced to E and R for review.

LEGISLATIVE BILL 355. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 516. Read.

Laid over.

LEGISLATIVE BILL 534. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-third Day was adopted.

Mr. Ruhnke offered the following amendment, which was adopted:

Amend LB 534, Section 2, line 5 by reinstating the stricken words and punctuation "and farm tractors,".

Advanced to E and R for review.

LEGISLATIVE BILL 516. Advanced to E and R for review.

LEGISLATIVE BILL 477. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 372. 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 113. 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 406. Laid over.

LEGISLATIVE BILL 193. Laid over.

LEGISLATIVE BILL 169. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 387. Laid over.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Moulton asked unanimous consent to withdraw LB 457. No objections. So ordered.

MOTION—Place Bill on General File

Mr. President: I move that LB 7 be placed on General File notwithstanding the committee report. (Signed) John Adams, Sr.

The motion lost with 6 ayes, 25 nays and 12 not voting.

STANDING COMMITTEE REPORTS **Government**

LEGISLATIVE BILL 371. Placed on General File.

LEGISLATIVE BILL 488. Indefinitely postponed.

LEGISLATIVE BILL 378. Placed on General File as amended.

Standing Committee amendment to LB 378:

Section 1 to be amended as follows:

1. Strike "water, power, electric light, or heat," in line 3.
2. Strike "water meters, power meters," in line 4.
3. Strike "electric light and heat meters" in line 5.
4. Strike "water", in line 6.
5. Strike "power, electric light or heat," in line 7.
6. Strike the comma after the word "gas" in line 7, and in lieu thereof insert a period.

LEGISLATIVE BILL 492. Placed on General File as amended.

Standing Committee amendment to LB 492:

Page 2, Section 1, Line 1, after "1956," strike the words "whenever feasible,".

(Signed) Sam Klaver, Chairman

Adjournment

At 11:45 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 22, 1955

Pursuant to adjournment, the Legislature met at 9:06 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McHenry, who was excused, and Messrs. Cramer and Hubka, who were excused until 10:00 a.m.

The Journal for the Fifty-fifth Day was approved as corrected.

Communications

Postal card from Mr. and Mrs. Ernest Emshoff, Avoca, Nebraska, favoring LB 377 and LB 92. Referred to Committee on Agriculture.

Postal card from Mr. and Mrs. Wm. W. Barnes, Grand Island, Nebraska, opposing sales and income tax and favoring the ton mile tax on trucks and buses. Referred to Committee on Revenue.

Petition bearing seventy signatures from Omaha, Nebraska, opposing LB 137. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Mrs. Agnes Wilson, Secretary, Association of Civic Clubs of Omaha and Douglas County, relating to LB 432. Referred to Committee on Revenue.

Invitation

Invitation from Paul Halpine, Executive Secretary, Nebraska Motor Carriers' Association, inviting the Members and their wives to a dinner on Thursday, March 31, 1955, at the Compass Room at the Lincoln Airport.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 140. Placed on General File as amended.

Standing Committee amendments to LB 140:

1. Amend page 2 of the bill, section 1 by adding after the word and punctuation "purpose.", the following:

"The levy authorized in this section shall not be in addition to the maximum levies provided in sections 14-514, 15-804, 16-702, and 17-506, Reissue Revised Statutes of Nebraska, 1943."

2. Amend the title to conform.

(Signed) Monroe Bixler, Chairman

Enrollment and Review
Presented to the Governor

Presented to the Governor for approval on March 22, 1955 at 8:30 a.m.

LB 246
LB 53

LB 443

LB 98

LB 105

LEGISLATIVE BILL 110. Placed on Select File as amended.

E and R amendments to LB 110:

1. In the bill, section 1, line 5, strike ", or to" and in lieu thereof insert ", or to"; line 7, strike the comma after "unpaid" and show the same as stricken matter; line 8, strike ", and" and in lieu thereof insert ", and are"; line 10, strike "exceeding" and in lieu thereof insert "exceeding to exceed"; line 13, strike "to" before "be" and in lieu thereof insert "*such bonds may*".

2. In the bill, section 2, line 3, strike "The" and in lieu thereof insert "The *Each*"; lines 3 and 4, strike "have recited therein" and in lieu thereof insert "*have recited state therein (1)*"; line 4, strike "the section" and in lieu thereof insert "*(2) the section or sections*"; line 5, strike "was made, stating the issue to be" and in lieu thereof insert "*thereof was made, stating including a statement that the issue to be is made*"; line 6, strike "shall also state" and in lieu thereof insert, "*(3) shall also state*".

3. In the bill title, line 4, strike "sale of" and in lieu thereof insert "the sale of refunding"; line 7, after the semicolon insert "to provide when such bonds are to be delivered; to restate the requirements as to the contents of such a bond;"

LEGISLATIVE BILL 424. Placed on Select File as amended.

E and R amendments to LB 424:

1. In Standing Committee Amendment 2, show "to the hospital" as stricken matter; Amendment 3, show "the" as stricken matter before "a state".

2. In the bill page 2, section 1, line 14 after "*maintained*" and line 22, after "*patient*" insert ",".

3. In the bill title line 6, after the semicolon insert "to fix the maximum charge for care as prescribed;".

LEGISLATIVE BILL 135. Correctly engrossed.

LEGISLATIVE BILL 286. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 16.

LR 16 was adopted with 33 ayes, 2 nays and 8 not voting.

LEGISLATIVE RESOLUTION 19.

LR 19 was adopted with 38 ayes, 0 nays and 5 not voting.

Invitation

Speaker Burney announced that Chancellor Clifford M. Hardin had extended an invitation to the Members to tour the campus of the University of Nebraska, and to have luncheon there on Wednesday, March 23, 1955.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 86. By Glenn Cramer, 27th District; John E. Beaver, 12th District; L. M. Shultz, 16th District.

A bill for an act for submission to the electors of an amendment to Article VII, section 5, of the Constitution of Nebraska, relating to education; to change the allocation of fines and penalties for violation of laws prohibiting the overloading of vehicles used upon the public roads and highways of this state; to provide for the submission of the proposed amendment to the electors at the general election in Novem-

ber, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1956, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article VII, section 5, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 5. All fines, penalties, and license money, arising under the general laws of the state, except fines and penalties for violation of laws prohibiting the overloading of vehicles used upon the public roads and highways of this state, shall belong and be paid over to the counties respectively, where the same may be levied or imposed, and all fines, penalties, and license money arising under the rules, by-laws, or ordinances of cities, villages, precincts, or other municipal subdivision less than a county, shall belong and be paid over to the same respectively. All such fines, penalties, and license money shall be appropriated exclusively to the use and support of the common schools in the respective subdivisions where the same may accrue, except that all fines and penalties for violation of laws prohibiting the overloading of vehicles used upon the public roads and highways shall be placed as follows: Seventy-five per cent in a fund for state highways, and twenty-five per cent to the county general fund where the fine or penalty is paid."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to change the allocation of fines and penalties for violation of laws prohibiting the overloading of vehicles used upon the public roads and highways of the state.

☐ For

☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

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

Mr. Beaver requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Lee moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 26:

Anderson	Brower	McGinley	Ruhnke
Aufenkamp	Burney	Martin	Shultz
Bahensky	Diers	Morrison	Swanson
Beaver	Fenske	Peterson	Thompson
Bedford	Hoffmeister	Pizer	Tvrdik
Bixler	Lee	Purdy	Vogel
Bridenbaugh	Liebers		

Voting in the negative, 14:

Adams, J.	Klaver	Moulton	Perry
Adams, T.	Kotouc	Nelson	Person
Cole	Larkin	Otto	Syas
Foote	Metzger		

Not voting, 3:

Cramer	Hubka	McHenry
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A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 215.

A bill for an act to amend section 42-303, Reissue Revised Statutes of Nebraska, 1943, relating to divorce and alimony; to provide for residence requirements for persons serving in the armed forces of the United States government stationed 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, 38:

Adams, J.	Bixler	Foote	Martin
Adams, T.	Bridenbaugh	Hoffmeister	Metzger
Anderson	Brower	Klaver	Morrison
Aufenkamp	Burney	Kotouc	Moulton
Bahensky	Cole	Larkin	Nelson
Beaver	Diers	Lee	Otto
Bedford	Fenske	Liebers	Perry

Person	Purdy	Swanson	Thompson
Peterson	Ruhnke	Syas	Tvrdik
Pizer	Shultz		

Voting in the negative, 1:

McGinley

Not voting, 4:

Cramer	Hubka	McHenry	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 206.

A bill for an act to amend section 19-904, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first and second class; to provide for personal service of notice upon the owners of property within three hundred feet of the property to be zoned or rezoned advising them of a hearing upon an application to zone or rezone property as prescribed; to provide for mailing such a notice to such owners in the manner and under the conditions 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, 40:

Adams, J.	Burney	Liebers	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Cramer	Hubka	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 155. With emergency.

A bill for an act relating to motor vehicles; to provide for an additional method for determining the speed of motor vehicles by use of radiomicro waves or other electronic device; to provide the use in evidence and effect thereof; to permit arrest of drivers of motor vehicles without a warrant as prescribed; to provide for powers of arrest; and to declare an emergency.

Whereupon the President stated: "All provisions of 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.	Burney	Lee	Pizer
Adams, T.	Cole	Liebers	Purdy
Anderson	Diers	Metzger	Ruhnke
Aufenkamp	Fenske	Morrison	Shultz
Bahensky	Foote	Moulton	Swanson
Beaver	Hoffmeister	Otto	Syas
Bedford	Klaver	Perry	Thompson
Bixler	Kotouc	Person	Tvrdik
Bridenbaugh	Larkin	Peterson	Vogel
Brower			

Voting in the negative, 3:

McGinley	Martin	Nelson
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Not voting, 3:

Cramer	Hubka	McHenry
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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 263.

A bill for an act relating to decedents' estates; to provide a procedure for determination of heirship when a person shall die intestate or testate as prescribed without leaving any estate to administer and it becomes necessary to determine the heirs-at-law, devisees, legatees, or surviving issue of such deceased person.

Whereupon the 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.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Fenske	Metzger	Purdy
Beaver	Foote	Morrison	Ruhnke
Bedford	Hoffmeister	Moulton	Shultz
Bixler	Klaver	Nelson	Swanson
Bridenbaugh	Kotouc	Otto	Syas
Brower	Larkin	Perry	Thompson
Burney	Liebers	Person	Tvrdik
Cole	McGinley	Peterson	Vogel
Diers	Martin	Pizer	

Voting in the negative, 0.

Not voting, 4:

Cramer	Hubka	Lee	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 535.

A bill for an act relating to the Workmen's Compensation Court; to provide the time for filing of papers or pleadings with such court or taking any action with respect to a claim for compensation when the last day for such filing or action falls on a Saturday, Sunday, or on any day declared to be a holiday by law or proclamation of the Governor.

Whereupon the 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.	Burney	Liebers	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Moulton	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Hubka	Lee	McHenry
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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 relating to schools; to provide for the payment of tuition by the board of education of any school district of Class II or III when the best interests of the pupil or the school district may so require.

Whereupon the 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.	Burney	Liebers	Pizer
Adams, T.	Cole	McGinley	Purdy
Anderson	Cramer	Martin	Ruhnke
Aufenkamp	Diers	Metzger	Shultz
Bahensky	Fenske	Morrison	Swanson
Beaver	Foote	Nelson	Syas
Bedford	Hoffmeister	Otto	Thompson
Bixler	Klaver	Perry	Tvrdik
Bridenbaugh	Kotouc	Person	Vogel
Brower	Larkin	Peterson	

Voting in the negative, 0.

Not voting, 4:

Hubka	Lee	McHenry	Moulton
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 82. Laid over.

UNANIMOUS CONSENT—Return LB 326 to Select File

Mr. Moulton asked unanimous consent that LB 326 be returned to Select File for the following specific amendment:

Amend LB 326 by striking the word "is" in the second line of section 7, and in lieu thereof insert "and also section 14-131, Reissue Revised Statutes of Nebraska, 1943, are" and amend the title to conform.

No objections. So ordered.

LEGISLATIVE BILL 326. Mr. Moulton asked unanimous consent that his specific amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 451. E and R amendment found in the Legislative Journal for the Fifty-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 402. 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 363. Laid over.

LEGISLATIVE BILL 386. 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 447. 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 293. E and R amendment found in the Legislative Journal for the Fifty-fifth Day was adopted.

Mr. Anderson asked unanimous consent that the following amendment be adopted: Amend LB 293 by striking "Beef" and inserting "Meat".

Objections raised.

Mr. Anderson moved that LB 293 be returned to General File for the above specific amendment. The motion lost with 8 ayes, 30 nays and 5 not voting.

Mr. Hubka moved that LB 293 be returned to General File for the following specific amendment: Amend Section 1, line 8 by adding after the word "and" the following: "for the years 1956 and 1957."

The motion lost with 6 ayes, 26 nays and 11 not voting.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 301. Advanced to E and R for engrossment.

LEGISLATIVE BILL 82. Mr. Lee asked unanimous consent that his specific amendments, found in the Legislative Journal for the Fifty-fifth Day, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 119. Consideration of the Klaver motion to amend Section 9, line 7 of LB 119, found in the Legislative Journal for the Fifty-third Day.

Mr. J. Adams requested a record vote.

Voting in the affirmative, 11:

Adams, J.	Foote	Metzger	Pizer
Adams, T.	Klaver	Nelson	Purdy
Burney	Martin	Peterson	

Voting in the negative, 28:

Aufenkamp	Cramer	Lee	Ruhnke
Beaver	Diers	Liebers	Shultz
Bedford	Fenske	McGinley	Swanson
Bixler	Hoffmeister	Morrison	Syas
Bridenbaugh	Hubka	Moulton	Thompson
Brower	Kotouc	Otto	Tvrdek
Cole	Larkin	Person	Vogel

Not voting, 4:

Anderson	Bahensky	McHenry	Perry
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The motion lost.

Mr. Moulton offered the following amendments, which were adopted:

1. Amend section 1 of the bill, line 2 by striking "real estate" and inserting in lieu thereof "the real estate described as Capitol Square, being a subdivision in the City of Omaha, Douglas County, Nebraska, and being within the northwest quarter of the northwest quarter of section twenty-two, township fifteen North, range thirteen, East of the sixth principal meridian, together with the south twelve feet of vacated Davenport Street adjoining said premises on the north, which was".

2. Amend section 2 of the bill, line 2, section 3 of the bill, line 2, section 4 of the bill, line 4, and section 5 of the bill, line 2 by inserting "as described in section 1 of this act" after the words "real estate".

3. Amend section 6 of the bill, line 7 and section 7 of the bill, line 5 by inserting "as described in section 1 of this act" after the word "property".

Advanced to E and R for review.

LEGISLATIVE BILL 66. Laid over until Thursday, March 24, 1955.

LEGISLATIVE BILL 148. Section 1 read and considered.

Mr. Tvrdik offered the following amendment, which was adopted with 20 ayes, 12 nays and 11 not voting:

Amend page 2 of the bill, section 1, line 7 by inserting "*and functional use*" after the word "desirability".

UNANIMOUS CONSENT—Executive Session

Mr. Person asked unanimous consent that the Public Health and Miscellaneous Subjects Committee be permitted to hold an executive session in the East Senate Chamber at 1 p.m. today. No objections. So ordered.

Approved by the Governor

March 22, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 18, 1955, he approved LB 19; on March 19, 1955, he

approved LB 526 and on March 21, 1955, he approved LB 401, 227, 296, 131, 275 and 5.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

NOTICE OF COMMITTEE HEARINGS

Government

LB 220	Wednesday, April 13, 1955	2:00 p.m.
LB 292	Wednesday, April 13, 1955	2:00 p.m.
LB 312	Wednesday, April 13, 1955	2:00 p.m.
LB 444	Wednesday, April 13, 1955	2:00 p.m.
LB 489	Wednesday, April 13, 1955	2:00 p.m.
LB 294	Wednesday, April 20, 1955	2:00 p.m.
LB 448	Wednesday, April 20, 1955	2:00 p.m.
LB 513	Wednesday, April 20, 1955	2:00 p.m.
LB 539	Wednesday, April 20, 1955	2:00 p.m.
LB 537	Wednesday, April 20, 1955	2:00 p.m.
LB 536	Wednesday, April 20, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 446. Placed on General File as amended.

Standing Committee amendments to LB 446:

1. Section 1, Page 2, Line 23, strike the word "actual" and insert in lieu thereof "actually".
2. Section 2, Page 3, Lines 4, 10, 16 and 17, strike the word "payment" before bond.
3. Section 2, Page 3, Line 18, strike the words "ninety days" and insert in lieu thereof "four months".
4. Section 2, Page 3, Line 25, insert before the word "mail" the words "or certified".
5. Section 3, Page 3, Line 2, strike the words "of section 3".
6. Section 3, Page 3, Lines 2 through 7 beginning with the word "in" and ending with the word "suit", insert in lieu thereof "by any person entitled to the benefit of this action".
7. Section 3, Page 4, Line 9, strike "such" and insert in lieu thereof "the principal".

8. Section 3, Page 4, Lines 9 through 11, beginning with the word "Neither" and ending with "suit" and insert in lieu thereof "the action shall be in the name of the party claiming the benefits of this action".

LEGISLATIVE BILL 483. Placed on General File as amended.

Standing Committee amendments to LB 483:

1. Section 1, Page 2, Line 4, strike the word "four" and insert in lieu thereof "five".

2. Section 1, Page 2, Line 6, strike the word "one" and insert in lieu thereof "two".

3. Section 1, Page 2, Line 8, strike "1944" and insert in lieu thereof "1956".

4. Section 2, Page 2, Line 7, strike the words "ten thousand" and insert in lieu thereof "eight thousand".

5. Section 2, Page 2, Lines 11 and 17, strike the words "four thousand" and insert "five thousand".

LEGISLATIVE BILL 343. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 512. Placed on Select File as amended.

E and R amendments to LB 512:

1. In the bill, insert "," in section 1, line 7 after "custodian", line 18 after "struct"; section 2, line 2 after "welfare", line 6 after "restrict"; section 3, line 6 after "custody", line 17 after "marked", line 22 after "marked"; section 4, line 10 after "destruction"; section 5, line 5 after "custodian", line 6 after "compensation", line 8 after "purchase", and line 9 after "agent" and "material".

2. In the bill, section 1, lines 11, 30, and 35, respectively, and section 5, line 11, after "grounds" insert "*, Governor's Mansion and grounds, and all other lands adjacent to the capitol grounds owned by the State of Nebraska*".

3. In the bill, section 2, line 12, strike "and, any" and in lieu thereof insert ". Any".

4. In the bill, section 3, line 7, strike ", and" and in lieu thereof insert "*, and . He*"; line 10, strike "or destroyed" and in lieu thereof

insert "or , destroyed,;" and line 19, strike the quotation marks and show the same as stricken matter.

5. In the bill, section 4, line 7, before "all" insert "(1)"; line 8, strike "property," and in lieu thereof insert "*other property under his care and control, (2)*"; line 10, strike "together with the" and in lieu thereof insert "*together with the (3) a*"; line 11, strike "the measures" and in lieu thereof insert "*(4) the measures which are*"; line 13, strike "and" and in lieu thereof insert ", and (5)".

6. In the bill, section 5, line 5, strike the second "and" and in lieu thereof insert "and".

7. In the bill title, line 5, before the semicolon insert "as prescribed"; and line 7, strike "and" and in lieu thereof insert a semicolon.

8. In the bill, section 1, line 11, strike "properly" and show the same as stricken matter, and in the same line before "maintain" insert "*properly*".

LEGISLATIVE BILL 470. Placed on Select File as amended.

E and R amendments to LB 470:

1. In the bill, section 1, line 4, after "salary" insert "of".

2. In the bill, section 2, line 5, strike "*salary*" and in lieu thereof insert "*salaries*".

3. In the bill, section 4, line 2, before "passage" insert "its".

LEGISLATIVE BILL 435. Placed on Select File as amended.

E and R amendments to LB 435:

1. In Standing Committee Amendment 1, line 2, insert "," after "*General*"; amendment 2, line 2, show "*court martial*" as part of new insertion before "*courts-martial*".

2. In the bill page 2, section 1, line 1, after "*Guard*", section 3, line 1, after "*organization*", line 4, after "*campment*" and after "*ordered*", and line 7 after "*thereto*" insert ","; line 2, section 3, strike "*by reason of*" and insert in lieu thereof "*because of his*"; line 3, strike the last "*or*" and insert in lieu thereof ","; line 7, strike ", and" and insert in lieu thereof "*and ,*".

3. In the bill title lines 4 and 5, strike "; to provide for leave of absence from civil employment; to" and insert in lieu thereof "as prescribed; to make certain acts unlawful as prescribed; to".

LEGISLATIVE BILL 351. Placed on Select File as amended.

E and R amendments to LB 351:

1. In the bill page 2, section 1, line 7, after "machinery" and line 13, after "cost" insert ","; line 8, strike the comma after "apparatus" and show as stricken matter; and in line 11, after "engineers" strike ", and, if" and insert in lieu thereof ", and, if . If".

2. In the bill title line 7, strike "and fixing" and insert in lieu thereof "as prescribed; to increase the amount of", and after "engineer" insert "for the prescribed purposes".

LEGISLATIVE BILL 450. Placed on Select File as amended.

E and R amendment to LB 450:

In the bill page 2, section 1, line 24, after "thousand" insert "inhabitants"; line 31 after "and" insert "have"; page 3, line 38, after "counties" insert ",".

LEGISLATIVE BILL 388. Correctly engrossed.

LEGISLATIVE BILL 391. Correctly engrossed.

LEGISLATIVE BILL 265. Correctly engrossed.

LEGISLATIVE BILL 421. Correctly engrossed.

LEGISLATIVE BILL 202. Correctly engrossed.

LEGISLATIVE BILL 451. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 12:02 p.m., on a motion by Mr. Person, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 23, 1955

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. Bahensky, who was excused.

The Journal for the Fifty-sixth Day was approved as corrected.

Appreciation

Letter from Mrs. Vivian Hubka thanking members of the Legislature for their expression of sympathy.

Communications

Letter from Grace O. Johnson, Representative of the Lincoln Music Teachers Association, opposing the taxing of musical instruments. Referred to Committee on Revenue.

Letter from U. S. Representative Phil Weaver, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 13.

Letter from Hon. Sam Rayburn, Speaker of the U. S. House of Representatives, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 13.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 334. Indefinitely postponed.

LEGISLATIVE BILL 344. Indefinitely postponed.

LEGISLATIVE BILL 314. Indefinitely postponed.

LEGISLATIVE BILL 465. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 302. Correctly enrolled.

LEGISLATIVE BILL 535. Correctly enrolled.

LEGISLATIVE BILL 263. Correctly enrolled.

LEGISLATIVE BILL 155. Correctly enrolled.

LEGISLATIVE BILL 206. Correctly enrolled.

LEGISLATIVE BILL 215. Correctly enrolled.

LEGISLATIVE BILL 86. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 302	LB 155	LB 86
LB 535	LB 206	LR 16
LB 263	LB 215	LR 19

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 174.

A bill for an act to amend sections 30-1102 and 30-1106, Reissue Revised Statutes of Nebraska, 1943, and sections 30-1104 and 30-1105, Revised Statutes Supplement, 1953, relating to decedents' estates; to provide that the petition for license to sell real estate for payment of debts shall set forth that the real estate proposed to be sold is not exempt from sale by virtue of having been the family homestead or for any other reason; to provide that the order to show cause and the notice thereof shall describe the real estate proposed to be sold, and state that it is not exempt from sale by reason of being the homestead or for any other reason; to provide that at the hearing upon such petition, the district court or a judge thereof in chambers shall find and determine whether or not the real estate is exempt from sale by reason of having been the family homestead or for any other reason;

to provide for continuance of hearings in such proceedings from day to day without an order of court until the same can be heard; to provide when, where, and under what conditions such petition shall be heard by the district court or a judge 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, 42:

Adams, J.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrđik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Bahensky

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 229.

A bill for an act to amend section 60-407, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 28, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to motor vehicles; to provide that examiners for operator's license need not be patrolmen; to provide for re-examination of the holder of an operator's license to operate a motor vehicle under the conditions prescribed; to correct designation of public official to harmonize with previous legislation; to require the surrender of an operator's license as prescribed; to make it unlawful to fail or refuse to surrender such license as prescribed; to provide penalties; to provide for operator's licenses, probationary licenses, limited permits, and learner's permits; to provide the fee for probationary licenses; to increase the age limit of persons who may be issued an operator's license as prescribed; to prescribe certain powers and duties of certain public officers or employees; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Bahensky

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 50.

A bill for an act to amend section 79-486, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 162, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to schools; to except school districts contracting, as of January 1, 1955, for instruction of pupils of the elementary grades with a state normal school from the provisions of dissolution on account of such contracting for instruction; 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.	Brower	Hubka	McHenry
Adams, T.	Cole	Klaver	Martin
Anderson	Cramer	Kotouc	Metzger
Aufenkamp	Diers	Larkin	Morrison
Bedford	Fenske	Lee	Moulton
Bixler	Foote	Liebers	Otto
Bridenbaugh	Hoffmeister	McGinley	Perry

Person	Purdy	Swanson	Tvrdik
Peterson	Ruhnke	Syas	Vogel
Pizer	Shultz	Thompson	

Voting in the negative, 2:

Beaver Nelson

Not voting, 2:

Bahensky Burney

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 361.

Mr. Vogel asked unanimous consent that the following amendments be adopted:

1. Amend page 1 of the bill by adding a new section to be known as section 1, and to read as follows:

"Section 1. That section 72-718, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

72-718. It shall be the duty of the State Building Commission to supervise the repairs and improvements of the capitol building costing in excess of ten thousand dollars and approve contracts therefor, *and to supervise the construction and improvements of the Governor's Mansion.*"

2. Amend the bill by renumbering original section 1 as section 2, and renumbering renumbered sections 2 and 3 as sections 3 and 4, respectively.

3. Amend renumbered section 4 by striking the word "section" and inserting "sections 72-718 and".

4. Amend the title of the bill, line 2 by striking "section" and inserting "sections 72-718 and", and line 8 by inserting "; to provide that the duties of the State Building Commission shall also consist of supervising the construction and improvements of the Governor's Mansion" after the word "Mansion".

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 42. Advanced to E and R for engrossment.

LEGISLATIVE BILL 363.

Mr. Aufenkamp moved that LB 363 be returned to General File for the following specific amendments:

1. Amend section 1 of the bill, line 23 by striking “, five, or seven” and inserting “*or five*”.

2. Amend the Diers Specific Amendment 1, line 4 of the mimeographed copy, line 4 by striking “, five, or seven” and inserting “*or five*”.

3. Amend E and R amendment 3, line 7 of mimeographed copy by striking “or one to seven”.

4. Amend E and R amendment 4, line 2 of mimeographed copy, by striking “or seven”.

Mr. Aufenkamp requested a Call of the House.

A Call of the House was ordered and showed 42 members present.

Mr. Beaver moved that the Call be raised. The motion prevailed.

The Aufenkamp motion prevailed with 22 ayes, 19 nays and 2 not voting.

LEGISLATIVE BILL 110. 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 424. 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 512. 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 470. 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 435. 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 351. 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 450. E and R amendment found in the Legislative Journal for the Fifty-sixth Day was adopted.

Mr. Tvrdik asked unanimous consent to amend LB 450 as follows:

Strike the Tvrdik amendment of March 17th and adopt the Standing Committee amendment of March 11th.

No objections. So ordered.

Advanced to E and R for engrossment.

Visitors

Mr. Tvrdik introduced Mrs. Tvrdik and their twin daughters, Charlotte and Maxine.

UNANIMOUS CONSENT—Return LB 461 to Select File

Mr. Otto asked unanimous consent that LB 461 be returned to Select File for the following specific amendment:

Amend Standing Committee amendment 1 to LB 461 by striking the words and punctuation "employing one or more persons".

No objections. So ordered.

LEGISLATIVE BILL 461.

Mr. Otto asked unanimous consent that his specific amendment, found in this day's Legislative Journal, be adopted.

No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE**LEGISLATIVE BILL 363.**

Mr. Aufenkamp moved the adoption of his specific amendments, found in this day's Legislative Journal.

Mr. Aufenkamp requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Burney moved that the Call be raised. The motion prevailed.

The Aufenkamp motion lost with 15 ayes, 21 nays and 7 not voting.

Mr. Fenske moved to indefinitely postpone LB 363.

Mr. Klaver Presiding

Mr. Fenske requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Burney moved that the Call be raised. The motion prevailed.

The Fenske motion lost with 16 ayes, 20 nays and 7 not voting.

Advanced to E and R for engrossment with 22 ayes, 12 nays and 9 not voting.

UNANIMOUS CONSENT—Revert to Select File

Mr. Tvrdik asked unanimous consent to revert to Select File for the purpose of considering LB 136 at this time. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 136. Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Revert to Resolutions

Mr. Lee asked unanimous consent to revert to the introduction of Resolutions. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 20. Re: In Memory of Shirley Kahler. Introduced by Earl J. Lee, 11th District; John E. Beaver, 12th District.

WHEREAS, Manuel Kahler came to Nebraska to work as a stone

setter in the construction of the State Capitol and has worked in the State Capitol and on its grounds beautifying its surroundings since 1929, and has become one of the most beloved persons working for the state, and

WHEREAS, the untimely death of his daughter, Shirley Kahler, on Sunday, March 20, 1955, leaves her parents, her brother, and two sisters with deep sorrow, and

WHEREAS, it is the desire of this body to pay tribute to the memory of Shirley Kahler.

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

1. That we pause for a moment in our deliberation and stand in humility and reverence in honor of Shirley Kahler.

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, as an expression of our respect for the deceased, and our sympathy for the bereaved.

SUSPEND RULES—Adopt Resolution

Mr. Lee moved that the rules be suspended and LR 20 be adopted.

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

The members of the Legislature stood in silent tribute to the memory of Miss Kahler.

GENERAL FILE

LEGISLATIVE BILL 148. Remainder of bill read and considered.

Mr. McGinley offered the following amendment:

1. Amend page 2 of the bill, section 2 by striking line 8 and the word "be" in line 9 and showing the same as stricken matter.

Mr. McGinley asked unanimous consent that his amendment be laid over. No objections. So ordered.

Mr. Lee offered the following amendments:

1. Amend LB 148, Section 2, line 3 by adding the word "tangible" after the word "all".

2. Amend the bill by adding a new section, to read as follows:

"Sec. 3. All intangible property in this state, not expressly exempt therefrom, shall be subject to taxation, and shall be valued and assessed at its actual value."

3. Renumber "Sec. 3" as "Sec. 4".

4. Amend the title to conform.

Mr. Lee asked unanimous consent that his amendments be laid over. No objections. So ordered.

Laid over.

Approved by the Governor

March 23, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 22, 1955, he approved L.B. 21, 59, 168 and 336.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Explanation of Vote

Mr. President: Had I been present for all the final readings Tuesday, March 22, 1955, I would have voted "No" on LB 86, and "Aye" on LB 215, 206, 155 and 263. (Signed) Glenn Cramer

UNANIMOUS CONSENT—Withdraw Notice of Hearing

Mr. Cramer asked unanimous consent to withdraw notice of hearing on LB 277, 321 and 521—hearing set for Tuesday, March 29, 1955. No objections. So ordered.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 108. Placed on General File as amended.

Standing Committee amendment to LB 108:

1. Amend Page 2, Section 3, subparagraph (1), Line 7 after the word "for" by striking the words "one year" and inserting in lieu thereof the words *five years*.

LEGISLATIVE BILL 367. Placed on General File.

(Signed) George Syas, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 161. Placed on General File.

LEGISLATIVE BILL 199. Placed on General File as amended.

Standing Committee amendment to LB 199:

1. Amend section 1 of the bill, lines 6 and 8 by reinstating the stricken matter, line 6 by striking the new matter, line 7 by striking "fifteenth" and inserting "fifteenth first", and line 8 by striking "February" and inserting "February March".

LEGISLATIVE BILL 200. Indefinitely postponed.

LEGISLATIVE BILL 511. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Enrollment and Review

LEGISLATIVE BILL 138. Placed on Select File as amended.

E and R amendments to LB 138:

1. In the Bridenbaugh General File Amendment, line 2, insert a semicolon before "Provided"; line 6 (7, mimeograph copy), insert a comma after "Legislature"; and line 7, (8, mimeograph copy), insert a comma after "Council".

2. In the bill, insert a comma in: section 1, line 5 after "furnish", line 6 after "units", and line 7 after "faculties"; section 2, line 7 after "care", line 11 after "management"; section 3, line 5 after "company", and line 6 after "Nebraska"; section 5, line 5 after "boarding", and line 6 after "ties"; section 7, line 2 after "power"; and in the bill title, line 8 after "faculties", and line 17 after "earnings".

3. In the bill, section 1, line 12, insert "either of" after "by".

4. In the bill, section 2, line 1, strike "Such board as provided" and in lieu thereof insert "either of such boards, referred to"; and line 9, after "tuitions" insert "referred to in section 1 of this act".

5. In the bill, section 6, line 8, strike the comma after "thereof"; and line 9, strike "to pay".

6. In the bill, section 7, line 1, strike "boards" and in lieu thereof insert "respective boards, referred to in section 1 of this act,".

7. In the bill, section 8, line 2, insert "issuing the same" after "board".

8. In the bill title, line 2, strike "the State University" and in lieu thereof insert "The University of Nebraska"; line 9, strike "said boards" and in lieu thereof insert "The Board of Regents of the University of Nebraska or the Board of Education of State Normal Schools"; line 17, before the semicolon insert "as prescribed"; line 18, before the semicolon insert "as prescribed; to provide certain procedure and requirements in regard to such bonds; to provide for the registration and place of payment thereof; to provide for the use of the funds obtained from such bonds"; line 19, after "such" insert "revenue"; line 20, after the semicolon insert "to provide for the submission of the prescribed proposal to the Legislature, if in session, or to the Executive Board of the Legislative Council, if the Legislature is not in session as prescribed; to provide for proceeding with the construction of such facility except as prescribed, after so submitting such proposal;"; line 22, after "the" insert "prescribed charges and the".

LEGISLATIVE BILL 422. Placed on Select File as amended.

E and R amendments to LB 422:

1. In Standing Committee Amendment 1, line 3 (2, mimeograph copy), insert "as" before the newly inserted matter.

2. In Standing Committee Amendment 2, line 2, strike "as" and in lieu thereof insert "at".

3. In the bill, section 2, line 34, strike "above".

4. In the bill, section 3, line 3, after "of" insert "the"; line 4, strike "shall levy on all" and in lieu thereof insert "*of equalization shall levy on the assessed value of all the*"; line 5, after "county" insert "*, except intangible property,*"; line 7, strike "all" and show the same as stricken matter; lines 7 and 8, strike "valuation on" and in lieu thereof insert "*valuation on value of*"; line 10, strike "valuation of" and in lieu thereof insert "*valuation value of all*"; line 12, after "board" insert "*of equalization*"; line 13, strike "then" and show the same as stricken matter.

5. In the bill title, line 8, after the semicolon insert "to harmonize with previous legislation;".

LEGISLATIVE BILL 354. Placed on Select File as amended.

E and R amendments to LB 354:

1. In the bill, section 1, line 3, before "an" insert "(1)", and in the same line, after "for" insert "a"; line 4, after "application" insert ","; line 7, before the second "of" insert "is", and in the same line, strike "that he" and in lieu thereof insert "that he and"; line 14, strike the second "of"; line 15, strike "shall have"; line 16, before "The" insert "(2)"; line 17, strike "shall further" and in lieu thereof insert "for a license as an embalmer shall further also"; line 18, strike "(1)" and in lieu thereof insert "(1) (a)"; strike lines 20 to 22, commencing with the word "same" in line 20 to and including "and" in line 22, and in lieu thereof insert "same type referred to in section 71-196 as these graded Class "A" by the Conference of Embalmers Examining Boards of the United States, Inc., and which college is"; line 22, strike "(2)" and in lieu thereof insert "(2) (b)"; line 26, strike "(3)" and in lieu thereof insert "(c)"; line 28, before "When" insert "(3)"; line 30, strike "(1)" and in lieu thereof insert "(a) of subsection (2)"; line 36, insert "," after "qualifications"; lines 36 and 37, strike "(2) and (3)" and in lieu thereof insert "(b) and (c) of subsection (2)"; and line 43, insert "upon" before "such".

2. In the bill, section 2, line 4, strike the quotation marks and show the same as stricken matter.

LEGISLATIVE BILL 464. Correctly engrossed.

LEGISLATIVE BILL 209. Correctly engrossed.

LEGISLATIVE BILL 288. Correctly engrossed.

LEGISLATIVE BILL 257. Correctly engrossed.

LEGISLATIVE BILL 420. Correctly engrossed.

LEGISLATIVE BILL 402. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Judiciary

Resolution No. 6 (H.R. No. 31-84a) from the State of Georgia reported back to the Legislature with the recommendation that it be rejected and returned to Georgia.

(Signed) Joseph D. Martin, Chairman

Members Excused

Mr. Hubka was excused for Thursday and Friday, March 24 and 25, 1955.

Mr. Perry was excused from 9:00 to 10:00 a.m. on Friday, March 25, and from 9:00 a.m. to 10:00 a.m. on Monday, March 28, 1955.

UNANIMOUS CONSENT—Re-refer Bill

Mr. Burney asked unanimous consent to re-refer LB 375 from the Committee on Education to the Committee on Public Health and Miscellaneous Subjects. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Education

LB 303	Tuesday, March 29, 1955	2:00 p.m.
LB 304	Tuesday, March 29, 1955	2:00 p.m.
LB 305	Tuesday, March 29, 1955	2:00 p.m.
LB 474	Tuesday, April 5, 1955	2:00 p.m.

UNANIMOUS CONSENT—Adopt Report

Mr. J. Adams asked unanimous consent that the report of the Judiciary Committee on Resolution No. 6 (H.R. No. 31-84a) from Georgia be adopted and the Committee's request complied with, and that the Clerk be directed to return this resolution to the State of Georgia. No objections. So ordered.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Hubka asked unanimous consent to withdraw LB 198. No objections. So ordered.

Adjournment

At 11:29 a.m., on a motion by Mr. Shultz, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 24, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by Rev. J. Arden Wild, Pastor of the First Congregational Church, Hartington, Nebraska.

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

The Journal for the Fifty-seventh Day was approved.

Communications

Letter from U. S. Representative R. D. Harrison, Washington, D. C., acknowledging receipt of LR 14.

Letter from U. S. Representative Jackson B. Chase, Washington, D. C., acknowledging receipt of LR 11.

Letter from Chester Ellis, Holmesville, Nebraska, addressed to Mr. Burney, favoring the sales and income tax. Referred to Committee on Revenue.

Member Excused

Mr. Shultz was excused for Friday, March 25, 1955.

NOTICE OF COMMITTEE HEARINGS Labor and Public Welfare

LB 267	Monday, April 4, 1955	2:00 p.m.
LB 530	Monday, April 4, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS
Labor and Public Welfare

LEGISLATIVE BILL 231. Placed on General File as amended.

Standing Committee amendments to LB 231:

1. Amend page 2, section 2, line 7 by striking after the word act, the punctuation, to-wit, the period, "." and adding the following language and punctuation, "and nothing in this Section shall prohibit a variation in salary or wage rates based upon a difference in seniority, experience, training, skill, ability, or difference in duties or services performed, either regularly or occasionally, or based upon a difference in the hours, shift, or time of employment, or difference in availability for other operations or any other reasonable differentiation except difference in sex."

2. Amend page 2, section 4, lines 4, 5, and 6, by striking the following words and punctuation, to-wit, "from the employer and upon recovery of salary and wages shall be allowed costs of suit including a reasonable attorneys fee to be fixed by the court".

3. Amend page 2, section 5, line 4, by adding the following language and punctuation, to-wit, "Provided, however, contracts of employment heretofore entered into between employer and employee and covering a definite period of time and bearing a definite ending date shall not be affected or be in violation of the provisions of this act."

4. Amend page 3, section 6, line 3 by striking after the word employer the punctuation, to-wit, the period "." and adding the following language and punctuation, "and any compromise between the employer and employee of such employees claim and demand for past and due wages may be effectuated and shall constitute full and complete satisfaction hereunder."

(Signed) George Syas, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 399. Indefinitely postponed.

LEGISLATIVE BILL 383. Indefinitely postponed.

LEGISLATIVE BILL 439. Indefinitely postponed.

LEGISLATIVE BILL 490. Indefinitely postponed.

LEGISLATIVE BILL 64. Placed on General File.

(Signed) O. H. Person, Chairman

Enrollment and Review**LEGISLATIVE BILL 50.** Correctly enrolled.**LEGISLATIVE BILL 229.** Correctly enrolled.**LEGISLATIVE BILL 174.** Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 50

LB 229

LB 174

LR 20

Visitors

Mr. Burney introduced Rev. Arden Wild, Pastor, and eighteen members of Pilgrim Fellowship of the First Congregational Church, Hartington, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 327.

A bill for an act to amend sections 28-473, 28-474, 28-475, and 28-476, Reissue Revised Statutes of Nebraska, 1943, relating to hypnotic drugs; to provide for labeling containers in which sympathomimetic agents or drugs are kept; to redefine terms; to provide restrictions for sale of sympathomimetic agents or drugs; to make certain acts unlawful; to provide for violations; to provide penalties; to provide certain exceptions; 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.	Bridenbaugh	Hoffmeister	Martin
Adams, T.	Brower	Klaver	Metzger
Anderson	Burney	Kotouc	Moulton
Aufenkamp	Cole	Larkin	Nelson
Bahensky	Cramer	Lee	Otto
Beaver	Diers	Liebers	Perry
Bedford	Fenske	McGinley	Person
Bixler	Foote	McHenry	Peterson

Pizer	Ruhnke	Syas	Tvrdik
Purdy	Swanson	Thompson	Vogel

Voting in the negative, 0.

Not voting, 3:

Hubka	Morrison	Shultz
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 171.

A bill for an act relating to decedents' estates; to provide for the transfer of personal property of a deceased person without judicial proceedings where the value of the entire estate of the decedent, less liens and encumbrances, does not exceed seven hundred dollars; to prescribe the procedure necessary to accomplish such transfer; to provide additional requirements where it is sought to transfer title to a motor vehicle; to declare the effect of the procedure provided by this act; and to repeal sections 60-111.01, 60-111.02, and 60-111.03, Revised Statutes Supplement, 1953.

Whereupon the 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka	Shultz
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 138. 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 422. E and R amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Laid over.

LEGISLATIVE BILL 354. E and R amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Mr. Hoffmeister moved that LB 354 be returned to General File for the following specific amendment:

Amend Section 1, Lines 15 and 16, by striking "*which shall have included courses in English, accounting, chemistry, and biology.*" and inserting in lieu thereof "*such course to include two semesters of English, two semesters of accounting, three semesters of chemistry, and three semesters of a biological science.*"

The motion prevailed with 35 ayes, 2 nays and 6 not voting.

GENERAL FILE

LEGISLATIVE BILL 354.

Mr. Hoffmeister moved that his amendment found in this day's Journal be adopted.

The motion prevailed.

Mr. Hoffmeister moved that LB 354 be advanced to E and R for review.

The motion prevailed.

Mr. Klaver Presiding

LEGISLATIVE BILL 148.

The McGinley amendment found in the Legislative Journal for the Fifty-seventh Day was adopted.

The Lee amendments found in the Legislative Journal for the Fifty-seventh Day were adopted.

Mr. Lee offered the following amendments:

Amend Section 2, line 3 by adding the words "and real property" following the word "property".

Amend Section 1, line 8 by striking the words "and amount of" and inserting in lieu thereof "less".

Pending.

Visitors

Mr. Aufenkamp introduced Mrs. Wm. Reed, Teacher, Mrs. Tom Haines, sponsor, and eleven students from Nemaha High School, Nemaha, Nebraska.

Mr. Swanson introduced Ramona Laun, Dawson County Extension Agent, and thirty-six members of home extension clubs from Dawson and Gosper Counties.

Approved by the Governor

March 24, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 23, 1955, he approved LB 221, 346, 249, 163, 165 and 341.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 24, 1955 at 8:45 a.m.

LB 86

LB 206

LB 263

LB 302

LB 215

LB 155

LB 535

(Signed) Donald F. McGinley, Chairman

Education

LEGISLATIVE BILL 522. Placed on General File as amended.

Standing Committee amendments to LB 522:

1. Amend section 1 of the bill, lines 9 and 10 by striking “, who shall have competence in the field of investments,” line 11 by inserting “One member of the board shall be competent in the field of investments.” after the word and punctuation “large.”, lines 55 and 56 by striking “on the second and fourth Mondays of” and inserting “on the second and fourth Monday of not less than once”, and by striking lines 64 to 67 and inserting “be duly appointed and qualified. The compensation of the secretary shall be not to exceed seven thousand five hundred dollars per annum, payable monthly, as fixed by the board at the time of the nomination of the secretary.”

2. That the Enrollment and Review Committee correlate the bill with Legislative Bill 2.

LEGISLATIVE BILL 192. Placed on General File as amended.

Standing Committee amendment to LB 192:

1. Amend page 4 of the bill, section 1 by striking lines 73 to 83 and inserting in lieu thereof the following:

“(12) With the advice of the Department of Roads and Irrigation, to adopt reasonable standards, not inconsistent with existing statutes, governing: (1) The general design, equipment, color, operation, and maintenance of any vehicle with a manufacturer's rated seating capacity of twelve or more passengers used for the transportation of school children; and (2) the equipment, operation and maintenance of any vehicle with a capacity of seven to and including eleven passengers used for the transportation of school children, when such vehicles are either owned or operated, or owned and operated, by any school district, or privately owned or operated under contract with any school district in this state. Similar standards are to be adopted for operators of such vehicles as to physical and mental qualities, driving skills and practices, and knowledge of traffic laws and regulations which relate to school bus transportation. Such rules and regulations shall by reference be made a part of any such contract with a school district. Any officer or employee of any school district who violates any of the regulations or fails to include obligations to comply with the regulations in any contract executed by him on behalf of a school district shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to removal from office or employment. Any person operating a school bus under contract with a school district who fails to comply with any said regulations shall be guilty of breach of contract and such contract shall be canceled after notice and hearing by the responsible officers of such school district.”

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 461. Replaced on Select File as amended.

E and R amendment to LB 461:

1. In Standing Committee Amendment 1, line 4, strike the colon at the beginning of the line and in lieu thereof insert “;”.

LEGISLATIVE BILL 460. Placed on Select File as amended.

E and R amendments to LB 460:

1. In Standing Committee Amendment 2, line 3, insert “have” after the semicolon; and in amendment 3, line 1, strike “6” after “section” and insert in lieu thereof “5”.

2. In the bill page 2, section 2, line 14, page 3, lines 18, 24, 26, 33, 36, and 40, strike the period and insert in lieu thereof “.”; line 23 after “or” insert “the”; line 43 after “nursing” insert “;”; line 48 strike the period and insert “.”; or”; page 4, section 3, line 3, strike “board” and insert in lieu thereof “board Board of Nursing”; line 5 strike the first “and” and insert in lieu thereof “and.”; line 7, after “board” insert “;”; line 14, strike “previous” and insert in lieu thereof “previous prior”; page 5, section 4, line 4, strike “and” and insert in lieu thereof “and ; be”; line 5, strike “and shall” and insert in lieu thereof “and shall.”; line 6 after the semicolon insert “have”; line 7, strike the comma and also “shall” and show as stricken matter; line 8, after the semicolon insert “and”; line 16 strike “and” and insert in lieu thereof “; be”; line 17, strike “and shall” and insert in lieu thereof “;”; line 18, strike “shall”; section 5, line 3, after “person” and line 5, after “act” insert “;”; line 5, strike “annually renewed” and insert in lieu thereof “annually renewed each year.”; section 6, line 8, strike “71-1,13204” and insert in lieu thereof “71-1,132.04” as in statutes; page 7, section 8, at end of line 13 add “and”; section 10, line 5, strike “if” and insert in lieu thereof “if,” and after “board” insert “;”; section 13, line 10, after “institute” insert “;”; at end of line 12, add “the”; and line 13 strike “, and the” and insert in lieu thereof “. The”.

3. In the bill title line 7, after the first “to” insert “provide a title of a person so licensed to practice practical nursing; to” and in the same line strike “fees” and insert “, renewal, reinstatement, and certificate fees as prescribed; to provide requirements of the members of the Board of Nursing; to correct the designation of public officials, departments, and otherwise to harmonize with previous legislation or general designations; to make certain acts unlawful”; and in line 8

after the second semicolon insert "to provide duties for certain officials;"

4. In section 3, line 5, insert "," after the word "members".

(Signed) Donald F. McGinley, Chairman

Judiciary

LEGISLATIVE RESOLUTION 3. Indefinitely postponed.

LEGISLATIVE BILL 146. Indefinitely postponed.

LEGISLATIVE BILL 144. Placed on General File as amended.

Standing Committee amendment to LB 144:

1. Section 1, Page 2, Line 1, strike "five" and insert in lieu thereof "sixteen"; amend title of the bill to conform.

LEGISLATIVE BILL 211. Placed on General File as amended.

Standing Committee amendments to LB 211:

1. Section 1, Page 2; strike out all of line 3 and the letters "ation" in line 4.
2. Amend the title of the bill, lines 3 and 4, by striking the words, "owned by any other person, association or corporation".
3. Section 1, Page 2, Line 5, strike "five" and insert in lieu thereof "one".
4. Section 1, Page 2, Line 6, strike the words "six months" and insert in lieu thereof "thirty days".

(Signed) Joseph D. Martin, Chairman

Special Order

Governor Anderson escorted Major General Melvin J. Maas to the rostrum, where he was welcomed by Speaker Burney.

Major General Maas addressed the Legislature on the rehabilitation and employment of handicapped persons, pursuant to the invitation extended on January 24, 1955.

Mr. Klaver expressed the appreciation of the Legislature to Major General Maas for appearing before the Legislature, and Governor Anderson escorted him from the Chamber.

Visitors

Mr. Diers introduced Rev. and Mrs. Gaston, York, Nebraska.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 473. Placed on General File as amended.

Standing Committee amendments to LB 473:

1. Amend the bill by adding a new section immediately after section 9 to be known as section 10 and to read as follows:

"Sec. 10. That section 21-902, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-902. All such associations shall upon their organization elect an executive council of not less than three nor more than fifteen persons, who, . *Such executive council* together with the president and secretary of such association, shall constitute the trustees or directors, and . *The trustees or directors shall perform the duties and have the powers defined in sections 21-807 and 21-809. as follows: (1) To contract; (2) to prosecute and defend suits; (3) to acquire, hold, enjoy, dispose of, and convey real and personal property which may be acquired by purchase, gift, or otherwise, for the purpose of carrying out the intentions of such association, but not for any other purpose; and (4) to make rules and regulations as may be necessary for the government and management of the fiscal and other affairs of the association.*"

2. Amend the bill by renumbering sections 10 and 11 as sections 11 and 12, respectively.

3. Amend renumbered section 12 of the bill, line 2 by inserting "21-902," before the word "and".

4. Amend the title of the bill, line 3 by inserting "21-902," before the word "and", and line 20 by inserting after the word "State" the following:

"; to restate the powers and duties of the trustees or directors of non-profit and similar associations".

LEGISLATIVE BILL 194. Placed on General File as amended.

Standing Committee amendment to LB 194:

Section 1, Page 2, Sub-Section 2, Lines 26 to 30, re-insert stricken matter; Lines 30 to 40 inclusive, strike new matter.

LEGISLATIVE BILL 154. Placed on General File as amended.

Standing Committee amendment to LB 154:

Section 2, Page 2, Line 7, insert after the word "for", "valuation (ad valorem)"; strike "taxes" and insert in lieu thereof "tax".

(Signed) Joseph D. Martin, Chairman

Revenue

LEGISLATIVE BILL 152. Placed on General File as amended.

Standing Committee amendment to LB 152:

1. Amend page 2, section 1, line 11 by striking the word "of" and inserting in lieu thereof the word "*within*" after the word "laws".

(Signed) Donald F. McGinley, Vice-Chairman

Enrollment and Review

LEGISLATIVE BILL 182. Correctly engrossed.

LEGISLATIVE BILL 447. Correctly engrossed.

LEGISLATIVE BILL 293. Correctly engrossed.

LEGISLATIVE BILL 301. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:57 a.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 25, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Anderson, Hubka, Klaver, Perry and Shultz, who were excused, and Mr. J. Adams, who was excused until 9:30 a.m.

The Journal for the Fifty-eighth Day was approved as corrected.

Communications

Telegram from Anton F. Munch, Chairman, Brotherhood of Railroad Clerks, Omaha, Nebraska, favoring the abolition of the Tax Appraisal Board. Referred to Committee on Revenue.

Letter from C. D. Williams, Minden, Nebraska, in favor of LB 113. Referred to Committee on Agriculture.

Member Excused

Mr. Kotouc was excused from 11:00 a.m. today for the remainder of the day.

NOTICE OF COMMITTEE HEARING Miscellaneous Appropriations and Claims

LB 469 Monday, April 4, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS Agriculture

LEGISLATIVE BILL 428. Placed on General File.

LEGISLATIVE BILL 498. Placed on General File as amended.

Standing Committee amendments to LB 498:

1. Add a new paragraph to Section 2 numbered subsection (3) as follows: "(3) 'Established place of business' shall mean any permanent warehouse, building or structure, either owned in fee or leased, at which a legitimate permanent business is carried on as such in good faith and not for the purpose of evading this act, and at which stocks of the property being sold at public auction are produced, stored or kept in quantities reasonably adequate and usually carried for the requirements of such business, and shall not mean tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement."

2. Section 3 to be rewritten as follows: "Sec. 3. It shall be unlawful for any person, firm or corporation to sell, dispose of, or offer for sale at public auction in the State of Nebraska, any new goods, wares or merchandise, unless such person, firm or corporation shall have first secured a license as herein provided and shall have complied with all requirements of this act, except as hereinafter expressly exempted from the application of this act."

3. Amend page 3, Section 4 (3), by adding the following: "; and the name and address of the owner of the goods, wares and merchandise to be offered for sale at such auction, in the event the applicant is not the owner thereof;".

4. Amend Section 5 of the bill, lines 11 and 17 by striking "or against the auctioneer", by striking line 29 commencing with the word "At", by striking lines 30 and 31, by striking line 32 to and including the punctuation after the word "process", line 43 by striking "and the auctioneer" and line 44 by striking "or the auctioneer".

5. Add a new sentence after the period (.) in Section 5, line 25, page 4 of the bill, as follows: "Such bond shall be further conditioned on the payment by the applicant to purchasers at such public auctions of any loss or damage occasioned to any purchaser by reason of the breach of any express or implied warranty of the manufacturer, owner or seller, including costs of servicing and repairs incurred by purchasers within the warranty, unless the owner or seller of such goods, wares and merchandise shall clearly set forth in all public notices of such auctions that the goods to be sold are not warranted or guaranteed in any manner and that all costs of servicing and repairs will have to be paid by the purchaser."

6. Amend subsection 5 (5) of Section 4, page 3, lines 25 to 27, as follows: "(5) A receipt showing that personal property taxes on the new goods, wares and merchandise to be offered for sale or sold have

been paid; or, *evidence satisfactory to the county clerk that the same are not then liable to taxation.*"

7. Amend Sec. 10 as follows: "The provisions of this act shall not extend to the sale at public auction of livestock, farm machinery or farm produce or other items commonly sold at farm sales, or to auction sales by individuals of new merchandise, which was assessed personal property tax or is replacement stock of merchandise inventory which was assessed personal property tax in the county in which the sale is to be had, and *or to public auctions of goods, wares and merchandise held by the owner thereof at his or its established place of business,* or to auction sales under the direction of any court or court officers as may be required by law nor shall it apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, nor to a bona fide sale of goods, wares and merchandise by sample for future delivery, or by sales made by sheriffs, constables or other public officers selling goods, wares and merchandise according to law, nor to bona fide assignees or receivers appointed in this state selling goods, wares and merchandise for the benefit of creditors."

(Signed) Frank Nelson, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 520. Placed on General File as amended.

Standing Committee amendments to LB 520:

1. Amend section 1, lines 57 and 58 by reinstating the stricken matter.

2. Amend the bill by striking section 2 and renumbering sections 3 and 4 as sections 2 and 3, respectively.

3. Amend renumbered section 2 by reinstating line 17 and by reinstating line 18 to and including the word "by", line 18 by inserting after the stricken word "commission" the words "*resolution of the county board*", by striking line 20 and inserting "*tail within the corporate limits of cities and villages on*", line 23 by inserting "*in respect to the licensees within the corporate limits of cities or villages, or the county board in respect to licensees outside the corporate limits of cities or villages*" after the word "lage", and line 24 by inserting "*or resolution*" after the word "nance".

4. Amend renumbered section 3, line 1 by striking "*, 53-134.01,*".

5. Amend the title of the bill, line 2 by striking "*, 53-134.01,*".

(Signed) O. H. Person, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on March 24, 1955, at 3:00 p.m.

LB 50

LB 229

LB 174

LEGISLATIVE BILL 171. Correctly enrolled.

LEGISLATIVE BILL 327. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 171

LB 327

Visitors

Mr. Burney introduced Mr. Volkmar Gabert and Mr. Franz Haas, who are State Legislators from Bavaria, Germany, and who are in the United States to observe agricultural and legislative procedures. Mr. Gabert addressed the Legislature briefly.

UNANIMOUS CONSENT—Withdraw Bill

Mr. Brower asked unanimous consent to withdraw LB 264, and to withdraw the notice of hearing on LB 264, which was set for April 4, 1955. No objections. So ordered.

UNANIMOUS CONSENT—Executive Session

Mr. Moulton asked unanimous consent that the Committee on Public Works be permitted to hold an executive session at 1:30 p.m. today. No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 135. With emergency.

A bill for an act to amend section 79-1007, Reissue Revised Statutes of Nebraska, 1943, and sections 79-1007.01 and 79-1007.02, Revised Statutes Supplement, 1953, relating to schools; to remove the requirements for certification of the number of mills to be levied

during the month of July; to make correction to agree with previous legislation; to provide when the board of education of a Class V school district shall certify the amount of money necessary to the county board of equalization; to remove the limitations on levies for general operations of the district and to extend the provision with no limitation for levies for the site and building fund to the fiscal year ending August 31, 1959; to provide that the maximum levy after August 31, 1959, for general operations as prescribed shall be such number of mills as the Legislature shall provide and four mills for site and building purposes; to separate the bond fund from the site and building fund; to authorize a levy for the bond fund of an amount sufficient to pay the interest on and to retire bonded indebtedness; 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, T.	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Ruhnke
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Kotouc	Moulton	Syas
Bridenbaugh	Larkin	Nelson	Thompson
Brower	Lee	Otto	Tvrdik
Burney	Liebers	Person	Vogel
Cole			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Hubka	Perry	Shultz
Anderson	Klaver		

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

LEGISLATIVE BILL 286.

A bill for an act relating to industrial loan and investment companies; to provide the effect of a certificate of indebtedness issued by an industrial loan and investment company issued in the name of two or more persons, deliverable or payable to either or to their

survivor or survivors; and to provide for the payment thereof 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, T.	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Ruhnke
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Kotouc	Moulton	Syas
Bridenbaugh	Larkin	Nelson	Thompson
Brower	Lee	Otto	Tvrdik
Cole	Liebers	Person	Vogel

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Burney	Klaver	Shultz
Anderson	Hubka	Perry	

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 to amend section 8-601, Reissue Revised Statutes of Nebraska, 1943, relating to banks and banking; to include in the assessment for the examination of banks organized under the laws of this state, the salaries and expenses of examiners and examiners' helpers attending a school for examiners; 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.	Bridenbaugh	Foote	McHenry
Adams, T.	Brower	Hoffmeister	Martin
Aufenkamp	Burney	Kotouc	Metzger
Bahensky	Cole	Larkin	Morrison
Beaver	Cramer	Lee	Moulton
Bedford	Diers	Liebers	Nelson
Bixler	Fenske	McGinley	Otto

Person	Purdy	Swanson	Thompson
Peterson	Ruhnke	Syas	Vogel
Pizer			

Voting in the negative, 0.

Not voting, 6:

Anderson	Klaver	Shultz	Tvrdik
Hubka	Perry		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 391.

A bill for an act to amend section 15-263, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the primary class; to provide for imprisonment for violation of city ordinances under the conditions prescribed; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, J.	Cramer	McGinley	Peterson
Aufenkamp	Diers	McHenry	Pizer
Bahensky	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Ruhnke
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Kotouc	Moulton	Syas
Bridenbaugh	Larkin	Nelson	Thompson
Brower	Lee	Otto	Tvrdik
Burney	Liebers	Person	Vogel
Cole			

Voting in the negative, 1:

Adams, T.

Not voting, 5:

Anderson	Klaver	Perry	Shultz
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 265.

A bill for an act to amend section 28-572, Revised Statutes Supplement, 1953, relating to crimes and punishments; to redefine the offense of destroying or injuring property as prescribed in the sum of one hundred dollars, or more; to change penalty provisions; 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.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Anderson	Klaver	Perry	Shultz
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 421.

A bill for an act to amend section 8-303, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to increase the limit that may be loaned to a borrowing member; to restate such limits; 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.	Bahensky	Bixler	Burney
Adams, T.	Beaver	Bridenbaugh	Cole
Aufenkamp	Bedford	Brower	Cramer

Diers	Liebers	Nelson	Ruhnke
Fenske	McGinley	Otto	Swanson
Foote	McHenry	Person	Syas
Hoffmeister	Martin	Peterson	Thompson
Kotouc	Metzger	Pizer	Tvrdik
Larkin	Morrison	Purdy	Vogel
Lee	Moulton		

Voting in the negative, 0.

Not voting, 5:

Anderson	Klaver	Perry	Shultz
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 202. With emergency.

A bill for an act to amend sections 18-501 and 18-506, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages; to provide that the provisions of Chapter 18, article 5, Reissue Revised Statutes of Nebraska, 1943, shall include storm sewer systems and combination storm and sanitary sewer systems 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, 38:

Adams, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Anderson	Klaver	Perry	Shultz
Hubka			

A constitutional two-thirds majority having voted in the affirma-

tive, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 451.

A bill for an act to amend section 39-616, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to change the penalty for the careless operation of motor vehicles upon state highways in the manner 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, J.	Cole	McGinley	Peterson
Adams, T.	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Kotouc	Nelson	Tompson
Bridenbaugh	Larkin	Otto	Tvrdek
Brower	Lee	Person	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Anderson	Klaver	Perry	Shultz
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Peterson introduced Mr. Robert Lundt, Principal, Mrs. Lundt, and thirty seniors from Callaway High School, Callaway, Nebraska.

SELECT FILE

LEGISLATIVE BILL 422.

Mr. Cramer asked unanimous consent that the name of Norman A. Otto, 34th District, be added as a co-introducer of LB 422. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 461. 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 460. E and R amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Person introduced Ernest E. Robinson, Coach, Mrs. F. M. Michaelis, Teacher, Mr. F. Michaelis and Mr. C. W. Sorenson, Sponsors, and twelve students from Bellwood High School, Bellwood, Nebraska.

Mr. Person also introduced Charles Dinis and Lyle Bargman, Teachers, and forty-six students from Saunders County, Nebraska.

Communications

Letters from U. S. Senator Carl T. Curtis, Washington, D. C. and Speaker Sam Rayburn, U. S. House of Representatives, Washington, D. C. acknowledging receipt of LR 14.

Letter from Theodore Redfield, Lincoln, Nebraska, relating to labor. Referred to Committee on Labor and Public Welfare.

Mr. Martin Presiding

GENERAL FILE

LEGISLATIVE BILL 148. Considered.

The Lee amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Mr. Liebers moved that LB 148 be advanced to E and R for review.

Mr. Larkin moved to indefinitely postpone LB 148.

The Larkin motion lost with 6 ayes, 30 nays and 7 not voting.

Mr. J. Adams asked unanimous consent that LB 148 be laid over until Tuesday, March 29, 1955.

Mr. Person objected.

Mr. J. Adams moved that LB 148 be laid over until Tuesday, March 29, 1955.

The motion lost.

The Liebers motion prevailed and LB 148 was advanced to E and R for review.

Visitors

Mr. Moulton introduced Cadet Colonel Frank Pazlar and Cadet Sergeant Bob Rasgorshek of the Air Force R.O.T.C., and First Lieutenant Donna Rasgorshek, Captain Jackie Pederson, Honorary Colonel, and Major Donna Reynolds, Flight Leader, of the Angels' Flight, R.O.T.C., and Bill Kartville, Photographer, all students from the University of Omaha.

Mr. Peterson introduced R. H. Kreutz of Giltner, Nebraska, former Member of the Legislature.

Mr. Otto introduced Mrs. Otto, his wife, and their two sons, Steve and Jim.

LEGISLATIVE BILL 149. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-ninth Day were adopted.

Mr. Bixler offered the following amendment, which was adopted:

1. Amend page 2 of the bill, section 1, line 3 by inserting "or produced" after the word "purchased", and line 4 by inserting "or held for production" after the word "profit".

Explanation of Vote

Mr. President: If I had been present, I would have voted "aye" on LB 135. (Signed) John Adams, Sr.

NOTICE OF COMMITTEE HEARINGS Public Works

LB 543 Friday, April 1, 1955 2:00 p.m.

Revenue

LB 222 Tuesday, April 5, 1955 2:00 p.m.

LB 411 Tuesday, April 5, 1955 2:00 p.m.

LB 362 Tuesday, April 12, 1955 2:00 p.m.

LB 436 Tuesday, April 12, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS**Judiciary**

LEGISLATIVE BILL 85. Indefinitely postponed.

LEGISLATIVE BILL 34. Indefinitely postponed.

LEGISLATIVE BILL 84. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Education

LEGISLATIVE BILL 524. Indefinitely postponed.

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 364. Replaced on Select File as amended.

E and R amendment to LB 364:

1. In the bill, section 2, strike lines 24 to 26, commencing with "of" in line 24 to and including "share" in line 26, and in lieu thereof insert "(2) *the remainder as follows: (a) Two-ninths two-ninths of the share*"; line 29, after the semicolon insert "Provided,"; line 33, strike "(3) two-ninths of the share" and in lieu thereof insert "(3) (b) two-ninths of the share"; line 42, strike "(4)" and in lieu thereof insert "(4) (c)".

LEGISLATIVE BILL 323. Placed on Select File as amended.

E and R amendments to LB 323:

1. In the bill page 2, section 1, line 8, after party insert "*to such a contract*"; line 12 after "that" insert "*the*"; page 3, section 2, line 16, strike the first semicolon and insert in lieu thereof ";, "; line 23, after "valuation", page 4, section 4, line 10 after both words "*license*", section 5, line 3, after "*license*", page 5, section 6, line 3 after "*Societies*", line 4 after "*state*", section 7, line 3, after "*society*", line 4, after "*state*", line 7, after "*country*", page 6, section 9, line 4, after "*partnership*", line 10 after "*ciation*", line 19 after "*association*", lines 11, 20, 37, and on page 7, section 10, lines 11 and 21 after "*rules*", section 10, line 4, after "*partnership*", lines 8 and 25 after "*thereof*", lines 10 and 20 after "*association*", line 18, after "*trustworthy*", page 8, line 32 after "*Licenses*", line 33 after "44-1466", at the end of line 38, section 11, line 5, after "*may*", section 12, line 2, after "*that*", page 9, section 12, line 5, after "*country*", line 10 after "*authority*", line 11, after "*sioner*", section 13, line 4, after "*charges*", line 6, after "*chapter*", line 8 after

"act", line 17, after "whatsoever", line 19 after "office", section 14, line 1, after "Insurers" and "act" insert ","; page 4, section 5, lines 3 and 4 strike quotation marks and show as stricken matter; page 5, section 6, line 9 after "authority" insert "shall"; page 6, section 9, line 6, insert "a" after the first "for" and also on page 7, line 32, after "after"; line 34, after "shall" insert "promptly"; line 35, strike "promptly" and show as stricken matter; page 8, section 11, line 6, after "furnish" insert "the same"; page 9, section 13, line 20, strike "by the State Treasurer" and in the same line after "deposited" insert "by the State Treasurer".

2. In the bill title line 13, after "take" insert "as prescribed"; and in line 19, after the first semicolon insert "to provide duties and powers for certain officials and agencies; to provide certain procedures;".

3. In Section 9, line 17, insert "," after "trustworthy".

LEGISLATIVE BILL 355. Placed on Select File as amended.

E and R amendments to LB 355:

1. In the bill page 2, section 1, line 4, strike "an" and insert in lieu thereof "such an"; and in line 6, strike the comma and insert in lieu thereof ", . Such salary shall be".

2. In the bill title line 6, after "ordinance" insert "and be payable as prescribed".

LEGISLATIVE BILL 326. Correctly engrossed.

LEGISLATIVE BILL 386. Correctly engrossed.

LEGISLATIVE BILL 424. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Withdraw Notice of Hearing

Mr. Moulton asked unanimous consent to withdraw the notice of hearing on LB 452, originally set for Thursday, April 14, 1955. No objections. So ordered.

Adjournment

At 12:00 noon, on a motion by Mr. Bixler, the Legislature adjourned until 9:30 a.m., Monday, March 28, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 28, 1955

Pursuant to adjournment, the Legislature met at 9:31 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, and Messrs. Anderson, Bahensky, Hubka and Perry, who were excused.

The Journal for the Fifty-ninth Day was approved as corrected.

Approved by the Governor

March 25, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 25, 1955, he approved LB 449, 41, 166 and 503.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Message from the Governor

March 28, 1955

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

Legislative Bill 53 is returned to you without my signature. This bill is vetoed for the following reasons:

A common objective of all citizens, especially those who enact our laws and those whose duties are the enforcement of our laws, is to restrict the privilege of driving a motor vehicle to individuals with adequate vision, physical competence, and knowledge of traffic laws to ensure so far as possible that they drive safely. No one is permitted to drive until they have demonstrated their competence, ability and willingness to assume every responsibility for safely operating a motor vehicle on the highways. There is no criticism of the intended purpose in Legislative Bill 53 to provide student-driver training.

I believe, however, that student-driver training required by this Bill could not be provided by the specified maximum apportionment of \$20 per pupil. Reliable authorities state that such training could require the expenditure of nearly twice that amount.

Many schools now conduct excellent student-driver training, both as to classroom instruction and behind-the-wheel driving, through the cooperative efforts of their officials, safety organizations, automobile dealers and manufacturers, casualty and insurance companies, parents, and others interested in this fine objective of safety, and without legislative requirements or the imposition of special taxes.

At the present time 164 schools offer driver-education classes. Nearly 5,000 students and 160 adults are enrolled in these classes.

In addition to the 5,000 students enrolled in the complete program, there are an additional 1,100 that are receiving classroom instruction in driver-education.

The Commissioner of Education informs me that there are 119 properly trained driver-training teachers in the state at the present time, and that the average cost of driver-training now being given is \$35 per student.

The Attorney General has reviewed this act and has confirmed that approval of the act in its present form without amendment of other statutes would very probably result in a number of procedural difficulties.

Respectfully submitted this 28th day of March, 1955.

(Signed) Victor E. Anderson
Governor

Communications

Telegram from S. C. Hoffman, Chief Engineer, Fremont, and five members of the Brotherhood of Locomotive Engineers, opposing LB 400 and LB 510, and supporting LB 407 and LB 412. Referred to Committee on Revenue and Committee on Public Health and Miscellaneous Subjects.

Letters from U. S. Representative Jackson B. Chase and U. S. Senator Roman L. Hruska, Washington, D. C., acknowledging receipt of copy of Legislative Resolution 14.

NOTICE OF COMMITTEE HEARINGS

Public Works

LB 452	Thursday, April 21, 1955	2:00 p.m.
LB 493	Thursday, April 21, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 531. Placed on General File as amended.

Standing Committee amendments to LB 531:

1. Amend page 2 of the bill by adding a new section immediately after section 2 to be known as section 3 and to read as follows:

"Sec. 3. As used in this act, unless the context otherwise requires: Proceeds shall mean any money collected from or by reason of parking meters or other similar mechanical devices installed by any city or village, including revenues received by reason of any schedule of accelerated charges, to be fixed by ordinance, and such accelerated charges shall not be subject to the limitation of ten cents per hour fixed by section 1 of this act. Accelerated charges may include, but need not be limited to, charges fixed by ordinance for parking in controlled or regulated areas without payment in advance of required parking fees or payments, but shall not include judicially imposed fines and penalties."

2. Amend the bill by renumbering section 3 as section 4.

3. Amend the title, line 4 by inserting ";" to define terms" after the word "traffic".

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 82. Replaced on Select File as amended.

E and R amendments to LB 82:

1. In the original Specific Amendment 1, by Mr. Lee line 2 strike "13" and in lieu thereof insert "12, originally section 11" and in the same line strike "14" and in lieu thereof insert "13"; and in the first

line of the newly inserted section, strike "14" and in lieu thereof insert "13"; and in the 11th line of the original amendment (being line No. 10 in the mimeographed copy) insert ";" after "*maintaining*" and also after "*company*" in the 18th line of the original amendment 1, (being line No. 19 in the mimeographed copy).

2. In Specific Amendment 2 by Mr. Lee lines 1 and 2, strike "section 14 as section 15" and in lieu thereof insert "sections 13 and 14 (original sections 12 and 13) as sections 14 and 15 respectively".

Presented to the Governor

Presented to the Governor for approval on March 25, 1955 at 3:45 p.m.

LB 327

LB 171

LEGISLATIVE BILL 451. Correctly enrolled.

LEGISLATIVE BILL 202. Correctly enrolled.

LEGISLATIVE BILL 421. Correctly enrolled.

LEGISLATIVE BILL 265. Correctly enrolled.

LEGISLATIVE BILL 391. Correctly enrolled.

LEGISLATIVE BILL 388. Correctly enrolled.

LEGISLATIVE BILL 286. Correctly enrolled.

LEGISLATIVE BILL 135. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 451

LB 421

LB 391

LB 286

LB 202

LB 265

LB 388

LB 135

Announcement

Mr. Ruhnke announced the birth of a son, John Francis, to Mr. and Mrs. Frank Foote at the Lincoln General Hospital yesterday. Mr. Foote announced that both Mrs. Foote and the baby were doing nicely and Mr. Foote passed cigars.

MOTION—Flowers

Mr. President: I move that flowers be sent to Mrs. Foote at the Lincoln General Hospital. (Signed) Dwight W. Burney

The motion prevailed.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 464.

A bill for an act to amend sections 60-311.05, 60-311.06, and 60-311.07, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for issuance of distinctive registration plates to holders of amateur radio station licenses in lieu of regular registration plates; to prescribe the fee for issuance of such plates; to prescribe the duties of certain public officials; to fix a time for applications to insure the issuance of such plates by the Department of Roads and Irrigation; to provide for the making of rules and regulations as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 33:

Adams, J.	Diers	McGinley	Pizer
Adams, T.	Fenske	Martin	Purdy
Aufenkamp	Hoffmeister	Morrison	Ruhnke
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Brower	Lee	Person	Tvrđik
Cole	Liebers	Peterson	Vogel
Cramer			

Voting in the negative, 5:

Beaver	McHenry	Metzger	Shultz
Burney			

Not voting, 5:

Anderson	Foote	Hubka	Perry
Bahensky			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 209.

A bill for an act to amend section 49-207, Reissue Revised Statutes of Nebraska, 1943, relating to constitutional amendments; to provide the order in which amendments to the Constitution of Nebraska or propositions as prescribed shall be submitted to the people; to pre-

scribe certain duties of the Secretary of 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, 37:

Adams, J.	Diers	McHenry	Pizer
Adams, T.	Fenske	Martin	Purdy
Aufenkamp	Hoffmeister	Metzger	Ruhnke
Beaver	Klaver	Morrison	Shultz
Bedford	Kotouc	Moulton	Swanson
Bixler	Larkin	Nelson	Syas
Bridenbaugh	Lee	Otto	Thompson
Brower	Liebers	Person	Tvrdik
Cole	McGinley	Peterson	Vogel
Cramer			

Voting in the negative, 1:

Burney

Not voting, 5:

Anderson	Foote	Hubka	Perry
Bahensky			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 288.

A bill for an act to amend section 70-639, Revised Statutes Supplement, 1953, relating to public power and irrigation districts; to eliminate the provision requiring the Department of Roads and Irrigation to assist and supervise lettings of contracts by public power and irrigation districts; and to repeal the original section.

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

Voting in the affirmative, 38:

Adams, J.	Bedford	Burney	Fenske
Adams, T.	Bixler	Cole	Hoffmeister
Aufenkamp	Bridenbaugh	Cramer	Klaver
Beaver	Brower	Diers	Kotouc

Larkin	Metzger	Peterson	Syas
Lee	Morrison	Pizer	Thompson
Liebers	Moulton	Purdy	Tvrdik
McGinley	Nelson	Ruhnke	Vogel
McHenry	Otto	Shultz	
Martin	Person	Swanson	

Voting in the negative, 0.

Not voting, 5:

Anderson	Foote	Hubka	Perry
Bahensky			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 257. With emergency.

A bill for an act to amend section 80-401.01, Revised Statutes Supplement, 1953, relating to soldiers and sailors; to redefine terms; 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.	Cramer	McHenry	Pizer
Adams, T.	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Brower	Lee	Person	Tvrdik
Burney	Liebers	Peterson	Vogel
Cole	McGinley		

Voting in the negative, 0.

Not voting, 5:

Anderson	Foote	Hubka	Perry
Bahensky			

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.

A bill for an act to amend section 8-320, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to permit investments by building and loan associations in the securities and obligations of additional federal agencies; 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	McGinley	Pizer
Adams, T.	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Klaver	Morrison	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Thompson
Brower	Lee	Person	Tvrdik
Burney	Liebers	Peterson	Vogel
Cole			

Voting in the negative, 0.

Not voting, 6:

Anderson	Foote	Moulton	Perry
Bahensky	Hubka		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 402.

A bill for an act to amend section 23-1115, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 76, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to county judges; to increase the salaries of judges in certain counties, as prescribed; to provide when such increases shall become effective; 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.	Adams, T.	Aufenkamp	Beaver
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Bedford	Hoffmeister	Martin	Pizer
Bixler	Klaver	Metzger	Ruhnke
Bridenbaugh	Kotouc	Morrison	Shultz
Brower	Larkin	Moulton	Swanson
Burney	Lee	Nelson	Syas
Cole	Liebers	Otto	Thompson
Cramer	McGinley	Person	Tvrdik
Diers	McHenry	Peterson	Vogel
Fenske			

Voting in the negative, 1:

Purdy

Not voting, 5:

Anderson	Foote	Hubka	Perry
Bahensky			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 364. E and R amendment found in the Legislative Journal for the Fifty-ninth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 323. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Laid over.

LEGISLATIVE BILL 355. E and R amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for engrossment.

Mr. Vogel Presiding

GENERAL FILE

LEGISLATIVE BILL 149. Laid over until Thursday, March 31, 1955.

LEGISLATIVE BILL 150. Considered.

Mr. Bixler offered the following amendment, which was adopted:

Amend Section 1, line 16, by inserting after the word "both" the following: "*but not including hearing or sight aids for deaf or blind,*"

Mr. Klaver offered the following amendment, which was adopted:

Amend the Ruhnke amendment by striking the word "coats" and adding the words "wearing apparel".

Mr. Bixler offered the following amendment, which was adopted:

Amend Section 1 of LB 150 by striking all of sub-paragraph (4) on page 2 after the word "effects" through the word "dryers" and add a period after "effects".

Mr. Lee offered the following amendment, which was adopted:

Amend LB 150 by striking Section 3 and amending the title accordingly.

Mr. Liebers asked unanimous consent that LB 150 be laid over until tomorrow.

Mr. Burney objected.

Mr. Liebers moved that LB 150 be laid over until tomorrow. The motion prevailed with 27 ayes, 3 nays and 13 not voting.

LEGISLATIVE BILL 151. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 333. Considered.

Mr. Peterson moved that LB 333 be indefinitely postponed.

The motion prevailed with 23 ayes, 12 nays and 8 not voting.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 22. Indefinitely postponed.

LEGISLATIVE BILL 75. Indefinitely postponed.

LEGISLATIVE BILL 440. Indefinitely postponed.

LEGISLATIVE BILL 369. Indefinitely postponed.

LEGISLATIVE BILL 423. Indefinitely postponed.

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 419. Replaced on Select File as amended.

E and R amendments to LB 419:

1. In the original Enrollment and Review amendment 1 line 5 strike "(2)" and in lieu thereof insert "(b)"; lines 6, 10, and 13 strike respectively "(a)", "(b)" and "(c)"; line 8 strike "(1) and (2) of this paragraph" and in lieu thereof insert "(a) and (b) of subsection (4)"; in lines 11 and 12 and 14 and 15 strike "(2) of this paragraph" and in lieu thereof in each place insert "(b) of subsection (4)"; and line 19 of said amendment insert "(5)" before the word "The".

2. In Enrollment and Review amendment 2, line 8 insert "(2)" before the word "An"; line 12 of the original (line 11 of the mimeograph copy) insert "(3)" before the word "An"; line 14 of the original (line 13 of the mimeograph copy) strike "11" and in lieu thereof insert Roman Numeral "II"; and in line 19 of the original (line 18 of the mimeograph copy) insert "(4)" before the word "An"; and in line 20 of the original and mimeograph copy insert "(6)" before the word "An".

3. In the bill section 1, line 3 insert "(1)" before the word "No"; line 18 strike (1) and in lieu thereof insert "(1) (a)"; line 21 strike "(2)" and in lieu thereof insert "(2) (b)"; line 22 strike ", (a)" and show the same as stricken matter; line 25 strike "(b)" and in lieu thereof insert "(b) used"; line 28 strike "(c)" and in lieu thereof insert "(c) used"; line 30 strike "(3)" and in lieu thereof insert "(3) (c)"; line 35 strike "their" and in lieu thereof insert "their its"; and in line 40 strike "(1)" and in lieu thereof insert "(a)".

LEGISLATIVE BILL 218. Placed on Select File as amended.

E and R amendments to LB 218:

1. In the Standing Committee Amendment, line 2, strike "Any such district" and in lieu thereof insert "(2) Any district, referred to in subsection (1) of this section,"; line 5 (6, mimeograph copy), strike "on" and insert "after"; lines 5 and 6, strike "as provided" and in lieu thereof insert "in the manner provided for"; line 9 (10, mimeograph copy), after "the" insert "board of"; line 12 (14, mimeograph copy), before "In" insert "(3)", and in the same line (line 15, mimeograph copy), after the second "dissolved" insert ", as referred to in subsections (2) and (3) of this section,"; line 18 (22, mimeograph copy), after "election" insert ", referred to in subsection (2) of this section," and in the same line, after "for" insert "the"; line 22 (27, mimeograph copy), strike "by order"; line 23 (28, mimeograph copy), after "district" insert "by an order of such board".

2. In the bill, section 1, line 3, before "Whenever" insert "(1)", and in the same line after "petition" insert ", (a)"; line 4, strike "and" and in lieu thereof insert ", (b)"; line 5, before "signed" insert ", and (c)".

3. In the bill, section 2, line 8, strike "section 39-359 shall" and in lieu thereof insert "subsection (1) of section 39-359, shall (1)"; line 10, strike "and shall" and in lieu thereof insert ", (2)"; line 11, strike the second "and" and in lieu thereof insert "(3)"; line 13, strike "and" and in lieu thereof insert ", and (4)", and in the same line after "to" insert "(a)"; line 16, strike "and to" and in lieu thereof insert "(b)"; line 17, strike "to" and in lieu thereof insert "(c)"; line 18, after "which" insert ";"; insert ", " in line 19 after "board", line 21 after "notice", line 22 after "district", line 32 after "elected", line 36 after the second "county", and 37 after "filed"; line 22, after "posting" insert "such notice"; line 24, strike "The" and in lieu thereof insert "Such"; line 25, strike "and" and in lieu thereof insert ",."

4. In the bill, section 3, line 7, strike "it" and in lieu thereof insert "it such county board".

5. In the bill title, line 9, after "for" insert "the"; and line 10, after the first semicolon, insert "to provide for dissolution of a district as prescribed; to provide for distribution of the funds of such a district that is dissolved;"

LEGISLATIVE BILL 390. Placed on Select File as amended.

E and R amendments to LB 390:

1. In the Metzger General File Amendment 1, insert "," in line 6 (7, mimeograph copy), after "streets", line 12 (16, mimeograph copy), after "functions", line 13 (17, mimeograph copy), after "formed"; line 14 (18, mimeograph copy), strike "incorporation" and in lieu thereof insert "association", and in the same line, after "function" insert "or functions".

2. In the bill, section 1, line 24, strike "The articles" and in lieu thereof insert "(2) The articles of association, referred to in subsections (1), (3), and (4) of this section,"; line 34, insert "," after "widening"; line 35, insert "," after "pavement"; lines 38 and 39, strike "The articles" and in lieu thereof insert "(3) The articles, referred to in subsections (1), (2), and (4) of this section,"; line 44, strike "(2) After said articles" and in lieu thereof insert "(2) (4) After said the articles referred to in subsections (1), (2), and (3) of this section", and in the same line insert "," after "signed"; line 46, strike "for" and in lieu thereof insert "for of"; line 47, strike ", or" and in lieu thereof insert ", or ,"; line 49, strike "then" and show the same as stricken matter.

3. In the bill, section 2, line 3, strike "such" and in lieu thereof insert "*such the*"; line 4, before the first "the" insert "*as provided for by subsection (4) of section 31-727,*"; line 9, strike "averred" and in lieu thereof insert "*averred alleged in such petition*"; line 14, strike "by law notified" and in lieu thereof insert "*by law notified according to law*"; line 16, strike "as aforesaid," and show the same as stricken matter; line 20, strike "ad valorem" and show as stricken matter, and in the same line, after "assessment" insert "*in accordance with law*"; line 28, strike "the application" and in lieu thereof insert "*the application a petition*".

4. In the bill, section 3, line 6, strike the comma after "district" and show the same as stricken matter, and in the same line, after "trustees" insert "*shall*"; strike line 8 and in lieu thereof insert "*file any such their objection in writing, if any they may have, stating*".

5. In the bill, section 4, line 3, before "The" insert "(1)"; line 6, before "all" insert "*the assessed value of*"; line 10, after "sewer" insert "*or water*"; lines 14 and 15, strike "and shall" and in lieu thereof insert "and . *It shall also*"; lines 19 and 20, strike "who shall extend the same" and in lieu thereof insert "*who shall extend in order that the same may be extended*"; line 20, before "The" insert "(2)"; line 28, before "The " insert "(3)"; line 34, strike "The treasurer" and in lieu thereof insert "(4) *The treasurer of the district*".

6. In the bill, section 5, line 12, insert "," after "pavement".

7. In the bill, section 7, line 27, insert the word "or" before "sewer".

8. In the bill, section 8, line 7, strike "be" and in lieu thereof insert "*be is*".

9. In the bill, section 9, line 5, before "work" insert "*the*" ; line 8, 9, and 18, respectively, after "board" insert "*of trustees*"; line 11, strike the first "and" and in lieu thereof insert "*and ,*", and in the same line, insert "," after "district"; line 13, after "which" insert "*statement, plat, and schedule*"; line 14, at the end of the line insert "*the*"; line 15, after "purchase" insert ","; line 19, strike "plat" and in lieu thereof insert "*statement, plat ,*"; line 29, after "where" insert "*any*".

10. In the bill, section 10, line 15, strike "*the costs*" and in lieu thereof insert "*that the cost*"; line 16, insert "," after "district".

11. In the bill, section 11, lines 7 and 8, and 30 and 31, respectively, strike the new quotation marks; lines 8 and 18, strike "exceeding" and in lieu thereof insert "*exceeding to exceed*"; line 10, strike "which" and in lieu thereof insert "which . *Such bonds*"; line 19, strike "which" and in lieu thereof insert "which . *Such*"; and line 25, after "upon" insert "*the assessed value of*".

12. In the bill title, line 10, after "provide" insert "for amending its articles of association for the purposes prescribed; to restate the requirements for the articles of association; to provide for the payment for improvements which are of general benefits as prescribed; to provide"; and line 11, strike "bond" and in lieu thereof insert "bonds as prescribed".

LEGISLATIVE BILL 477. Placed on Select File as amended.

E and R amendments to LB 477:

1. In the bill page 2, section 1, line 9, after "association" and line 12 after "state" insert ","; line 23, strike quotation marks and show as stricken matter; line 26, strike "provided further" and insert "provided further also"; line 3, section 2, after the period insert "(1)"; line 4, after "file" insert "an"; line 6 after the period insert "(2)" and at the end of the same line add ", referred to in subsection (1) of this section,"; line 11, page 3, strike "The application" and insert in lieu thereof "The application It" and at the end of same line insert "the"; line 13 strike "(1)", line 15 strike "(2)", line 16, strike "(3)", line 18, strike "(4)", line 19, strike "(5)" and insert in lieu thereof "(a)", "(b)", "(c)", "(d)" and "(e)" respectively; line 21 after the period insert "(3)"; in the same line after "license" insert ", referred to in subsection (2) of this section,"; line 24, after "dollars" insert ","; line 34, after the comma insert "and"; line 45 after "sureties" and "company" insert ","; and in section 3, beginning with "Upon" line 14 and ending with the period in line 17, strike all of same and show as stricken matter.

LEGISLATIVE BILL 113. Placed on Select File as amended.

E and R amendment to LB 113:

1. In the bill, page 2, after section 1, add as "Sec. 2.", repeal clause "That original section 54-134, Revised Statutes Supplement, 1953, is repealed."

LEGISLATIVE BILL 169. Placed on Select File as amended.

E and R amendments to LB 169:

1. In the bill page 2, section 1, line 4, strike "or" after "boundaries" and insert in lieu thereof ", or is" and in the same line after "to" insert ","; line 7, strike the second "and", also in section 2, line 5, and insert in lieu thereof "or"; line 20, after the comma insert "or"; page 3, line 6, section 3, strike the comma and show as stricken matter; line 12, strike "its" and insert in lieu thereof "its the" and in the same line after "repair" insert "thereof"; section 4, line 5, strike ", and"

and in lieu thereof insert “, and . It”; and in line 11, strike “as set forth” and insert in lieu thereof “*thereof, as provided for set forth*”.

2. In the bill title line 9, strike “not” and insert in lieu thereof “shall not be”.

LEGISLATIVE BILL 42. Correctly engrossed.

LEGISLATIVE BILL 435. Correctly engrossed.

LEGISLATIVE BILL 461. Correctly engrossed.

LEGISLATIVE BILL 470. Correctly engrossed.

LEGISLATIVE BILL 364. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Visitor

Mr. Peterson introduced Mr. John Evans of Broken Bow, Nebraska.

Adjournment

At 11:57 a.m., on a motion by Mr. Klaver, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 29, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, Messrs. Hubka and McHenry, who were excused, and Mr. Larkin, who was excused until 9:45 a.m.

The Journal for the Sixtieth Day was approved as corrected.

Communications

Telegram from Virgil Gana, Fremont, President, and Marvin Sexton, Nickerson, Secretary, Dodge County Volunteer Firemen's Association favoring increase in budget for additional firemen's training service. Referred to Committee on Budget.

Letter from Benjamin Klaiman, Omaha, Nebraska, relating to the Douglas County Tax Appraisal Board. Referred to Committee on Revenue.

Letter from Martha Rohrick, President, Nebraska Federation of Business and Professional Women's Clubs, Inc., favoring LB 231. Referred to Committee on Labor and Public Welfare.

Letter from Leland J. Tompsett, Recording Secretary, International Brotherhood of Electrical Workers, opposing LB 400 and favoring LB 362. Referred to Committee on Revenue.

Letter from Miss Mabel Fossler, Pasadena 4, California, relating to her claim against the State of Nebraska. Referred to Committee on Miscellaneous Appropriations and Claims.

STANDING COMMITTEE REPORTS
Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 540. Placed on General File as amended.

Standing Committee amendment to LB 540:

1. Amend section 1 of the bill, line 9, by striking "five" and inserting in lieu thereof "six".

(Signed) John Aufenkamp, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 28, 1955 at 4:45 p.m.

LB 451
LB 421

LB 391
LB 388

LB 286
LB 265

LB 202
LB 135

LEGISLATIVE BILL 354. Replaced on Select File as amended.

E and R amendment to LB 354:

1. In the Hoffmeister Specific Amendment, strike the newly inserted words "*such course to*" and in lieu thereof insert "*which shall*".

LEGISLATIVE BILL 434. Replaced on Select File as amended.

E and R amendment to LB 434:

1. In the Standing Committee Amendment No. 1, line 14, of original, line 15 of mimeographed copy thereof, after the word "*any*" and before the period, insert "*, of any amount advanced for such expenses*" and in the bill section 1, line 47, after the comma and before the word "and", stricken by Standing Committee Amendment No. 1, line 10, of original (line 12 of mimeographed copy) insert "*including*".

LEGISLATIVE BILL 508. Placed on Select File as amended.

E and R amendment to LB 508:

1. In the bill page 2, section 1, line 16 strike "authorizes" and insert in lieu thereof "*authorizes evidences*"; page 3, line 17, strike ", and upon" and insert in lieu thereof "*, and , upon the*"; line 19, strike the first "of" and insert in lieu thereof "*of which evidence the*", and in the same line after "money" and in line 20 after "both" insert "*,,*".

LEGISLATIVE BILL 516. Placed on Select File as amended.

E and R amendments to LB 516:

1. In the bill page 2, section 2, line 4, strike "*deputy*" and in lieu thereof insert "*chief deputy commissioner*".

2. In the bill title line 5, strike "*deputy*" and insert in lieu thereof "*chief deputy commissioner*".

LEGISLATIVE BILL 372. Placed on Select File as amended.

E and R amendments to LB 372:

1. In the Standing Committee Amendment 2, line 2, strike "the word *then*" and in lieu thereof insert "*, then*".

2. In the bill, section 1, insert "*,*" in line 5, after "*engines*"; line 15, after "*compounded*"; line 16, after "*boats*"; line 21, after the first "*oil*"; line 37, after "*municipality*"; line 42, after "*manufactures*"; line 43, after "*sale*"; and line 56, after "*way-bill*".

3. In the bill, section 1, line 8, strike the period and in lieu thereof insert "*. ;*"; line 13, strike "*includes*" and in lieu thereof insert "*includes shall include*"; line 14, strike "*or*" and in lieu thereof insert "*or ;*"; line 21, strike "*; and do*" and in lieu thereof insert "*; and do . It shall*"; line 34, strike the period and in lieu thereof insert "*. ;*"; line 48, strike the period and in lieu thereof insert "*. ; and*"; and lines 50 and 51, respectively, strike the parenthesis and in lieu thereof insert "*,*".

LEGISLATIVE BILL 119. Placed on Select File as amended.

E and R amendments to LB 119:

1. In the Moulton General File Amendment 1, line 5 (6, mimeograph copy), insert a comma after "*fifteen*".

2. In the bill, section 1, line 3, strike "*metropolitan*"; line 6, strike "*interests of the*" and in lieu thereof insert "*educational interests of such city and*"; line 10, insert "*such*" after "*of*", and in the same line, insert "*as are authorized under this act*" after "*thereon*".

3. In the bill, section 3, insert a comma in line 2, after "*Nebraska*", and line 3 after "*city*".

4. In the bill, section 4, insert a comma in line 1 after "*If*", and line 2 after "*evidence*"; line 16, insert "*such*" after "*of*"; line 17, strike "*thereon*" and in lieu thereof insert "*on buildings thereon as are authorized under this act*".

5. In the bill, section 6, line 1, after "appraisers" insert "appointed in accordance with section 5 of this act,"; line 2, strike "said" and in lieu thereof insert "such"; line 5, insert "the" after "upon"; line 10, strike "for"; line 12, strike " , proof" and in lieu thereof insert ". Proof"; line 13, insert "to be" after "publisher"; line 14, insert a comma after "sale"; and line 16, strike "and" and in lieu thereof insert ". He".

6. In the bill, section 7, insert a comma in line 2 after "appear" and line 3 after "report"; line 9, insert "(1)" after "order", and in the same line, strike "and" and in lieu thereof insert " , (2)"; line 12, insert "(3)" after "and".

7. In the bill, section 8, insert a comma in line 2 after "appeal" and "actions".

8. In the bill, section 9, line 8, insert "such" after "of".

9. In the bill title, line 3, after "estate" insert "as described which was"; line 4, strike "metropolitan city" and in lieu thereof insert "city as prescribed"; line 6, strike " , and" and in lieu thereof insert " ; to permit the board of education of such a school district to determine that"; line 7, strike "of which" and in lieu thereof insert "thereof"; line 8, insert "and such property be sold for the purposes and in the manner prescribed; to provide procedure after such determination" before the semicolon; line 12, after the semicolon insert "to provide for appraising such property; to provide for the qualifications, duties, and fees of such appraisers,"; line 17, insert a comma after "trust"; line 20, after the semicolon insert "to provide for payment of the expenses, duties, and obligations of certain public officials,"; line 22, strike "the sole purpose of"; line 23, insert "high" after "of"; and line 24, strike "the construction of a high school" and in lieu thereof insert "only the purpose prescribed".

LEGISLATIVE BILL 418. Correctly engrossed.

LEGISLATIVE BILL 110. Correctly engrossed.

LEGISLATIVE BILL 351. Correctly engrossed.

LEGISLATIVE BILL 464. Correctly enrolled.

LEGISLATIVE BILL 209. Correctly enrolled.

LEGISLATIVE BILL 288. Correctly enrolled.

LEGISLATIVE BILL 257. Correctly enrolled.

LEGISLATIVE BILL 420. Correctly enrolled.

LEGISLATIVE BILL 402. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 464
LB 209

LB 288
LB 257

LB 420

LB 402

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 182.

A bill for an act relating to state institutions; to provide for an advisory board for each mental health facility in Nebraska as prescribed; to provide for the members of such boards, their qualifications, appointment, terms of office, organization, and compensation; and to provide for meetings and duties of the boards.

Whereupon the 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.	Cole	McGinley	Pizer
Adams, T.	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Lee	Person	Tvrdik
Burney	Liebers	Peterson	Vogel

Voting in the negative, 1:

Beaver

Not voting, 6:

Anderson	Hubka	McHenry	Perry
Foote	Larkin		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 447. With emergency.

A bill for an act to amend section 31-514, Reissue Revised Statutes of Nebraska, 1943, relating to sanitary districts; to authorize deferred assessments against property not specially benefited to be collected in the event such property is later connected to sanitary sewers; to provide that such deferred assessments or charges shall be collected in the form of a connection charge; to provide for making and filing a report of such deferred assessments; to provide that such deferred assessments shall not constitute a lien; 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.	Burney	McGinley	Pizer
Adams, T.	Cole	Martin	Purdy
Anderson	Cramer	Metzger	Ruhnke
Aufenkamp	Diers	Morrison	Shultz
Bahensky	Fenske	Moulton	Swanson
Beaver	Hoffmeister	Nelson	Syas
Bedford	Klaver	Otto	Thompson
Bixler	Kotouc	Perry	Tvrdik
Bridenbaugh	Lee	Person	Vogel
Brower	Liebers	Peterson	

Voting in the negative, 0.

Not voting, 4:

Foote	Hubka	Larkin	McHenry
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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 293.

A bill for an act to amend section 60-311, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that the number plates shall have displayed thereon the words The Beef State in suitable letters to be attractive; 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.	Anderson	Aufenkamp	Bahensky
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Beaver	Fenske	Martin	Peterson
Bedford	Hoffmeister	Metzger	Pizer
Bixler	Klaver	Morrison	Purdy
Bridenbaugh	Kotouc	Moulton	Ruhnke
Brower	Lee	Nelson	Thompson
Cole	Liebers	Otto	Tvrdik
Cramer	McGinley	Perry	

Voting in the negative, 7:

Adams, T.	Diers	Swanson	Vogel
Burney	Shultz	Syas	

Not voting, 5:

Foote	Larkin	McHenry	Person
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 301.

A bill for an act to repeal Chapter 44, article 9, Reissue Revised Statutes of Nebraska, 1943, relating to physicians' and dentists' insurance associations.

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

Voting in the affirmative, 39:

Adams, J.	Burney	McGinley	Pizer
Adams, T.	Cole	Martin	Purdy
Anderson	Cramer	Metzger	Ruhnke
Aufenkamp	Diers	Morrison	Shultz
Bahensky	Fenske	Moulton	Swanson
Beaver	Hoffmeister	Nelson	Syas
Bedford	Klaver	Otto	Thompson
Bixler	Kotouc	Perry	Tvrdik
Bridenbaugh	Lee	Person	Vogel
Brower	Liebers	Peterson	

Voting in the negative, 0.

Not voting, 4:

Foote	Hubka	Larkin	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 82. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 419. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 323.

Mr. Martin asked unanimous consent that the following amendments be adopted:

1. Amend the bill by adding a new section immediately after section 3 to be known as section 4, and to read as follows:

"Sec. 4. That section 44-214, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

44-214. No domestic stock insurance company hereafter organized shall transact the business of insurance in this state unless (1) it has a capital stock, actually paid in cash or invested as provided by law, of at least two hundred thousand dollars for the insurance specified in subdivisions (5), or (10), or (11) of section 44-201, and at least one hundred thousand dollars for the insurance specified in subdivisions (1), (2), (4), (8), (11), (13), or (14) of section 44-201, and at least fifty thousand dollars for the insurance specified in any other one subdivision of said section, and in each case a surplus equal of one-fourth of its capital stock; and (2) with an additional fifty thousand dollars capital stock for the insurance mentioned in any other one subdivision of said section, which may be transacted by the company; *Provided*, in all cases where a company has less than two hundred fifty thousand dollars of capital stock, and transacts more than one kind of insurance, it shall have a capital stock equal to the combined minimum capital stock required of separate companies transacting the same kind of insurance.

Domestic insurance companies having capital stock, paid up, in the amount of two hundred fifty thousand dollars or more, and a surplus of not less than twenty-five per cent of the 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."

2. Amend the bill by renumbering sections 4 to 16 as sections 5 to 17 respectively.

3. Amend renumbered section 16, line 2 by inserting "44-214," before "44-341".

4. Amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 218. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 390. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 477. E and R amendment found in the Legislative Journal for the Sixtieth Day was adopted.

Mr. Nelson asked unanimous consent that the following amendment be adopted:

Amend LB 477 by adding the emergency clause, and amending the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 113. E and R amendment found in the Legislative Journal for the Sixtieth Day was adopted.

Bracketed.

LEGISLATIVE BILL 169. E and R amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Ruhnke introduced Charles Schueler, Teacher, Robert Kempkes, Superintendent, and seven students from Reynolds High School, Reynolds, Nebraska.

Mr. Aufenkamp introduced Mrs. Eileen Borchers, Teacher, five sponsors, and fourteen students from District 69, Syracuse, Nebraska.

Mr. Diers introduced D. G. Rothrock, Superintendent, and thirty students from the Modern Problems Class of Gresham High School, Gresham, Nebraska.

Mr. Kotouc introduced Mrs. A. L. Strom, and seventeen students from the Senior Class of the Lewiston High School, Lewiston, Nebraska.

Mr. Brower introduced Kermit Laidig and thirty students from Columbus High School, Columbus, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 92. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. McGinley offered the following amendment, which was adopted:

Amend Standing Committee amendment 3, line 1, by inserting the words "by striking" before the word "lines", and line 2, by inserting after the figure "10" the following: "after (1)".

Mr. Klaver moved to indefinitely postpone LB 92.

Mr. Perry moved the previous question, which prevailed with 36 ayes, 0 nays and 7 not voting.

The Klaver motion to indefinitely postpone LB 92 lost.

Advanced to E and R for review.

LEGISLATIVE BILL 445. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Hoffmeister offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 8, Section 14, line 11 by striking "or", and line 12 by striking the period and inserting "; or (7) the practice of any form of therapy, the invasion of the field of practice of any profession for which a license is required, or the diagnosis or treatment of ailments, diseases, or injuries of human beings."

Mr. Metzger offered the following amendment:

Amend LB 445 by striking Section 6 of original bill and renumbering subsequent sections to conform.

Mr. Anderson asked unanimous consent that LB 445 be laid over until tomorrow.

Mr. Vogel objected.

Mr. Anderson moved that LB 445 be laid over until tomorrow. The motion lost with 13 ayes, 20 nays and 10 not voting.

Visitors

Mr. Brower introduced Mr. Donald Schantell, Lindsay, Nebraska, and twenty-two students from Holy Family School, Platte County, Nebraska.

Mr. Peterson introduced Wm. Haigler, Arnold, Gail Clay, Broken Bow, Roy Gibson, Sargent, all County Supervisors, Giff Gavis, Broken Bow, Highway Commissioner, and E. E. Knoell, Broken Bow.

Approved by the Governor

March 28, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 26, 1955, he approved L.B. 98, 105, 443, 246, 50, 229, 174, 86, 215, 206, 155, 263, 535, 302, 327, and 171.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 363. Replaced on Select File as amended.

E and R amendments to LB 363:

1. In the Diers General File Amendment 1, line 20, strike the newly inserted comma before the newly inserted word "*the*".

2. In Enrollment and Review Amendments 2 and 3, the line numbers refer to the line numbers of the mimeographed copy. To clarify references, these two amendments should be cross-referenced as follows:

The figures in the first column are the line numbers given in the Enrollment and Review amendments, and the figures in the second column in parenthesis are the line numbers in the original Diers Specific Amendment 2,

A. In Enrollment and Review Amendment 2—

3.....(5)
 4.....(5)
 6.....(7 and 8)
 11.....(12)
 12 and 13.....(12 and 13)
 16 to 24.....(16 to 23)

B. In Enrollment and Review Amendment 3—

6.....(28) and (28 and 29)
 7 and 8.....(30)
 10.....(32)
 11.....(33)
 15.....(36)
 18.....(39)
 22.....(42)
 42.....(60)

Correct such line numbers in such Enrollment and Review Amendments 2 and 3 to agree with lines so shown as being in the original Diers Amendment 2.

LEGISLATIVE BILL 450. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Judiciary

LEGISLATIVE BILL 226. Placed on General File.

LEGISLATIVE BILL 228. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Agriculture

LEGISLATIVE BILL 437. Indefinitely postponed.

LEGISLATIVE BILL 482. Placed on General File as amended.

Standing Committee amendment to LB 482:

1. Amend page 2 of the bill, section 1, lines 5 and 6, by striking after the word "residents" in line 5 and by striking all of line 6 and inserting in lieu thereof the following:

"and twenty-five dollars per annum for nonresidents No person, except a resident and citizen of the United States who has resided in this state continuously for a period of six months before making an application for a permit under this act shall be deemed to be a resident or be issued a permit as such under this act. The fee for a nonresident of this state shall be equal to the fees charged for similar permits by the states of their respective residences but not less than one hundred dollars per annum. Before any such permit shall be issued to a nonresident of this state, the applicant therefor shall execute and deliver to the secretary of the commission a corporate surety bond running to the State of Nebraska in the penal sum of one thousand dollars to be approved by the commission, conditioned that the permittee shall faithfully comply with all the laws of this state. Dealers".

LEGISLATIVE BILL 377. Placed on General File as amended.

Standing Committee amendments to LB 377:

1. Amend section 1 of the bill by reinstating the stricken matter in lines 12 to 16, and by inserting after the figures "81-2,164.03" the following:

"; Provided, that the facilities of the department may be used for the purpose of carrying out the provisions of this act".

2. Amend the title of the bill by striking lines 3 to 10 and inserting: "provide that the facilities of the Department of Agriculture and Inspection shall be used for the purpose of carrying out the provisions of sections 81-2,164.01 to 81-2,164.03, Revised Statutes Supplement, 1953, even though no money from either the state General Fund or by taxation or assessments made by the state or by any governmental agencies thereof; and to repeal the original section."

(Signed) Frank Nelson, Chairman

NOTICE OF COMMITTEE HEARINGS
Public Health and Miscellaneous Subjects

LB 185 Tuesday, April 5, 1955

2:00 p.m.

Agriculture

LB 441	Monday, April 18, 1955	2:00 p.m.
LB 538	Monday, April 18, 1955	2:00 p.m.

Labor and Public Welfare

LB 266	Monday, April 18, 1955	2:00 p.m.
LB 280	Monday, April 18, 1955	2:00 p.m.

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) Lester H. Anderson

The motion lost.

GENERAL FILE

LEGISLATIVE BILL 445. Consideration of the Metzger amendment, found in this day's Legislative Journal.

The Metzger amendment was not adopted.

Adjournment

At 11:56 a.m., on a motion by Mr. Klaver, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 30, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote and Mr. McHenry, who were excused.

The Journal for the Sixty-first Day was approved as corrected.

Appreciation

Note from Mrs. Foote expressing her appreciation for the flowers sent to her on the birth of her son.

Communication

Letters addressed to Mr. Peterson from Wilbur W. Bristol, Secretary of the Burwell Wranglers Club, Burwell, Nebraska, in favor of LB 498, and opposing LB 362.

Referred to Committees on Agriculture and Revenue, respectively.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 261. Indefinitely postponed.

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 182. Correctly enrolled.

LEGISLATIVE BILL 301. Correctly enrolled.

LEGISLATIVE BILL 293. Correctly enrolled.

LEGISLATIVE BILL 447. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 182

LB 301

LB 293

LB 447

STATEMENT—Introduce Bill

The Revenue Committee, by unanimous vote, determined to introduce a bill, the purpose of which is to permit the Game, Forestation and Parks Commission to set up a state park at Fort Robinson.

(Signed) Monroe Bixler, Chairman

Permission to introduce the bill granted with 27 ayes, 8 nays and 8 not voting.

STATEMENT—Introduce Bill

The Revenue Committee, by unanimous vote, determined to introduce a bill, the purpose of which is to permit the Historical Society to set up a museum at Fort Robinson.

(Signed) Monroe Bixler, Chairman

Permission to introduce the bill granted with 23 ayes, 9 nays and 11 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 544. By Committee on Revenue, Monroe Bixler, 41st District, Chairman.

A bill for an act to appropriate the sum of ninety-four thousand dollars to the Game, Forestation and Parks Commission for the purpose of developing park facilities at Fort Robinson and to be used for erecting, remodeling, repairing, and constructing cabins thereat; and to declare an emergency.

LEGISLATIVE BILL 545. By Committee on Revenue, Monroe Bixler,
41st District, Chairman.

A bill for an act to appropriate the sum of thirty-six thousand six hundred forty-four dollars to the State Historical Society to establish a western branch of the State Historical Society for the purpose of developing a museum at Fort Robinson and maintenance thereof for the biennium ending June 30, 1957; and to declare an emergency.

Member Excused

Mr. Beaver was excused at 9:30 a.m. for the remainder of the morning.

UNANIMOUS CONSENT—Consider Claims

Mr. Aufenkamp asked unanimous consent that the Committee on Miscellaneous Appropriations and Claims be permitted to act on two claims which were filed after the twenty-day limit. The claims are those of Mr. and Mrs. Lloyd E. Mitchell in the amount of \$35.00 and Lois Florke in the amount of \$141.49.

No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 326. With emergency.

A bill for an act to amend section 14-134, Reissue Revised Statutes of Nebraska, 1943, relating to public library employees' retirement fund of cities of the metropolitan class; to provide for determining the termination of the need of such fund; to provide for a method of distribution of such fund; to define terms as prescribed; to provide for the termination of the rights of the members as prescribed; to repeal the original section and also section 14-131, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Aufenkamp	Bixler	Burney
Adams, T.	Bahensky	Bridenbaugh	Cole
Anderson	Bedford	Brower	Cramer

Diers	Liebers	Otto	Shultz
Fenske	McGinley	Perry	Swanson
Hoffmeister	Martin	Person	Syas
Hubka	Metzger	Peterson	Thompson
Klaver	Morrison	Pizer	Tvrdek
Kotouc	Moulton	Purdy	Vogel
Larkin	Nelson	Ruhnke	

Voting in the negative, 0.

Not voting, 4:

Beaver	Foote	Lee	McHenry
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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 386. With emergency.

A bill for an act to amend section 71-122, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supplement, 1953, relating to public health and welfare; to increase the renewal fees of chiropractors; to increase the share of renewal fees for the use of the board of examiners in chiropractic; 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Purdy
Anderson	Diers	Martin	Ruhnke
Aufenkamp	Fenske	Metzger	Shultz
Bahensky	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdek
Brower	Larkin	Person	Vogel
Burney	Lee	Peterson	

Voting in the negative, 0.

Not voting, 4:

Beaver	Foote	McHenry	Perry
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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.

A bill for an act to amend section 83-352, Reissue Revised Statutes of Nebraska, 1943, relating to state institutions; to provide for payment of a patient's care and maintenance in a state hospital for the mentally ill, as prescribed; to fix the maximum charge for care 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Purdy
Anderson	Diers	Martin	Ruhnke
Aufenkamp	Fenske	Metzger	Shultz
Bahensky	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Person	Vogel
Burney	Lee	Peterson	

Voting in the negative, 0.

Not voting, 4:

Beaver	Foote	McHenry	Perry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Tvrdik introduced Mrs. Schmidtman, Teacher, Mrs. Hammang, Principal, and thirty-six students from Park School, Omaha, Nebraska.

SELECT FILE

LEGISLATIVE BILL 354. 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 434. 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 363. 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 508. 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 516. 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 372. 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. E and R amendments found in the Legislative Journal for the Sixty-first Day were adopted.

Advanced to E and R for engrossment.

Mr. Klaver Presiding

GENERAL FILE

LEGISLATIVE BILL 445. Considered.

Mr. Moulton offered the following amendments, which were adopted:

1. Amend Standing Committee Amendment 2, Section 3, line 25 by inserting after the period the following:

"The Board of Examiners in Massage may select one of its members to attend the annual meeting of the convention of the American Association of Masseurs and Masseuses. The member selected shall receive his necessary traveling and hotel expenses in connection with attending such meeting if there are funds available in the board fund."

2. Amend Standing Committee Amendment 7, by striking lines 6 to 15 and insert in lieu thereof the following:

"All fees shall be collected by the Department of Health and fees received from the applicants taking the examination shall be deposited in the state treasury in a fund for the compensation of the Board of Examiners. All other fees paid as license, registration, or renewal fees shall be kept in a separate fund to be used for the administration and enforcement of the provisions of this act."

Mr. Moulton offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 8, section 14, line 12 by striking "Board of Examiners in Massage" and insert "Department of Health".

Mr. Perry moved that LB 445 be indefinitely postponed.

Mr. Perry requested a record vote.

Mr. Perry requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Person moved that the Call be raised. The motion prevailed.

Voting in the affirmative on the Perry motion to indefinitely postpone, 19:

Adams, J.	Diers	Lee	Peterson
Aufenkamp	Fenske	Liebers	Pizer
Bixler	Hubka	Metzger	Ruhnke
Bridenbaugh	Klaver	Nelson	Vogel
Burney	Kotouc	Perry	

Voting in the negative, 19:

Adams, T.	Cole	Moulton	Swanson
Anderson	Hoffmeister	Otto	Syas
Bahensky	Larkin	Person	Thompson
Bedford	Martin	Purdy	Tvrdik
Brower	Morrison	Shultz	

Not voting, 5:

Beaver	Foote	McGinley	McHenry
Cramer			

The motion lost.

Advanced to E and R for review with 22 ayes, 17 nays and 4 not voting.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 150. Laid over.

MOTION—Consider Bills

Mr. President: I move that we take up the following noncontroversial bills in the order given: LB 193, 405, 371, 378, 492, 446, 319 and 325. (Signed) Dwight W. Burney

The motion prevailed.

Visitors

Mr. Perry introduced Tom Douglas, Teacher, and thirty-five students from Irving Junior High School, Lincoln, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 193. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 405. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 371. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 378. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-fifth Day was adopted.

Mr. Kotouc offered the following amendment which was adopted:

Amend the title of LB 378 to conform with the Standing Committee amendment to the bill.

Laid over.

LEGISLATIVE BILL 492. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-fifth Day was adopted.

LEGISLATIVE BILL 446. Read and considered.

Standing Committee amendments to Sections 1 and 2, found in the Legislative Journal for the Fifty-sixth Day were adopted.

Standing Committee amendments to Section 3 were read.

Mr. Lee offered the following amendments to Section 3, which were adopted:

Amend Standing Committee amendment No. 6 to LB 446 by adding the word "strike" before the word "beginning" in line 1.

Amend Standing Committee amendment No. 8 by inserting the word "strike" before the word "beginning" in line 1.

Standing Committee amendments to Section 3, found in the Legislative Journal for the Fifty-sixth Day, as amended, were adopted.

Advanced to E and R for review.

Visitors

Mr. Morrison introduced Jack Goodwin, Floyd Wisner and Millard Yost, of the Chamber of Commerce, Scottsbluff, Nebraska.

LEGISLATIVE BILL 319. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 325. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-fifth Day were adopted.

Advanced to E and R for review.

NOTICE OF COMMITTEE HEARINGS
Public Health and Miscellaneous Subjects

LB 366	Tuesday, April 12, 1955	2:00 p.m.
LB 375	Tuesday, April 12, 1955	2:00 p.m.
LB 397	Thursday, April 14, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS
Judiciary**LEGISLATIVE BILL 487.** Placed on General File as amended.

Standing Committee amendments to LB 487:

1. Section 4, Line 8, by adding after the word "paid." "Such reduction, if any, and proceedings in relation thereto shall be had in the absence of the jury."

2. Section 7, Sub-section 1, strike everything in Lines 3, 4 and 5 and the word "and" in Line 6.

LEGISLATIVE BILL 515. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 497. Placed on General File as amended.

Standing Committee amendments to LB 497:

1. Amend section 1 of the bill by striking the new matter in lines 9 to 12, line 50 by inserting "*and provided further, no rule or regulation shall become effective until thirty days after the completion of a three-week publication in a legal newspaper;*" after the semicolon, and by inserting a new paragraph after line 61 to read as follows:

"Any person violating any rule or regulation authorized by the provisions of subdivision (9) of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not to exceed one hundred dollars, or by imprisonment in the county jail not to exceed one day, or both such a fine and imprisonment."

2. Amend the title of the bill by striking lines 9 to 12 and inserting in lieu thereof the following:

"of the metropolitan class; to provide penalties for violating such rules and regulations; and to".

LEGISLATIVE BILL 481. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Public Works

LEGISLATIVE BILL 357. Indefinitely postponed.

LEGISLATIVE BILL 519. Placed on General File as amended.

Standing Committee amendments to LB 519:

1. Amend page 6 of the bill, section 5, line 8 by inserting "*to be reflectional*" after the word "height".

2. Amend page 9 of the bill, section 12, line 13 by striking "ten

dollars" and inserting "*eight dollars, of which fifteen cents shall be remitted to the State Treasurer to be placed in the General Fund to reimburse the state for payment of reflectionizing numerals and emblems on registration plates.*".

3. Amend the bill by adding a new section immediately following section 12 to be known as section 13 and to read as follows:

"Sec. 13. That section 60-338, Revised Statutes Supplement, 1953, be amended to read as follows:

60-338. For taxicabs, used for hire, duly licensed by the governing authorities of cities and villages, the registration fee shall be fifteen dollars, *of which fifteen cents shall be remitted to the State Treasurer to be placed in the General Fund to reimburse the state for payment of reflectionizing numerals and emblems on registration plates .*"

4. Amend the bill by renumbering section 13 as section 14.

5. Amend renumbered section 14, line 4 by striking "and 60-329" and inserting "60-329, and 60-338".

6. Amend the title of the bill, line 5 by striking "and 60-329" and inserting "60-329, and 60-338", line 18 by inserting after the word "therefor" the following: "; to provide for reflectionizing registration plates and the fee therefor; to provide for disbursement of such fee".

LEGISLATIVE BILL 273. Placed on General File.

LEGISLATIVE BILL 308. Placed on General File.

LEGISLATIVE BILL 413. Placed on General File.

LEGISLATIVE BILL 409. Indefinitely postponed.

LEGISLATIVE BILL 271. Placed on General File.

(Signed) William Moulton, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 324. Placed on General File.

LEGISLATIVE BILL 281. Indefinitely postponed.

LEGISLATIVE BILL 318. Placed on General File as amended.

Standing Committee amendments to LB 318:

1. Amend Section 2, line 21, Section 3, line 8, lines 13 and 14, Section 4, line 3, by striking the words, "the anti-rebate law" and inserting in lieu thereof, "*Section 44-361, 1943 Revised Statutes*".

2. Amend the title of the bill, line 17, by striking "the anti-rebate laws" and inserting in lieu thereof, "*Section 44-361, 1943 Revised Statutes*".

(Signed) John J. Larkin, Jr., Chairman

Judiciary

LEGISLATIVE BILL 269. Placed on General File as amended.

Standing Committee amendments to LB 269:

1. Amend page 2 of the bill, section 1, by striking lines 3 to 18 and inserting the following in lieu thereof:

"30-339. When a person dies whose property is in custody of a legal guardian or conservator, and where the value of the property in the hands of such guardian or conservator at the time of the death of the ward does not exceed a sum sufficient for the payment of the expenses and costs of last illness, burial, and the guardianship or conservator proceedings, upon filing of the report of the guardian or conservator in the guardianship or conservator proceedings and after giving notice thereof by publication three successive weeks in one issue each week in a legal newspaper of general circulation in the county where such guardianship or conservator proceedings are pending, the county court shall have power to order payment of such costs and expenses, and to dispense with regular administration of the estate of the deceased ward. The county court shall have power to dispense with the regular administration of an estate under the following conditions: (1) When a person dies whose property is in the custody of a legal guardian or conservator; and (2) where the value of the property in the hands of such guardian or conservator at the time of the death of the ward does not exceed a sum sufficient for the payment of expenses of last illness, claim for burial expense not in excess of two hundred fifty dollars, and the unpaid costs of the guardianship or conservator proceedings. Such dispensation with regular administration shall be made in closing the guardianship or conservator proceedings, and after giving notice of hearing thereof by publication three successive weeks in one issue each week of a legal newspaper of general circulation in the county where such guardianship or conservator proceedings are pending. Upon such hearing, the court shall make appropriate findings, and may enter order dispensing with regular administration and directing payment of costs and expenses above specified."

2. Amend the title to the bill, line 3, by inserting after the punctuation following the word "estates" the following: "to restate the requirements for dispensation with the regular administration of the estate of a deceased ward in guardianship or conservator proceedings;"

(Signed) Joseph D. Martin, Chairman

Enrollment and Review
Presented to the Governor

Presented to the Governor for approval on March 29, 1955 at 4:00 p.m.

LB 464
LB 420

LB 402
LB 288

LB 257

LB 209

LEGISLATIVE BILL 138. Replaced on Select File as amended.

E and R amendment to LB 138:

1. In the bill, section 10, line 2, insert "take" before "effect".

LEGISLATIVE BILL 315. Placed on Select File as amended.

E and R amendments to LB 315:

1. In the Beaver General File Amendment line 2, strike "the word 'instrument' :'" and insert in lieu thereof "the comma after 'Statutes' in the 9th line"; and also strike the period in the last line and insert in lieu thereof ",'".

2. In Standing Committee Amendment 3, lines 4 and 5, strike "*nor shall it apply to*"; line 6, strike "*or of*" at beginning and end of line; and in line 8 strike "*nor*".

3. In the bill page 2, section 1, line 4, after the second "or" insert "by"; page 3, line 56 strike "(b)" and insert in lieu thereof "(5)" as in statutes; line 61, after "purchase" insert ","; lines 62 and 97 strike "requirement" and insert in lieu thereof "requirement requirements"; page 4, strike the word "within" in line 83 and all of line 84, and all amendments thereto, and in lieu thereof insert "*, not to exceed ten thousand dollars, within the limits of this provision in any Nebraska state bank which is not a member of the Federal Deposit Insurance Corporation, in*"; line 152 after "account", line 153 after "made", line 156, after "trustee" and at the end of same line insert ","; line 159, strike "it" and insert in lieu thereof "*it such trustee or fiduciary*"; and in line 167 after "order" insert "*authorizing or approving such investment*".

4. In the bill title line 4, after "trustees" insert ", guardians, executors, and administrators, as prescribed," and in the same line after the semicolon insert "to provide exceptions which are not covered by the provisions of this act; to specifically provide that investments in bonds of the United States of America may be made without author-

ization or approval of the court; to permit investments in certificates of deposit in Nebraska state banks, which are not members of the Federal Deposit Insurance Corporation, as prescribed;".

5. In the Standing Committee Amendment 3, lines 7 and 8, and also line 9, strike "1943 Revised Statutes" and in lieu thereof insert respectively "Reissue Revised Statutes of Nebraska, 1943".

LEGISLATIVE BILL 534. Placed on Select File as amended.

E and R amendments to LB 534:

1. In the Standing Committee Amendment 1, line 5, strike "(c)" and in lieu thereof insert "(3)"; insert "," in line 13 after "visible" and line 14 after "conditions"; line 20, strike "(d)" and in lieu thereof insert "(4)"; line 21, strike "(e)" and in lieu thereof insert "(5)"; and line 22, strike "(f)" and in lieu thereof insert "(6)".

2. In the bill, insert "," in: section 1, line 12 after "machinery", lines 15, 24, and 32 after "visible", lines 16, 25, and 32 after "conditions", line 54 after "lamp" and section 2, line 9, after "chassis", and line 20 after "visible".

3. In the bill, section 1, line 3, strike "(a)" and in lieu thereof insert "{a} (1)"; line 9, insert "respectively required" after "as"; lines 9 and 10, strike "respectively required" and show the same as stricken matter; line 11, strike "(b)" and in lieu thereof insert "{b} (2)"; line 39, strike "(1)" and in lieu thereof insert "{1} (a)"; line 41, strike "(2)" and in lieu thereof insert "{2} (b)"; line 45, strike "(3)" and in lieu thereof insert "{3} (c)"; line 46, strike "(4)" and in lieu thereof insert "{4} (d)"; line 53, strike "(5)" and in lieu thereof insert "{5} (e)"; line 60, strike "(6)" and in lieu thereof insert "{6} (f)"; and line 49, strike "is" and in lieu thereof insert "if", as in the statutes.

4. In the bill, section 2, line 4, strike "and" and in lieu thereof insert "and "; line 9, insert a comma after "operated", as in the statutes; and line 15, insert "clearance", after "such".

LEGISLATIVE BILL 361. Correctly engrossed.

LEGISLATIVE BILL 512. Correctly engrossed.

LEGISLATIVE BILL 422. Correctly engrossed.

LEGISLATIVE BILL 82. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Re-refer Bill

Mr. Burney asked unanimous consent that LB 514 be re-referred

from the Committee on Education to the Committee on Banking, Commerce and Insurance.

No objections. So ordered.

MOTION—Consider Bills

Mr. President: I move that we consider LB 64, 226 and 228 on General File at this time. (Signed) Dwight W. Burney

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 64. Read and considered.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 64, page 2, Section 2, line 6, by reinstating the stricken word "paid" and in line 7 by striking the word "in".

Advanced to E and R for review.

Adjournment

At 11:56 a.m., on a motion by Mr. Cole, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 31, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote and Mr. McHenry, who were excused.

The Journal for the Sixty-second Day was approved.

Communications

Letter from U. S. Representative Phil Weaver, Washington, D. C., acknowledging receipt of a copy of Legislative Resolution 14.

Letter addressed to Mr. Klaver from George E. Truman, Attorney, Omaha, Nebraska, opposing LB 362.

Invitation

Invitation from Nebraska Oil and Gas Producers Committee to members and their ladies to attend the Shrimp Hour, today, from 5:00 p.m. to 7:00 p.m. at the Hotel Cornhusker.

Visitors

Mr. Perry introduced Eva Erickson, Teacher, and twenty-two students from Irving Junior High School, Lincoln, Nebraska.

Mr. Liebers introduced E. Glenn Callen and forty students from the Department of Political Science and Sociology, Nebraska Wesleyan University, Lincoln, Nebraska.

Mr. Moulton introduced his father and mother, Mr. and Mrs. P. S. Moulton, and his uncle and aunt, Mr. and Mrs. W. G. Smith.

NOTICE OF COMMITTEE HEARINGS
Education

LB 310	Tuesday, April 12, 1955	2:00 p.m.
LB 398	Tuesday, April 12, 1955	2:00 p.m.

Approved by the Governor

March 30, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on March 30, 1955, he approved L. B. 388, 391, 135, 286, 265, 421, 451 and 202.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Bills Referred to Standing Committees

LB	Committee
544.....	Banking, Commerce and Insurance
545.....	Banking, Commerce and Insurance

STANDING COMMITTEE REPORTS
Labor and Public Welfare

LEGISLATIVE BILL 370. Placed on General File as amended.

Standing Committee amendment to LB 370:

1. Amend section 2 of the bill, line 3 by striking "sum of" and inserting "seventy-five per cent of the", and line 7 by striking "equal sums" and inserting "a sum equal to twenty-five per cent of the cost to be".

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 419. Correctly engrossed.

LEGISLATIVE BILL 326. Correctly enrolled.

LEGISLATIVE BILL 386. Correctly enrolled.

LEGISLATIVE BILL 424. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS**Banking, Commerce and Insurance**

LB 514	Tuesday, April 5, 1955	2:00 p.m.
LB 544	Tuesday, April 5, 1955	2:00 p.m.
LB 545	Tuesday, April 5, 1955	2:00 p.m.

President Signs

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

LB 326	LB 386	LB 424
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STATEMENT—Introduce Bill

Because of the inability of anyone to properly define a farm to market road or a feeder road, at the request of the Highway Department, the Public Works Committee was asked to introduce a bill which would allow the County Boards to levy a tax of not to exceed two mills for federal matching purposes on county roads.

(Signed) William Moulton, Chairman

Permission to introduce the bill granted with 33 ayes, 3 nays and 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 546. By Committee on Public Works, William Moulton, 10th District, Chairman

A bill for an act to amend section 77-1605.01, Revised Statutes Supplement, 1953, relating to revenue and taxation; to increase the mill levy for the purpose of raising funds for the construction or improvement of county roads as prescribed; to provide for using the funds raised by such levy for independent or cooperative projects with the government of the United States, or any political or governmental subdivision; to provide for use of other road funds as prescribed; and to repeal the original section, and also section 77-1605.02, Revised Statutes Supplement, 1953.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 42. With emergency.

A bill for an act to amend section 79-425.01, Revised Statutes Sup-

plement, 1953, relating to schools; to authorize Class III, IV, and V school districts to purchase, acquire, own, manage, and hold title to real estate for future school sites located outside the boundaries of the purchaser's district and to build school buildings thereon 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.	Burney	Lee	Peterson
Adams, T.	Cole	Liebers	Pizer
Anderson	Cramer	McGinley	Purdy
Aufenkamp	Diers	Morrison	Ruhnke
Bahensky	Fenske	Moulton	Shultz
Beaver	Hoffmeister	Nelson	Swanson
Bedford	Hubka	Otto	Syas
Bixler	Klaver	Perry	Tvrdik
Bridenbaugh	Kotouc	Person	Vogel
Brower	Larkin		

Voting in the negative, 3:

Martin	Metzger	Thompson
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Not voting, 2:

Foote	McHenry
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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 435. With emergency.

A bill for an act relating to the military department; to provide for ordering retired officers to duty; to provide for advancement in grade of retiring officers as prescribed; to make certain acts unlawful as prescribed; to provide penalties; to revise the courts-martial procedure; to amend section 55-173, Reissue Revised Statutes of Nebraska, 1943, and section 55-161, Revised Statutes Supplement, 1953; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Shultz
Beaver	Hubka	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Foote McHenry

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 48-212, Reissue Revised Statutes of Nebraska, 1943, relating to employment regulations; to provide exceptions to the provisions of the lunch hour requirements; 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Shultz
Beaver	Hubka	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Foote McHenry

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 470. With emergency.

A bill for an act to amend section 53-112, Reissue Revised Statutes of Nebraska, 1943, relating to Liquor Control Commission; to increase the salaries of the members and secretary of the Liquor Control Commission; to provide when the increases shall become effective; 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.	Burney	Lee	Person
Adams, T.	Cole	Liebers	Peterson
Anderson	Cramer	Martin	Pizer
Aufenkamp	Diers	Metzger	Purdy
Bahensky	Fenske	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Tvrdik
Bridenbaugh	Kotouc	Perry	Vogel
Brower	Larkin		

Voting in the negative, 3:

McGinley	Ruhnke	Thompson
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Not voting, 2:

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

LEGISLATIVE BILL 364. With emergency.

A bill for an act to amend section 66-423, Reissue Revised Statutes of Nebraska, 1943, and section 66-422, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 15, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to motor vehicle fuels; to provide a new formula for allocation of the Gasoline Tax Fund; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Mr. Burney requested a Call of the House.

A Call of the House was ordered and showed 41 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

Voting in the affirmative on the passage of LB 364, 30:

Aufenkamp	Cole	McGinley	Peterson
Bahensky	Cramer	Martin	Pizer
Beaver	Diers	Metzger	Purdy
Bedford	Fenske	Morrison	Ruhnke
Bixler	Hoffmeister	Nelson	Shultz
Bridenbaugh	Hubka	Otto	Swanson
Brower	Kotouc	Person	Thompson
Burney	Lee		

Voting in the negative, 11:

Adams, J.	Klaver	Moulton	Tvrdik
Adams, T.	Larkin	Perry	Vogel
Anderson	Liebers	Syas	

Not voting, 2:

Foote	McHenry
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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. Brower introduced Professor Kermit Laidig and thirty-four students from Columbus High School, Columbus, Nebraska.

Mr. Perry introduced Eva Erickson, Teacher, and twenty-nine students from Irving Junior High School, Lincoln, Nebraska.

MOTION—Pass LB 53

Mr. President: I move that LB 53 be passed notwithstanding the objection of the Governor. (Signed) Dwight W. Burney

Whereupon the President stated: "The question is, 'Shall the bill pass notwithstanding the objection of the Governor?'"

Voting in the affirmative, 16:

Adams, T.	Bahensky	Burney	Fenske
Anderson	Beaver	Cole	Hoffmeister

Liebers	Martin	Perry	Swanson
McGinley	Metzger	Ruhnke	Thompson

Voting in the negative, 24:

Adams, J.	Cramer	Lee	Peterson
Aufenkamp	Diers	Morrison	Pizer
Bedford	Hubka	Moulton	Purdy
Bixler	Klaver	Nelson	Shultz
Bridenbaugh	Kotouc	Otto	Syas
Brower	Larkin	Person	Tvrdik

Not voting, 3:

Foote	McHenry	Vogel
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The bill having failed to receive a constitutional three-fifths majority, the President declared the bill failed of passage.

SELECT FILE

LEGISLATIVE BILL 138. 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 315. 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 534. E and R amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 226. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 228. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 149. Laid over until Tuesday, April 5, 1955.

Mr. Syas Presiding**LEGISLATIVE BILL 150.** Considered.

Laid over until Tuesday, April 5, 1955.

Visitors

Mr. Burney introduced Keith Tadlock, Teacher, and twenty-two students from Wausa, Nebraska.

Mr. McGinley introduced Mr. Elmer Elmshaeuser, Sponsor, and thirteen members of Ogallala Chapter of Future Farmers of America.

Mr. Aufenkamp introduced Mrs. June Bamberg, Teacher, and sixteen students from School District No. 2, Nebraska City, Nebraska.

Mr. Brower introduced his son-in-law, James Porter, Lincoln, Nebraska.

LEGISLATIVE BILL 66. Considered.

Mr. Beaver offered the following amendment, which was adopted:

1. Amend Standing Committee amendment 1, line 5 by inserting "*respectively*," after the word "years", line 6 by striking "a" and inserting "*the first*", line 7 by inserting "*after attaining such respective ages*" after the word "license", line 10 by inserting "*respectively*" after the word "years", line 11 by striking "a renewal license" and inserting "*the first renewal of his license after attaining such respective ages*".

Mr. Burney moved that LB 66 be advanced to E and R for review.

Mr. Larkin moved that LB 66 be indefinitely postponed.

Pending.

STANDING COMMITTEE REPORTS**Agriculture****LEGISLATIVE BILL 431.** Placed on General File as amended.

Standing Committee amendment to LB 431:

1. Amend the title of the bill, line 8 by striking the period (.) and insert the following:

"*; and to declare an emergency.*"

LEGISLATIVE BILL 471. Placed on General File as amended.

Standing Committee amendments to LB 471:

1. Amend page 2 of the bill, section 1, line 24 by re-inserting the word "in" and striking the following: *"separate and apart from"*.

2. Amend page 2 of the bill, section 1, line 28 by striking "and adult" and show the same as stricken matter.

3. Amend page 3 of the bill, section 2, lines 7 and 8 by striking the stricken matter and inserting "and ; *Provided, that* the cost of the vaccine *shall not be at the expense of the State of Nebraska*".

4. Amend the title of the bill, line 6 by striking "and adult", and line 7 by inserting after the word "program" the following: "; to remove the plan for official vaccination of adult cattle for official Bang's disease control; to provide that the cost of vaccine shall not be at the expense of the State of Nebraska.

LEGISLATIVE BILL 340. Placed on General File as amended.

Standing Committee amendments to LB 340:

1. Amend page 2 of the bill, section 1, by striking lines 1 and 2 and inserting "Section 1. Commencing October 1, 1955, and for a period of four years thereafter, no person over sixteen years of", by striking lines 3 to 6 and inserting "age shall take, hunt, or kill any pheasants or quail unless at the", line 14 by striking "said upland game birds" and inserting "pheasants or quail".

2. Amend page 3 of the bill, section 4, line 14 by striking "upland game birds" and inserting "pheasants or quail".

3. Amend page 4 of the bill, section 8 by striking lines 8 to 10 and inserting "the purpose of propagating and restoration of pheasants and quail, in accordance with the policies of the commission; *Provided, that not more than ten per cent of the fund shall be used for administrative purposes.*"

4. Amend the title of the bill, line 4 by striking "upland game birds" and inserting "pheasants or quail".

(Signed) Frank Nelson, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 438. Placed on General File.

LEGISLATIVE BILL 467. Placed on General File as amended.

Standing Committee amendment to LB 467:

1. Amend page 2, Section 1, line 7 of the bill by showing eighty-five hundred as new matter.

LEGISLATIVE BILL 455. Placed on General File as amended.

Standing Committee amendment to LB 455:

1. Amend page 2, Section 1, line 7 of the bill by reinserting the stricken matter, and line 8 by inserting the following: "*than forty-eight hundred six thousand dollars per annum, whose salary*".

(Signed) John Aufenkamp, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 30, 1955, at 4:00 p.m.

LB 447

LB 301

LB 293

LB 182

Presented to the Governor for approval on March 30, 1955, at 4:30 p.m.

LB 224

LEGISLATIVE BILL 151. Placed on Select File as amended.

E and R amendments to LB 151:

1. In the bill, insert "," in: section 1, line 12 after "clerk", line 13 after "assessor", line 18 after "union", and line 19 after "21-1753"; section 4, line 3 after "cashier", line 4 after "company", and line 8 after the first "company"; section 5, line 3 after "clerk", lines 6, 16, 20, 27, 38, and 52 after the first "company", lines 9 and 21 after "profits", line 12 after "its", lines 23, 34, and 43 after "company", line 44 after "deeds", and line 48 after "surplus"; section 6, line 6 after "guardian", and line 7 after "shall" and "year"; section 7, line 3 after "association", line 6 after "clerk", and line 7 after "assessor"; section 8, line 12 after "person"; section 9, line 6 after "clerk"; section 10, line 11 after "royalties", and line 17 after "check"; section 11, line 3 after "caretaker", line 9 after "clerk", and line 10 after the second "county"; section 12, lines 3 and 4 after "lands"; section 13, line 8 after "clerk", and line 10 after "to"; sec-

tion 14, line 7 after "clerk", and line 8 after "property"; section 16, line 3 after "keeper", line 4 after "warehouse", line 8 after "clerk", line 10 after "wares" and "stored", line 12 after "consignee", line 14 after "firm", lines 15 and 20 after "wares", line 16 after "firms", and line 21 after "quantity"; section 19, line 20 after "villages", and line 21 after "thereon"; section 20, line 4 after "clerk"; and section 21, line 3 after "county", line 5 after "clerk", and line 9 after "thereof".

2. In the bill, section 5, line 3, strike the comma and show the same as stricken matter.

3. In the bill, section 6, line 9, and section 12, line 7, after "assessor" insert "*or county clerk, where he is ex officio county assessor,*".

4. In the bill, section 7, line 6, strike "the" and in lieu thereof insert "to the".

5. In the bill, section 8, line 3, insert "(1)" after "corporation"; line 4, insert ", (2)" after "country"; line 6, strike "not having" and in lieu thereof insert "(3) *which has not having*"; line 9, strike the comma and show the same as stricken matter; and line 11, strike "together with" and show the same as stricken matter.

6. In the bill, section 9, line 4, strike "this section" and in lieu thereof insert "this section 77-726"; line 6, strike the second comma and show the same as stricken matter.

7. In the bill, section 13, line 8, strike "to the" and show the same as stricken matter, and in the same line, strike "hs" and in lieu thereof insert "he" as in the statutes; lines 17, 18, 21, and 22, respectively, after "assessor" insert "*or county clerk, as the case may be,*".

8. In the bill, section 14, lines 6 and 7, strike ", or by the" and in lieu thereof insert ", or by the"; line 13, strike ", or to the" and in lieu thereof insert ", or to the".

9. In the bill, section 16, line 8, strike the comma after "assessor" and show the same as stricken matter; line 16, strike ", and" and in lieu thereof insert ", and,"; and line 21, insert "and grade" after "kind" as in the statutes.

10. In the bill, section 17, line 2, before "be" insert "as amended by section 1, Legislative Bill 14, Sixty-seventh Session, Nebraska State Legislature, 1955,"; insert a comma in line 12 after "association", line 13 after "ney", and "loaning", line 26 after "change", lines 27 and 31 after "exchange"; line 17, insert "in" after "acting"; and at the end of line 46 insert the following:

"Interrogatory 5: Have you or has any member of your household served, or are you or any member of your family now serving in the armed forces of the United States?

Answer

If the answer is yes, state such person's name, address, branch of service, date of enlistment or commencement of such service, and date of discharge.

Name

Address

Branch of service

Date of enlistment

Date of discharge.....".

11. In the bill, section 19, line 9, strike "tundred" and in lieu thereof insert "hundred" as in the statutes.

12. In the bill, section 20, line 4, strike ", or the" and in lieu thereof insert ", or the".

13. In the bill, section 21, line 5, strike "and" and in lieu thereof insert "and or".

14. In the bill, section 23, line 3, strike "77-1231,"; line 4, strike "and"; and line 6, before "are" insert "and section 77-1231, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 14, Sixty-seventh Session, Nebraska State Legislature, 1955,".

15. In the bill title, line 4, strike "77-1231,"; line 6, strike "and"; and line 8, before "relating" insert "and section 77-1231, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 14, Sixty-seventh Session, Nebraska State Legislature, 1955,".

LEGISLATIVE BILL 136. Correctly engrossed.

LEGISLATIVE BILL 355. Correctly engrossed.

LEGISLATIVE BILL 434. Correctly engrossed.

LEGISLATIVE BILL 364. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Warner Presiding

President Signs

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

LB 364

Member Excused

Mr. Perry was excused for Friday, April 1, 1955.

Adjournment

At 12:02 p.m., on a motion by Mr. Anderson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 1, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote and Messrs. Bridenbaugh, Cramer, McHenry and Perry, who were excused.

The Journal for the Sixty-third Day was approved as corrected.

Communications

Letter from Carl H. Hoge, County Clerk and Clerk of the County Board, Platte County, enclosing a copy of a resolution passed by the Platte County Board of Supervisors supporting LB 362. Referred to Committee on Revenue.

Letter from Roland A. Luedtke, Deputy Secretary of State, enclosing certified copies of Senate and House Joint Memorials passed by the Wyoming State Legislature as follows: House Joint Memorial No. 3 relating to land and minerals presently owned by the United States Government within the borders of the State of Wyoming; House Joint Memorial No. 1 relating to modernizing the acreage limitation now imposed upon farm units in federally-financed reclamation projects; House Joint Memorial No. 6 relating to the control of noxious weeds on federally owned or controlled lands; Senate Joint Memorial No. 1 relating to the need for greater coordination and integration of development of land and water resources of regional watersheds; Senate Joint Memorial No. 2 opposing any form of Federal, regional or watershed rules or regulations. Referred to the Committee on Agriculture.

Letter addressed to Mr. Purdy from the Members of the Village

Board of Meadow Grove, Nebraska, opposing LB 362. Referred to Committee on Revenue.

Visitors

Mr. Lee introduced Mr. Duane E. Hartmann, Teacher, two sponsors, and eight students from Snyder, Nebraska.

Mr. Lee also introduced Mrs. L. Weaver, Teacher, six parents, and nineteen students from District 42, Fremont, Nebraska.

Mr. Burney introduced Eldon Davis, Superintendent, and eighteen students from Campbell High School, Campbell, Nebraska.

Bills Referred to Standing Committees

LB	Committee
546.....	Banking, Commerce and Insurance

STANDING COMMITTEE REPORTS Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 412. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on March 31, 1955 at 3:30 p.m.

LB 424	LB 386	LB 364	LB 326
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LEGISLATIVE BILL 461. Correctly enrolled.

LEGISLATIVE BILL 435. Correctly enrolled.

LEGISLATIVE BILL 42. Correctly enrolled.

LEGISLATIVE BILL 470. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 461	LB 435	LB 42	LB 470
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RESOLUTIONS**LEGISLATIVE RESOLUTION 21.** Re: Acquisition of Land Around Shores of Gavins Point Reservoir.

Introduced by Dwight W. Burney, 14th District; Tom Adams, 19th District.

WHEREAS, the Gavins Point Reservoir which lies between Nebraska and South Dakota and the shores thereof is ideal for public use and public access and for wild life, and

WHEREAS, in order to have the full benefit and use thereof for such purpose acquisition of public land for such use should be obtained, and

WHEREAS, the Gavins Point Development Association and the Nebraska Game, Forestation and Parks Commission have requested the Army Corps of Engineers to purchase certain lands adjoining the reservoir.

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

1. That the Representatives in Congress from Nebraska be urged to expedite the acquisition of adequate public land for public use and public access and for wild life around the shores of Gavins Point Reservoir which lies between Nebraska and South Dakota.

2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature to each member from Nebraska in the Congress of the United States.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 418.

A bill for an act to amend section 44-309, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to authorize insurance companies to invest in the prescribed evidences of indebtedness and share certificates issued by a building and loan association organized under the laws of the State of 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, 38:

Adams, J.

Adams, T.

Anderson

Aufenkamp

Bahensky	Hoffmeister	Metzger	Purdy
Beaver	Hubka	Morrison	Ruhnke
Bedford	Klaver	Moulton	Shultz
Bixler	Kotouc	Nelson	Swanson
Brower	Larkin	Otto	Syas
Burney	Lee	Person	Thompson
Cole	Liebers	Peterson	Tvrdik
Diers	McGinley	Pizer	Vogel
Fenske	Martin		

Voting in the negative, 0.

Not voting, 5:

Bridenbaugh	Foote	McHenry	Perry
Cramer			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 110.

A bill for an act to amend sections 10-717 and 10-718, Reissue Revised Statutes of Nebraska, 1943, relating to school district bonds; to provide for the sale of refunding bonds for cash where such bonds heretofore issued are subject to the right of redemption at the time the refunding bonds are issued; to provide when such bonds are to be delivered; to restate the requirements as to the contents of such a bond; and to repeal the original sections.

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

Voting in the affirmative, 38:

Adams, J.	Cole	McGinley	Pizer
Adams, T.	Diers	Martin	Purdy
Anderson	Fenske	Metzger	Ruhnke
Aufenkamp	Hoffmeister	Morrison	Shultz
Bahensky	Hubka	Moulton	Swanson
Beaver	Klaver	Nelson	Syas
Bedford	Kotouc	Otto	Thompson
Bixler	Larkin	Person	Tvrdik
Brower	Lee	Peterson	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Bridenbaugh	Foote	McHenry	Perry
Cramer			

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 70-637, Reissue Revised Statutes of Nebraska, 1943, relating to public power and irrigation districts; to clarify the scope of contracts for construction, building, alteration, extension, or improvement of any power plant or system as prescribed; to increase the amount of the estimated cost of the engineer for the prescribed purposes; 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.	Cole	McGinley	Pizer
Adams, T.	Diers	Martin	Purdy
Anderson	Fenske	Metzger	Ruhnke
Aufenkamp	Hoffmeister	Morrison	Shultz
Bahensky	Hubka	Moulton	Swanson
Beaver	Klaver	Nelson	Syas
Bedford	Kotouc	Otto	Thompson
Bixler	Larkin	Person	Tvrdik
Brower	Lee	Peterson	Vogel
Burney	Liebers		

Voting in the negative, 0.

Not voting, 5:

Bridenbaugh	Foote	McHenry	Perry
Cramer			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 450.

A bill for an act to amend section 33-128, Revised Statutes Supplement, 1953, relating to counties; to increase the salaries of members of county boards in counties having a population of over sixty thousand inhabitants; to provide when a change in the salary of such officers shall become effective; 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.	Cole	Liebers	Purdy
Adams, T.	Diers	McGinley	Ruhnke
Anderson	Fenske	Martin	Shultz
Bahensky	Hoffmeister	Metzger	Swanson
Beaver	Hubka	Morrison	Syas
Bedford	Klaver	Moulton	Thompson
Bixler	Kotouc	Nelson	Tvrdek
Brower	Larkin	Otto	Vogel
Burney	Lee	Pizer	

Voting in the negative, 1:

Person

Not voting, 7:

Aufenkamp	Cramer	McHenry	Peterson
Bridenbaugh	Foote	Perry	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Pizer introduced Elmer Schrag and twenty-two members of the Future Farmers of America from Lincoln County, Nebraska.

Mr. Bixler introduced David Jesser, School Superintendent, and three students from Harrison, Nebraska.

UNANIMOUS CONSENT—Committee Hearing

Mr. Aufenkamp asked unanimous consent that the Committee on Miscellaneous Appropriations and Claims be permitted to use the East Senate Chamber this afternoon for a hearing on LB 311, as a large crowd is expected to attend. No objections. So ordered.

UNANIMOUS CONSENT—Executive Session

Mr. Klaver asked unanimous consent that the Committee on Government be permitted to hold an executive session at 12:00 Noon today in the East Senate Chamber. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 151. E and R amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 66. Consideration of the Larkin motion to indefinitely postpone, found in the Legislative Journal for the Sixty-third Day.

The motion lost with 17 ayes, 18 nays and 8 not voting.

The Burney motion to advance to E and R for review lost with 16 ayes, 19 nays and 8 not voting.

Mr. Hubka moved to strike the enacting clause from LB 66.

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 37 members present.

Mr. Lee moved that the Call be raised. The motion prevailed.

The Hubka motion lost with 15 ayes, 22 nays and 6 not voting.

Mr. Burney moved that LB 66 be advanced to E and R for review. The motion lost with 18 ayes, 20 nays and 5 not voting.

Visitors

Mr. Syas introduced Mrs. Pearl McSwan, Teacher, Miss Florence Reynolds, Principal, Miss Leota Sneed and Mr. Carl Kelly, Teachers, and fifty-three students from Miller Park School, Omaha, Nebraska.

Mr. Thompson introduced John Schade, Vocational Agricultural Instructor, and nine members of the Future Farmers of America from Beaver City, Nebraska.

Mr. Morrison introduced Rueben Held, Mitchell, Nebraska, and thirteen members of the Future Farmers of America.

Mr. Hubka Presiding

LEGISLATIVE BILL 107. Considered.

Mr. Klaver offered the following amendments, which were adopted:

1. Amend page 2 of the bill by striking section 1 and inserting in lieu thereof the following:

"Section 1. That section 66-425, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

66-425. No part of the moneys *money* in the Gasoline Tax Fund shall be expended for or upon interstate bridges , *except for maintenance of free bridges which are a part of the state highway system.*

Sec. 2. That original section 66-425, Reissue Revised Statutes of Nebraska, 1943, is repealed."

2. Amend the title of the bill by striking lines 2 and 3 and inserting in lieu thereof the following:

"FOR AN ACT to amend section 66-425, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that money in the Gasoline Tax Fund may be expended for maintenance of interstate bridges when such bridges are free bridges and a part of the state highway system; and to repeal the original section."

Advanced to E and R for review.

UNANIMOUS CONSENT—Withdraw LB 539

Mr. Martin asked unanimous consent that LB 539 be withdrawn and that the notice of hearing on LB 539 also be withdrawn. No objections. So ordered.

LEGISLATIVE BILL 125. Read and considered.

Mr. Anderson offered the following amendment, which was adopted:

1. Amend page 2 of the bill, section 1, line 6 by inserting "municipal inspection station," after the word "any".

Standing Committee amendments found in the Legislative Journal for the Fifty-second Day were adopted.

Mr. Person offered the following amendment, which was adopted:

Amend Section 9, line 4 by striking the word "six" and inserting in lieu thereof the word "twelve".

Mr. Anderson moved that LB 125 be advanced to E and R for review.

Mr. Peterson moved that LB 125 be indefinitely postponed.

Member Excused

Mr. Thompson was excused for the remainder of the morning.

Mr. Anderson requested a record vote on the Peterson motion to indefinitely postpone LB 125.

Voting in the affirmative, 18:

Beaver
Bedford

Bixler
Brower

Diers
Fenske

Kotouc
Lieber

McGinley	Morrison	Pizer	Shultz
Martin	Nelson	Ruhnke	Vogel
Metzger	Peterson		

Voting in the negative, 15:

Adams, J.	Bahensky	Klaver	Purdy
Adams, T.	Burney	Moulton	Syas
Anderson	Cole	Otto	Tvrdik
Aufenkamp	Hoffmeister	Person	

Not voting, 10:

Bridenbaugh	Hubka	McHenry	Swanson
Cramer	Larkin	Perry	Thompson
Foote	Lee		

The motion prevailed.

LEGISLATIVE BILL 406. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Fenske introduced Mr. and Mrs. Ed Wickhorst, Potter, Nebraska.

Mr. Otto introduced Mr. Bang, Gibbon, Nebraska, Mr. Walker, Kearney, Nebraska, and members of the Future Farmers of America from Gibbon and Kearney.

NOTICE OF COMMITTEE HEARINGS

Judiciary

LB 38	Wednesday, April 13, 1955	2:00 p.m.
LB 180	Wednesday, April 13, 1955	2:00 p.m.
LB 230	Wednesday, April 13, 1955	2:00 p.m.
LB 332	Monday, April 18, 1955	2:00 p.m.
LB 475	Monday, April 18, 1955	2:00 p.m.
LB 542	Wednesday, April 20, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 128. Placed on General File as amended.

Standing Committee amendments to LB 128:

1. Amend Page 3 of the bill, Section 1, by striking Line 44, commencing with word "The", after the word parents and by striking lines 45 to 49 inclusive.

2. Amend Page 5 of the bill, Section 2, by striking line 45, commencing with word "The", after the word parents and by striking lines 46 to 51 inclusive.

LEGISLATIVE BILL 476. Placed on General File as amended.

Standing Committee amendment to LB 476:

1. Amend Page 2, Section 1, Line 31, subparagraph (7) by re-inserting the stricken material, "parent, child," and also in same section, Line 36 by re-inserting the stricken material, "parents, children,".

(Signed) George Syas, Chairman

Enrollment and Review

LEGISLATIVE BILL 92. Placed on Select File as amended.

E and R amendments to LB 92:

1. In Standing Committee Amendment 3, line 3, after "agents" and "employees" insert ", "; and in amendment 4, line 3, after "and" insert "an".

2. In the bill section 1, line 2, section 2, lines 2 and 3, section 3, lines 2 and 3 strike the quotation marks; section 1, lines 5 and 6, strike ", and" and insert in lieu thereof ". They"; section 2, at the end of line 2, add ", "; lines 3 and 4, strike "as provided" and insert in lieu thereof "to be provided for"; section 5, line 6, after "therein" and line 7, after "act" insert ", "; page 3, section 7, line 2, after "otherwise", line 5, after "eggs", line 6, after "act", section 8, line 1, after "presumed", line 3, after the first "eggs", section 9, line 1, after "officer", line 5, after "act", line 14 after "may", line 15, after "act", section 13, line 4, after "act" insert ", "; section 7, line 4, after "and" insert "the"; section 9, line 4, after "or" insert "to cause"; section 11, line 40, after "and" insert "placed" and in the same line strike the word "placed"; section 12, line 3, after "or" insert "the" and also in section 13, line 2, after "or"; and in section 13, line 3, after "Inspection" insert ", "; and at end of line add "for".

3. In the bill title line 4, after "license" insert "and inspection", and after the semicolon in same line insert "to make certain acts unlawful"; line 5 after the second semicolon insert "to provide for duties and powers of certain public officials and others as pre-

scribed; to provide in what fund license and inspection fees collected shall be placed by the State Treasurer;”.

LEGISLATIVE BILL 193. Placed on Select File.

LEGISLATIVE BILL 405. Placed on Select File as amended.

E and R amendments to LB 405:

1. The Committee on Enrollment and Review is authorized and directed to correlate section 1, and the title and repeal clause with section 9, LB 323, since section 1, of LB 405 is also contained in section 9, LB 323, if LB 323 passes and is signed by the Governor.

2. In the bill title lines 3 and 4, strike “provide a” and insert in lieu thereof “reduce the”; line 6, after “organizations” and line 7, after “subscribers” insert a comma; strike all of line 9 and insert in lieu thereof “tions under the conditions prescribed; to allocate all such taxes on such premiums or deposits collected to the”; and in line 10, after “Fund” insert “as prescribed”.

LEGISLATIVE BILL 371. Placed on Select File as amended.

E and R amendments to LB 371:

1. In the bill, section 1, line 5, after “have” insert “the”; line 6, insert “,” after “acquire” and “gift”; line 11, strike “the township officers” and in lieu thereof insert “it”; and line 12, strike “the respective township officers of”.

2. In the bill title, line 5, before the semicolon insert “as prescribed”.

LEGISLATIVE BILL 319. Placed on Select File as amended.

E and R amendments to LB 319:

1. In the bill, insert “,” in section 1, line 24, after “systems”, line 26, after “associations”, and line 29, after “Fund”; and section 2, line 14, after “Insurance”.

2. In the bill, section 1, line 27, insert “deposited” after “and”, and line 28, strike “deposited to the account of” and in lieu thereof insert “in”.

LEGISLATIVE BILL 325. Placed on Select File as amended.

E and R amendments to LB 325:

1. In the Standing Committee Amendment 2, insert a comma in line 4 after "partners", line 7 after "partner", and line 9 after "partnership"; and line 6, strike "provided" and in lieu thereof insert "if".

2. In the bill, section 1, insert a comma in line 1 after "policies", line 3 after "therefor", line 17 after "which", line 18 after "basis", and line 22 after "draft"; line 4, after "at" insert "the"; line 5, strike "or" and in lieu thereof insert "nor"; and line 22, strike the quotation marks.

3. In the bill title, line 4, strike the first "and "; and line 5, after "thereto" insert "; and to define the term employee as used in this act".

LEGISLATIVE BILL 64. Placed on Select File as amended.

E and R amendments to LB 64:

1. In the bill, section 1, line 10, strike "receive a salary of" and in lieu thereof insert "*each receive as a salary of*".

2. In the bill, section 2, line 9, strike "at any time be held" and in lieu thereof insert "*at any time be held at any time*", and in the same line, insert "*the*" before "call"; and line 13, strike "; and vouchers" and in lieu thereof insert "*; and vouchers . Vouchers*".

3. In the bill title, line 4, strike "class" and in lieu thereof insert "classes"; line 6, after "board" insert "as prescribed"; and line 7, before "fixed" insert "are".

LEGISLATIVE BILL 218. Correctly engrossed.

LEGISLATIVE BILL 516. Correctly engrossed.

LEGISLATIVE BILL 138. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Peterson, the Legislature adjourned until 9:30 a.m., Monday, April 4, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 4, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, and Messrs. T. Adams, Liebers and McHenry, who were excused.

The Journal for the Sixty-fourth Day was approved.

Announcement

Mr. Burney announced the 43rd Annual Feeders Day, to be held at the College of Agriculture, University of Nebraska, on April 22, 1955; also a dinner honoring Lieutenant Governor Charles J. Warner, to be held by the Block and Bridle Club at 6:00 p.m., April 22nd, at the Student Union.

Approved by the Governor

April 2, 1955

To the President, The Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on April 2, 1955, he approved L. B. 209, 288, 257, 420, 402, 464, 224, 301, 293 and 447.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 216. Placed on General File as amended.

Standing Committee amendments to LB 216:

1. Amend section 1, line 15, by striking all of the words after the word "Inspection" in line 15 and by striking all of line 16 to the punctuation.

2. Amend section 2, line 1 by striking the figures "1955" and inserting in lieu thereof the figures "1956", line 3 by inserting after the word "state" the following words and punctuation ", except such oil or gas as is used only in severing operations or for repressuring or recycling purposes"; and lines 4 and 5 by striking the words "owner or owners thereof at the time of severance" and inserting in lieu thereof the words "the person engaged in the severing of such oil or natural gas".

3. Amend section 4, line 4 by striking the word "taxpayer" and inserting in lieu thereof the words "person engaged in the severing", and line 9 by striking the word "taxpayer" and inserting in lieu thereof the words "person engaged in the severing".

4. Amend section 5, lines 2 and 3 by striking the words "the taxpayer".

5. Amend section 6, line 8 by striking the words "the owner" and inserting in lieu thereof the words "such person".

6. Amend section 7, line 3 by striking the word "operators" and inserting in lieu thereof the word "person".

7. Amend section 8 by striking lines 1 to 5 and inserting in lieu thereof the following:

"Sec. 8. The person remitting to the department the taxes levied by the provisions of this act is hereby authorized and empowered to deduct from the amount due the persons owning an interest in the oil or gas or in the proceeds thereof at the time of severance the proportionate amount of such taxes before making payment to such persons."

8. Amend section 9 by striking lines 1 to 5 and inserting in lieu thereof the following:

"Sec. 9. The director may bring an action against any person engaged in the severing for the collection of taxes which are due and delinquent under the provisions of this act."

9. Amend the bill by striking all of section 10 and renumbering sections 11 to 16 as sections 10 to 15, respectively.

10. Amend renumbered section 10 by striking all of the words and punctuation after the word "provided" in line 3 and by striking lines 4 and 5 and inserting in lieu thereof the following: "in section 4 of this act, and in addition to the amount of the delinquent taxes there shall be paid and the director shall collect a penalty for such delinquency in the amount of one per cent of the delinquent taxes for each month or part thereof that the delinquency has continued."

11. Amend renumbered section 12 by striking all of the words and punctuation after the word "act" in line 3, by striking line 4, and by striking line 5 to the punctuation after the word "act".

12. Amend renumbered section 13 by striking all of lines 5, 6, and 7 and inserting in lieu thereof the following: "guilty of a misdemeanor and shall, upon conviction thereof, be fined not to exceed five hundred dollars."

13. Amend renumbered section 14 by striking lines 1 to 3 and inserting in lieu thereof the following:

"Sec. 15. The Attorney General or the county attorney of the county wherein the natural resources are located may file a petition in the district court of such county, and upon such", and line 5 by striking the word "produce" and inserting in lieu thereof the word "sever".

(Signed) Monroe Bixler, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 1, 1955, at 4:00 p.m.

LB 470

LB 461

LB 435

LB 42

LEGISLATIVE BILL 119. Replaced on Select File as amended.

E and R amendment to LB 119:

1. In the bill title line 18, strike "the metropolitan" and in lieu thereof insert "such".

LEGISLATIVE BILL 226. Placed on Select File as amended.

E and R amendments to LB 226:

1. In the bill page 2, section 1, line 6, insert "," after "located"; lines 13 and 15 strike the quotation marks and show as stricken matter; and line 17 after "(2)" insert "state".

2. In the bill title line 4, after both words "of" insert "the"; and in line 5, strike the first "of" and insert "upon".

LEGISLATIVE BILL 228. Placed on Select File as amended.

E and R amendments to LB 228:

1. In the bill, section 1, line 4, insert "," after "factory".

2. In the bill title, line 6, strike "to".

LEGISLATIVE BILL 107. Placed on Select File as amended.

E and R amendment to LB 107:

1. In General File Amendment 1, line 7, strike "a"; and in amendment 2, line 6, strike "a".

LEGISLATIVE BILL 406. Placed on Select File as amended.

E and R amendments to LB 406:

1. In the bill page 2, section 1, line 6, after "shall" insert "(1)"; and in line 9, strike ", or" and insert in lieu thereof "or (2)".

2. In the bill title line 3, after the second "to" insert "restate and to" and in line 8 after "project" insert "as prescribed".

LEGISLATIVE BILL 508. Correctly engrossed.

LEGISLATIVE BILL 477. Correctly engrossed.

LEGISLATIVE BILL 169. Correctly engrossed.

LEGISLATIVE BILL 354. Correctly engrossed.

LEGISLATIVE BILL 363. Correctly engrossed.

LEGISLATIVE BILL 418. Correctly enrolled.

LEGISLATIVE BILL 110. Correctly enrolled.

LEGISLATIVE BILL 351. Correctly enrolled.

LEGISLATIVE BILL 450. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 418

LB 110

LB 351

LB 450

Visitors

Mr. Brower introduced Kermit Laidig, Teacher, and thirty-two students from Columbus High School, Columbus, Nebraska.

RESOLUTIONS**LEGISLATIVE RESOLUTION 21.**

LR 21 was adopted with 35 ayes, 2 nays and 6 not voting.

UNANIMOUS CONSENT—Executive Session

Mr. Moulton asked unanimous consent that the Committee on Public Works be permitted to hold an executive session at 1:00 p.m., Wednesday, April 6, 1955. No objections. So ordered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 361.

A bill for an act to amend sections 72-718 and 72-1007, Reissue Revised Statutes of Nebraska, 1943, and section 72-1005, Revised Statutes Supplement, 1953, relating to State Institutional and Military Department Building Fund; to provide that two hundred thousand dollars of the fund out of the proceeds of one mill of the special tax for the State Institutional and Military Department Building Fund shall be transferred to the Governor for a Governor's Mansion to be used as prescribed; to provide that the duties of the State Building Commission shall also consist of supervising the construction and improvements of the Governor's Mansion; 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, J.	Cramer	Martin	Pizer
Anderson	Diers	Metzger	Ruhnke
Aufenkamp	Fenske	Morrison	Shultz
Bahensky	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Larkin	Person	Tvrdik
Brower	Lee	Peterson	Vogel
Cole	McGinley		

Voting in the negative, 5:

Beaver	Kotouc	Perry	Purdy
Burney			

Not voting, 4:

Adams, T.	Foote	Liebers	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 512. With emergency.

A bill for an act to amend sections 72-706, 72-707, 72-708, and 72-709, Reissue Revised Statutes of Nebraska, 1943, relating to the duties of the Governor with reference to public buildings and grounds as prescribed; to authorize the Governor to appoint a Superintendent of Buildings and Grounds; to define his duties; to authorize the Governor to adopt rules and regulations for the parking of motor vehicles on the approaches to the capitol building and on lands adjacent to the capitol grounds owned by the State of Nebraska; to provide penalties for violation of such rules and regulations; to repeal the original sections, and also sections 72-704 and 72-705, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Voting in the affirmative, 39:

Adams, J.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Burney	Lee	Peterson	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Foote	Liebers	McHenry
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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 422.

A bill for an act to amend sections 79-431, 79-435, and 79-436, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to provide for preparation of the budget and duties of Commissioner of Education in regard thereto; to provide for certificate showing the amount of funds necessary to be raised by tax levy; to provide for the levy; to harmonize with previous legislation; 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, 26:

Adams, J.	Cole	McGinley	Perry
Anderson	Cramer	Martin	Ruhnke
Bahensky	Diers	Metzger	Swanson
Bedford	Hoffmeister	Morrison	Syas
Bixler	Klaver	Moulton	Tvrdik
Bridenbaugh	Kotouc	Otto	Vogel
Burney	Larkin		

Voting in the negative, 12:

Beaver	Hubka	Person	Purdy
Brower	Lee	Peterson	Shultz
Fenske	Nelson	Pizer	Thompson

Not voting, 5:

Adams, T.	Foote	Liebers	McHenry
Aufenkamp			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 82. With emergency.

A bill for an act to amend sections 35-501, 35-502, 35-503, 35-513, and 35-516, Reissue Revised Statutes of Nebraska, 1943, sections 35-509.01, 35-510, 35-514, and 77-1603, Revised Statutes Supplement, 1953, and section 35-509, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 100, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to fire protection districts; to provide that the provisions of Chapter 35, article 5, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, and section 77-1603, Revised Statutes Supplement, 1953, shall be extended to areas situated outside the corporate limits of any city or village in which there are at least

two hundred homes and which has an assessed valuation of at least one million dollars; to provide for levies; to provide for limitations on indebtedness; to provide for procedure and conditions of withdrawal from or annexation of a suburban fire protection district; to define terms; to prescribe the meaning of certain words or phrases as used in this act; to provide certain powers and duties of rural or suburban fire protection districts and officers thereof; to provide how suburban fire protection districts shall be organized; to provide for making of certain contracts with certain fire protection districts of other states for fire protection and fire prevention purposes, prescribing certain powers, duties, liabilities, and immunities; 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, J.	Cole	Martin	Pizer
Anderson	Cramer	Metzger	Purdy
Aufenkamp	Diers	Morrison	Ruhnke
Bahensky	Fenske	Moulton	Shultz
Beaver	Hoffmeister	Nelson	Swanson
Bedford	Klaver	Otto	Syas
Bixler	Kotouc	Perry	Thompson
Bridenbaugh	Larkin	Person	Tvrdik
Brower	Lee	Peterson	Vogel
Burney	McGinley		

Voting in the negative, 0.

Not voting, 5:

Adams, T.	Hubka	Liebers	McHenry
Foote			

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 92. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 193. Advanced to E and R for engrossment.

LEGISLATIVE BILL 405. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 371. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 319. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 325. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 64. E and R amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Consider LB 25

Mr. Otto asked unanimous consent that LB 25 be placed at the head of Select File to be considered tomorrow. No objections. So ordered.

MOTION—Place LB 481 on General File

Mr. President: I move that LB 481 be placed on General File notwithstanding the report of the standing committee.

(Signed) Wm. Purdy

Mr. Purdy requested a record vote.

Voting in the affirmative, 8:

Bedford	Nelson	Peterson	Ruhnke
Burney	Person	Purdy	Thompson

Voting in the negative, 22:

Anderson	Aufenkamp	Bahensky	Beaver
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Cole	Kotouc	Morrison	Shultz
Diers	Larkin	Otto	Swanson
Fenske	McGinley	Perry	Syas
Hoffmeister	Martin	Pizer	Tvrdik
Klaver	Metzger		

Not voting, 13:

Adams, J.	Brower	Hubka	McHenry
Adams, T.	Cramer	Lee	Moulton
Bixler	Foote	Liebers	Vogel
Bridenbaugh			

The motion lost.

Visitors

Mr. Perry introduced Kirk Fowler and Dan Davey, Salinas, California, Merle Joosten, Owen Palmer, Patty Sherman, Northeast High School, Lincoln, Nebraska, and Mrs. Eunice Mansfield, Journalism Instructor from Northeast High School, Lincoln, Nebraska.

Mr. Shultz introduced Emil Dobash, President and General Manager of the Independent Truckers Association of Nebraska, Mrs. Dobash, and their daughter Karen.

Mr. Hubka introduced Miss Ruth Crane from Beatrice, Nebraska, a reporter from the Beatrice Daily Sun.

Mr. Brower introduced Mr. Orville Baldrige of Fullerton, Nebraska.

Mr. Moulton introduced Mrs. Fred Jasperson and Mrs. W. H. Devaney, Leaders, Mrs. E. L. Hammer, Sponsor, and fourteen girl scouts from Brownie Troop No. 17, Omaha, Nebraska.

Mr. Lee introduced Marvin Stromer of Hastings, Nebraska, who served as Chairman on President Eisenhower's Intercollegiate Committee on Foreign and Domestic Problems.

Mr. Lee escorted Mr. Stromer to the rostrum, where he addressed the Legislature briefly.

Mr. Cole Presiding

GENERAL FILE

LEGISLATIVE BILL 66. Considered.

Mr. Thompson offered the following amendment, which was adopted with 15 ayes, 8 nays and 20 not voting:

Amend LB 66 by striking the words "sixty-five" in lines eight and nine of the Standing Committee amendment.

Mr. Larkin moved to indefinitely postpone LB 66.

Mr. Burney requested a Call of the House.

A Call of the House was ordered and showed 37 members present.

Mr. Tvrdik moved that the Call be raised. The motion lost with 16 ayes, 19 nays and 8 not voting.

Mr. Larkin moved that the Call be raised. The motion lost with 17 ayes, 20 nays and 6 not voting.

Mr. Metzger moved that the Call be raised. The motion prevailed with 30 ayes, 1 nay and 12 not voting.

The Larkin motion to indefinitely postpone LB 66 lost with 19 ayes, 19 nays and 5 not voting.

STANDING COMMITTEE REPORTS **Government**

LEGISLATIVE BILL 99. Placed on General File.

LEGISLATIVE BILL 309. Indefinitely postponed.

LEGISLATIVE BILL 380. Indefinitely postponed.

LEGISLATIVE BILL 47. Indefinitely postponed.

(Signed) Sam Klaver, Chairman

Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 311. Placed on General File.

(Signed) John Aufenkamp, Chairman

Adjournment

At 12:02 p.m., on a motion by Mr. Peterson, the Legislature adjourned until 8:30 a.m., Tuesday, April 5, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 5, 1955

Pursuant to adjournment, the Legislature met at 8:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, Messrs. Liebers and McHenry, who were excused, and Messrs. Aufenkamp, Larkin and Purdy, who were excused until 8:45 a.m.

The Journal for the Sixty-fifth Day was approved as corrected.

Appreciation

Letter from Mr. and Mrs. Manuel Kahler, Harold, Gertrude and Linda Kahler, thanking the members for their expression of sympathy in the loss of Shirley Ann Kahler.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

LB 546 Tuesday, April 12, 1955 2:00 p.m.

Budget

LB 496 Wednesday, April 13, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL 517. Indefinitely postponed.

LEGISLATIVE BILL 458. Indefinitely postponed.

(Signed) William Moulton, Chairman

Enrollment and Review

LEGISLATIVE BILL 361. Correctly enrolled.
LEGISLATIVE BILL 512. Correctly enrolled.
LEGISLATIVE BILL 422. Correctly enrolled.
LEGISLATIVE BILL 82. Correctly enrolled.
LEGISLATIVE BILL 390. Correctly engrossed.
LEGISLATIVE BILL 372. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 361
LB 512

LB 422

LB 82

LR 21

LEGISLATIVE EXPENSES, MARCH, 1955

Account E-2 Members Salaries

Gross Amount	\$ 8,600.00
Members Net Payments	\$ 7,978.80
W. H. Income Taxes	449.20
Deferred Payment O.A.S.I. Taxes	172.00

\$ 8,600.00

Account E-4 Employees Wages	Time	Rate	Gross Wages
Dianne Alexander, Assistant to Committee Clerks & Stenos.	1 mo. @	165/mo.	\$165.00
Lorraine C. Anderson, Docket Clerk	1 mo. @	250/mo.	250.00
Jackie Berkheim, Government Committee Clerk ..	1 mo. @	250/mo.	250.00
Ruby Marie Black, Stenographer	1 mo. @	235/mo.	235.00
Eunice Bradley, Supervisor	1 mo. @	275/mo.	275.00
William Burley, Page	1 mo. @	165/mo.	165.00
Donna Cleavenger, Office Assistant & Secretary	1 mo. @	250/mo.	250.00
John Dewey Curtis, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Darlene Custer, Public Health & Misc. Subjects Committee Clerk	1 mo. @	250/mo.	250.00
Clarence M. Davis, Legal Advisor	1 mo. @	900/mo.	900.00
Adelaide Eichelberger, Stenographer	17 das. @	235/mo.	148.07
Lois L. Ferguson, Judiciary Clerk	1 mo./4 hrs. @	250/mo.	254.63
Jo Fisher, Chief Engrossing Clerk	1 mo. @	325/mo.	325.00
Dorothea M. Fuchs, Budget Committee Clerk	1 mo. @	250/mo.	250.00

SIXTY-SIXTH DAY—APRIL 5, 1955

Account E-4	Employees Wages	Time	Rate	Gross Wages
Eloise M. Galloway, Supervisor	1 mo. @ 275/mo.	275.00		
Viola Gardiner, Stenographer	1 mo. @ 235/mo.	235.00		
Florence S. Graham, Assistant Journal Clerk	1 mo. @ 260/mo.	260.00		
Ramona T. Hansen, Proofreader	61 hrs. @ 1.40/hr.	85.40		
E. C. Hansen, Chaplain	1 mo. @ 140/mo.	140.00		
Ernest Fouts, Chief Legislative Custodian	1 mo. @ 200/mo.	200.00		
Marjory A. Hines, Revenue Committee Clerk	1 mo. @ 250/mo.	250.00		
Carl Hoffman, Assistant Custodian	1 mo. @ 185/mo.	185.00		
Charles E. Keefer, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00		
Jane Kenner, Receptionist, Lieutenant Governor	1 mo. @ 200/mo.	200.00		
Darlene Kepler, Stencil Cutter and Mimeographer	1 mo. @ 200/mo.	200.00		
Shirley Dell Kling, Stenographer	1 mo/12 hrs. @ 235/mo.	248.08		
Betty Jean Koch, Education Committee Clerk	1 mo. @ 250/mo.	250.00		
Mary Carlene Kroese, Stenographer Typist	1 mo. @ 235/mo.	235.00		
Clara Jean Lewis, Page	1 mo. @ 165/mo.	165.00		
Marguerite Shea Listiak, Stenographer	144 hrs. @ 1.25/hr.	180.00		
George Martin, Chief Clerk, Bill Room	1 mo. @ 240/mo.	240.00		
F. R. Miller, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00		
Charles A. Mohrman, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00		
Barbara Nelson, Agriculture Committee Clerk	1 mo. @ 250/mo.	250.00		
Ruby Nelson, Postmistress	1 mo. @ 180/mo.	180.00		
LaVerne Obermeyer, Journal Clerk	1 mo. @ 325/mo.	325.00		
Ethel Pattison, Page	22 das. @ 165/mo.	134.42		
Clyde Pinkerton, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00		
Elizabeth Reger, Proofreader	93 hrs. @ 1.40/hr.	130.20		
Ralph Reger, Page	1 mo. @ 165/mo.	165.00		

Betty Remington, Labor & Public Welfare Committee		
Clerk	1 mo. @ 250/mo.	\$250.00
Melba Richling, Bookkeeper	1 mo. @ 275/mo.	275.00
Francis Robinson, Assistant Clerk of the Legislature	27 das. @ \$18/da.	486.00
George L. Santo, Sergeant-at-Arms	1 mo. @ 230/mo.	230.00
Edna S. Scott, Proofreader	93 hrs. @ 1.40/hr.	130.20
Mary Smetter, Proofreader	61 hrs. @ 1.40/hr.	85.40
Verneal Spilker, Page	1 mo. @ 165/mo.	165.00
Ella Sue Steenson, Public Works Committee Clerk.....	1 mo. @ 250/mo.	250.00
Ralph Stouffer, Assistant Custodian	1 mo. @ 185/mo.	185.00
A. C. Taylor, Assistant Sergeant-at-Arms	1 mo. @ 190/mo.	190.00
Ruth Theobald, Banking, Commerce & Insurance Committee		
Clerk	1 mo. @ 250/mo.	250.00
Richard Thoene, Misc. Appropriations & Claims Committee		
Clerk	1 mo. @ 250/mo.	250.00
Charles Touzalin, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00
Ruth Turner, Stenographer	1 mo./4 hrs. @ 235/mo.	239.36
Gertrude A. Tyler, Telephone Operator	1 mo. @ 180/mo.	180.00
Shirley Walker, Stenographer	1 mo. @ 235/mo.	235.00
Tillie Walker, Stenographer	101 hrs. @ 1.25/hr.	126.25

TOTAL GROSS WAGES\$ 12,948.01

Net Amount Due Employees 11,116.25

W. H. Income Taxes 1,575.60

Deferred Payment O.A.S.I. Taxes 256.16

\$ 12,948.01

Account E-5 Incidental Expenses

Nebraska Typewriter Company, 20 Quire of Stencils	\$ 67.50	
Ruby Nelson, Postage for after 4:30 mailing	15.00	
Purchasing Department Revolving Fund, Supplies	36.10	
O. H. Person, Mileage	6.60	
John Aufenkamp, Mileage	6.60	
Remington-Rand, Inc., Electric Portable Adding Machine	360.00	
Journal Star Printing Company, Printing Journal 19th through 38th day ..	1,516.82	
Sound Engineering Company, Ltd., one half of speaker system in chamber ..	1,718.00	
Latsch Brothers, Inc., Book sheets, & badges	66.90	
Nebraska Prison Industries, Repairing furniture	403.55	
Lincoln Telephone & Telegraph Company	153.80	
Capitol Printing, 3,000 letterheads and 2,000 envelopes	34.00	
Lincoln Telephone & Telegraph Company	14.15	
H. K. Diers, Mileage to Omaha and Norfolk, and one meal	27.40	
Nebraska Typewriter Company, 20 Quire of stencils	67.50	
Postage Meter Revolving Fund	1,000.00	
Joe Christensen, Printing 2,700 Rosters	98.40	
The Frame House, Two frames mounted	58.00	
Wm. McHenry, Meals on trip to Norfolk	2.50	
Acorn Press, 1,000 extra index sheets	12.00	
Total Incidental Expenses		\$ 5,664.82

Account 7 Salary of Lieutenant Governor

Lt. Governor Salary, Net	142.44	
Deferred Payment O.A.S.I. Taxes	2.91	
Gross Salary, Lt. Governor		145.35

Account 8 Clerk's Salary, Other Wages & Office Expenses

Hugo F. Srb, Clerk of the Legislature, Net Salary	\$465.01
W. H. Income Taxes	45.40
Deferred Payment O.A.S.I. Taxes	10.42

Gross Salary, Clerk of Legislature	520.83
	<u>\$ 27,879.01</u>

Account 8C Surplus Property

Credit issued for sale of file cabinet	5.00
Credit issued for sale of Dalton Adder	25.00

Less total credit to Acct. 8C	- 30.00
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GRAND TOTAL MARCH EXPENSES ..	<u><u>\$ 27,849.01</u></u>
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SIXTY-SIXTH DAY—APRIL 5, 1955

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 419.

A bill for an act to amend section 8-319, Reissue Revised Statutes of Nebraska, 1943, relating to building and loan associations; to extend the powers of an association to include the making of unsecured loans to its members under the conditions prescribed; to restate certain requirements and restrictions in regard to making the prescribed types of loans to members; 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.	Burney	Lee	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Ruhnke
Bahensky	Diers	Metzger	Shultz
Beaver	Fenske	Morrison	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Hubka	Otto	Thompson
Bridenbaugh	Klaver	Perry	Tvrdik
Brower	Kotouc	Person	Vogel

Voting in the negative, 0.

Not voting, 7:

Aufenkamp	Larkin	McHenry	Purdy
Foote	Liebers	Moulton	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 136. With emergency.

A bill for an act to amend sections 48-603, 48-610, 48-618, 48-628, and 48-633, Reissue Revised Statutes of Nebraska, 1943, and sections 48-606.01, 48-624, 48-627, 48-649, 48-661, and 48-669, Revised Statutes Supplement, 1953, relating to Employment Security Law; to redefine terms; to authorize the acquiring of office space as prescribed; to increase the penal provisions of the bond of the treasurer of the fund; to increase maximum weekly benefit; to revise wage requirement for benefit rights; to eliminate certain disqualifications for benefits;

to increase the per diem fee of advisory council and appeal tribunal members; to provide for special appeal examiner, and his duties and qualifications; to change the method of determining the contribution rate applicable to employers as prescribed; to change termination of coverage requirements; to provide for transition from former law to law as amended; 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.	Burney	Larkin	Perry
Adams, T.	Cole	Lee	Person
Anderson	Cramer	McGinley	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Fenske	Metzger	Swanson
Bedford	Hoffmeister	Morrison	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrdik
Brower	Kotouc	Otto	Vogel

Voting in the negative, 4:

Beaver	Peterson	Pizer	Shultz
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Not voting, 3:

Foote	Liebers	McHenry
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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 355.

A bill for an act to amend section 18-211, Reissue Revised Statutes of Nebraska, 1943, relating to police magistrates; to provide that the salary of police magistrate in all cities and villages shall be fixed by the mayor and council or board of trustees by ordinance and be payable as prescribed; and to repeal the original section.

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

Voting in the affirmative, 36:

Adams, J.	Anderson	Bahensky	Bixler
Adams, T.	Aufenkamp	Beaver	Bridenbaugh

Brower	Klaver	Moulton	Ruhnke
Burney	Kotouc	Nelson	Shultz
Cole	Larkin	Otto	Swanson
Cramer	Lee	Perry	Syas
Fenske	McGinley	Person	Thompson
Hoffmeister	Metzger	Peterson	Tvrdik
Hubka	Morrison	Pizer	Vogel

Voting in the negative, 3:

Bedford	Diers	Martin
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Not voting, 4:

Foote	Liebers	McHenry	Purdy
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 434.

A bill for an act to amend section 83-337, Reissue Revised Statutes of Nebraska, 1943, relating to county boards of mental health; to increase the compensation of members of the board of mental health in counties having a population of more than two hundred thousand inhabitants as prescribed; to provide when such increase shall become effective; to eliminate the fees to the clerk of the district court for serving on such board as prescribed; to eliminate the per diem fee of the sheriff as prescribed; to change the advancement of funds for expenses in taking a person to or from a hospital as prescribed; to provide for the return of any excess amount of such advancement and the procedure to secure any deficiency of such advancement; 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.	Brower	Klaver	Moulton
Adams, T.	Burney	Kotouc	Nelson
Anderson	Cole	Larkin	Otto
Bahensky	Cramer	Lee	Person
Beaver	Diers	McGinley	Pizer
Bedford	Fenske	Martin	Purdy
Bixler	Hoffmeister	Metzger	Ruhnke
Bridenbaugh	Hubka	Morrison	Shultz

Swanson	Thompson	Tvrdik	Vogel
Syas			

Voting in the negative, 3:

Aufenkamp	Perry	Peterson
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Not voting, 3:

Foote	Liebers	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Cramer introduced Mr. Harry W. Hahlbeck, Superintendent, sixteen teachers, and one hundred ten students from the eighth grade from Antelope County, Nebraska.

SELECT FILE

LEGISLATIVE BILL 25. Laid over.

LEGISLATIVE BILL 119. 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 226. 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 228. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

LEGISLATIVE BILL 107. 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 406. E and R amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

LEGISLATIVE BILL 134. Mr. Lee asked unanimous consent that the following amendments be adopted:

1. In section 1, line 11, strike the word "and" at the end of the line and in lieu thereof insert "and ,", in line 12 after "twenty-eight" insert " , and thirty-three" and in line 14 insert " , " after "eight".

2. In section 4, line 6, before "*Compact*" insert "*Boundary*".

3. In section 5, line 6, after "River" insert "*as established by the original government survey of 1857*".

4. In section 7, lines 5 and 6, strike "thirty-three" and in lieu thereof insert "*thirty-three thirty-four*".

No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Advance LB 228

Mr. Burney asked unanimous consent that LB 228 be advanced to E and R for engrossment.

Mr. Aufenkamp objected.

UNANIMOUS CONSENT—Withdraw LB 147

Mr. Morrison asked unanimous consent that LB 147 be withdrawn. No objections. So ordered.

LEGISLATIVE BILL 25. Mr. Otto asked unanimous consent that the following amendment be adopted:

"Add a new section as follows:

Section 1. That section 16-203, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-203. A city of the first class may levy taxes for general revenue purposes in any one year, not exceeding twelve mills on the dollar upon the assessed value of all the taxable property in the limits of such city, except intangible property; *Provided*, that the provisions of this section shall never be construed so as to affect the limitation on maximum annual levies for all municipal purposes in said cities in any one year, as set forth in section 16-702."

Renumber sections accordingly and amend the title to conform."

No objections. So ordered.

Laid over until Tuesday, April 12, 1955.

LEGISLATIVE BILL 406. Mr. Perry asked unanimous consent that the following amendment be adopted:

Amend LB 406 by adding the emergency clause and amending the title to conform. No objections. So ordered.

Advanced to E and R for engrossment.

MOTION—Reconsider Action

Mr. President: I move that we reconsider our action in advancing LB 119 to E and R for engrossment. (Signed) John Adams, Sr.

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

GENERAL FILE

LEGISLATIVE BILL 66. Laid over until Tuesday, April 12, 1955.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 387. Read and considered.

Mr. Peterson offered the following amendment, which was adopted with 26 ayes, 0 nays and 17 not voting:

Amend the bill by rejecting the Standing Committee amendment.

Mr. Peterson offered the following amendment, which was adopted:

Amend section 1 of the bill, line 16 by inserting "nonvoting" after "officio".

Mr. Vogel offered the following amendments:

1. Amend the bill by adding a new section immediately after section 2 to be known as section 3 and to read as follows:

"Sec. 3. That section 39-1110, Revised Statutes Supplement, 1953, be amended to read as follows:

39-1110. It shall be the duty of the State Highway Commission:

(1) To conduct studies and investigations and to act in an advisory capacity to the State Engineer in the establishment of broad policies for carrying out the duties and responsibilities of the Department of Roads and Irrigation;

(2) To advise the public regarding the policies, conditions, and activities of the Department of Roads and Irrigation;

(3) To prepare and submit to the Legislature for its consideration,

approval, and adoption a layout of a state trunk highway system and a state aid highway system to be financed with revenue produced by highway user taxes; (a) the trunk highway system shall not exceed sixty-five hundred miles of the more important through highways which shall connect principal centers of population and places of interest, and shall provide connections with the principal highways of adjoining states; and (b) the state aid highway system shall supplement the trunk system and serving other than predominately local traffic and which, when considered in conjunction with the trunk highway system, will result in a connected and integrated state network of highways *To hold hearings, make investigations, studies, and inspections, and do all other things necessary to carry out the duties imposed upon it by law;*

(4) To advance information and advice conducive to providing adequate and safe highways in the state; and

(5) When called upon by the Governor, to advise him relative to the appointment of the State Engineer.

All funds rendered available by law to the Department of Roads and Irrigation, including funds already collected for such purposes, may be used by the commission in administering and effecting such purposes, to be paid upon approval by the State Engineer.

All data and information of the Department of Roads and Irrigation shall be available to the commission."

2. Amend the bill by renumbering section 3 as section 4.

3. Amend renumbered section 3, line 1 by striking "and 39-1107" and inserting ", 39-1107, and 39-1110".

4. Amend the title of the bill, line 2 by striking "and 39-1107" and inserting ", 39-1107, and 39-1110", and line 7 by inserting "; to provide additional duties for the commission; to provide that data and information of the Department of Roads and Irrigation shall be available to the commission" after the word "secretary".

Pending.

Visitors

Mr. T. Adams introduced Valters Nollendorfs from Latvia, an assistant teacher of the German language at the University of Nebraska.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 157. Indefinitely postponed.

LEGISLATIVE BILL 427. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on April 4, 1955, at 3:45 p.m.

LB 418

LB 110

LB 351

LB 450

LEGISLATIVE BILL 446. Placed on Select File as amended.

E and R amendments to LB 446:

1. In Standing Committee Amendment 6, line 2, after "the" insert "first".

2. In the bill, section 1, line 3, insert "(1)" before "It"; line 6, strike "officers of" and show the same as stricken matter, and in the same line strike the second "and" and in lieu thereof insert ", and"; strike lines 25 to 29, commencing with "Such" in line 25 to and including "contract" in line 29, and in lieu thereof insert "Such (2) The bond, referred to in subsection (1) of this section, shall be to, filed with, must be approved by, and safely kept by the State of Nebraska, department or agency thereof, officer or officers, or board awarding the contract. No contract, referred to in subsection (1) of this section, shall be entered into by such the State of Nebraska, department or agency thereof, officer or officers, or board referred to in subsection (1) of this section until the bond herein provided for has been so made, filed with, and approved by such board. The bond shall be safely kept by the board making the contract".

3. In the bill, section 2, line 3, before "section" insert "subsection (1) of"; line 5, before "section" insert "subsections (1) and (2) of"; line 11, before "institutions" insert "the"; insert ",", in line 15 after "relationship" and line 16 after "plied".

4. In the bill title, line 7, strike "contract" and in lieu thereof insert "contracts referred to in this act and those making the same; to restate certain requirements and procedure with reference to such bonds", and in the same line strike the second semicolon; and line 8, before the semicolon insert "and procedure in regard thereto as prescribed".

LEGISLATIVE BILL 315. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

MOTION—Adjournment

Mr. President: I move that we adjourn. (Signed) Tom Adams

Mr. Hubka moved that the Adams' motion be amended by adding the words "until 8:30 a.m.".

The motion prevailed, and at 10:32 a.m., the Legislature adjourned until 8:30 a.m., Wednesday, April 6, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 6, 1955

Pursuant to adjournment, the Legislature met at 8:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote and Messrs. Liebers and McHenry, who were excused.

The Journal for the Sixty-sixth Day was approved as corrected.

Communications

Telegram from Alvin S. Ahlman, City Clerk of Norfolk, Nebraska, submitting a resolution adopted by the City Council favoring LB 219. Referred to Committee on Government.

Letter from Steve Daily, Milburn, Nebraska, concerning accidents caused by drunken driving. Referred to Committee on Public Health and Miscellaneous Subjects.

Letter from Mrs. J. Debus, Lincoln, Nebraska, opposing state income and sales taxes. Referred to Committee on Revenue.

Announcement

Invitation from the Nebraska Oil and Gas Producers Committee to the Members and their wives to attend "The Shrimp Hour" today in the Lincoln Room of the Hotel Cornhusker, between 5:00 p.m. and 7:00 p.m.

Meeting—Rules Committee

Mr. Metzger, Chairman of the Rules Committee, announced a meeting of the Committee at 1:00 p.m. today in the East Senate Lounge.

NOTICE OF COMMITTEE HEARINGS
Public Works

LB 339	Friday, April 15, 1955	2:00 p.m.
LB 466	Friday, April 15, 1955	2:00 p.m.
LB 541	Friday, April 22, 1955	2:00 p.m.

Revenue

LB 396	Thursday, April 14, 1955	2:00 p.m.
LB 480	Thursday, April 14, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS
Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on April 5, 1955 at 4:30 p.m.

LB 82	LB 422	LB 512	LB 361
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LEGISLATIVE BILL 419. Correctly enrolled.

LEGISLATIVE BILL 136. Correctly enrolled.

LEGISLATIVE BILL 355. Correctly enrolled.

LEGISLATIVE BILL 434. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 530. Indefinitely postponed.

(Signed) George Syas, Chairman

President Signs

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

LB 419	LB 136	LB 355	LB 434
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BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 218. With emergency.

A bill for an act to amend sections 39-359, 39-360, and 39-362, Re-

vised Statutes Supplement, 1953, relating to road improvement districts; to provide the procedure for the appointment of a temporary board of trustees for a road improvement district by the county board; to provide for powers and duties of the temporary board; to provide for the effect of contracts executed by the temporary board; to provide for dissolution of a district as prescribed; to provide for distribution of the funds of such a district that is dissolved; 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.	Burney	Lee	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Ruhnke
Aufenkamp	Diers	Metzger	Shultz
Bahensky	Fenske	Morrison	Swanson
Beaver	Hoffmeister	Moulton	Syas
Bedford	Hubka	Nelson	Thompson
Bixler	Klaver	Otto	Tvrdik
Bridenbaugh	Kotouc	Perry	Vogel
Brower	Larkin	Person	

Voting in the negative, 1:

Purdy

Not voting, 3:

Foote	Liebers	McHenry
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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 516.

A bill for an act to amend section 32-231.01, Revised Statutes Supplement, 1953, relating to elections; to increase the salary of the election commissioner and his chief deputy commissioner in counties having a population of more than sixty and not more than two hundred thousand inhabitants; to provide when such increases shall become effective; 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.	Bridenbaugh	Kotouc	Nelson
Adams, T.	Burney	Larkin	Otto
Anderson	Cole	Lee	Perry
Aufenkamp	Cramer	McGinley	Pizer
Bahensky	Diers	Martin	Shultz
Beaver	Fenske	Metzger	Syas
Bedford	Hoffmeister	Morrison	Tvrdik
Bixler	Klaver	Moulton	Vogel

Voting in the negative, 7:

Brower	Peterson	Ruhnke	Thompson
Person	Purdy	Swanson	

Not voting, 4:

Foote	Hubka	Liebers	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 138. With emergency.

A bill for an act relating to The University of Nebraska and normal schools; to provide for the construction, purchase, or otherwise acquiring, remodeling, repairing, equipping, and furnishing of dormitories, residence halls, single or multiple dwelling units, and other facilities for the housing and boarding of students, faculties, and employees of the institutions under the control of The Board of Regents of the University of Nebraska or the Board of Education of State Normal Schools, and the building of structures for athletic purposes, student and faculty unions or centers and for the medical care and physical development and other activities of the students of said institutions on the real estate owned or controlled by said boards, or purchased, leased, or otherwise acquired for such purposes, and to pay the cost thereof by issuing revenue bonds pledging and hypothecating the revenue, earnings, and fees derived therefrom as prescribed; to provide for the issuance of refunding bonds as prescribed; to provide certain procedure and requirements in regard to such bonds; to provide for the registration and place of payment thereof; to provide for the use of the funds obtained from such bonds; to provide that such revenue bonds shall not be the obligation of the State of Nebraska; to provide for the submission of the prescribed proposal to the Legislature, if in session, or to the Executive Board of the Legislative Council, if the Legislature is not in session as prescribed; to provide for proceeding with the construction of such facility except as prescribed, after

so submitting such proposal; to provide that said boards shall maintain a schedule of rates, fees, or charges sufficient to pay the prescribed charges and the principal and interest of such bonds; to provide that utilities may be furnished without charge against the revenues received; to provide that such bonds shall be exempt from 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.	Burney	Lee	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Foote	Liebers	McHenry
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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. Diers introduced Mrs. Pauline Ashton and Mr. Henry Willemssen, Teachers, and ninety students from Northeast High School, Lincoln, Nebraska.

Members Excused

Messrs. Bahensky, Hoffmeister, Morrison and Hubka were excused for Thursday, April 7, 1955.

Mr. Perry was excused for Thursday, April 7, 1955, until 10:00 a.m.

Mr. Beaver was excused for Tuesday, April 12, 1955.

SELECT FILE

LEGISLATIVE BILL 228. Advanced to E and R for engrossment.

LEGISLATIVE BILL 446. E and R amendments found in the Legislative Journal for the Sixty-sixth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 387. Considered.

The Vogel amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Advanced to E and R for review.

Mr. Tvrdik Presiding

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 378. Considered.

Mr. Kotouc offered the following amendment, which was adopted:

Amend Section 1 of the bill by striking line 7 commencing with the word "These", and by striking line 8.

Advanced to E and R for review.

President Warner Presiding

LEGISLATIVE BILL 492. Considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend section 1 of the bill by striking lines 1 and 2 and inserting in lieu thereof the following:

"Section 1. Every new motor vehicle or semitrailer purchased after January 1, 1956, and operated on any highway".

Mr. Shultz offered the following amendment, which was adopted with 24 ayes, 6 nays and 13 not voting:

Amend LB 492, Section 1, line 9 by striking "twenty-five" and inserting "ten" in lieu thereof.

Advanced to E and R for review.

Mr. Tvrdik Presiding

LEGISLATIVE BILL 140. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Laid over until Tuesday, April 12, 1955

LEGISLATIVE BILL 483. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-sixth Day were adopted.

Mr. Beaver offered the following amendments, which were adopted:

1. Amend the bill by adding a new section immediately after section 2 to be known as section 3 and to read as follows:

"Sec. 3. Section 2 of this act shall be so interpreted as to effectuate its general purpose, to provide, in the public interest, adequate compensation as therein provided for the officers mentioned therein, and to give effect to such salary as soon as same may become operative under the Constitution of the State of Nebraska."

2. Amend page 3 of the bill by renumbering section 2 as section 4.

3. Amend the title to conform.

Mr. Perry asked unanimous consent to correct Standing Committee amendment No. 5 to LB 483, found in the Legislative Journal for the Fifty-sixth Day, by striking the word "four" and inserting in lieu thereof the word "six". No objections. So ordered.

Standing Committee Amendment No. 5, as amended, was adopted.

Mr. Klaver moved that the title to LB 483 be amended to conform with the substance of the bill.

The motion prevailed.

Advanced to E and R for review.

President Warner Presiding

LEGISLATIVE BILL 343. Read and considered.

Advanced to E and R for review with 19 ayes, 16 nays and 8 not voting.

Mr. Tvrdik Presiding

LEGISLATIVE BILL 108. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-seventh Day was adopted.

Mr. Burney offered the following amendment, which was adopted:

Amend Section 3, line 13, by striking the semicolon at the end of line 13, and inserting the words and punctuation "or otherwise;" in lieu thereof.

Mr. Metzger offered the following amendment, which was adopted:

Amend LB 108, Page 3, Subsection 3, Line 11, by striking the word "residing", and in Line 12, by striking the words "in the State of Nebraska".

Advanced to E and R for review with 22 ayes, 14 nays and 7 not voting.

LEGISLATIVE BILL 367. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Perry introduced Mrs. Knoll and Mr. Cecil Johnson, Teachers, Mr. F. Rezek, Principal, and ninety students from Northeast High School, Lincoln, Nebraska.

Mr. Metzger introduced Esther Anderson, Teacher, and seventeen students from District 20, Avoca, Nebraska.

Mr. Perry introduced Miss Clara Thoren, Mr. Arnold Johnson and Mrs. Lorene Sims, Teachers, and eighty-five students from Northeast High School, Lincoln, Nebraska.

Mr. Martin introduced Mr. H. G. Wellensiek of Grand Island, a former member of the Legislature, who addressed the Legislature briefly.

Mr. Person introduced Edwin R. Keiser, Principal, and thirty-three students from the Junior and Senior Classes of Rising City High School, Rising City, Nebraska.

Mr. Perry introduced LeRoy Hansen, Harold Lantz, Mrs. Mary Hietbrink, Marjorie Adams and Gladys Van Camp, Teachers, and seventy students from Everett Junior High School, Lincoln, Nebraska.

Mr. Bedford introduced Mrs. Margaret Sobolik and Mr. Calvin Widger, Teachers, and twenty-eight students from Wilber Junior High School, Wilber, Nebraska.

Mr. Vogel introduced Mrs. Elton Combs and her son Robert, and Mrs. Fred Conray.

LEGISLATIVE BILL 161. Read and considered.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 161, page 2, Section 1, line 7 after the word "cast" by adding the words "in such city or village".

Advanced to E and R for review.

LEGISLATIVE BILL 199. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-seventh Day was adopted.

Advanced to E and R for review.

Visitors

Mr. Vogel introduced his daughter, Mrs. Peter Burt, his granddaughter, Barbara Burt, and his grandson, David Burt.

UNANIMOUS CONSENT—Executive Sessions

Mr. Klaver asked unanimous consent that the Committee on Government be permitted to hold an executive session at 1:00 p.m. today. No objections. So ordered.

Mr. Syas asked unanimous consent that the Committee on Labor and Public Welfare be permitted to hold an executive session at 1:30 p.m. today. No objections. So ordered.

LEGISLATIVE BILL 231. Laid over until Wednesday, April 13, 1955.**LEGISLATIVE BILL 522.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Laid over.

Approved by the Governor

April 6, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 5, 1955, he approved LB 182, 326, 386, 424 and 364.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS
Education

LEGISLATIVE BILL 304. Placed on General File as amended.

Standing Committee amendment to LB 304:

1. Amend section 1 of the bill, line 15 by inserting "*be determined by the State Board of Education; Provided, that the amount of state funds for the education and care of these children shall*" before the word "not", and line 18 by striking "one" and inserting "*one two*".

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 325. Replaced on Select File as amended.

E and R amendment to LB 325:

In the Standing Committee Amendment 2, line 3, strike "*herein*" and in lieu thereof insert "in section 1 of this act".

LEGISLATIVE BILL 64. Replaced on Select File as amended.

E and R amendment to LB 64:

In the bill title lines 4 and 5 strike "the salary of".

LEGISLATIVE BILL 534. Correctly engrossed.

LEGISLATIVE BILL 92. Correctly engrossed.

LEGISLATIVE BILL 193. Correctly engrossed.

LEGISLATIVE BILL 371. Correctly engrossed.

LEGISLATIVE BILL 119. Correctly engrossed.

LEGISLATIVE BILL 406. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:51 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 8:30 a.m., Thursday, April 7, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 7, 1955

Pursuant to adjournment, the Legislature met at 8:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, Messrs. Bahensky, Hoffmeister, Hubka, Klaver, Liebers, McHenry, and Morrison, who were excused, Mr. Anderson, who was excused until 9:00 a.m., and Mr. Perry, who was excused until 10:00 a.m.

The Journal for the Sixty-seventh Day was approved as corrected.

Communications

Letter from Roman L. Hruska, U.S. Senator, Washington, D. C., enclosing a copy of a bill co-sponsored by him relating to sugar beet growers and an increase in the sugar market in America.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 6, 1955 at 4:00 p.m.

LB 136

LB 355

LB 419

LB 434

LEGISLATIVE BILL 138. Correctly enrolled.

LEGISLATIVE BILL 516. Correctly enrolled.

LEGISLATIVE BILL 218. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 138 LB 516 LB 218

Amendment to Rules

Mr. Metzger, Chairman of the Rules Committee, offered the following amendment to the rules:

Amend Rule 5, Section 9 to read as follows:

“Sec. 9. Committee on Order and Arrangement: Members, Duties.

The Committee on Order and Arrangement shall consist of the following: Chairman of Enrollment and Review, Chairman of the Committee on Committees, Chairman of the Rules Committee, and the Speaker of the Legislature. The Chairman of Enrollment and Review 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 of the Legislature. The committee shall meet subject to call by the Chairman.”

Referred to the Rules Committee.

UNANIMOUS CONSENT—Lay Over Bills on Final Reading

Mr. Nelson asked unanimous consent that the following bills be laid over on Final Reading until Tuesday, April 12, 1955: LB 508, 477, 169, 354, 363.

Mr. Person objected.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 508.

A bill for an act to amend sections 38-121, 38-122, and 38-123, Re-issue Revised Statutes of Nebraska, 1943, relating to guardian and ward; to increase the value of the small estate that may be disposed of without guardianship 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, 33:

Adams, J.	Cole	Martin	Purdy
Adams, T.	Cramer	Metzger	Ruhnke
Aufenkamp	Diers	Moulton	Shultz
Beaver	Fenske	Nelson	Swanson
Bedford	Kotouc	Otto	Syas
Bixler	Larkin	Person	Thompson
Bridenbaugh	Lee	Peterson	Tvrdik
Brower	McGinley	Pizer	Vogel
Burney			

Voting in the negative, 0.

Not voting, 10:

Anderson	Hoffmeister	Liebers	Morrison
Bahensky	Hubka	McHenry	Perry
Foote	Klaver		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 477. With emergency.

A bill for an act to amend sections 88-201, 88-203, and 88-206, Revised Statutes Supplement, 1953, relating to public grain warehouses; to provide who shall be required to procure a public grain warehouse license; to increase license fees; to provide that receipts for grain shall be registered 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, 34:

Adams, J.	Burney	Martin	Purdy
Adams, T.	Cole	Metzger	Ruhnke
Anderson	Cramer	Moulton	Shultz
Aufenkamp	Diers	Nelson	Swanson
Beaver	Fenske	Otto	Syas
Bedford	Kotouc	Person	Thompson
Bixler	Larkin	Peterson	Tvrdik
Bridenbaugh	Lee	Pizer	Vogel
Brower	McGinley		

Voting in the negative, 0.

Not voting, 9:

Bahensky	Foote	Hoffmeister	Hubka
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Klaver
Liebers

McHenry

Morrison

Perry

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.

A bill for an act to amend sections 17-156, 17-157, 17-159, 17-160, and 17-161, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the second class; to extend the provisions of sections 17-156 to 17-162, Reissue Revised Statutes of Nebraska, 1943, to include joint school and city recreational and athletic fields; to provide when a bond issue or approval of the electors shall not be required; and to repeal the original sections.

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

Voting in the affirmative, 31:

Adams, J.	Brower	McGinley	Purdy
Adams, T.	Burney	Martin	Ruhnke
Anderson	Cole	Moulton	Shultz
Aufenkamp	Cramer	Nelson	Swanson
Beaver	Fenske	Otto	Syas
Bedford	Kotouc	Person	Thompson
Bixler	Larkin	Peterson	Tvrdik
Bridenbaugh	Lee	Pizer	

Voting in the negative, 2:

Diers	Metzger
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Not voting, 10:

Bahensky	Hubka	McHenry	Perry
Foote	Klaver	Morrison	Vogel
Hoffmeister	Liebers		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 354. With emergency.

A bill for an act to amend sections 71-195 and 71-196, Reissue Revised Statutes of Nebraska, 1943, relating to embalming; to change the requirements for a license in embalming; to change the name of the

Conference of Embalmers Examining Boards of the United States, Inc., to the Conference of Funeral Service Examining Boards of the United States, Inc.; 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, 30:

Adams, J.	Brower	McGinley	Ruhnke
Adams, T.	Cole	Martin	Shultz
Anderson	Cramer	Moulton	Swanson
Aufenkamp	Diers	Nelson	Syas
Beaver	Fenske	Otto	Thompson
Bedford	Kotouc	Person	Tvrdik
Bixler	Larkin	Pizer	Vogel
Bridenbaugh	Lee		

Voting in the negative, 3:

Burney	Metzger	Peterson
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Not voting, 10:

Bahensky	Hubka	McHenry	Perry
Foote	Klaver	Morrison	Purdy
Hoffmeister	Liebers		

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

LEGISLATIVE BILL 363.

A bill for an act to amend sections 23-148, 23-149, and 23-151, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to provide for the manner and procedure for changing to the commissioner system and the number of commissioners; to provide for the appointment of commissioners from commissioner districts; to provide for the determination of the number of commissioners; to provide for certain elections and procedure and requirements in regard thereto; to provide for terms of commissioners and selection thereof; to provide powers and duties of the prescribed public officials; 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, 10:

Anderson	Metzger	Otto	Thompson
Cramer	Moulton	Pizer	
Diers	Nelson	Purdy	

Voting in the negative, 23:

Adams, J.	Brower	Lee	Shultz
Adams, T.	Burney	McGinley	Swanson
Aufenkamp	Cole	Martin	Syas
Beaver	Fenske	Person	Tvrdek
Bixler	Kotouc	Peterson	Vogel
Bridenbaugh	Larkin	Ruhnke	

Not voting, 10:

Bahensky	Hoffmeister	Liebers	Morrison
Bedford	Hubka	McHenry	Perry
Foote	Klaver		

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

ANNOUNCEMENT—Birthday

Mr. Swanson announced that today is Mr. Diers' birthday and the Members sang "Happy Birthday" to him.

SELECT FILE

LEGISLATIVE BILL 325. E and R amendment found in the Legislative Journal for the Sixty-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 64. E and R amendment found in the Legislative Journal for the Sixty-seventh Day was adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 323 to Select File

Mr. Martin asked unanimous consent to return LB 323 to Select File for the purpose of withdrawing his amendments found in the Legislative Journal for the Sixty-first Day.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 323. Mr. Martin asked unanimous consent to withdraw his amendments found in the Legislative Journal for the Sixty-first Day. No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 522. Considered.

Mr. Bixler offered the following amendment, which was adopted:

1. Amend section 1, line 26 by inserting after the word and punctuation "convenes." the following:

"The compensation of the members shall be twenty dollars per day for each day's time actually engaged in the performance of the duties of their office."

Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 192. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for review.

Mr. Peterson Presiding**Visitors**

Mr. Cramer introduced Mrs. Robert T. Flotree, Teacher, and eighteen students from Albion High School, Albion, Nebraska.

LEGISLATIVE BILL 144. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 144, Section 1, page 2, line 7 by striking the word "five" and inserting the word "four".

Advanced to E and R for review.

LEGISLATIVE BILL 211. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 473. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth Day were adopted.

Mr. Perry offered the following amendments, which were adopted:

Amend Page 7, Section 6, line 5, by striking the word "ten" and inserting in lieu thereof the word "three."

Amend Section 10, lines 49, 54 and 59 by striking "*profit making corporations*" and inserting in lieu thereof "*corporations for profit*".

Mr. Thompson offered the following amendment, which was adopted:

Amend LB 473 by adding the emergency clause and amending the title to conform.

Advanced to E and R for review.

Visitors

Mr. Moulton introduced Mrs. B. C. Blackstock and Mrs. Kelly Clark, Leaders, and nine girl scouts from Troop 261, Omaha, Nebraska.

Mr. Martin introduced Tom Lanigan, Grand Island, Nebraska, a former Member of the Legislature. Mr. Lanigan addressed the Legislature briefly.

LEGISLATIVE BILL 194. Laid over.

LEGISLATIVE BILL 154. Laid over.

LEGISLATIVE BILL 152. Laid over.

LEGISLATIVE BILL 428. Read.

Laid over.

LEGISLATIVE BILL 498. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 520. Laid over.**LEGISLATIVE BILL 531.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixtieth Day were adopted.

Advanced to E and R for review.

Visitors

Mr. Tyrdik introduced Mr. and Mrs. George Patach and their daughter, from Omaha, Nebraska.

Mr. Brower introduced John Rice, County Assessor of Nance County, Nebraska.

STANDING COMMITTEE REPORTS**Labor and Public Welfare****LEGISLATIVE BILL 143.** Indefinitely postponed.

(Signed) George Syas, Chairman

Enrollment and Review**LEGISLATIVE BILL 159.** Replaced on Select File as amended.

E and R amendment to LB 159:

1. By the adoption of Enrollment & Review Amendment 2, this Committee was directed to correlate section 4, of this bill and section 1, of Legislative Bill 227. A certificate has been made to cover all of the same except in regard to line 15 and the stricken matter in lines 20 to 24 inclusive. Being uncertain as to what should be done and feeling that the Legislature should know what was done and pass upon the same, this committee moves that line 15 and amendments thereto be stricken and that in lieu thereof there be inserted "poyee by accident or occupational disease arising out of and in the course of employment, where there"; and strike all of the stricken matter in lines 20 to 24 inclusive and in lieu thereof insert, to agree with LB 227, "and (2) in case of the insufficiency of the contributions required

under subdivision (1) of this section to meet all the payments due out of the Second Injury Fund, any deficit therein shall be payable out of the state General Fund.”; and in the title, line 8 after the first semicolon insert “to remove provisions in regard to General Fund in the case of an insufficiency of Second Injury Fund;”.

LEGISLATIVE BILL 460. Replaced on Select File as amended.

E and R amendment to LB 460:

In the bill section 2, line 3, strike the word “and” and in lieu thereof insert “to” as in the statutes.

LEGISLATIVE BILL 492. Placed on Select File as amended.

E and R amendments to LB 492:

1. In the bill page 2, section 1, line 7, strike “vehicle” and insert in lieu thereof “motor vehicle or semitrailer”.

2. In the bill title line 2, strike “for” and insert in lieu thereof “that every new motor vehicle or semitrailer purchased after January 1, 1956, and operated on any highway in this state shall have”; and in lines 4 and 5, strike “of motor vehicles and semi-trailers”, and in lieu thereof insert “thereof”.

LEGISLATIVE BILL 151. Correctly engrossed.

LEGISLATIVE BILL 319. Correctly engrossed.

LEGISLATIVE BILL 226. Correctly engrossed.

LEGISLATIVE BILL 107. Correctly engrossed.

LEGISLATIVE BILL 508. Correctly enrolled.

LEGISLATIVE BILL 477. Correctly enrolled.

LEGISLATIVE BILL 169. Correctly enrolled.

LEGISLATIVE BILL 354. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 508

LB 477

LB 169

LB 354

MOTION—Adjournment

Mr. President: I move that we adjourn until 10:00 a.m., Tuesday, April 12, 1955, in keeping with motion previously adopted. (Signed) Otto Kotouc, Sr.

The motion prevailed, and at 11:59 a.m., the Legislature adjourned until 10:00 a.m., Tuesday, April 12, 1955.

Hugo F. Srb
Clerk of the Legislature

SIXTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 12, 1955

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

Prayer was offered by the Chaplain.

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

The Journal for the Sixty-eighth Day was approved.

Approved by the Governor

April 7, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 6, 1955, he approved LB 42 and 470; on April 7, 1955, he approved LB 435, 461, 351, 418, 110 and 450.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

April 11, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body

that on April 11, 1955, he approved LB 82, 422, 361, 355, 419 and 434, and on April 9, 1955, he approved LB 136 and 512.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Communications

Card from L. J. Motycka, Norfolk, Nebraska, opposing LB 400 and 510. Referred to Committee on Revenue.

Letter from the Antelope County Supervisors favoring LB 261 and LB 374. Referred to Committees on Labor and Public Welfare and Miscellaneous Appropriations and Claims.

Resolution adopted by the Board of Directors of the North Omaha Commercial Club opposing LB 362. Referred to Committee on Revenue.

Letter from Mrs. Elizabeth Schwasnick, Sidney, Nebraska, opposing LB 216. Referred to Committee on Revenue.

Letter from Ben W. Fortson, Jr., Secretary of State, Atlanta, Georgia, acknowledging receipt of our letter returning the copy of Resolution Act No. 6, passed by the Georgia State Legislature.

Letters from Czech Civic Alliance, Omaha, Nebraska, opposing LB 510 and 436. Referred to Committee on Revenue.

Resolution passed by the Mayor and City Council of Auburn, Nebraska, opposing LB 362. Referred to Committee on Revenue.

Letter from John F. Miller, Secretary to U.S. Representative Jackson B. Chase, Washington, D. C., acknowledging receipt of a copy of LR 21.

Letter from H. R. Turner, Asst. Adjutant General, offering rides in National Guard jets or helicopters to Members who were not given rides during their visit to the Air Base on April 5.

Presentation of Gift

Mr. Ruhnke escorted Mrs. Foote to the rostrum, where Speaker Burney, in behalf of the Members, presented her with a \$50.00 U. S. Savings Bond and a silver cup for her son, John Francis, born Sunday, March 27, 1955. Mrs. Foote expressed her thanks and appreciation to the Members.

Mr. Ruhnke escorted Mrs. Foote from the rostrum.

Visitors—Nebraska State Mother for 1955

Messrs. Pizer and Ruhnke escorted Mrs. M. E. Crosby of North Platte, Nebraska, who has been chosen the Nebraska State Mother for 1955, and Mrs. Ralph Hill of Hebron, Nebraska, Chairman of the Nebraska Mothers' Committee, to the rostrum.

President Warner introduced Mrs. Hill, who spoke of Mrs. Crosby's qualifications for the honor bestowed upon her, and presented Mrs. Crosby to the Legislature.

Mrs. Crosby expressed her appreciation for the honor of being chosen Nebraska State Mother of 1955, and reviewed some of her interesting experiences as a wife and mother, emphasizing the importance of the home.

President Warner expressed the pleasure of the Legislature for the appearance of Mrs. Crosby and Mrs. Hill.

Speaker Burney read a telegram received by him from the Kahabi Council of Camp Fire Girls from North Platte, extending congratulations to Mrs. Crosby.

Messrs. Pizer and Ruhnke escorted Mrs. Crosby and Mrs. Hill from the Chamber.

STANDING COMMITTEE REPORTS**Government**

LEGISLATIVE BILL 212. Indefinitely postponed.

LEGISLATIVE BILL 186. Indefinitely postponed.

LEGISLATIVE BILL 454. Placed on General File.

LEGISLATIVE BILL 426. Placed on General File.

LEGISLATIVE BILL 505. Placed on General File.

(Signed) Sam Klaver, Chairman

Agriculture

LEGISLATIVE BILL 204. Indefinitely postponed.

LEGISLATIVE BILL 486. Placed on General File as amended.

Standing Committee amendment to LB 486:

1. Section 1. That section 60-330, Revised Statutes Supplement, 1953, be amended to read as follows:

60-330. For the registration of farm or local trucks or truck trac-

tors the registration fees shall be as follows: For trucks or truck tractor, each with factory rated carrying capacity of three fourths ton or less, eight dollars; one ton, ten dollars; one and one half tons, twelve dollars; two tons, fifteen dollars; two and one half tons, twenty-five dollars; three tons, forty-five dollars; four tons, fifty-five dollars; five tons, seventy-five dollars; six tons, one hundred dollars; and seven tons, one hundred thirty dollars; except tractor and semitrailer units and these; *Provided that trucks and truck tractors normally carrying a net load of ten tons or more shall be classified as a commercial vehicle for registration purposes. Provided, further that truck-tractor semitrailer combinations must be registered as commercial vehicles, and that truck-tractors and semi-trailer combinations owned and used exclusively by irrigation districts or Metropolitan Utilities Districts for the hauling of their draglines, bulldozers, caterpillar tractors and ditchers shall pay the registration fee as provided in section 60-333.*

LEGISLATIVE BILL 403. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 7, 1955 at 3:30 p.m.

LB 218

LB 138

LB 169

LB 508

LB 516

LB 354

LB 477

LEGISLATIVE BILL 64. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Revenue

LEGISLATIVE BILL 510. Placed on General File as amended.

(Substitute Legislative Bill 510 mimeographed in lieu of printing in the Journal.)

(Signed) Monroe Bixler, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 390. With emergency.

A bill for an act to amend sections 31-727, 31-728, 31-729, 31-739,

31-740, 31-742, 31-744, 31-746, 31-749, 31-752, and 31-755, Reissue Revised Statutes of Nebraska, 1943, relating to sanitary and improvement districts; to provide for extending the provisions of sections 31-727 to 31-762, Reissue Revised Statutes of Nebraska, 1943, to include water systems, a system of public roads, streets, and highways, and authorize the construction and repair of the same; to provide for amending its articles of association for the purposes prescribed; to restate the requirements for the articles of association; to provide for the payment for improvements which are of general benefits as prescribed; to provide for levies; to provide for issuance of bonds 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.	Cramer	Liebers	Person
Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	McHenry	Purdy
Aufenkamp	Foote	Martin	Ruhnke
Bahensky	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Perry	Vogel
Cole			

Voting in the negative, 1:

Pizer

Not voting, 1:

Beaver

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 372.

A bill for an act to amend section 66-401, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to define capacity of container; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Beaver

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 315.

A bill for an act to amend section 24-601, Revised Statutes Supplement, 1953, relating to trusts; to redefine the investments in which trustees, guardians, executors, and administrators, as prescribed, may invest funds; to provide exceptions which are not covered by the provisions of this act; to specifically provide that investments in bonds of the United States of America may be made without authorization or approval of the court; to permit investments in certificates of deposit in Nebraska state banks, which are not members of the Federal Deposit Insurance Corporation, 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, 42:

Adams, J.	Bedford	Cole	Hoffmeister
Adams, T.	Bixler	Cramer	Hubka
Anderson	Bridenbaugh	Diers	Klaver
Aufenkamp	Brower	Fenske	Kotouc
Bahensky	Burney	Foote	Larkin

Lee	Morrison	Peterson	Swanson
Liebers	Moulton	Pizer	Syas
McGinley	Nelson	Purdy	Thompson
McHenry	Otto	Ruhnke	Tvrdik
Martin	Perry	Shultz	Vogel
Metzger	Person		

Voting in the negative, 0.

Not voting, 1:

Beaver

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 25. Laid over until Thursday, April 14, 1955.

LEGISLATIVE BILL 159. E and R amendment found in the Legislative Journal for the Sixty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 460. E and R amendment found in the Legislative Journal for the Sixty-eighth Day was adopted.

Advanced to E and R for engrossment.

Members Excused

Mr. Thompson was excused for Wednesday and Thursday, April 13 and 14, 1955.

Mr. Perry was excused for Thursday, April 14, 1955.

GENERAL FILE

LEGISLATIVE BILL 66. Considered.

Mr. Kotouc offered the following amendment, which was adopted with 23 ayes, 10 nays and 10 not voting:

1. Amend Standing Committee amendment 1, line 6 by inserting "*as to his physical fitness to operate a motor vehicle*" after the word "examined", and line 15 by inserting "*as to his physical fitness to operate a motor vehicle*" after the word "re-examination".

Mr. Burney moved to advance LB 66, as amended, to E and R for review.

Mr. Larkin moved to indefinitely postpone the bill.

The Larkin motion lost with 16 ayes, 21 nays and 6 not voting.

Advanced to E and R for review with 19 ayes, 18 nays and 6 not voting.

LEGISLATIVE BILL 140. Laid over.

LEGISLATIVE BILL 149. Considered.

Advanced to E and R for review with 28 ayes, 5 nays and 10 not voting.

UNANIMOUS CONSENT—Revenue Committee Hearing

Mr. Bixler asked unanimous consent that the Revenue Committee hearing on LB 362 and LB 436 this afternoon be held in the West Senate Chamber to accommodate the large crowd expected to attend. No objections. So ordered.

STANDING COMMITTEE REPORTS **Enrollment and Review**

LEGISLATIVE BILL 134. Replaced on Select File as amended.

E and R amendment to LB 134:

1. In the bill, section 5, line 10, insert "*Boundary*" before "*Compact*".

LEGISLATIVE BILL 199. Placed on Select File as amended.

E and R amendments to LB 199:

1. In the bill page 2, section 1, line 3, strike "61-310" and insert in lieu thereof "60-310"; line 5, strike ", such renewal to" and insert in lieu thereof ", such . *Such* renewal to *shall*"; line 8 after "On" insert "*making an*" and after "renewal" insert ","; line 15 after the second comma insert "*the*"; and line 18 after "be" insert "*on*"; lines 20 and 21 strike ", as provided hereinafter," and show as stricken matter.

2. In the bill title line 4, strike "for" and insert in lieu thereof "when"; and in line 5, after "registrations" insert "shall become delinquent".

LEGISLATIVE BILL 211. Placed on Select File as amended.

E and R amendments to LB 211:

1. In the bill, section 1, line 2, insert a comma at the end of the line after "States".

2. In the Standing Committee Amendment 2, line 2, (line 3, mimeograph copy), insert a comma after "association".

LEGISLATIVE BILL 144. Placed on Select File.

LEGISLATIVE BILL 325. Correctly engrossed.

LEGISLATIVE BILL 228. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:57 a.m., on a motion by Mr. McGinley, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 13, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Pizer and Thompson who were excused, and Mr. Cramer who was excused until 10:00 a.m.

The Journal for the Sixty-ninth Day was approved as corrected.

Communications

Letter from Ethel C. Clark, Geneva, Nebraska, favoring LB 312. Referred to Committee on Government.

Letter from U. S. Senator Carl T. Curtis, Washington, D. C., acknowledging receipt of LR 21.

Letter addressed to Mr. Morrison from Mrs. Ted Schuman, Minatare, Nebraska, opposing reorganization of school districts. Referred to Committee on Education.

Post card from Volkmar Gabert, State Legislator from Bavaria, Germany, showing a picture of the State Capitol at Munich.

UNANIMOUS CONSENT—Agriculture Committee Hearing

Mr. Nelson asked unanimous consent that the Agriculture Committee hearing on LB 260 and LB 518 this afternoon be held in the West Senate Chamber if the West Senate Lounge is not large enough to accommodate the large crowd expected to attend. No objections. So ordered.

STANDING COMMITTEE REPORTS
Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 375. Placed on General File.

LEGISLATIVE BILL 366. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Enrollment and Review

LEGISLATIVE BILL 390. Correctly enrolled.

LEGISLATIVE BILL 372. Correctly enrolled.

LEGISLATIVE BILL 315. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 390

LB 372

LB 315

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 534.

A bill for an act to amend section 39-778, Reissue Revised Statutes of Nebraska, 1943, and section 39-735, Revised Statutes Supplement, 1953, relating to highways; to require farm tractors to have lights when used on the highway, as prescribed; to provide that the provisions of this act shall apply to all highways; 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.	Beaver	Burney	Hoffmeister
Adams, T.	Bedford	Cole	Hubka
Anderson	Bixler	Diers	Klaver
Aufenkamp	Bridenbaugh	Fenske	Kotouc
Bahensky	Brower	Foote	Larkin

Lee	Metzger	Perry	Shultz
Liebers	Morrison	Person	Swanson
McGinley	Moulton	Peterson	Syas
McHenry	Nelson	Purdy	Tvrđik
Martin	Otto	Ruhnke	Vogel

Voting in the negative, 0.

Not voting, 3:

Cramer	Pizer	Thompson
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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 relating to eggs; to provide for the promulgation of rules and regulations for the sale of shell eggs; to provide for license and inspection fees; to make certain acts unlawful; to provide for violations; to provide for penalties; to provide for duties and powers of certain public officials and others as prescribed; to provide in what fund license and inspection fees collected shall be placed by the State Treasurer; and to repeal sections 81-268, 81-269, 81-270, 81-271, 81-272, 81-273, and 81-275, Reissue 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, 30:

Adams, T.	Burney	Lee	Person
Anderson	Cole	Liebers	Peterson
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Otto	Swanson
Bixler	Hubka	Perry	Vogel
Brower	Kotouc		

Voting in the negative, 9:

Adams, J.	Larkin	McHenry	Syas
Bridenbaugh	McGinley	Moulton	Tvrđik
Klaver			

Not voting, 4:

Cramer	Nelson	Pizer	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 193. With emergency.

A bill for an act to amend section 79-904, Revised Statutes Supplement, 1953, relating to schools; to extend the time of the school tax levy without restriction for Class IV school districts; 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.	Burney	Lee	Perry
Adams, T.	Cole	Liebers	Person
Anderson	Diers	McGinley	Peterson
Aufenkamp	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Tvrdik
Brower	Larkin	Otto	Vogel

Voting in the negative, 0.

Not voting, 3:

Cramer	Pizer	Thompson
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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 371.

A bill for an act to amend section 23-223, Reissue Revised Statutes of Nebraska, 1943, relating to townships; to authorize townships to enter into compacts to purchase and jointly own road equipment 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, T.	Anderson	Aufenkamp	Bahensky
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Beaver	Foote	McHenry	Peterson
Bedford	Hoffmeister	Martin	Purdy
Bixler	Hubka	Metzger	Ruhnke
Bridenbaugh	Klaver	Morrison	Shultz
Brower	Kotouc	Moulton	Swanson
Burney	Larkin	Nelson	Syas
Cole	Lee	Otto	Tvrdik
Diers	Liebers	Perry	Vogel
Fenske	McGinley	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Cramer	Pizer	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Return LB 119 to Select File

Mr. President: I move that LB 119 be recommitted to Select File for a specific amendment to remove the enacting clause. (Signed) John Adams, Sr.

The motion lost with 14 ayes, 24 nays and 5 not voting.

LEGISLATIVE BILL 119.

A bill for an act relating to schools; to authorize the sale under certain conditions of real estate as described which was deeded by the State of Nebraska to a city as prescribed for school purposes, on which the Class V school district within such city has constructed school buildings; to permit the board of education of such a school district to determine that the maintenance and operation thereof are no longer for the best educational interests of such city and school district and such property be sold for the purposes and in the manner prescribed; to provide procedure after such determination; to provide for a judicial determination of the legal and beneficial title to such real estate, and the right of the school district to the proceeds of the sale thereof together with the improvements thereon; to provide for appraising such property; to provide for the qualifications, duties, and fees of such appraisers; to authorize the sale of such real estate and improvements at public auction to the highest cash bidder, but in no event for less than ninety per cent of the appraised value thereof; to authorize the district court of the county in which the property is situated to terminate the trust, under which such property is held by such city, and to direct the city to convey the title to such real estate to the purchaser; to provide for payment of the expenses, duties,

and obligations of certain public officials; and to require that the proceeds of such sale be placed by the board of education of the district in the fund set aside by law for purchasing school sites and the erection of high school buildings, to be used for only the purpose 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, 27:

Anderson	Cramer	Lee	Ruhnke
Aufenkamp	Diers	Liebers	Shultz
Bahensky	Fenske	McHenry	Swanson
Beaver	Foote	Moulton	Syas
Bixler	Hubka	Otto	Tvrđik
Bridenbaugh	Kotouc	Perry	Vogel
Cole	Larkin	Person	

Voting in the negative, 13:

Adams, J.	Burney	McGinley	Morrison
Adams, T.	Hoffmeister	Martin	Nelson
Bedford	Klaver	Metzger	Peterson
Brower			

Not voting, 3:

Pizer	Purdy	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 406. With emergency.

A bill for an act to amend section 79-408.02, Revised Statutes Supplement, 1953, relating to schools; to restate and to provide additional conditions for annexation of land to an adjoining district when it is reduced in size by the purchase or appropriation of land by the United States for any defense, flood control, irrigation, or war project 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.	Anderson	Bahensky	Bedford
Adams, T.	Aufenkamp	Beaver	Bixler

Bridenbaugh	Hoffmeister	Metzger	Purdy
Brower	Hubka	Morrison	Ruhnke
Burney	Klaver	Moulton	Shultz
Cole	Kotouc	Nelson	Swanson
Cramer	Liebers	Otto	Syas
Diers	McGinley	Perry	Tvrdik
Fenske	McHenry	Person	Vogel
Foote	Martin	Peterson	

Voting in the negative, 0.

Not voting, 4:

Larkin	Lee	Pizer	Thompson
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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 134. E and R amendment found in the Legislative Journal for the Sixty-ninth Day was adopted.

Advanced to E and R for engrossment with 26 ayes, 2 nays and 15 not voting.

LEGISLATIVE BILL 492. 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 199. E and R amendments found in the Legislative Journal for the Sixty-ninth Day were adopted.

Advanced to E and R for engrossment.

Mr. Hoffmeister Presiding

Visitors

Mr. Tvrdik introduced Miss Margaret Newell, Teacher, and thirty-three students from Bancroft School, Omaha, Nebraska.

Mr. Kotouc introduced Felix L. Gallagher, a former Member of the Legislature, who represented Dakota, Thurston and Cuming Counties in 1911.

GENERAL FILE**LEGISLATIVE BILL 231.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-eighth day were adopted.

Mr. Lee moved that LB 231 be indefinitely postponed.

Mr. Otto moved the previous question. The motion prevailed with 33 ayes, 1 nay and 9 not voting.

Mr. Martin requested a record vote on the Lee motion.

Mr. Martin requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. J. Adams moved that the Legislature adjourn.

The Chair declared the Adams motion out of order while the Legislature was under call.

Mr. Perry moved that the Call be raised. The motion prevailed.

Mr. J. Adams moved that the Legislature adjourn. The motion lost with 10 ayes, 25 nays and 8 not voting.

Voting in the affirmative on the Lee motion, 21:

Aufenkamp	Cole	Lee	Peterson
Beaver	Diers	Metzger	Ruhnke
Bedford	Fenske	Moulton	Shultz
Bridenbaugh	Hubka	Nelson	Swanson
Brower	Kotouc	Perry	Vogel
Burney			

Voting in the negative, 16:

Adams, J.	Cramer	Liebers	Morrison
Adams, T.	Foote	McGinley	Otto
Anderson	Klaver	McHenry	Syas
Bixler	Larkin	Martin	Tvrdik

Not voting, 6:

Bahensky	Person	Purdy	Thompson
Hoffmeister	Pizer		

The motion prevailed, and LB 231 was indefinitely postponed.

Explanation of Vote

Mr. President: Had I been present on final readings of the following bills, I would have voted "Yes": LB 534, LB 92, LB 193, LB 371.

(Signed) Glenn Cramer

NOTICE OF COMMITTEE HEARINGS
Education

LB 277	Tuesday, April 19, 1955	2:00 p.m.
LB 321	Tuesday, April 19, 1955	2:00 p.m.
LB 521	Tuesday, April 19, 1955	2:00 p.m.
LB 385	Tuesday, April 19, 1955	2:00 p.m.

STANDING COMMITTEE REPORTS
Labor and Public Welfare

LEGISLATIVE BILL 267. Placed on General File as amended.

Standing Committee amendments to LB 267:

1. Amend Page 2, Section 1, Line 1, after the word "State", by striking the words "Railway Commission" and inserting in lieu thereof the words "*Labor Department*".

2. Amend Page 2, Section 1, Line 2, after the word "promulgate", by striking the words "and enforce".

3. Amend Page 2, Section 1, Line 3, after the word "sanitation", by striking the word "shelter".

4. Amend Page 2, Section 1, Line 4, after the word "employees" add "*as far as drinking water for human consumption pertains to the railroad maintenance-of-way employees.*".

5. Amend Page 2, Section 2, Line 2, before the word "for", by striking the word "satisfactory".

6. Amend Page 2, Section 2, Line 3, after the word "railroads." by striking the word "Suit-".

7. Amend Page 2, Section 2, Line 4, by striking the word "able" before the word "sanitary".

8. Amend Page 2, Section 2, Line 5, after the word "individual" and before the word "drinking", by inserting the word "*paper*".

9. Amend Page 2, Section 3, Line 5, by striking the words "Railway Commission" and inserting in lieu thereof the words "*Labor Department*".

Amend the title to conform.

(Signed) George Syas, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 316. Placed on General File as amended.

Standing Committee amendment to LB 316:

Amend page 2, Section 1, line 18, by inserting, "Article III" after the word, "by"; and lines 22 and 23 by striking, ", his assignee or legal representative".

LEGISLATIVE BILL 394. Placed on General File as amended.

Standing Committee amendment to LB 394:

Amend the bill by adding a new section immediately following Section 3, to be known as Section 4, to read as follows:

"Sec. 4. The Director of the Department of Insurance for his services with respect to administration of this act shall receive the sum of one thousand, five hundred dollars per annum payable monthly, to be paid out of the general fund in addition to the salary set out in section 81-103, Revised Statutes Supplement, 1953."

Renumber Sections 4 and 5, to be known as Sections 5 and 6, respectively.

LEGISLATIVE BILL 320. Placed on General File.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 323. Replaced on Select File as amended.

E and R amendment to LB 323:

1. In the bill, section 10, line 6, insert "a" before "license".

LEGISLATIVE BILL 148. Placed on Select File as amended.

E and R amendments to LB 148:

1. In the bill page 2, section 1, line 7, strike the word "the".
2. In the bill title line 7, after "assessment" insert "as prescribed; to provide that all intangible property, not expressly exempt therefrom, shall be subject to taxation, and shall be valued and assessed at its actual value".

LEGISLATIVE BILL 378. Placed on Select File as amended.

E and R amendments to LB 378:

1. In the bill, section 1, strike lines 3 to 8 inclusive, and amendments thereto, and in lieu thereof insert "gas, and to regulate and fix the charges for gas meters or other device or means necessary for determining the consumption of gas."
2. In the bill title, line 4, strike "of public utilities" and in lieu thereof insert "for gas".

LEGISLATIVE BILL 343. Placed on Select File as amended.

E and R amendments to LB 343:

1. In the bill page 2, section 1, line 13, strike "*by the court are adjudged*" and insert in lieu thereof "*are adjudged by the court*"; line 17, strike "; and, if" and insert in lieu thereof "; and . If , if"; line 18, after "claim" and line 23 after "*thereon*" insert ","; line 20, strike ". If" and insert in lieu thereof ". If"; line 22, strike ", if" at end of line; page 2, section 1, lines 29, 34, page 3, line 39, strike "attorneys" and insert in lieu thereof "attorneys' attorney"; line 41, insert "," after "section"; line 43, strike "*when*" and insert in lieu thereof ", *when the*"; lines 43 and 44, strike "*on judgments*" and insert in lieu thereof "*when the judgment is*"; line 43 strike the first comma; and line 45 after "*minimum*" insert "*attorney*".
2. In the bill title line 5, after "provide" insert "for fixing".

LEGISLATIVE BILL 367. Placed on Select File as amended.

E and R amendment to LB 367:

1. In the bill page 2, section 1, line 12, strike "then" and show as stricken matter; section 2, line 6, strike the first "of" and insert in lieu thereof "by"; also in the same line strike the second "of" and insert in lieu thereof "of by".

LEGISLATIVE BILL 531. Placed on Select File as amended.

E and R amendments to LB 531:

1. In Standing Committee Amendment 1, line 4 of newly inserted matter, after "city" insert "of the first or second class", and line 6 of the newly inserted matter, strike ", and such" and in lieu thereof insert ". Such".
2. In the bill, section 1, line 2, strike "second class" and in lieu thereof insert "city of the second class,"; line 8, strike "the city" and in lieu thereof insert "such a city or village"; line 9, insert "the" before "public".
3. In the bill, section 2, line 1, strike "such" and in lieu thereof insert "the"; line 2, after "devices" insert ", referred to in this act,";

line 3, before the semicolon insert "by such a city or village referred to in section 1"; line 6, strike "the city" and in lieu thereof insert "such a city or village"; and line 9, insert a comma after "surveys".

4. In the bill, section (renumbered) 4, line 2, after the comma insert "city of the"; line 3, strike "and villages" and in lieu thereof insert ", or village"; lines 4 and 5, strike "the city" and in lieu thereof insert "such a city or village".

LEGISLATIVE BILL 460. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:52 a.m., on a motion by Mr. Shultz, the Legislature adjourned until 8:30 a.m., Thursday, April 14, 1955.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 14, 1955

Pursuant to adjournment, the Legislature met at 8:31 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bedford, Bixler, Perry, Pizer and Thompson, who were excused.

The Journal for the Seventieth Day was approved.

Approved by the Governor

April 13, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 13, 1955, he approved LB 218, 516, 138, 354, 169, 477 and 508.

Respectfully submitted.

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 387. Placed on Select File as amended.

E and R amendments to LB 387:

1. In the Vogel General File Amendment, line 5, (mimeographed copy line 3) before "It" insert "(1)"; line 6, (mimeographed copy line

5) strike "(1)" and insert in lieu thereof "{1} (a)"; line 10, (mimeographed copy line 9) strike "(2)" and insert in lieu thereof "{2} (b)"; line 12, (mimeographed copy line 12) strike "(3)" and insert in lieu thereof "{3} (c)"; line 26, (mimeographed copy line 28) strike "(4)" and insert in lieu thereof "{4} (d)"; line 28, (mimeographed copy line 30) strike "(5)" and insert in lieu thereof "{5} (e)"; line 30 (mimeographed copy line 32) before "All" insert "(2)"; line 32 (mimeographed copy line 34) strike "commission" and insert in lieu thereof "commission *State Highway Commission*"; line 34, (mimeographed copy line 37) before "All" insert "(3)"; and in line 35, (mimeographed copy line 38) strike "commission" and insert in lieu thereof "*State Highway Commission*".

2. In the bill page 2, section 2, line 3 before "The" insert "39-1107."; line 3, after "*Commission*" and line 4, after "*Governor*" insert ",".

3. In the bill title line 6, after "officio" insert "nonvoting"; and in line 7, after "for" insert "the".

LEGISLATIVE BILL 134. Correctly engrossed.

LEGISLATIVE BILL 406. Correctly enrolled.

LEGISLATIVE BILL 119. Correctly enrolled.

LEGISLATIVE BILL 371. Correctly enrolled.

LEGISLATIVE BILL 193. Correctly enrolled.

LEGISLATIVE BILL 92. Correctly enrolled.

LEGISLATIVE BILL 534. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 406
LB 119

LB 371
LB 193

LB 92

LB 534

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 151.

A bill for an act to amend sections 21-1749, 68-230, 77-407, 77-708, 77-710, 77-713, 77-720, 77-721, 77-727, 77-1201, 77-1205, 77-1211,

77-1220, 77-1226, and 77-1405, Reissue Revised Statutes of Nebraska, 1943, sections 77-1209.01, 77-1212, 77-1242, 77-1301, 77-1303, and 77-1611, Revised Statutes Supplement, 1953, and section 77-1231, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 14, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to taxation; to change the dates of reporting and assessing property for taxation; 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, J.	Diers	Liebers	Peterson
Adams, T.	Fenske	McGinley	Purdy
Anderson	Foote	McHenry	Ruhnke
Bahensky	Hoffmeister	Martin	Shultz
Beaver	Hubka	Metzger	Swanson
Bridenbaugh	Klaver	Morrison	Syas
Brower	Kotouc	Otto	Tvrdek
Cole	Larkin	Person	Vogel
Cramer	Lee		

Voting in the negative, 1:

Nelson

Not voting, 8:

Aufenkamp	Bixler	Moulton	Pizer
Bedford	Burney	Perry	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 319. With emergency.

A bill for an act to amend sections 44-116 and 44-117, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to prescribe the fund to which money collected for examinations and valuations shall be deposited; to provide for expenditures from such fund and the purpose therefor; 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, J.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Foote	McHenry	Peterson
Beaver	Hoffmeister	Martin	Purdy
Bridenbaugh	Hubka	Metzger	Ruhnke
Brower	Klaver	Morrison	Shultz
Burney	Kotouc	Moulton	Swanson
Cole	Larkin	Nelson	Syas
Cramer	Lee	Otto	Tvrdik
Diers	Liebers	Person	Vogel
Fenske	McGinley		

Voting in the negative, 0.

Not voting, 5:

Bedford	Perry	Pizer	Thompson
Bixler			

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 226.

A bill for an act to amend section 2-915, Reissue Revised Statutes of Nebraska, 1943, relating to weed eradication and control; to specify the contents of the published notice of the hearing upon the formation of a weed eradication district; and to repeal the original section.

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

Voting in the affirmative, 36:

Adams, T.	Cramer	Lee	Otto
Anderson	Diers	Liebers	Person
Aufenkamp	Fenske	McGinley	Peterson
Bahensky	Foote	McHenry	Purdy
Beaver	Hoffmeister	Martin	Ruhnke
Bridenbaugh	Hubka	Metzger	Shultz
Brower	Klaver	Morrison	Swanson
Burney	Kotouc	Moulton	Syas
Cole	Larkin	Nelson	Vogel

Voting in the negative, 0.

Not voting, 7:

Adams, J.	Bixler	Pizer	Tvrdik
Bedford	Perry	Thompson	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 107.

A bill for an act to amend section 66-425, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicle fuels; to provide that money in the Gasoline Tax Fund may be expended for maintenance of interstate bridges when such bridges are free bridges and part of the state highway system; 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	Liebers	Person
Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	McHenry	Purdy
Aufenkamp	Foote	Martin	Ruhnke
Bahensky	Hoffmeister	Metzger	Shultz
Beaver	Hubka	Morrison	Swanson
Bridenbaugh	Klaver	Moulton	Syas
Brower	Kotouc	Nelson	Tvrdik
Burney	Larkin	Otto	Vogel
Cole	Lee		

Voting in the negative, 0.

Not voting, 5:

Bedford	Perry	Pizer	Thompson
Bixler			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place LB 204 on General File

Mr. President: I move that LB 204 be placed on General File.
(Signed) George Syas

Mr. Person moved the previous question. The motion prevailed with 30 ayes, 1 nay and 12 not voting.

The Syas motion prevailed with 25 ayes, 10 nays and 8 not voting, and LB 204 was placed on General File.

Visitors

Mr. Vogel introduced Charles Orr, Principal, Mrs. Ann Ella Alexander, Teacher, and twenty-seven students from Jackson School, Omaha, Nebraska.

Mr. Aufenkamp introduced Mrs. McGaffey, Teacher, and twenty-five students from Nebraska City High School, Nebraska City, Nebraska.

Mr. Shultz introduced Ruth Koch, Teacher, and forty-one students from Stanton Rural Schools, Stanton, Nebraska.

SELECT FILE

LEGISLATIVE BILL 25.

Mr. Otto asked unanimous consent that the following amendments be adopted:

1. Amend the bill by adding two new sections immediately after renumbered section 5 to be known as sections 6 and 7 and to read as follows:

"Sec. 6. That section 17-955, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-955. The mayor and council of cities of the second class and chairman and board of trustees of villages, as the case may be, shall have the power to levy a tax each year not to exceed one mill on the dollar upon the assessed value of all the property in such cities or villages, except intangible property, for the purpose of maintaining such auditorium, municipal building, or community house and shall, by ordinance, determine and declare how the same *auditorium, municipal building, or community house* shall be managed.

Sec. 7. That section 17-964, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-964. The mayor and council of the cities of the second class and the chairman and board of trustees of villages, as the case may be, shall have the power to levy a tax each year of not to exceed two mills on the dollar upon the assessed value of all the taxable property in such cities or villages, except intangible property, for the purpose of maintaining and operating such a hospital. They shall, by ordinance, determine and declare how the same *hospital* shall be managed."

2. Renumber renumbered sections 6 to 8 as sections 8 to 10, respectively.

3. Amend renumbered section 9, line 1 by striking "and", line 2 by inserting "17-955, and 17-964," before "Reissue", and lines 4 and 5 by striking "17-955, 17-964,".

4. Amend the title of the bill, line 2 by striking "and", line 2 by inserting "17-955, and 17-964," before "Reissue", and line 11 by striking "17-955, 17-964,".

Mr. Tvrdik objected.

Mr. Otto moved that LB 25 be returned to General File for the above specific amendments. The motion prevailed with 24 ayes, 1 nay and 18 not voting.

LEGISLATIVE BILL 323. E and R amendment found in the Legislative Journal for the Seventieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 211. 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 144. Advanced to E and R for engrossment.

LEGISLATIVE BILL 148. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Laid over until Monday, April 18, 1955.

LEGISLATIVE BILL 378. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 343. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Laid over until Monday, April 18, 1955.

LEGISLATIVE BILL 367. E and R amendment found in the Legislative Journal for the Seventieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 531. E and R amendments found in the Legislative Journal for the Seventieth Day were adopted.

Laid over until Tuesday, April 19, 1955.

LEGISLATIVE BILL 113. Advanced to E and R for engrossment.

Mr. Beaver Presiding

GENERAL FILE

LEGISLATIVE BILL 25. Consideration of the Otto specific amendments.

The Otto specific amendments, found in this day's Legislative Journal, were adopted.

Laid over until Thursday, April 21, 1955.

Visitors

Mr. Brower introduced John Blosig, Teacher, and twenty-one students from Immanuel Lutheran School, Columbus, Nebraska.

Mr. Lee introduced Mrs. Esther Hansen and Mrs. Hazel Harris, Teachers, and twenty-three students from Bono and Cuming Schools, Washington County, Nebraska.

LEGISLATIVE BILL 140. Considered.

Mr. Person offered the following amendment, which was adopted:

1. Amend Standing Committee amendment 1, line 3 by striking the word "not".

Mr. Lee offered the following amendment, which was adopted:

Amend LB 140, line 6, by adding the word "property" after the word "intangible".

Advanced to E and R for review.

LEGISLATIVE BILL 150. Considered.

Mr. McGinley offered the following amendment:

1. Amend section 1 of the bill, line 14 by inserting after the word "effects" the following: *"in the household of the taxpayer and used by the occupants thereof for their comfort and accommodation"*.

Mr. Ruhnke moved that LB 150 be indefinitely postponed.

The Chair declared the Ruhnke motion out of order while the McGinley amendment was still under consideration.

The McGinley amendment was adopted with 26 ayes, 6 nays and 11 not voting.

Mr. Ruhnke renewed his motion to indefinitely postpone LB 150.

The motion lost with 10 ayes, 26 nays and 7 not voting.

Invitation

Invitation from the Nebraska Oil and Gas Producers Committee to the Members and their ladies, the employees of the Legislature and the Legislative Council to attend the Shrimp Hour from 5 p.m. until 7 p.m. today at the Lincoln Room of the Cornhusker Hotel.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 13, 1955 at 4:00 p.m.

LB 315

LB 372

LB 390

LEGISLATIVE BILL 192. Placed on Select File as amended.

E and R amendments to LB 192:

1. In Standing Committee Amendment line 5, strike "(1)" and insert in lieu thereof "(a)"; line 9, strike "(2)" and insert in lieu thereof "(b)" and in the same line after "operation" insert ","; line 29, strike "said" and insert in lieu thereof "of such".

2. In the bill page 2, section 1, line 22, strike the second "and" and insert in lieu thereof "and"; line 24, strike "duties" and insert in lieu thereof "their duties"; and on page 3, line 60, strike "his" and insert in lieu thereof "his its".

3. In the bill title line 4, after the semicolon insert "to make certain acts unlawful; to provide penalties; to provide for adopting certain standards, as prescribed, after securing the advice of the Department of Roads and Irrigation;".

LEGISLATIVE BILL 149. Placed on Select File as amended.

E and R amendments to LB 149:

1. In the bill page 2, section 1, line 1, after the period insert "(1)"; line 1 after "company", line 10, after "property", line 21, after "hand", line 22, after "be", section 2, line 1, after "receives" insert a comma; at the beginning of line 20, section 1, insert "(2)"; lines 20 and 21 strike "such property" and insert in lieu thereof "the property, referred to in subsection (1) of this section"; page 3, section 2, line 10, after "in" insert "subsections (1) and (2) of"; and in line 11, strike the comma after "materials".

2. In the bill title line 5, strike "declare an emergency" and insert "provide how to arrive at the same".

LEGISLATIVE BILL 492. Correctly engrossed.

LEGISLATIVE BILL 199. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 81. Indefinitely postponed.

LEGISLATIVE BILL 485. Placed on General File as amended.

Standing Committee amendments to LB 485:

1. Amend page 3 of the bill, section 1 by striking lines 45 to 49 and inserting:

"face amount of any loan or loan commitment, such commitment to be effective must be exercised within six months from the date made, totally or partially executed, made to a debtor with seasonal income by a creditor in good faith for general agricultural or horticultural purposes, secured or unsecured, where the debtor becomes personally liable for the payment thereof; Provided, that in no case shall the amount of insurance on the life of any debtor exceed ten thousand dollars, the amount of the commitment, or the amount owed by him to the creditor, whichever is less."

strike line 54 and insert, *"for general agricultural or horticultural purposes, as provided"*,

and strike lines 57 to 61, starting with the words, *"or, in lieu"* in line 57, and insert, *"or to such beneficiary as may be named by him."*

2. Amend the title to conform.

(Signed) John J. Larkin, Jr., Chairman

MOTION—Adjourn

Mr. President: I move that we adjourn until 8:30 a.m., Friday, April 15, 1955. (Signed) K. W. Peterson

Mr. Moulton moved to amend the Peterson motion to read 9:00 a.m. The amendment lost.

The Peterson motion prevailed, and at 11:57 a.m., the Legislature adjourned until 8:30 a.m., Friday, April 15, 1955.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 15, 1955

Pursuant to adjournment, the Legislature met at 8:31 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote, who was excused until 8:45 a.m., and Messrs. J. Adams, T. Adams, Beaver, Bixler, Cole, Hubka, Larkin, McGinley, Pizer and Swanson, who were excused.

The Journal for the Seventy-first Day was approved.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 348. Placed on General File as amended.

Standing Committee amendments to LB 348:

1. Amend page 2 of the bill, section 1, line 20 by striking "burial associations,".
2. Amend page 2 of the bill, section 2, line 5 by inserting "in the United States" after the word "policyholders".
3. Amend page 3 of the bill, section 6, lines 8 and 9 by inserting "in the United States" after the word "policyholders".
4. Amend page 4 of the bill, section 11 by striking lines 1 to 8 and inserting in lieu thereof the following:

"Sec. 11. The director may designate any bank or trust company domiciled in this state as the depository for the Department of Insurance to receive and hold for safekeeping purposes any securities deposited pursuant to this or any prior insurance law. Any securities

so held shall be at the expense of the insurer or assessment association. The director is hereby relieved of all personal and official liability for securities held by or in transit to or from such authorized depository. The director shall (1) adopt reasonable rules and regulations relative to the manner in which securities may be deposited and withdrawn and (2) purchase such insurance as he may deem necessary for protection of the State of Nebraska, its employees and its agents, the premium for such insurance to be paid from the Insurance Supervision Fund."

5. Amend the bill by adding a new section immediately after section 11 to be known as section 12 and to read as follows:

"Sec. 12. All securities heretofore or hereafter deposited with the Department of Insurance by any incorporated or unincorporated insurer or assessment association shall become the property of the State of Nebraska in the event such securities remain unclaimed for a period of not less than seven years following the effective date of a voluntary or involuntary liquidation, merger, consolidation or total reinsurance thereof. It shall be the duty of the director to take necessary action to transfer the proceeds of such securities to the State Treasurer who shall upon receipt thereof deposit such proceeds to the account of the state General Fund."

6. Amend the bill by renumbering sections 12 and 13 as sections 13 and 14, respectively.

7. Amend the title to conform.

LEGISLATIVE BILL 360. Placed on General File as amended.

Standing Committee amendments to LB 360:

1. Amend the bill by adding two new sections to be known as sections 1 and 2 and to read as follows:

"Section 1. That section 12-512.02, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

12-512.02. The cemetery association shall place at least the following sums into the perpetual care trust fund: (1) Monument plan cemeteries, fifty cents per square foot of the cemetery lot sold; (2) park plan or memorial plan cemeteries, twenty-five cents per square foot of the cemetery lot sold; and (3) combined monument and park plan cemeteries, fifty cents per square foot of the cemetery lot sold. Such funds shall be paid by the cemetery association to the trustees of the perpetual care trust fund, who shall invest the funds under the same conditions and restrictions as trust funds are invested under the provisions of section 24-601; *Provided, that when any lots are sold on contract, thirty per cent of all payment received on the contract shall*

be paid to the trustees of the perpetual care trust fund until the entire payments required by this section are made.

Sec. 2. That section 12-512.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

12-512.03. The trustees of the perpetual care trust fund shall consist of at least three disinterested *persons, who have been* residents of the *community county* in which the cemetery is located *for a period of at least one year prior to their appointment*, or a disinterested trust company organized to do business in and located in the State of Nebraska. The trustees or trustee, as the case may be, shall be selected by the officers of the cemetery association. If individual trustees are selected, they shall give a corporate surety bond in a sum not less than the total amount of the perpetual care trust fund, conditioned for the safekeeping of such funds."

2. Amend the bill by renumbering sections 1 to 4 as sections 3 to 6, respectively, and show all matter contained in said sections as new matter.

3. Amend renumbered section 3, line 7 by striking "twenty-five" and inserting "five".

4. Amend renumbered section 4, line 6 by striking, "fifty" and inserting, "*twenty-five*"; line 8 by striking "twenty-five" and inserting "five"; line 9 by striking "three" and inserting "*two*"; and line 10 by striking "twenty-five" and inserting "five".

5. Amend renumbered section 5, line 5, by striking "twenty-five" and inserting "*one hundred*"; and line 6 by striking "one" and inserting "five".

6. Amend the bill by adding a new section to be known as section 7 and to read as follows:

"Sec. 7. That original sections 12-512.02 and 12-512.03, Reissue Revised Statutes of Nebraska, 1943, are repealed."

7. Amend the title of the bill, line 8 by striking "and", and line 9 by inserting after "conditions" the following: "; to provide for allocation of funds to the perpetual care fund from sales of lots on contract; to require trustees to be residents of the county in which the cemetery is located; to amend sections 12-512.02 and 12-512.03, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections".

LEGISLATIVE BILL 546. Placed on General File as amended.

Standing Committee amendments to LB 546:

1. Amend the bill, Section 1, line 23, by striking the word "may" and inserting in lieu thereof, the word, "*shall*".

2. Amend the bill, Section 2, line 2, by inserting “,” after the word “funds”; and line 3 by inserting “,” after the word “purpose”.

LEGISLATIVE BILL 514. Indefinitely postponed.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 14, 1955, at 3:30 p.m.

LB 193
LB 534

LB 406
LB 371

LB 119

LB 92

LEGISLATIVE BILL 319. Correctly enrolled.

LEGISLATIVE BILL 226. Correctly enrolled.

LEGISLATIVE BILL 107. Correctly enrolled.

LEGISLATIVE BILL 151. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 319

LB 226

LB 107

LB 151

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 64.

A bill for an act to amend sections 19-303 and 19-305, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages of particular classes; to provide that plumbing inspectors, assistant plumbing inspectors, and members of the plumbing board as prescribed shall be paid such salaries as are fixed by 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, 29:

Anderson	Fenske	Martin	Person
Aufenkamp	Hoffmeister	Metzger	Peterson
Bahensky	Klaver	Morrison	Ruhnke
Bedford	Kotouc	Moulton	Shultz
Bridenbaugh	Lee	Nelson	Syas
Brower	Liebers	Otto	Tvrdik
Cramer	McHenry	Perry	Vogel
Diers			

Voting in the negative, 0.

Not voting, 14:

Adams, J.	Burney	Larkin	Purdy
Adams, T.	Cole	McGinley	Swanson
Beaver	Foot	Pizer	Thompson
Bixler	Hubka		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 325.

A bill for an act relating to insurance; to provide for the issuance of individual life insurance contracts on a wholesale basis; to prescribe limitations and conditions pertaining thereto; and to define the term employee as used in 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, 29:

Anderson	Fenske	Martin	Peterson
Aufenkamp	Hoffmeister	Metzger	Purdy
Bahensky	Klaver	Morrison	Ruhnke
Bedford	Kotouc	Nelson	Shultz
Bridenbaugh	Lee	Otto	Syas
Brower	Liebers	Perry	Tvrdik
Cramer	McHenry	Person	Vogel
Diers			

Voting in the negative, 0.

Not voting, 14:

Adams, J.	Beaver	Burney	Foot
Adams, T.	Bixler	Cole	Hubka

Larkin	Moulton	Swanson	Thompson
McGinley	Pizer		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 228.

A bill for an act to amend section 81-242, Reissue Revised Statutes of Nebraska, 1943, relating to dairy products; to increase the license fee of wholesale and retail manufacturers of ice cream to correspond with similar fees charged wholesale and retail manufacturers of frozen desserts and ice cream mix; 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:

Anderson	Fenske	McHenry	Person
Bahensky	Foote	Martin	Peterson
Bedford	Hoffmeister	Metzger	Purdy
Bridenbaugh	Klaver	Morrison	Shultz
Brower	Kotouc	Nelson	Syas
Cramer	Lee	Otto	Tvrdek
Diers	Liebers	Perry	Vogel

Voting in the negative, 2:

Aufenkamp	Ruhnke
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Not voting, 13:

Adams, J	Burney	Larkin	Pizer
Adams, T.	Cole	McGinley	Swanson
Beaver	Hubka	Moulton	Thompson
Bixler			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 387. 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 192. 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 149. E and R amendments found in the Legislative Journal for the Seventy-first Day were adopted.

Laid over.

GENERAL FILE

Mr. Person Presiding

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 194. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Mr. Diers offered the following amendment, which was adopted:

1. Amend section 1 of the bill by striking Standing Committee Amendment 1.

2. Amend section 1 of the bill, line 49 by striking "and" and show the same as stricken matter, and line 51 by inserting after the word "thereof" the following:

"; and (f) those using such vehicle for the transporting of livestock bought or sold at any livestock market".

Advanced to E and R for review.

LEGISLATIVE BILL 154. Laid over.

LEGISLATIVE BILL 152. Laid over.

LEGISLATIVE BILL 428. Laid over.

LEGISLATIVE BILL 520. Laid over.

LEGISLATIVE BILL 540. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 482. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-first Day was adopted.

Laid over.

LEGISLATIVE BILL 377. Read and considered.

Standing Committee Amendment 1, found in the Legislative Journal for the Sixty-first Day, was not adopted, with 3 ayes, 22 nays and 18 not voting.

Mr. Nelson asked unanimous consent to withdraw Standing Committee Amendment 2, found in the Legislative Journal for the Sixty-first Day. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 482. Considered.

Mr. Nelson asked unanimous consent to have his name added as a co-introducer of LB 482. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 487. Laid over.**LEGISLATIVE BILL 497.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Laid over until Wednesday, April 20, 1955.

LEGISLATIVE BILL 519. Laid over.**LEGISLATIVE BILL 273.** Laid over.**LEGISLATIVE BILL 308.** Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 413. Laid over until Wednesday, April 20, 1955.**UNANIMOUS CONSENT—Consider LB 181**

Mr. McHenry asked unanimous consent to have LB 181 considered at the same time as LB 413. No objections. So ordered.

Visitors

Mr. Diers introduced Mrs. Margaret Ramsey, Teacher, and eight students from School District 11, Seward, Nebraska, and also Mrs. Donald Hafer, mother of one of the students.

Invitation

Mr. Hoffmeister extended an invitation to the Members and their wives to visit the Medical College Campus of the University of Nebraska, in Omaha, on the afternoon of April 27, 1955.

LEGISLATIVE BILL 271. Laid over.

MOTION—Adjournment

Mr. President: I move that we adjourn until 10:00 a.m., Monday, April 18, 1955. (Signed) William A. Metzger

The motion lost with 10 ayes, 16 nays and 17 not voting.

LEGISLATIVE BILL 324. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 318. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

Amend LB 318, Section 1, by striking lines 33, 34 and 35, and inserting in lieu thereof the word "censed".

Standing Committee amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend LB 318, Sec. 2, lines 10 and 11, by striking "or (3) that he has been convicted of violating any law involving moral turpitude".

Advanced to E and R for review.

LEGISLATIVE BILL 269. Read and considered.

Laid over.

Visitors

Mr. Martin introduced Mrs. Walter Buss, Teacher, Mr. Ritche, seven students and two sponsors from Silver Creek, Nebraska.

UNANIMOUS CONSENT—Revert to Resolutions

Mr. Anderson asked unanimous consent to revert back to the introduction of resolutions. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Re: Apprehension of Persons Involved in Riot at University of Nebraska.

Introduced by Lester H. Anderson, 25th District.

WHEREAS, the students of the University of Nebraska have caused damage to property, injury to persons, and brought disgrace upon the citizens of the State of Nebraska by their riotous actions on the evening of April 14, 1955, and

WHEREAS, the advantages granted to students by the taxpayers of Nebraska have been utterly ignored by their actions.

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

1. That the officials of the University of Nebraska and the law enforcement officers of the State of Nebraska, County of Lancaster, and the City of Lincoln do everything in their power to apprehend the persons involved in the riotous action and upon conviction that the students found guilty be expelled from the University of Nebraska.

2. That the Legislature take into consideration the appropriation for the University of Nebraska when adopting the budget for the next biennium as to curtailing activities which may attempt to stop such riotous actions in the future.

UNANIMOUS CONSENT—Consideration of LR 22

Mr. Anderson asked unanimous consent that the consideration of LR 22 be laid over until Tuesday, April 19, 1955. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 370. Laid over.

Speaker Burney Presiding

Members Excused

Messrs. Klaver and Syas were excused for the remainder of the day.

LEGISLATIVE BILL 431. Read and considered.

Mr. Nelson offered the following amendment, which was adopted:

Amend LB 431 by adding the emergency clause.

Standing Committee amendment found in the Legislative Journal for the Sixty-third Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 471. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Sixty-third Day, was not adopted with 8 ayes, 11 nays and 24 not voting.

Standing Committee amendments 2, 3, and 4, found in the Legislative Journal for the Sixty-third Day were adopted.

Laid over.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects**

LEGISLATIVE RESOLUTION 2. The introducer of LR 2 requested that the Committee take no action on the same, so it is herewith returned to the Legislature without any action being taken thereon.

LEGISLATIVE BILL 397. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Judiciary**LEGISLATIVE BILL 153.** Placed on General File.**LEGISLATIVE BILL 349.** Placed on General File as amended.

Standing Committee amendment to LB 349:

1. Amend Section 1 of the bill, Line 8, by inserting "and parks his motor vehicle thereon" after the word "vehicles", Line 9, by inserting "which motor vehicle shall be removed by a law enforcement officer, and" before the word "shall", and Line 10, by striking "thereof" and inserting "of the provisions of this section".

LEGISLATIVE BILL 328. Placed on General File.

LEGISLATIVE BILL 472. Placed on General File as amended.

Standing Committee amendments to LB 472:

1. Amend Section 1, Line 40, Page 3, by striking the word "retail", and by inserting the words "or permit" after the word "license".

2. Amend Section 1, Line 44, Page 3, by inserting the words "or by the District Court of Lancaster County in the case of a non-resident permittee or non-resident applicant for a permit, on appeal by any party to the hearing or rehearing before the commission" after the word "resides".

3. Amend Section 1, Line 76, Page 4, by inserting the words "or permit" after the word "license" in each of the two places such word appears in said line.

LEGISLATIVE BILL 494. Placed on General File as amended.

Standing Committee amendment to LB 494:

A BILL

FOR AN ACT to amend section 26-103, Reissue Revised Statutes of Nebraska, 1943; to change the qualifications of a judge of the municipal court; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 26-103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

26-103. No person shall be eligible to the office of judge of the municipal court unless he is thirty years of age, a citizen of the United States, a resident of the city *state* for at least five *three* years next preceding his election or appointment, and unless he shall have been a regularly admitted and practicing as an attorney or judge in the *this* State of Nebraska for at least five years *and remains as an attorney in good standing at the bar thereof*.

Section 2. That original section 26-103, Reissue Revised Statutes of Nebraska, 1943, is repealed.

LEGISLATIVE BILL 180. Indefinitely postponed.

LEGISLATIVE BILL 230. Placed on General File.

LEGISLATIVE BILL 392. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review**LEGISLATIVE BILL 483.** Placed on Select File as amended.

E and R amendments to LB 483:

1. In Standing Committee Amendment 1, line 1, strike "the word 'four' " and in lieu thereof insert "*five four*".
2. In Standing Committee Amendment 2, line 2, strike "two" and in lieu thereof insert "*one two*".
3. In Standing Committee Amendment 3, line 2, strike "1956" and in lieu thereof insert "*1944 1956*".
4. In the Beaver General File Amendment 1, line 6 (8, mimeograph copy), strike "*salary*" and in lieu thereof insert "*increases in salaries*"; and line 7 (9, mimeograph copy), before the period insert "*, but not prior to the first Thursday after the first Tuesday in January, 1957*".
5. In the bill, section 1, line 6, strike "judge" and in lieu thereof insert "*judge judges*"; line 8, insert "*(1)*" after "shall"; line 9, strike "and shall" and in lieu thereof insert "*and shall , (2)*"; and line 11, strike "shall" and in lieu thereof insert "*shall (3)*".
6. In the bill title, lines 5 and 6, strike "reduce" and in lieu thereof insert "increase"; line 6, strike "metropolitan" and in lieu thereof insert "primary"; and line 7, insert "an" after "for".

LEGISLATIVE BILL 108. Placed on Select File as amended.

E and R amendments to LB 108:

1. In the bill page 2, section 1, lines 2 and 3, strike the quotation marks and the word "or" at the end of line 3; line 5, strike the comma; line 11, strike the parenthesis mark and insert in lieu thereof a comma; line 12, strike the parenthesis mark; section 2, line 1, after "disabled" and line 2 after "act" insert a comma; page 3, line 14, after "himself" and at the end of the line and section 4, line 1, after "funds" insert a comma; section 4, in line 3, after "aid" insert "to the disabled"; line 5, strike "then"; line 10, after "aid" insert "to the disabled"; section 5, line 4, after "be" insert "*(1)*"; line 5, strike the second "or" and insert in lieu thereof "*(2)*" and at the end of line 5 insert a comma; line 6, strike "or for" and insert in lieu thereof "*, or (3) subject to*"; page 4, section 7, line 3, strike "and" and insert in lieu thereof "any"; line 6, strike "hereunder" and insert in lieu thereof "under the provisions of this act"; line 7, after the second "shall" insert a comma; and in section 12, line 1, after "person" insert a comma.
2. In the bill title line 7, after the second "to" insert "make certain acts unlawful; to".

LEGISLATIVE BILL 498. Placed on Select File as amended.

E and R amendments to LB 498:

1. In Standing Committee Amendment 1, line 2 (3, mimeograph), strike the single quotation marks before "Established" and after "business"; insert a comma in line 3 (4, mimeograph) after "building" and line 6 (8, mimeograph) after "stored"; and line 10 (12, mimeograph), strike the period and in lieu thereof insert "; and

(4) Applicant shall mean the person, firm, or corporation filing an application for a license as provided for by section 4 of this act."

2. In Standing Committee Amendment 2, insert a comma in line 2 after "firm", line 4 after "wares", and line 4 (5, mimeograph), after "firm".

3. In Standing Committee Amendment 3, line 1, strike the semicolon; line 2, insert a comma after "wares".

4. In Standing Committee Amendment 5, line 2, strike "Such bond" and in lieu thereof insert "(3) The bond, required by subsection (1) of this section,"; insert a comma in line 5 (6, mimeograph) after "owner" and line 7 (9, mimeograph) after "wares".

5. In Standing Committee Amendment 6, line 3, insert a comma after "wares"; lines 3 and 4 (4, mimeograph), strike "; or," and in lieu thereof insert "or"; line 5, strike "to" and in lieu thereof insert "for".

6. Strike Standing Committee Amendment 7 and original section 10 and in lieu thereof insert "Sec. 10. The provisions of this act shall not extend to (1) the sale at public auction of livestock, (2) public auctions of goods, wares, and merchandise held by the owner thereof at his or its established place of business, (3) auction sales under the direction of any court or court officers as may be required by law, (4) sales made by sheriffs, constables, or other public officers selling goods, wares, and merchandise according to law, or (5) bona fide assignees or receivers appointed in this state selling goods, wares, and merchandise for the benefit of creditors."

7. In the bill, section 1, strike the quotation marks in lines 1 and 2.

8. In the bill, section 2, insert a comma in lines 4, 6, 8, and 9 after "wares"; line 7, strike "and"; and line 10, strike the period and in lieu thereof insert a semicolon.

9. In the bill, section 4, insert a comma in line 1 after "firm", lines 2, 22, and 33 after "wares", line 9 and 19 after "residence", and line 34 after "Commissioner"; line 3, insert "an" after "file"; line

10, strike “, and” and in lieu thereof insert “and,”; line 18, strike the period and in lieu thereof insert a semicolon; line 29, insert “by” after “mailed”.

10. In the bill, section 5, line 1, insert “(1)” before “At”, and in the same line before “and” insert “referred to in section 4 of this act,”; insert a comma after “auction” in line 5, and after “wares” in lines 8, 24, and 41; line 6, after “filed” insert “in accordance with subdivision (4) of section 4 of this act”; line 10, strike “the” and in lieu thereof insert “such”; line 11, strike “The bond” and in lieu thereof insert “(2) The bond, required under subsection (1) of this section,”; line 26, strike “In such bond” and in lieu thereof insert “(4) In the bond, required by subsection (1) of this section,”; line 27, strike the first “said” and in lieu thereof insert “the” and in the same line strike the second “said” and in lieu thereof insert “such”; line 39, insert “(5)” before “The”; and line 43, strike “such bond” and in lieu thereof insert “the bond required by subsection (1) of this section”.

11. In the bill, section 6, insert a comma in line 1 after “applicant” and line 3 after “tion”; and line 5, strike “that he” and in lieu thereof insert “for the time the applicant”.

12. In the bill, section 7, line 1, insert “(1)” before “Upon”; line 6, strike “; such” and in lieu thereof insert “. Such”; line 7, strike “and” and in lieu thereof insert “. It”; line 8, strike “town or city” and in lieu thereof insert “city or village”; line 10, strike “town” and in lieu thereof insert “village”; line 11, strike “not” and in lieu thereof insert “, nor”; line 13, insert “(2)” before “The”, and in the same line strike “such licenses” and in lieu thereof insert “the licenses issued, as provided for in subsection (1) of this section,”; line 16, insert “(3)” before “No”; line 17, strike “. However, any license” and in lieu thereof insert “, as provided for in subsection (1) of this section. Each license so”; insert a comma in line 18 after “firm” and line 20 after “held”.

13. In the bill, section 8, line 1, strike “said” and in lieu thereof insert “the”; and line 2, after “sale” insert “authorized by the license granted under the provisions of subsections (1) and (3) of section 7 of this act”.

14. In the bill, section 9, insert a comma in line 1 after “firm” and line 5 after “represent” and “wares”.

15. In the bill, section 11, insert a comma in line 3 after “license” and “firms”; line 6, insert “for” after “provided”; line 7, strike “but” and in lieu thereof insert “and such fee”; strike lines 7 through 9, commencing with “thereto” in line 7 to and including “town” in line 9,

and in lieu thereof insert "to the amount provided for in this act. Such cities and villages may provide for penalties for violations of any ordinance of any such city or village in regard thereto. A city or village".

16. In the bill title, lines 2 and 3, strike "to provide penalties;" and in lieu thereof insert "to define other terms; to provide for applications for and issuance of licenses as prescribed; to provide certain requirements and procedures; to fix fees for licenses as prescribed; to provide exceptions; to make certain acts unlawful; to provide penalties; to confer certain powers upon cities and villages in regard to licensing public auctions as prescribed; to provide duties for the prescribed public officials; to provide for reports of public auction sales as prescribed;".

LEGISLATIVE BILL 159. Correctly engrossed.

LEGISLATIVE BILL 211. Correctly engrossed.

LEGISLATIVE BILL 144. Correctly engrossed.

LEGISLATIVE BILL 378. Correctly engrossed.

LEGISLATIVE BILL 367. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Return LB 387 to Select File

Mr. Vogel asked unanimous consent that LB 387 be returned to Select File for specific amendment.

Mr. Tvrdik Presiding

Mr. Peterson objected to Mr. Vogel's unanimous consent request.

Adjournment

At 11:49 a.m., on a motion by Mr. Fenske, the Legislature adjourned until 9:30 a.m., Monday, April 18, 1955.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 18, 1955

Pursuant to adjournment, the Legislature met at 9:32 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

Members Excused

Messrs. Peterson, Ruhnke and Swanson were excused for Tuesday, April 19, 1955.

Mr. Perry was excused for Wednesday and Thursday, April 27 and 28, 1955.

The Journal for the Seventy-second Day was approved as corrected.

Communications

Letters from U. S. Senator Roman L. Hruska and Honorable Sam Rayburn, Speaker, U. S. House of Representatives, Washington, D. C., acknowledging receipt of copies of Legislative Resolution 21.

Explanation of Vote

Mr. President: Had I been present, I would have voted "Aye" on LB 534, 193, 371, 406, 151, 319, 226, 107, 64, 325 and 228, and "Nay" on LB 92 and 119. (Signed) Harry L. Pizer

Visitors

President Warner introduced Mr. and Mrs. W. H. Wentz, Manager and Leader of the St. John's College Choristers, from Winfield, Kansas.

The Choristers have been touring the country and sang three selections for the Legislature.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 432. Placed on General File as amended.

Standing Committee amendment to LB 432:

1. Amend section 1, line 6 by striking the words "one hundred" after the word "of" and inserting in lieu thereof the word "fifty".

(Signed) Monroe Bixler, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 15, 1955, at 4:00 p.m.

LB 107

LB 319

LB 226

LB 151

LEGISLATIVE BILL 323. Correctly engrossed.

LEGISLATIVE BILL 113. Correctly engrossed.

LEGISLATIVE BILL 66. Placed on Select File as amended.

E and R amendments to LB 66:

1. In the bill page 2, line 3, after the period insert "(1)"; line 4 after "braska", line 9, after "powers" insert ","; line 11 after the period insert "(2)"; and after "examiner" in line 11 and line 15, insert ", appointed in accordance with subsection (1) of this section,"; line 15 after the period insert "(3)"; line 20 strike "(1)" and "(2)" and insert in lieu thereof "(1) (a)" and "(2) (b)", respectively; line 23 strike "(3)" and insert in lieu thereof "(3) (c)"; line 26 after the period insert "(4)"; line 27 after "certificate" insert ", referred to in subsections (2) or (3) of this section,"; line 32 after the period insert "(5)"; page 3, line 35 after "examiner" insert ", appointed in accordance with subsection (1) of this section,"

2. Strike Standing Committee Amendment 1, starting with line 3 and all amendments thereto and in lieu thereof insert the following which is believed to include the matters set forth in such amendments and those made by this committee:

"(6) After November 1, 1955, (a) when any person holding a valid

Nebraska operator's license attains the age of thirty, forty, fifty, or sixty years respectively, he shall be re-examined as to his physical fitness to operate a motor vehicle before he shall be issued the first renewal of his license after attaining such respective ages, and (b) when any person holding a valid Nebraska operator's license attains the age of seventy, seventy-five, eighty, eighty-five, ninety, or ninety-five years respectively, he shall be re-examined before he shall be issued the first renewal of his license after attaining such respective ages; Provided, that no renewal may be obtained at the ages prescribed in either subdivision (a) or (b) of subsection (6) of this section until satisfactory evidence is presented to the county treasurer showing that the applicant has passed such re-examination as to his physical fitness to operate a motor vehicle."

3. In the bill title line 4, after "that" insert "after November 1, 1955," and in the same line strike "an" and insert in lieu thereof "a valid Nebraska"; strike line 5 beginning with "every" and lines 6 through the word "issued" in line 10, inclusive, and insert in lieu thereof "when he attains the respective ages of thirty, forty, fifty, sixty, seventy, seventy-five, eighty, eighty-five, ninety, or ninety-five, respectively, before he shall be issued the first renewal of his license after attaining such respective ages; to provide for satisfactory evidence to be presented to the county treasurer as prescribed before a renewal of such a license shall be granted by such officer at the ages prescribed; to clarify and restate certain of the provisions thereof".

LEGISLATIVE BILL 522. Placed on Select File as amended.

E and R amendment to LB 522:

In the bill section 1, page 3, line 42, strike "*membership on*" and insert in lieu thereof "*a member of*".

LEGISLATIVE BILL 140. Placed on Select File as amended.

E and R amendments to LB 140:

1. In the bill page 2, section 1, line 6, insert a comma after "municipality".

2. In the bill title line 6 after "nanced" insert "; and to provide that such levy shall be in addition to the maximum levies permitted under the prescribed sections of the statutes".

LEGISLATIVE BILL 473. Placed on Select File as amended.

E and R amendments to LB 473:

1. In Standing Committee Amendment 1, line numbered 6, insert

“,” after “council”; line numbered 9, before “powers” insert “following”, and in the same line strike “as follows”; and line numbered 15, after “make” insert “such”.

2. Strike the Perry General File Amendments and in lieu thereof insert:

“1. In the bill, section 6, line 5, strike “ten” and in lieu thereof insert “three”.

2. In the bill, renumbered section 11, line 49, strike “profit making corporation” and in lieu thereof insert “corporation for profit”; and lines 54 and 59, respectively, strike “profit making corporations” and in lieu thereof insert “any corporation for profit”.

3. In the bill, section 1, insert “,” in line 3 after “corporation” and line 4 after “act”; line 10, strike “taxes” and in lieu thereof insert “taxes such annual fees”; line 22, strike “that” and in lieu thereof insert “for which”; and line 23, before “fees” insert “such annual”.

4. In the bill, section 2, line 4, strike the comma after “corporation” and show the same as stricken matter; and insert “when such paid-up capital stock” before “exceeds” in lines 14, 16, 18, 19, 21, 23, 24 and 25, 26, 28, 30, 32, 34, 37, 39, 41, 44, 46, 49, 51, 54, 56, 59, 61, 63, 65, 67, 70, 71, 75, 79, and 81; and line 89, insert “the” before “issuance”.

5. In the bill, section 3, line 4, strike “and” and show the same as stricken matter; insert “,” in line 5 after “state” and line 11 after “sworn to”; line 6, strike “,” and in lieu thereof insert “,” and shall;”; line 7, strike “shall make a” and in lieu thereof insert “shall make a an annual”; line 8, strike “annually,” and show the same as stricken matter.

6. In the bill, section 4, line 12, strike “,” and for” and in lieu thereof insert “,” and for . For”; lines 24 and 34, respectively, strike “tax” and in lieu thereof insert “tax annual fee”; line 27, insert “,” after “State” and “him”; and lines 30 and 31, strike “,” and such officers are by this section authorized” and in lieu thereof insert “,” and such . Such officers are by this authorized by the provisions of this section authorized”.

7. In the bill, section 5, line 6, strike “,” annually,” and show the same as stricken matter; line 7, insert “of each year” after “December 1”; and line 9, insert “,” after “sworn to”.

8. In the bill, section 8, line 13, insert “,” after “classification”.

9. In the bill, section 9, insert “,” in line 4 after “ciation”, line 5 after “21-834”, line 6 after “elect” and line 15 after “directors”; and

strike the comma in line 6 after "association" and line 14 after "discipline" and show the same as stricken matter.

10. In the bill, renumbered section 11, line 8, strike "of" after "copies" and in lieu thereof insert "*of and*"; insert "," in line 40 after "lent", line 44 after "telegraph", line 49 after "association" and line 71 after "incorporation"; line 55, strike "articles of" and show as stricken matter.

11. In the bill title, line 21, strike "and" and in lieu thereof insert "to clarify provisions;"; and in the same line insert "; and to declare an emergency" before the period.

LEGISLATIVE BILL 161. Placed on Select File as amended.

E and R amendments to LB 161:

1. In the bill, section 1, lines 8 and 9, strike "of each of the governmental subdivisions of this state" and in lieu thereof insert "*in counties of each of the governmental subdivisions of this state*"; line 10, insert "," after "corporations"; line 17, insert "," after the first "board"; line 18, insert "(1)" before the first "all", and in the same line strike the second "of" and in lieu thereof insert "*of (2)*"; line 20, strike "and" and in lieu thereof insert ", and (3)"; and in the same line strike "by them" and show the same as stricken matter.

2. In the bill title, line 5, before the semicolon, insert "as prescribed; to provide for keeping records of certain information as prescribed".

LEGISLATIVE BILL 540. Placed on Select File.

LEGISLATIVE BILL 228. Correctly enrolled.

LEGISLATIVE BILL 325. Correctly enrolled.

LEGISLATIVE BILL 64. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 228

LB 325

LB 64

Approved by the Governor

April 18, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform Your Honorable Body that on April 16, 1955, he approved LB 315, 372, 390 and 119.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 460.

A bill for an act to amend sections 71-1,132.05, 71-1,132.06, 71-1,132.07, 71-1,132.08, 71-1,132.20, 71-1,132.24, and 71-1,132.25, Revised Statutes Supplement, 1953, relating to nursing; to redefine terms; to provide for the examination, licensing, and regulation of persons to practice practical nursing; to provide a title of a person so licensed to practice practical nursing; to provide for license, renewal, reinstatement, and certificate fees as prescribed; to provide requirements of the members of the Board of Nursing; to correct the designation of public officials, departments, and otherwise to harmonize with previous legislation or general designations; to make certain acts unlawful; to provide for violation; to provide penalties; to provide duties for certain officials; 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, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Pizer
Anderson	Fenske	McHenry	Purdy
Aufenkamp	Foote	Martin	Ruhnke
Bahensky	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
Burney	Larkin		

Voting in the negative, 7:

Beaver	Diers	Metzger	Peterson
Bridenbaugh	Lee	Nelson	

Not voting, 2:

Shultz	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place LB 366 on General File

Mr. President: I move that LB 366 be placed on General File.
(Signed) Sam Klaver

Mr. Klaver requested a record vote.

Voting in the affirmative, 24:

Adams, J.	Cramer	McGinley	Purdy
Adams, T.	Fenske	McHenry	Ruhnke
Anderson	Foote	Martin	Swanson
Aufenkamp	Klaver	Morrison	Syas
Bahensky	Larkin	Moulton	Thompson
Bixler	Liebers	Nelson	Tvrdik

Voting in the negative, 11:

Beaver	Burney	Lee	Peterson
Bridenbaugh	Diers	Metzger	Pizer
Brower	Kotouc	Otto	

Not voting, 8:

Bedford	Hoffmeister	Perry	Shultz
Cole	Hubka	Person	Vogel

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 148. Laid over.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 343. Laid over.

LEGISLATIVE BILL 483. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 108. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 498. E and R amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for engrossment.

Member Excused

Mr. Cramer was excused for the remainder of the day.

Visitors

Mr. Beaver introduced Mrs. David F. Servine, Teacher, and seventeen students from Oakland High School, Oakland, Nebraska.

Mr. Lee introduced Mr. and Mrs. Ralph E. Weaverling, and their daughter, Mrs. Robinson. Mr. Weaverling, a former Member of the Legislature, addressed the Legislature briefly.

UNANIMOUS CONSENT—Return LB 445 to General File

Mr. Moulton asked unanimous consent that LB 445 be returned to General File for the following specific amendments:

1. Amend the Hoffmeister Amendment adopted March 29, 1955, line 3 by striking "the practice of any form of therapy".

2. Amend the bill by striking the Moulton Amendment 2 adopted March 30, 1955.

3. Amend Section 2 of the bill, line 3 by striking the word "and" and inserting ", registered nurses, cosmetologists, and barbers" after the word "chiropractors".

4. Amend renumbered section 9, line 6 by striking "the fees required by section 9 of this act" and amendments thereof and inserting "thirty-five dollars, which shall include the first year masseur license," line 8 by striking "11" and inserting "5".

5. Amend renumbered section 12, line 7 by inserting after the word "dollars" the words and punctuation ", which shall include the first year license".

6. Amend the bill by striking Standing Committee Amendment 7,

lines 6 to 15 and inserting in lieu thereof the following:

"All fees shall be collected by the Department of Health, and placed in the state treasury in a fund for the purpose of carrying out the provisions of this act; *Provided*, that no other funds or state money except as collected as provided by the provisions of sections 9 and 12 of this act shall be used to pay expense of administration and enforcement of this act."

7. Amend Standing Committee Amendment 8, section 13, line 25 by striking "in the reception room".

8. Amend renumbered section 9 of the bill, by striking line 6 and inserting "payment of thirty-five dollars, which shall include the license fee for the first year, be", and line 8 by striking "11" and inserting "5".

No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 445. The Moulton specific amendments, found in this day's Legislative Journal, were adopted.

Advanced to E and R for review.

STATEMENT—Introduce Bill

April 18, 1955

An error was made in survey lines at the state lake near Ravenna, Nebraska, which caused more land than was intended to be acquired by the Game, Forestation and Parks Commission. The farmer owning this land cannot sell until the abstract is cleared, and according to the Commission the only way this correction can be made is by this bill.

Therefore, the Committee voted unanimously to introduce it.

(Signed) William Moulton, Chairman
Committee on Public Works

Permission to introduce the bill granted with 34 ayes, 1 nay and 8 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 547. By Committee on Public Works, William Moulton, 10th District, Chairman.

A bill for an act relating to the Game, Forestation and Parks Com-

mission; to provide for the execution of a deed to correct an erroneous description in a certain deed covering the real estate as prescribed; and to declare an emergency.

SUSPEND RULES—Refer LB 547

Mr. President: I move that the rules be suspended and LB 547 be referred to a Standing Committee. (Signed) Dwight W. Burney

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

BILLS REFERRED TO STANDING COMMITTEES

LB Committee

547.....Public Works

SUSPEND RULES—Set LB 547 for Hearing

Mr. President: I move that the rules be suspended and that the hearing on LB 547 be held on Friday, April 22, 1955, before the Public Works Committee. (Signed) William Moulton

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

UNANIMOUS CONSENT—Hold LB 387

Mr. Peterson asked unanimous consent that LB 387 be held in the Committee on Enrollment and Review indefinitely. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 150. Considered.

Mr. McGinley moved that LB 150 be advanced to E and R for review.

The motion lost with 16 ayes, 25 nays and 2 not voting.

Mr. McGinley asked unanimous consent that his amendment, found in the Legislative Journal for the Seventy-first Day, be stricken. No objections. So ordered.

Mr. Person offered the following amendment, which was adopted with 19 ayes, 17 nays and 7 not voting:

Amend section 1 of the bill, line 14 by inserting after the word "effects" the following:

"in the household of the taxpayer and used by the occupants thereof

for their comfort and accommodation, except electronic equipment for reception or reproduction of sight or sound, or both, washing machines, electric or gas cooking stoves and ovens, deep freezes, electric or gas refrigerators, automatic ironers, and electric or gas dryers, but not including hearing or sight aids for deaf or blind persons."

Mr. Bixler moved that LB 150 be advanced to E and R for review.

Mr. Syas moved to amend LB 150 by reinserting the Ruhnke amendment found in the Legislative Journal for the Forty-second Day.

Mr. Burney asked unanimous consent that LB 150 be laid over.

Mr. Syas objected.

Mr. Brower moved the previous question. The motion prevailed with 34 ayes, 3 nays and 6 not voting.

Mr. Syas requested a Call of the House on the consideration of his motion.

A Call of the House was ordered and showed 40 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

The Syas motion lost with 19 ayes, 21 nays and 3 not voting.

Mr. Bixler renewed his motion to advance LB 150 to E and R for review.

Mr. Burney moved that LB 150 be laid over until Thursday, April 21, 1955. The motion prevailed with 24 ayes, 13 nays and 6 not voting.

UNANIMOUS CONSENT—Withdraw Bill

Mr. T. Adams asked unanimous consent to withdraw LB 475. No objections. So ordered.

STANDING COMMITTEE REPORTS **Public Works**

LEGISLATIVE BILL 466. Placed on General File as amended.

Standing Committee amendments to LB 466:

1. Page 7, after Line 89, add a new subsection 16 to read as follows: "*Finance companies or brokers shall mean persons or companies who primarily do not sell motor vehicles at retail.*"

2. Page 7, after Line 13, add a new subsection 8 to read as follows: "*Finance companies. This license shall permit the licensee to engage in the activities for the sale of motor vehicles obtained by repos-*

session for the sale of motor vehicles so repossessed.

Broker. This license shall permit the licensee to engage in the activities for the sale of motor vehicles at wholesale."

3. Page 9, Line 17, after the words "two dollars", add a new subsection 8 to read as follows:

"Finance companies or broker's license, ten dollars."

4. Page 9, Line 11, strike the word "ten" and insert in lieu thereof the words "one hundred".

5. Page 9, Line 12, strike the word "five" and insert in lieu thereof the word "ten".

6. Page 9, Line 11, strike the word "ten" and insert in lieu thereof the words "one hundred".

7. Page 9, Line 16, strike the word "two" and insert in lieu thereof the word "ten".

8. Page 9, Line 17, strike the word "two" and insert in lieu thereof the word "ten".

9. Page 11, after Section 8, add a new Section 9 to read as follows:

"Amend Section 60-617. Every retail motor sale except between a manufacturer or distributor shall be evidenced by an instrument in writing which shall contain all the agreements of the parties and shall be signed by the buyer and seller or a duly acknowledged agent of the seller. Prior to or concurrent with any motor vehicle sale, the seller shall deliver to the buyer one instrument which shall contain the following information: (1) name of seller; (2) name of buyer; (3) year of model and motor number; (4) cash sale price; (5) cash paid down by the buyer; (6) amount credited to the buyer for any trade-in and a description of the vehicle; (7) amount of finance charge; (8) amount charged for insurance and a description of the insurance coverage; (9) amount of any other charge specifying its purpose; and (10) net balance due from the buyer and terms of payment. A copy of all such instruments shall be retained in the file of the dealer."

10. Amend Section 2, Line 8. After the word "business" add the following: "for the exclusive sale of motor vehicles and".

11. Amend Section 2, Line 12. After the word "applicant," add the following: "a sign to be displayed in letters of not less than six inches in height,".

12. Page 4, Section 2, Subsection 1, Line 9, following the word "all", insert "motor vehicle", and after the word "kept", insert "separate and apart".

13. Page 5, Section 2, Subsection 4, Line 26, insert after the word "vehicles" the following: *"who has a franchise with a manufacturer of motor vehicles,"*.

14. Page 5, Section 2, Subsection 4, Lines 31 to 33, inclusive. Insert the stricken material up to and including the word "vehicles" in Line 33. Immediately following the word "vehicles" insert the following, *"who does not have a franchise with a manufacturer of motor vehicles"*.

15. Page 7, Section 3, Subsection 1. Reinsert all stricken matter. Subsection 2. Reinsert all stricken matter and strike all new material.

16. Page 8, Section 4, Lines 4 and 26 to 29, inclusive. Reinsert the stricken matter.

17. Page 9, Section 6, Lines 3, 4 and 12. Reinsert the stricken matter.

18. Page 10, Section 7, Line 6. Reinsert stricken matter.

LEGISLATIVE BILL 543. Placed on General File as amended.

Standing Committee amendment to LB 543:

Section 1, Line 12, immediately following the word "companies", strike the words "operated by steam".

LEGISLATIVE BILL 501. Placed on General File.

LEGISLATIVE BILL 381. Placed on General File.

LEGISLATIVE BILL 368. Indefinitely postponed.

(Signed) William Moulton, Chairman

Judiciary

LEGISLATIVE BILL 95. Placed on General File as amended.

Standing Committee amendment to LB 95:

Section 2, Line 12, strike beginning with "or" and all of Lines 13, 14, 15, 16 and 17.

LEGISLATIVE BILL 177. Placed on General File.

LEGISLATIVE BILL 179. Placed on General File.

LEGISLATIVE BILL 242. Placed on General File.

LEGISLATIVE BILL 247. Placed on General File as amended.

Standing Committee amendments to LB 247:

Section 1. That section 16-613, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-613. *All public bridges within such city, exceeding sixty feet in length, and the approaches thereto, over any stream crossing a State or Federal Highway, shall be constructed and kept in repair by the Department of Roads and Irrigation. All public bridges within such city, exceeding sixty feet in length, and the approaches thereto, over any stream crossing a state or county highway, shall be constructed and kept in repair by the county; Provided, when. When any city has constructed or repaired a bridge over sixty feet span with approaches thereto, on any county or state highway within their its corporate limits, and have has incurred a debt for the same, then the treasurer of the county in which said bridge is located shall pay to the treasurer of the city seventy-five per cent of all bridge taxes collected in said city until said debt is fully paid and interest upon the same; provided, further, the The city council may appropriate a sum not exceeding five dollars per linear foot to aid in the construction of any county bridge within the limits of such city, or may appropriate a like sum to aid in the construction of any bridge contiguous to said city on a highway leading to the same*

Section 2. That original section 16-613, Reissue Revised Statutes of Nebraska, 1943, is repealed.

LEGISLATIVE BILL 197. Placed on General File as amended.

Standing Committee amendments to LB 197:

A BILL FOR AN ACT RELATING TO DECEDENTS' ESTATES, MAKING THE SHARE OF A JOINT OWNER LIABLE ON THE DEATH OF SUCH JOINT OWNER FOR ANY INDEBTEDNESS OF SUCH JOINT OWNER, PROVIDING TIME AND MANNER OF PROOF AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT HEREWITH.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NEBRASKA,

Section 1. That hereafter the share of a joint owner of jointly held property, both personal and real and including bank deposits made in accordance with Section 8-167, R.S. of Nebraska, 1943, Reissue of 1954, and building and loan accounts made in accordance with Section

8-317, R.S. of Nebraska, 1943, Reissue of 1954, shall subject to all legal exemptions of such joint owner be liable on the death of such joint owner for all the debts and obligations of such joint owner.

Section 2. That on the death of one of the joint owners, the jointly owned property shall pass as at present to the surviving joint owners except the share of the deceased joint owner which shall be liable for all of his debts and obligations, but the proceedings to establish such liability shall be begun within three months of his death by proper administration proceedings, and if not begun within said time, the share shall pass to the surviving joint owner or owners the same as under the present law.

Section 3. All acts and parts of acts in conflict herewith are hereby repealed.

LEGISLATIVE BILL 307. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Adjournment

At 11:48 a.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 19, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Seventy-third Day was approved.

Communications

Letter from Lavern Plambeck, Millard, Nebraska, addressed to the Douglas County delegation, opposing LB 510. Referred to Committee on Revenue.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 18, 1955 at 4:10 p.m.

LB 325

LB 228

LB 64

LEGISLATIVE BILL 460. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 460

RESOLUTIONS**LEGISLATIVE RESOLUTION 22.**

Mr. Anderson moved that LR 22 be tabled. The motion lost.

Mr. Bridenbaugh moved that LR 22 be indefinitely postponed. The motion prevailed.

Approved by the Governor

April 19, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 18, 1955, he approved LB 534, 92, 193, 371, 406, 107, 151, 226, and 319.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 134.

A bill for an act to amend sections 22-111, 22-113, 22-122, 22-128, 22-166, 22-177, 22-187, and 22-189, Reissue Revised Statutes of Nebraska, 1943, relating to counties; to redefine the eastern boundary line of counties bordering on the State of Iowa to conform to the Iowa-Nebraska Boundary Compact of 1943; to correct certain inaccuracies in the boundary descriptions of such 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, 39:

Adams, J.	Beaver	Burney	Hoffmeister
Adams, T.	Bedford	Cramer	Hubka
Anderson	Bixler	Diers	Klaver
Aufenkamp	Bridenbaugh	Fenske	Kotouc
Bahensky	Brower	Foote	Larkin

Lee	Metzger	Perry	Syas
Liebers	Morrison	Person	Thompson
McGinley	Moulton	Pizer	Tvrdik
McHenry	Nelson	Purdy	Vogel
Martin	Otto	Shultz	

Voting in the negative, 0.

Not voting, 4:

Cole	Peterson	Ruhnke	Swanson
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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 relating to motor vehicles; to provide that every new motor vehicle or semitrailer purchased after January 1, 1956, and operated on any highway in this state shall have equipment to minimize the spray or splash of water or mud to the rear thereof, as prescribed; and to provide penalties.

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

Voting in the affirmative, 36:

Adams, J.	Burney	Larkin	Otto
Adams, T.	Cole	Lee	Perry
Anderson	Diers	Liebers	Person
Aufenkamp	Fenske	McHenry	Pizer
Bahensky	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Syas
Bixler	Hubka	Morrison	Thompson
Bridenbaugh	Klaver	Moulton	Tvrdik
Brower	Kotouc	Nelson	Vogel

Voting in the negative, 4:

Beaver	Cramer	McGinley	Purdy
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Not voting, 3:

Peterson	Ruhnke	Swanson
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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 section 60-310, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to change the date

when the renewal of motor vehicle registrations shall become delinquent; 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.	Burney	Larkin	Otto
Adams, T.	Cole	Lee	Perry
Anderson	Cramer	Liebers	Person
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Purdy
Beaver	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Syas
Bixler	Hubka	Morrison	Thompson
Bridenbaugh	Klaver	Moulton	Tyrdik
Brower	Kotouc	Nelson	Vogel

Voting in the negative, 0.

Not voting, 3:

Peterson	Ruhnke	Swanson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Syas introduced Mildred Allen and George Barber, Teachers, Esther Grace Hart, Principal, and fifty-two students from Saratoga School, North Omaha, Nebraska.

Mr. Cramer introduced one hundred sixty-six students from Boone County Rural Schools.

Mr. Beaver introduced Mrs. O. W. Smith, Teacher, and eleven students from School District 43, Cuming County, Nebraska.

SELECT FILE

LEGISLATIVE BILL 531.

Mr. McGinley asked unanimous consent that the following amendment be adopted:

1. Amend section 2 of the bill, line 2 by inserting after the word "shall" the following:

"be placed in the traffic and safety fund and shall".

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 148.

Mr. Liebers asked unanimous consent that the following amendments be adopted:

1. Amend the bill by adding five new sections immediately after renumbered section 3 to be known as sections 4 to 8 and to read as follows:

"Sec. 4. That section 77-506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-506. The State Board of Equalization and Assessment shall proceed to examine the abstracts of real and personal property assessed for taxation in the several counties of the state, including the railroads and pipe lines *pipelines* entirely within such county, and all other property, and shall (1) *determine the ratio of basic value of all tangible property and real property in the state to the actual value thereof* and (2) equalize such assessment so as to make the same conform to law. For that purpose it shall have the power to increase or decrease the assessed valuation of real or personal property of any county or tax district. Such increase or decrease shall be made by a per cent, and the per cent of increase or decrease when made shall be certified to the county clerk of the proper county, who shall thereupon add to or deduct from the assessment of each item of personal property and of each piece or parcel of property in the county affected an amount equal to the per cent of increase or decrease fixed by the board.

Sec. 5. That section 77-1239, Revised Statutes Supplement, 1953, be amended to read as follows:

77-1239. The Tax Commissioner shall prepare a schedule of actual basic values upon the several types of motor vehicles and submit the same to the State Board of Equalization and Assessment prior to February 15 of each year. The State Board of Equalization and Assessment shall meet on the first Monday of March of each year to consider such schedule and fix the valuations on the several classes of motor vehicles for motor vehicle tax purposes in accordance with section 77-201; *Provided*, that in order to accomplish the purposes of the amendment to Article VIII, section 1, of the Constitution of Nebraska, and in order not to impose an undue burden of taxation on motor vehicles in changing the method of taxation thereof, a tax of one dollar shall be imposed upon each motor vehicle subject to taxation within the State of Nebraska for the year 1953.

Sec. 6. That section 77-1242, Revised Statutes Supplement, 1953, as amended by section 18, Legislative Bill 151, Sixty-seventh Session, Nebraska State Legislature, 1955, be amended to read as follows:

77-1242. Dealers in motor vehicles shall report their vehicles on hand March 1 of each year as merchandise, describing each vehicle thus returned for ad valorem tax assessment, in the same manner and at the same proportion of actual basic value that other merchandise is assessed.

Sec. 7. That section 77-1503, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1503. The county board of equalization shall fairly and impartially equalize the valuation of the personal property of the county, and to that end shall, on the application of any person who shall deem himself aggrieved, or who shall complain that another is assessed too low, review the assessment and correct the same as shall appear to be just. *The board shall determine the ratio of basic value of all tangible property and real property to the actual value thereof.*

Sec. 8. That section 77-1506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1506. The county board of equalization shall adjust assessments for the county by raising and lowering the assessment of any person as to any or all items of his assessment in such manner as to secure the listing and the assessment of property at its actual basic value. In no case shall the assessment of any person be raised by the board until such person or his agent shall be previously notified, if such person or his agent be found in the county."

2. Amend renumbered section 4 by striking lines 1 to 3 and inserting the following:

"Sec. 9. That original sections 77-112, 77-506, 77-1503, and 77-1506, Reissue Revised Statutes of Nebraska, 1943, sections 77-201, and 77-1239, Revised Statutes Supplement, 1953, and section 77-1242, Revised Statutes Supplement, 1953, as amended by section 18, Legislative Bill 151, Sixty-seventh Session, Nebraska State Legislature, 1955, are repealed."

3. Amend the title to conform.

Mr. Larkin objected.

Mr. Liebers moved that LB 148 be returned to General File for the above specific amendments. The motion prevailed with 34 ayes, 0 nays and 9 not voting.

LEGISLATIVE BILL 149.

Mr. Liebers asked unanimous consent that the following amendment be adopted:

1. Amend section 1 of the bill, line 2 by striking "own or hold" and inserting "be in the business of owning or holding", line 17 by striking "10" and inserting "1", and line 27 by inserting after the word "months" the following:

"; *Provided*, that one of such inventories shall be taken from the records of the business".

No objections. So ordered.

Mr. Liebers moved that LB 149 be advanced to E and R for engrossment.

Mr. Larkin moved that LB 149 be indefinitely postponed. The motion lost with 7 ayes, 28 nays and 8 not voting.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 343. Advanced to E and R for engrossment.

LEGISLATIVE BILL 66. Mr. Larkin moved that LB 66 be indefinitely postponed.

Mr. Larkin requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Larkin moved that the Call be raised. The motion prevailed.

The Larkin motion to indefinitely postpone lost with 17 ayes, 19 nays and 7 not voting.

E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Mr. Larkin asked unanimous consent that the following amendment be adopted:

1. Amend Standing Committee amendment 1 by striking lines 3 to 15 and inserting:

"After November 1, 1955, no person over the age of twenty-one years of age, holding a valid Nebraska operator's license, shall be issued a renewal of his license until he shall present to the county treasurer satisfactory evidence that he has successfully passed a re-examination as to his physical fitness to operate a motor vehicle."

Mr. Burney objected.

Mr. Larkin moved that LB 66 be returned to General File for the above specific amendment. The motion lost with 15 ayes, 19 nays and 9 not voting.

Mr. Burney moved that LB 66 be advanced to E and R for engrossment.

Mr. Larkin moved that LB 66 be returned to General File for a specific amendment to strike the enacting clause. The motion lost with 15 ayes, 19 nays and 9 not voting.

Advanced to E and R for engrossment with 21 ayes, 14 nays and 8 not voting.

LEGISLATIVE BILL 522. 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 140. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 473. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Laid over.

LEGISLATIVE BILL 161. E and R amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 148. Consideration of the Liebers specific amendments, found in this day's Legislative Journal.

Laid over.

LEGISLATIVE BILL 154. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for review with 31 ayes, 4 nays and 8 not voting.

LEGISLATIVE BILL 152. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Fifty-eighth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 428. Laid over.

Visitors

Mr. Fenske introduced Alvin Miller of Sidney, Nebraska, and Don Meier of Gurley, Nebraska.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 266. Indefinitely postponed.

LEGISLATIVE BILL 280. Indefinitely postponed.

(Signed) George Syas, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 185. Indefinitely postponed.

(Signed) O. H. Person, Chairman

Education

LEGISLATIVE BILL 310. Indefinitely postponed.

(Signed) Glenn Cramer, Chairman

Judiciary

LEGISLATIVE BILL 417. Placed on General File as amended.

Standing Committee amendment to LB 417:

Section 1, Line 24, strike the word "exceeding" and insert in lieu thereof the words "more than".

LEGISLATIVE BILL 43. Indefinitely postponed.

LEGISLATIVE BILL 90. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 377. Placed on Select File.

LEGISLATIVE BILL 324. Placed on Select File.

LEGISLATIVE BILL 482. Placed on Select File as amended.

E and R amendments to LB 482:

1. In Standing Committee Amendment line 8 after "*act*", line 17 after "*Nebraska*" and line 16, after "*bond*" insert ","; line 10 strike "*fee for a nonresident*" and insert in lieu thereof "*fees for nonresidents*"; and in line 13, after "*annum*" insert "*for such nonresidents*".

2. In the bill page 2, section 1, line 3, insert "(1)" after the period; line 7, after "*field*" and line 8, after "*business*" insert "," also in line 17, after "*her*"; line 10, after the period insert "(2)"; line 16, after "*of*" insert "*the*" and in the same line after the period insert "(3)"; line 18, strike "*above record positively gives*" and insert in lieu thereof "*above record , referred to in subsection (2) of this section, positively gives positive*"; line 20, after "*such*" insert "*record*"; line 22, after the period insert "(4)"; line 23, strike "*provision herein*" and insert in lieu thereof "*provision herein of the provisions of subsections (1), (2), or (3) of this section*"; line 24, strike ", and subject the offender to a fine of" and insert in lieu thereof ", and subject the offender *shall, upon conviction thereof, be fined to a fine of*".

3. In the bill title line 5, after "*buyers*" insert "*as prescribed*"; to define residents for the purposes of this act; to require a bond for nonresidents as prescribed; to make certain acts unlawful; to provide penalties".

LEGISLATIVE BILL 308. Placed on Select File as amended.

E and R amendments to LB 308:

1. In the bill page 2, section 1, line 10, insert "," after "*person*", in the same line after "*applies*" insert "*for such prequalification*"; also in line 10 after "*evaluation*" insert "*and consideration*"; and in line 16, strike "*of*" and insert in lieu thereof "*where the estimate of the engineer for such repair and maintenance is*".

2. In the bill title strike line 4 beginning with "*that*" through the word "*required*" in line 5, and insert in lieu thereof "*for the*

evaluation and consideration of the experience, equipment, financial resources, and performance record of persons desiring"; and also strike all of line 9 and through "more" in line 10, and insert in lieu thereof "as prescribed; to provide for an application by such a person for a prequalification as a bidder as prescribed; to provide that such application and prequalification shall not be necessary for contracts for repair and maintenance if the estimate of the engineer therefor is less than twenty-five hundred dollars or if such contracts are of an emergency nature".

LEGISLATIVE BILL 431. Placed on Select File as amended.

E and R amendment to LB 431:

In the bill title line 7, strike the word "and".

LEGISLATIVE BILL 192. Correctly engrossed.

LEGISLATIVE BILL 446. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Executive Session

Mr. Nelson asked unanimous consent to hold an executive session of the Committee on Agriculture on Wednesday, April 20, 1955, at 2:00 p.m. in the West Senate Lounge. No objections. So ordered.

Adjournment

Mr. Kotouc moved that the Legislature adjourn until 8:30 a.m. on Wednesday, April 20, 1955.

The motion lost.

At 11:50 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 20, 1955

Pursuant to adjournment, the Legislature met at 9:04 a.m., President Warner presiding.

Prayer was offered by the Reverend John Harris, Minister of Quinn Chapel, Lincoln, Nebraska.

The roll was called and all members were present.

The Journal for the Seventy-fourth Day was approved as corrected.

Communications

Letter from Everett L. Randall, President, and E. Albin Larson, Secretary, Board of Education of State Normal Schools, and Neal S. Gomon, President, Nebraska State Teachers College at Peru, Nebraska, relating to construction of faculty and married student housing on the campus of Nebraska State Teachers College at Peru. Referred to Committee on Budget.

Statement signed by official representatives of various independent student groups at the University of Nebraska, and addressed to Speaker Burney, concerning the University's request for state appropriations. Referred to Committee on Budget.

Visitors

Mr. Morrison introduced Terry Carpenter of Scottsbluff, former Member of the Legislature, and escorted him to the rostrum.

Mr. Morrison Presiding

Mr. Carpenter addressed the Legislature briefly.

President Warner Presiding

Mr. Otto introduced W. J. Williams, former Member of the Legislature.

Member Excused

Mr. Bahensky was excused for Thursday and Friday, April 21 and 22, 1955.

REPORT—Committee on Contest

Mr. President:

Your Committee on Contest between C. C. Lillibridge and Mervin V. Bedford, wishes to submit herewith, its financial report in connection with the above contest.

Receipts and Expenditures

Received from C. C. Lillibridge.....		\$373.80
Claims:		
Thomas J. Keenan, Attorney.....	\$100.00	
William Grant, Attorney.....	45.00	
Wayne Douce, Attorney.....	45.00	
Jane Kenner, Page.....	10.00	
Melba Richling, Checker.....	5.00	
Agnes Baugh, Checker.....	5.00	
May Parsell, Checker.....	22.00	
Ruby Bovey, Checker.....	22.00	
Elmer Shamberg, Reporter.....	10.00	
Willard H. Foster, County Clerk:		
Mileage	\$ 8.70	
Expenses, John C. Kroll.....	7.50	
Hotel Bill.....	11.50	
Tips .....	.50	
Parking of car	3.30	
Meals—1/6/55 to 1/8/55 inc.....	6.70	
Labor on committee.....	22.00	60.20
Joseph J. Ripa, County Clerk:		
Mileage	9.60	
Expenses, Arthur Bass.....	2.50	
Hotel Bill.....	5.75	
Tips .....	.75	
Parking of car.....	2.50	
Meals	6.50	
Labor on committee.....	22.00	49.60
Total Expenditures		\$373.80

As shown by the report of your Committee, all claims for fees and expenditures have been paid and receipts are on file. Your Committee hereby requests that the above report be accepted and approved, and that the Secretary of State be notified that all claims in connection with the Contest have been paid and that the bond of the contestant be canceled.

(Signed) William A. McHenry, Chairman
Committee on Contest

MOTION—Accept Report

Mr. President: I move that the report be approved and printed in the Journal, and that the committee be discharged. (Signed) William A. McHenry

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION 23. Re: Plans for Proposed Construction of Faculty and Married Students Housing on the Campus of Nebraska State Teachers College at Peru, Nebraska

Introduced by Hal Bridenbaugh, 13th District.

WHEREAS, the provisions of Legislative Bill 138, adopted by the Sixty-seventh Session, Nebraska State Legislature, provides that where the University of Nebraska and normal schools under the direction of the Board of Regents or the Board of Education of State Normal Schools shall issue revenue bonds to be paid in part from revenues and fees from facilities other than facilities to be constructed, that the plans for such facility to be constructed, including financing plans, shall be first submitted for approval to the Legislature, if in session, and

WHEREAS, the Board of Education of State Normal Schools has submitted proposed construction plans including the costs and manner of financing for proposed construction of faculty and married students housing on the campus of Nebraska State Teachers College at Peru, Nebraska, as follows:

Proposed Construction

FACULTY HOUSING

Building A:

Located on corner property on Seventh Street having dimensions of approximately 90x135 feet.

2- one-bedroom units, approximately 600 sq. ft. per unit

2- two-bedroom units, approximately 1,100 sq. ft. per unit
All units have full kitchen and laundry facilities, single bath,
and storage rooms in addition to the bedroom closets.

Total Number of Dwelling Units 4

Building B:

Located on corner property on Sixth Street having dimensions of approximately 130 x 135 feet.

2- two-bedroom units, approximately 1,100 sq. ft. per unit

2- three-bedroom units, approximately 1,000 sq. ft. per unit
All units have full kitchen and laundry facilities, single bath, and storage rooms in addition to the bedroom closets.

Total Number of Dwelling Units 4

Total Faculty Housing Units 8

MARRIED STUDENT HOUSING

Located on 6½ acre wood tract east of the athletic field.

Building C:

4- two-bedroom units, approximately 675 sq. ft. per unit
Number of buildings - 2

All units have pullman-type kitchen and laundry, full bath, and adequate storage space.

Total Number of Dwelling Units 8

Building D:

2- one-bedroom units, approximately 400 sq. ft. per unit
Number of buildings - 3

All units have pullman-type kitchen and laundry, full bath, and adequate storage space.

Total Number of Dwelling Units 6

Total Married Student Dwelling Units 14

FACULTY AND MARRIED STUDENT HOUSING:

Structure: Wood frame with brick veneer.

Roof: Wood shingle.

Walls and Ceilings: Plaster.

Floors: Hardwood and asphalt tile, ceramic tile in toilets.

Heat: Building "A" to have steam heat supplied from the campus heating plant.
Building "B" - forced warm air supplied by individual gas fired heating units.
Buildings "C" and "D" - forced warm air supplied by single gas fired heating unit in each building.

Site Development: Includes necessary walks, retaining walls and one carport for each faculty dwelling unit, and one paved off-street parking area for each student dwelling unit.

COSTS AND FINANCING

Estimated Cost

The architects estimate of the cost of construction of the faculty housing and the married student housing is \$222,988.40 plus architectural fees.

Financing

It is proposed to issue \$275,000 of revenue bonds to defray expenses of construction, architects fees, and to refund \$43,000 in bonds now outstanding against present housing facilities.

To retire the revenue bonds the income from the new housing facilities, and present student housing, i.e., Delzell Hall for men, Mt. Vernon Hall for men, and Eliza Morgan Hall for women, is to be pledged until all bonds are paid.

The bonds will be sold for not less than par and will bear interest at the going rate for similar bonds at the time of issuance and shall run for a period of not to exceed twenty years.

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

That the foregoing plans for proposed construction of faculty and married students housing on the campus of Nebraska State Teachers College at Peru, Nebraska, are approved.

STANDING COMMITTEE REPORTS
Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 500. Placed on General File as amended.

Standing Committee amendments to LB 500:

1. Amend the bill by striking section 1 and inserting in lieu thereof three new sections to read as follows:

"Section 1. In order to defray the expense of repairing the buildings and improvements located on Crystal Lake Recreation Grounds at Ayr, Nebraska, and for the purpose of maintaining a full-time caretaker for such grounds, there is hereby appropriated for the biennium ending June 30, 1957, the sum of sixteen thousand dollars from the General Fund.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the proper fund in the state treasury for, but never in excess of, the sum herein specified upon presentation of proper vouchers. The State Treasurer shall pay the warrants out of money in the General Fund not otherwise appropriated.

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 by striking lines 2 to 4 and inserting the following:

"FOR AN ACT to appropriate the sum of sixteen thousand dollars to defray the expense of repairing the buildings and improvements located on Crystal Lake Recreation Grounds at Ayr, Nebraska, and for the purpose of maintaining a full-time caretaker of such grounds for the biennium ending June 30, 1957; and to declare an emergency."

(Signed) John Aufenkamp, Chairman

Enrollment and Review
Presented to the Governor

Presented to the Governor for approval on April 19, 1955 at 4:00 p.m.

LB 460

LEGISLATIVE BILL 134. Correctly enrolled.

LEGISLATIVE BILL 492. Correctly enrolled.

LEGISLATIVE BILL 199. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 134

LB 492

LB 199

MESSAGES FROM THE GOVERNOR

Mr. President, Mr. Speaker,
Members of the Legislature:

In some western Nebraska oil fields the underground pressure has been materially reduced so that oil cannot now be pumped in sufficient quantities. To restore these pressures it is necessary to use "secondary recovery" procedures. By these methods water or gas is injected into the reservoir to restore reservoir pressures so that oil can be recovered. In this way the recovery from many fields can be materially increased.

Some of the fields in which this secondary recovery is now necessary contain school lands. At the present time the Board of Educational Lands and Funds has the authority to enter into pooling agreements on an acreage basis only. That is, the Board has the authority to agree to participate in the total oil or gas production from a unit composed of land under different ownerships in the proportion that the state land productive acreage bears to the total productive acreage of the unit in which the land is located. In many cases this acreage basis is not equitable because it does not occur under all parts of the unit in equal amounts. In order that these secondary recovery procedures be employed, it is necessary that the Board of Educational Lands and Funds be permitted to enter into a secondary recovery unit on an equitable basis. Under Section 72-908 it is not now possible for the Board to do this. Therefore, I have had prepared and have asked Senator Earl J. Lee to introduce a bill to amend Section 72-908 to authorize the Board of Educational Lands and Funds to enter into appropriate agreements for the purpose of unit or cooperative agreements for the allocation of production on a proportionate acreage or other agreed equitable basis. By permitting the Board of Educational Lands and Funds to enter into these agreements, the State of Nebraska will not only encourage conservation efforts throughout the state, but the Board of Educational Lands and Funds will be placed in a favorable economic position in relation to other royalty owners.

I have checked this matter with Mr. E. C. Reed, State Geologist, and with the Attorney General. Mr. Reed agrees that this amendment should be made. The Attorney General is of the opinion that the proposed bill is constitutional and is legally sufficient to authorize

the Board of Educational Lands and Funds to enter into agreements when the Board feels that the best interests of the state will be served thereby.

For the above reasons it is my request that this bill be introduced and that it receive favorable action by the Legislature.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

April 19, 1955

Mr. President, Mr. Speaker,
Members of the Legislature:

Recent events in some of our penal institutions have caused us to make inquiry and to examine some of our present correctional laws and I feel that certain legislation is necessary and desirable for the best interests of Nebraska.

In accordance with the laws now in force, there is a very apparent need for an act relating to crime and punishment to provide that when an inmate of any jail, or correctional or penal institution, shall assault, threaten, imprison, or detain any person for the purpose of compelling or inducing the performance of any act by such person, or by any other person, shall be guilty of a felony, and a penalty should be provided for such an act.

Since we do not have at this time legislation which would cover any person held as a hostage, I have had prepared and have asked Senator H. K. Diers to introduce this bill, and recommend that the Legislature give careful consideration to and enact this bill with the emergency clause.

Respectfully submitted,

(Signed) Victor E. Anderson
GOVERNOR

April 19, 1955

Mr. President, Mr. Speaker,
Members of the Legislature:

This bill is to amend Section 29-2628 which has to do with criminal procedure; to reinstate the penalties for parole violation.

This bill requires a violator to serve out the unexpired term

of his sentence with forfeiture of his good time and also provides for restoration of lost good time as provided in the companion bill.

The difference in the two bills is that one bill is for the loss of good time by violation of penitentiary rules while the other is for loss of good time as a parole violator.

Therefore, I have had prepared and have asked Senator George Hoffmeister to introduce this bill to amend Section 29-2628.

Respectfully submitted,

(Signed) Victor E. Anderson
GOVERNOR

April 19, 1955

Mr. President, Mr. Speaker,
Members of the Legislature:

The following bill is introduced to revise Statute 29-2632. I believe it would be of great benefit to the officials of the penitentiary and add greatly to the morale of the inmates.

As the Statutes now stand good time is allowed to be credited to a convict only when he reaches the time when he could be released after serving his minimum sentence and then only to those who have no infraction of rules of the penitentiary or laws of the state recorded against him, and who performs in a faithful manner the duties assigned to him in an orderly and peaceable manner.

There are relatively few convicts who have no infractions recorded against them sometime during the course of their sentence. Many of these are of a minor nature.

The Statute as written forces the Warden to forfeit all good time allowed for the entire sentence which amounts to approximately one-third of the original sentence in some cases. Regardless of the nature of the infraction the Warden has no choice in the matter and must forfeit all good time earned or to be earned. This leaves the convict no incentive for future good conduct.

Revised Statute 29-2633 reads in part as follows. ***For any charge of misconduct "he shall lose the deduction of time specified in section 29-2632". It reads further xxx "but he may regain by continuous good conduct thereafter a deduction of time, not exceeding seventy-five percent of the time so lost, and as much less as the warden and inspectors may certify to, as a suitable reward for good conduct."

The remaining twenty-five percent can only be returned by clemency action of the Board of Pardons and Paroles.

It is recommended that the Statutes be changed to forfeit only that good conduct time earned to date of infraction. The convict then starts earning good time the day after the infraction which is subject to forfeiture for any subsequent infraction.

The return of all lost good conduct time should be the prerogative of the Warden. It is my opinion that this would be one of the best incentives for good behavior and there would be better understanding and less unrest among the prisoners.

Therefore, I have had prepared and have asked Senator John J. Larkin, Jr. to introduce this bill.

Respectfully submitted,

(Signed) Victor E. Anderson
GOVERNOR

April 19, 1955

Mr. President, Mr. Speaker,
Members of the Nebraska Legislature:

In 1947 the Legislature created and provided for the State Institutional and Military Department Building Fund. The section of the act pertaining to the University of Nebraska, the Board of Control, and the State Normal Schools authorized the erection, equipping, repairing or remodeling of buildings and plants, and for the purchase of land for buildings to be used in the administration, operation and maintenance of the institutions under the control or operation of said Boards respectively.

The section pertaining to the one-tenth of a mill tax to be set aside for the Military Department provides for the purchase of land and the construction thereon of armories.

The Military Department desires to construct buildings to be used as National Guard armories and to equip the same with chairs, tables, desks, kitchen equipment and other furnishings; and also construct sidewalks, parking areas for motor vehicles; and install lawns, shrubbery and trees in order that the facilities may be an asset to the community in which it is situated and be an establishment members of the National Guard may be proud of. A strict interpretation of the present act may limit the Military Department to the purchase of real estate and the constructing of a building with four walls and a roof, no other improvements or furnishings. The purpose of this bill is to

remove any doubt of the Military Department having the necessary authority to construct a building for armory purposes and to properly furnish it, outfit it, and equip it.

Respectfully submitted,

(Signed) Victor E. Anderson
GOVERNOR

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 548. By Earl J. Lee, 11th District, upon recommendation of the Governor.

A bill for an act to amend section 72-908, Reissue Revised Statutes of Nebraska, 1943, relating to school lands; to authorize the Board of Educational Lands and Funds to enter into unit or cooperative agreements for the exploration, development and operation of school lands under oil and gas leases which agreements shall provide for allocation of production on a proportionate or other agreed equitable basis; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 549. By H. K. Diers, 24th District, upon recommendation of the Governor.

A bill for an act relating to crimes and punishments; to provide that when an inmate of any jail, or correctional or penal institution, shall assault, threaten, imprison, or detain any person for the purpose of compelling or inducing the performance of any act by such person, or by any other person, shall be guilty of a felony; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 550. By George Hoffmeister, 37th District, upon recommendation of the Governor.

A bill for an act to amend section 29-2628, Reissue Revised Statutes of Nebraska, 1943, relating to criminal procedure; to restate the penalties for parole violation; to provide for restoration of good time credit earned by the prisoner before the declared delinquency; and to repeal the original section.

LEGISLATIVE BILL 551. By John J. Larkin, Jr., 8th District, upon recommendation of the Governor.

A bill for an act to amend sections 29-2632 and 29-2633, Reissue Revised Statutes of Nebraska, 1943, relating to criminal procedure; to

provide a method of restoring good time earned by prisoners who have committed an infraction of the rules while confined in the Nebraska State Penitentiary; and to repeal the original sections.

LEGISLATIVE BILL 552. By John E. Beaver, 12th District, upon recommendation of the Governor.

A bill for an act to amend section 72-1007, Reissue Revised Statutes of Nebraska, 1943, and section 72-1006, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 109, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to public lands and buildings; to provide that the Military Department share of the State Institutional and Military Department Building Fund may be used for equipping, repairing, and remodeling of armories; and to repeal the original sections.

SUSPEND RULES—Refer Bills

Mr. President: I move that the rules be suspended and the following bills be referred: LB 548, 549, 550, 551 and 552. (Signed) Earl J. Lee

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

Bills Referred to Standing Committees

LB	Committee
548.....	Revenue
549.....	Banking, Commerce and Insurance
550.....	Banking, Commerce and Insurance
551.....	Banking, Commerce and Insurance
552.....	Revenue

Explanation of Vote

Mr. President: Had I been present, I would have voted "aye" on LB 39, LB 492 and LB 199. (Signed) K. W. Peterson

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 83. Indefinitely postponed.

LEGISLATIVE BILL 509. Indefinitely postponed.

LEGISLATIVE BILL 262. Placed on General File.

LEGISLATIVE BILL 528. Indefinitely postponed.

LEGISLATIVE BILL 527. Indefinitely postponed.

LEGISLATIVE BILL 453. Indefinitely postponed.

LEGISLATIVE BILL 245. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 159.

A bill for an act to amend section 48-148, Reissue Revised Statutes of Nebraska, 1943, sections 48-121, 48-122, and 48-126.01, Revised Statutes Supplement, 1953, and section 48-128, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 227, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to Nebraska Workmen's Compensation Law; to increase disability and death benefits, as prescribed; to eliminate obsolete matter; to remove provisions in regard to General Fund in the case of an insufficiency of Second Injury Fund; to clarify provisions; and to repeal the original sections.

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

Voting in the affirmative, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 211.

A bill for an act relating to crimes and punishments; to make it

unlawful to willfully and maliciously deface, mutilate, or destroy any flag of the United States; 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, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrđik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 144.

A bill for an act relating to county courts; to provide qualifications for county judges in counties having a population of sixteen thousand inhabitants or more.

Whereupon the 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.	Cramer	McGinley	Purdy
Anderson	Fenske	Martin	Ruhnke
Aufenkamp	Hoffmeister	Metzger	Shultz
Bahensky	Hubka	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrđik
Burney	Lee	Pizer	Vogel
Cole	Liebers		

Voting in the negative, 7:

Bridenbaugh	Foote	Nelson	Peterson
Diers	McHenry	Person	

Not voting, 2:

Adams, J. Beaver

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 378.

A bill for an act relating to cities of the second class and villages; to provide that such cities and villages shall have power to regulate and fix rates for gas including charges for meters.

Whereupon the 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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 367.

A bill for an act to amend sections 83-242 and 83-245, Reissue Revised Statutes of Nebraska, 1943, relating to Home for Children; to provide when children may be accepted for care at the Home for Children; to provide when the Board of Control may consent to the adoption of children admitted to the home; and to repeal the original sections.

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

Voting in the affirmative, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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.

RESOLUTIONS

LEGISLATIVE RESOLUTION 24. Re: Appointment of Legislative Council Committee to Study State and Federal Laws Relating to the Regulation of the Rates and Services of Gas Utility Companies.

Introduced by Otto Kotouc, Sr., 1st District; Earl J. Lee, 11th District; William A. McHenry, 32nd District.

WHEREAS, the State of Nebraska, although essentially an agricultural state, is presently served with natural gas in the majority of its communities from pipelines originating both within and without the state, and

WHEREAS, the gas utility companies have invested many millions of dollars in facilities and equipment in Nebraska and other states to provide gas service to the citizens of Nebraska, and

WHEREAS, the gas-using citizens of Nebraska have invested millions of dollars in gas-fired heating and cooking equipment, and

WHEREAS, the ability of the gas utility companies serving Nebraska to continue to provide adequate supplies of gas, maintain high

standards of service and extend their lines to serve additional communities in Nebraska requires that said companies receive fair, just and reasonable rates for the gas sold by said companies, and

WHEREAS, the welfare of the gas-using citizens of Nebraska requires that they be protected from gas rates which are unfair, unjust and unreasonable, and

WHEREAS, the determination as to whether gas utility company rates to the ultimate consumer are fair, just and reasonable is vested in a state regulatory body in forty-three states, and

WHEREAS, there has been legislation proposed at this session of the Legislature to provide for regulation of gas utility company rates by a state regulatory body.

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

1. That the Legislative Council appoint a committee to make a comprehensive and detailed study of existing state and federal laws relating to the regulation of the rates and services of gas utility companies providing gas service to citizens of Nebraska and shall report to the next regular session of the Legislature result of such study. That said study shall include:

(a) The scope of existing federal regulations;

(b) Methods of regulation followed in other states;

and

(c) The practicability and effectiveness of existing regulations by each separate municipality in Nebraska.

2. The report shall include:

(a) The results of its study;

(b) Recommendations of the committee; and

(c) The necessary bills to be introduced in the Legislature, if any are recommended.

Visitors

Mr. Metzger introduced Sister Anunciata, Father Garvey, Pastor, and forty-nine students from St. Mary's School, Bellevue, Nebraska.

Mrs. Foote introduced Arthur R. Fellers, Principal, Mrs. Lucille Cole, Teacher, and forty-nine students from Minden, Nebraska.

UNANIMOUS CONSENT—Executive Session

Mr. Cramer asked unanimous consent to hold an executive session of the Education Committee at 1:00 p.m. today. No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 473.**

Mr. T. Adams asked unanimous consent that the following amendments be adopted:

1. Amend the bill by adding a new section immediately after section 7 to be known as section 8 and to read as follows:

“Sec. 8. That section 21-838, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-838. The trustees of any incorporated religious association as defined in subdivision (2) of section 21-834 shall have power to make a deed of conveyance or encumbrance when authorized by resolution of such association adopted by a two thirds *three-fifths* vote of the members present and voting, at a meeting called for such purpose, prior notice of such meeting having been given in said church building or regular place of meeting at three regular weekly services of such incorporated religious association, and if no services are held, then by a notice posted on such church building or place of meeting for three weeks prior to such called meeting. A copy of the resolution authorizing such sale and deed of conveyance or encumbrance, the notice of such meeting, and the giving of the same, shall be certified under oath by the clerk or other officer of such incorporated religious association and shall be filed with said deed of conveyance or encumbrance, and recorded in the real estate records of the county where the property so conveyed or encumbered is located.”

2. Renumber sections 8 to 12 as sections 9 to 13, respectively.

3. Amend renumbered section 13, line 2 by inserting “21-838,” before “21-841”.

4. Amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 540. Advanced to E and R for engrossment.

LEGISLATIVE BILL 377. Advanced to E and R for engrossment.

LEGISLATIVE BILL 324. Advanced to E and R for engrossment.

LEGISLATIVE BILL 482. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 308. E and R amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 431. E and R amendment found in the Legislative Journal for the Seventy-fourth Day was adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 497. Considered.

Mr. Lee offered the following amendment:

1. Amend Standing Committee Amendment 1, lines 2 and 3 by striking "*and provided further, no rule or regulation shall become effective*", line 4 by inserting before "thirty" the figure "(1)", line 5 by inserting after the word "newspaper" the following: "*; (2) has been approved by the county attorney with his written approval attached thereto, and (3) has been filed in the office of the county clerk of such county*".

Laid over.

LEGISLATIVE BILL 413.

Mr. Aufenkamp asked unanimous consent that LB 413 be laid over until LB 181 is acted upon.

Mr. Bixler objected.

Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 181. Laid over until Monday, April 25, 1955.

LEGISLATIVE BILL 148. Considered.

The Liebers specific amendments found in the Legislative Journal for the Seventy-fourth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 428. Laid over.

LEGISLATIVE BILL 520. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Fifty-ninth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 487. Bracketed until Wednesday, April 27, 1955.

LEGISLATIVE BILL 519. Bracketed.

LEGISLATIVE BILL 273. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Diers introduced Nancy Knuth and Dorothy Eberspacher, Teachers, and thirty students from School Districts 58 and 27, Seward County, Nebraska.

Mr. Beaver introduced Beulah Palmer, Teacher, eight mothers, and nine students from District 79, Cuming County, Nebraska.

Mr. Person introduced Mrs. Ruth Craig, Teacher, two sponsors, and thirteen students from David City Public School, David City, Nebraska.

Mr. Burney introduced Mr. Janike, Assistant Director of Extension Service, and North Central States Extension Directors and State 4-H Club leaders from Kansas, North Dakota, South Dakota, Iowa, Missouri, Minnesota, Michigan, Indiana, Ohio, Wisconsin, Illinois and Nebraska.

Mr. Peterson introduced Mr. and Mrs. H. T. Massie from Broken Bow, Nebraska.

Mr. Hubka introduced Darlene DeBuhr, Teacher, seven sponsors, and eleven students from Pickrell, Nebraska.

UNANIMOUS CONSENT—Exchange Hearing Rooms

Mr. Martin asked unanimous consent that the Judiciary Committee and the Government Committee be permitted to exchange hearing rooms for this afternoon. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS Banking, Commerce and Insurance

LB 549 Tuesday, April 26, 1955 3:00 p.m.

LB 550	Tuesday, April 26, 1955	3:00 p.m.
LB 551	Tuesday, April 26, 1955	3:00 p.m.

Revenue

LB 548	Tuesday, April 26, 1955	3:00 p.m.
LB 552	Tuesday, April 26, 1955	3:00 p.m.

STANDING COMMITTEE REPORTS
Public Health and Miscellaneous Subjects**LEGISLATIVE BILL 407.** Placed on General File as amended.

Standing Committee amendments to LB 407:

1. Amend the bill by striking section 1 and adding in lieu thereof two new sections to be known as sections 1 and 2 and to read as follows:

"Section 1. That section 39-724, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

39-724. (1) In order to promote safety, power is hereby conferred on the Department of Roads and Irrigation to erect and maintain red flares, warning signs or stop signs on hazardous roads entering or crossing state highways, and the power is hereby further conferred on the department to regulate the manner in which vehicles, motor-propelled or otherwise, shall be operated on bridges, or approaches to bridges, less than twenty feet in width. All motor vehicles entering or crossing such state highways on which stop signs are erected shall come to a full stop as near the right of way line as possible, before driving onto such state highway, and, regardless of direction, shall give the right of way to vehicles upon said highway. (2) Except at street railway grade crossings within a municipality and at railway grade crossings where a flagman, police officer, or a traffic-control signal directs traffic to proceed, the driver of any motor vehicle carrying passengers for hire, or any school bus carrying any school child, or any vehicle carrying engaged in the transportation of explosive substances or inflammable liquids as, with or without a cargo or a part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than ten feet from the nearest rail of such railroad, and while so stopped shall listen and look in both directions along such track for any approaching train and shall not proceed until he can do so safely; *Provided, that all such.* (3) All vehicles described in subsection 2 of this section shall be equipped with an electric signal stop lamp, red in color, located on the rear of the vehicle, at a height of not less than forty-two inches nor more than sixty inches above the surface of the highway. This device shall be operated independently by a control in

the driver's compartment of the vehicle, and shall be illuminated for a distance of not less than five hundred feet nor more than one thousand feet in advance of the point at which said vehicle is required to stop as provided in this section. The Department of Roads and Irrigation is hereby authorized and required to adopt specifications for said lamps; and all vehicles affected by the provisions of sections 39-719 to 39-725, and sections 60-329 to 60-335, 60-340 and 60-342 shall be equipped with a signal stop lamp complying with said specifications.

Sec. 2. That section 39-725, Revised Statutes Supplement, 1953, be amended to read as follows:

39-725. (1) Any person, firm, association, partnership, or corporation who shall violate any of the provisions of sections 39-719 to 39-721, *subsections (1) and (3) of section 39-724, sections 60-301 to 60-343, or 79-488*, or any person, firm, association, partnership, corporation, or agent thereof, who shall drive or move, cause or knowingly permit to be moved on any public highway, road, street, or alley, any vehicle or vehicles which exceed the limitations as to width, length, height, or weight, as provided in sections 39-719 to 39-721, or the safety features provided in section 79-488 for which penalty is not elsewhere provided, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense. If the offender so violating is an individual, he may be punished by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment. It shall be the duty of the sheriffs of the several counties and other police officials to enforce the provisions of sections 39-719 to 39-724, 60-301 to 60-343, and 79-488."

2. Amend section 2 of the bill by renumbering it as section 3, lines 1 and 2 by striking "section 1 of this act" and inserting "*subsection 2 of section 39-725,*", and line 9 by inserting after the word "suspended" the following "*and registration certificate and registration plates suspended, revoked and surrendered*".

3. Amend the bill by adding a new section immediately after renumbered section 3 to be known as section 4 and to read as follows:

"Sec. 4. That original section 39-724, Reissue Revised Statutes of Nebraska, 1943, and section 39-725, Revised Statutes Supplement, 1953, are repealed."

4. Amend the title of the bill by striking lines 2 to 7 and inserting the following:

"FOR AN ACT to amend section 39-724, Reissue Revised Statutes of Nebraska, 1943, and section 39-725, Revised Statutes Supplement, 1953,

relating to highways; to increase the penalties for the failure to stop a motor vehicle carrying passengers for hire, school bus carrying any school child, or any vehicle engaged in the transportation of explosive substances or inflammable liquids, with or without a cargo, before crossing any track or tracks of a railroad as prescribed; and to repeal the original sections.”

(Signed) O. H. Person, Chairman

Education

LEGISLATIVE BILL 26. Indefinitely postponed.

(Signed) Glenn Cramer, Chairman

Judiciary

LEGISLATIVE BILL 379. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 523. Placed on General File.

LEGISLATIVE BILL 544. Placed on General File as amended.

Standing Committee amendments to LB 544:

1. Amend Section 2, line 6, by inserting after the word “appropriated” the following:

“; Provided, that twenty-five percent of the gross rentals and other income from the cabins shall be paid annually to the General Fund until the amount expended under this appropriation shall have been repaid in full”.

2. Amend the title to conform.

LEGISLATIVE BILL 545. Placed on General File as amended.

Standing Committee amendments to LB 545:

1. Amend section 2, line 6, by inserting after the word “appropriated” the following:

“; Provided, that twenty-five percent of the gross income of such museum shall be paid annually to the General Fund until the amount expended under this appropriation shall have been repaid in full”.

2. Amend the title to conform.

(Signed) John J. Larkin, Jr., Chairman

Enrollment and Review

LEGISLATIVE BILL 318. Placed on Select File as amended.

E and R amendments to LB 318:

1. Strike Standing Committee Amendment 1, and in lieu thereof insert "1. In section 2, line 21, strike 'the anti-rebate law' and in lieu thereof insert 'the anti-rebate law section 44-361'; and in section 3, line 8 and lines 13 and 14 and section 4, line 3, strike 'the anti-rebate law' and in lieu thereof insert 'section 44-361' .".

2. In Standing Committee Amendment 2, strike the new matter and in lieu thereof insert "section 44-361, Reissue Revised Statutes of Nebraska, 1943".

3. In the first Lee General File Amendment, strike "censed" and in lieu thereof insert "censed."

4. In the bill, insert "," in section 1, line 14 after "state", line 27 after "companies" and "licensed", line 32 after "district"; section 2, line 15 after "held" and line 16 after "law"; section 3, lines 1 and 9 after "agent" and lines 6 and 11 after "year"; and section 4, line 3 after "shall" and line 4 after "law" and "and".

5. In the bill, section 1, line 4, insert "the" after "upon" and "and"; line 5, strike "which" and in lieu thereof insert ". Such an"; line 16, strike "which relates" and in lieu thereof insert "relating"; line 20, strike "address" and in lieu thereof insert "address addresses"; line 25, strike "as well as" and in lieu thereof insert "and"; line 29, before "(5)" insert "and"; line 32, after "been" insert "so"; line 36, strike "the applications" and in lieu thereof insert "the applications such an application".

6. In the bill, section 2, strike the comma in line 7 after "collected" and line 10 after "licensed".

7. In the bill, section 3, line 4, before "his" insert "and"; and line 8, insert "the" before "enforcement".

8. In the bill, section 4, line 5, strike "in a sum of".

9. In the bill title, lines 5 and 6, strike "and the procedure therefor" and in lieu thereof insert "of the agent and the requisition of the company and the procedure and certain requirements therefor as prescribed"; and line 17, after the semicolon, insert "to make certain acts illegal;".

LEGISLATIVE BILL 194. Placed on Select File as amended.

E and R amendments to LB 194:

1. In Diers General File Amendment 2, line 4, strike "transporting" and in lieu thereof insert "transportation".

2. In the bill, insert "," in section 1, line 7 after "receiver", line 10 after "merchandise", line 12 after "use" and "highway", lines 19 and 41 after "sale", line 43 after "name" and "employees"; section 4, line 3 after "firm"; section 5, line 4 after "license", line 9 after "cation", line 15 after "party"; section 6, line 11 after "allocated"; section 7, line 5 after "dollars" and "tax"; section 8, line 8 after "commission"; section 11, line 4 after "manifest" and line 5 after "commission".

3. In the bill, section 1, line 7, strike the first "or" and in lieu thereof insert " , or "; line 20, strike the period and in lieu thereof insert " , ; "; line 46, after "having" insert "the"; line 49, after "in" insert "the"; and line 51, strike the comma and in lieu thereof insert " , and ", and in the same line strike the period and in lieu thereof insert " . ; and "

(3) *Applicant shall mean the person, firm, partnership, corporation, association, receiver, or trustee making the application but also includes, where the context so indicates, the applicant who has secured a license as an itinerant merchant authorized under sections 60-701 to 60-717."*

4. In the bill, section 3, line 4, insert "(1)" after "without"; line 5, strike " , and " and in lieu thereof insert " , and (2) "; and line 7, after "provided" insert "for".

5. In the bill, section 4, line 5, after "make" insert "an"; and line 7, strike " , such application therefor to " and in lieu thereof insert " , such . The application therefor to shall".

6. In the bill, section 5, line 3, before "All" insert "(1)", and in the same line strike "for" and in lieu thereof insert " , for an "; line 11, after "mission" insert "as"; line 12, strike "on" and in lieu thereof insert "on upon"; line 16, before "The" insert "(2)"; line 18, strike "it" and in lieu thereof insert "it the secretary of the commission in accordance with subsection (1) of this section"; line 20, insert "(a)" after "record"; lines 20 and 21, strike "with the court from which issued," and in lieu thereof insert " , (b) with the court from which issued the same, (c) "; line 21, strike "and" after "action" and in lieu thereof insert " , and (d) "; line 22, strike " , and " and in lieu thereof insert " , and . It".

7. In the bill, section 6, line 7, insert "filing" after "of"; lines 9 and 10, strike "by him" and show the same as stricken matter; and line 20, after "5," insert "of the".

8. In the bill, section 7, line 3, strike "With each" and in lieu

thereof insert "With each *At the time of filing an*"; line 4, after "shall" insert "*also*"; line 6, strike "*, and all*" and in lieu thereof insert "*, and all . All*"; and line 9, strike "*by him*" and show the same as stricken matter.

9. In the bill, section 8, line 3, before "No" insert "(1)"; line 19, strike "In such bond" and in lieu thereof insert "(2) *In such the bond , required by subsection (1) of this section,*"; line 21, after the comma insert "*as*"; line 24, before "Service" insert "(3)"; lines 25 and 33, after "the" insert "*secretary of the*"; line 29, before "shall" insert "*as such service is authorized by the provisions of subsection (2) of this section or subsection (1) of section 60-708,*"; line 30, after "party" insert "*, whether the applicant or his surety,*"; line 34, before "Whenever" insert "(4)", and in the same line before "this" insert "*subsections (1) and (2) of*"; strike line 43 and in lieu thereof insert "*as is required in the bond on the issuance of the original license as set forth in subsections (1) and (2) of this section.*".

10. In the bill, section 9, line 3, strike "Such license" and in lieu thereof insert "*Such The license of an itinerant merchant, provided for in sections 60-701 to 60-717,*"; line 8, after "vehicle" insert "*or vehicles*"; line 12, strike "On" and in lieu thereof insert "*On Upon*"; line 19, strike "at all times" and show the same as stricken matter; and line 21, strike "applicant whenever" and in lieu thereof insert "*the applicant at all times when whenever*".

11. In the bill, section 10, lines 6 and 7, strike "manner provided for the application for and" and in lieu thereof insert "*same manner as is provided for in making the original application applications for and the*".

12. In the bill, section 11, line 3, strike "the" and in lieu thereof insert "*the each*"; line 6, strike "the" and in lieu thereof insert "*the such*", and in the same line, after "whom" insert "*such cargo was*"; and lines 7 and 8, strike "*, and*" and in lieu thereof insert "*, and ,*".

13. In the bill title, line 5, before "redefine" insert "define and"; and line 9, strike "penalties" and in lieu thereof insert "requirements and penalties; to provide for additional bonds under the conditions prescribed; to restate certain of the procedure and requirements in regard thereto; to provide for service of process upon the secretary of the commission as prescribed, the effect thereof, and certain procedure in regard thereto; to provide powers and duties of the commission and other public officials".

LEGISLATIVE BILL 483. Correctly engrossed.

LEGISLATIVE BILL 108. Correctly engrossed.

LEGISLATIVE BILL 522. Correctly engrossed.

LEGISLATIVE BILL 140. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 21, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Seventy-fifth Day was approved as corrected.

STANDING COMMITTEE REPORTS**Public Health and Miscellaneous Subjects**

LEGISLATIVE BILL 376. Placed on General File as amended.

Standing Committee amendments to LB 376:

1. Amend the bill by striking sections 1 to 5 and inserting in lieu thereof four new sections to be known as sections 1 to 4 and to read as follows:

"Section 1. It shall be the duty of the Department of Health to establish reasonable minimum standards for places where foods are prepared, or served for immediate consumption on the premises by promulgating rules and regulations.

Sec. 2. The Department of Health shall grant annual permits to such places where foods are prepared, or served for immediate consumption on the premises as conform to the standards established and comply with the rules and regulations as prescribed. The annual fee for such permit shall be ten dollars and shall expire one year from date of issuance. Any permit may be suspended or revoked by the department for cause after notice and hearing, in accordance with the rules and regulations as may be prescribed by the board. The permit

shall show the name of the owner and its exact location, and shall be displayed that it may be seen by the public. The department may administer oaths and compel the attendance of witnesses by legal process for the hearings. No person, firm, partnership, or corporation shall prepare, sell or serve food for immediate consumption on the premises unless they have a permit as provided by this section.

Sec. 3. The Department of Health by one of its lawful representatives or agents shall have the right to enter and inspect each place in the State of Nebraska where food is prepared, or served for immediate consumption on the premises. The fees from these permits issued by the provisions of section 2 of this act shall be paid by the department to the State Treasurer, and by him placed in a special fund to be used for the enforcement of the provisions of this act when appropriated by the Legislature.

Sec. 4. Any person, partnership, firm, or corporation violating the provisions of this act, shall, upon conviction thereof be fined not less than ten dollars nor more than one hundred dollars."

2. Renumber sections 6 to 13 as sections 5 to 12 respectively.

3. Amend renumbered section 6, line 5 by striking "and restaurant" and show the same as stricken matter, lines 5, 6, 8, and 13 by striking "boarding house," and show as stricken matter.

4. Amend renumbered section 7, line 16 by striking "boarding house," and show as stricken matter.

5. Amend the bill by striking sections 14 to 17 and inserting in lieu thereof eleven new sections to be known as sections 13 to 23 and to read as follows:

"Sec. 13. That section 81-2,111, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,111. Every building, room, basement or cellar occupied or used as a bakery, confectionery, cannery, packing house, slaughterhouse, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market or other place or apartment used for the preparation for sale, manufacture, packing, storage, sale or distribution of any food, shall be properly lighted, drained, plumbed and ventilated, and conducted with strict regard to the influence of such condition upon the health of the operatives, employees, clerks and other persons therein employed, and the purity and wholesomeness of the food therein produced. For the purpose of sections 81-2,111 to 81-2,121 the term "food," as therein used, shall include all articles used for food, drink, confectionery or condiment, whether simple, mixed or compound, and all substances or ingredients used in the preparation thereof.

Sec. 14. That section 81-2,112, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,112. The floors, sidewalls, ceilings, furniture, receptacles, implements and machinery of every establishment or place where food is manufactured, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of food products, shall at no time be kept in an unclean, unhealthful and insanitary condition ; *Provided, that the provisions of sanitation of places where foods are prepared or served or immediate consumption on the premises shall be governed by the provisions of sections 1 to 4 of this act.* For the purpose of sections 81-2,111 to 81-2,121 an unclean, unhealthful and insanitary condition shall be deemed to exist if food in the process of manufacture, preparation, packing, storing, sale, distribution or transportation is not securely protected from flies, dust, dirt and, as far as may be necessary by all reasonable means, from all other foreign or injurious contamination; and if the refuse, dirt, and waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food, are not removed daily; and if all trucks, trays, boxes, baskets, buckets and other receptacles, chutes, platforms, racks, tables, shelves, and all knives, saws, cleavers, and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning, and all other processes are not thoroughly cleaned daily; and if the clothing of operatives, employees, clerks or other persons therein employed is unclean.

Sec. 15. That section 81-2,113, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,113. The sidewalls and ceilings of every bakery, confectionery, creamery, and cheese factory, hotel and restaurant kitchen, shall be brick, cement, plastered, wainscoted *wainscoted* or ceiled with metal or lumber, and shall be oil painted or kept well limewashed, and all interior woodwork in every bakery, confectionery, creamery, and cheese factory, hotel and restaurant kitchen, shall be kept well oiled or painted with oil paints or limewashed, and kept clean. Every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food, shall have an impermeable floor made of cement or tile laid in cement, brick, wood or other suitable nonabsorbent material which can be flushed, and washed clean with water ; *Provided, that places where food is prepared or served for immediate consumption on the premises shall be governed by the provisions of sections 1 to 4 of this act .*

Sec. 16. That section 81-2,115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,115. Every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, canning, sale or distribution of food, *except where food is prepared or served for immediate consumption on the premises*, shall have convenient toilet or toilet rooms, separate and apart from the room or rooms where the process of production, manufacture, packing, canning, selling or distribution is conducted. The floors of such toilet rooms shall be of cement, tile, wood, brick or other nonabsorbent material and shall be kept in a thoroughly clean and sanitary condition. Such toilet or toilets shall be furnished with separate ventilating flues or pipes, discharging into soil pipes, or on the outside of the building in which they are situated. Lavatories and washrooms shall be supplied with soap, water and towels, and shall be maintained in a sanitary condition. Operatives, employees, clerks, and all other persons who handle the material from which food is prepared, *except as provided in this section*, or the finished product, before beginning work or after visiting the toilet or toilets, shall wash their hands and arms thoroughly in clean water.

Sec. 17. That section 81-2,116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,116. Cuspidors for the use of operatives, employees, clerks or other persons shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed out daily with disinfectant solution, and five ounces of such solution shall be left in each cuspidor while it is in use. No operative, employee or other person shall expectorate on the floor or sidewalls of any building, room, basement or cellar where the production, manufacture, packing, storing, preparation or sale of any food is conducted, *except places where food is prepared or served for immediate consumption on the premises which places shall be governed by the provisions of sections 1 to 4 of this act*.

Sec. 18. That section 81-2,117, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,117. No person shall be allowed to live or sleep in any room of a bake shop, kitchen, ~~dining room~~, confectionery, creamery, cheese factory or place where food is prepared, *served or sold*.

Sec. 19. That section 81-2,118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,118. No employer shall require, permit or suffer any person to work, nor shall any person work, in a building, room, basement, cellar or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, and transportation of food, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis, consumption, bubonic plague,

Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic, epidemic dysentery, measles, mumps, German measles, (Rothein), whooping cough, chicken pox or any other infectious or contagious disease ; *Provided, that places where food is prepared or served for immediate consumption on the premises shall be governed by the provisions of sections 1 to 4 of this act .*

Sec. 20. That section 81-2,119, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

81-2,119. The Department of Agriculture and Inspection shall have authority at all times to enter and inspect any building or part thereof occupied or used for the production, sale or distribution of food, and to inspect all utensils or machinery used in the production, sale or distribution, and if upon such inspection the department shall find any violation of the provisions of sections 81-2,111 to 81-2,120 or that food is being produced, sold or distributed in a manner detrimental to health, the department shall issue an order in writing to the person in charge of such production, sale or distribution to abate the condition or violation or to make such improvements as may be necessary to abate such conditions, within a period of five days or such other reasonable time as may be determined by the department ; *Provided, that places where food is prepared or served for immediate consumption on the premises shall be governed by the provisions of sections 1 to 4 of this act .*

Sec. 21. *The Department of Health may employ the inspectional and other routine duties allied with the administration of this act to be done by any village, city or county board of health, any city, county, city-county or district health department, or by any sanitary inspector. Where such employment is made, the department may reimburse the health department, board of health, city, or county, as the case may be, for services rendered in the administration of this act, by paying to the health department, board of health, city, or county, as the case may be, for the services rendered in assisting in the administration of this act by the department; Provided, that no payments shall be made to any health department, board of health, city or village, if additional inspection, service, registration, or permit fees are collected by the local board of health, health department, city, or county, from the owner or operator of the establishment for this service.*

Sec. 22. *The provisions of sections 1 to 4 of this act shall not apply to places where foods are prepared, or served for immediate consumption on the premises in cities of the metropolitan or primary class.*

Sec. 23. That original sections 41-106, 41-109, 41-110, 41-112, 41-113, 41-114, 41-115, 41-116, 81-2,111, 81-2,112, 81-2,113, 81-2,115, 81-2,116, 81-2,117, 81-2,118, and 81-2,119, Reissue Revised Statutes of

Nebraska, 1943, and also sections 41-104, 41-105, 41-107, and 41-108, Reissue Revised Statutes of Nebraska, 1943, are repealed.”

6. Amend the title of the bill by striking lines 2 to 24 and inserting in lieu thereof the following:

“FOR AN ACT relating to places where food is prepared or served for immediate consumption on the premises; to provide that the Department of Health shall establish reasonable standards and adopt rules and regulations; to provide for permits, and fees therefor; to provide for enforcement of the provisions of this act, and the suspension of revocation of permits, as prescribed; to provide duties for the Department of Health; to provide for disposition of fees; to provide for violations; to provide for penalties; to provide for the transfer of duties, powers, and functions from the Department of Agriculture and Inspection to the Department of Health with respect to administration of licensing and inspection of places where food is prepared or served for immediate consumption on the premises; to amend sections 41-105, 41-109, 41-110, 41-112, 41-113, 41-114, 41-115, 41-116, 81-2,111, 81-2,112, 81-2,113, 81-2,115, 81-2,116, 81-2,117, 81-2,118, and 81-2,119, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections, and also sections 41-104, 41-105, 41-107, and 41-108, Reissue Revised Statutes of Nebraska, 1943.

Be it enacted by the people of the State of Nebraska,”

(Signed) O. H. Person, Chairman

Agriculture

LEGISLATIVE BILL 518. Placed on General File as amended.

Standing Committee amendments to LB 518:

1. Amend section 3 of the bill, line 24 by striking “mean” and inserting “also include”.

2. Amend section 4 of the bill, line 21 by striking “Keya Paha” and strike all of line 22 and insert in lieu thereof the following: “Boyd, Holt, Wheeler, Greeley, Howard, Hall, Adams, and Webster Counties;”

3. Amend section 9 of the bill, line 25 by inserting “grown” after “wheat”.

4. Amend section 11 of the bill, line 5 by striking “to” and inserting “on”.

5. Amend section 15 of the bill, line 7 by inserting after the word and punctuation “purchase.” the following:

"The purchaser shall render and have on file with the Department of Agriculture and Inspection by the fifteenth day of each calendar month following any calendar month in which he shall purchase wheat of a grower, beginning on the fifteenth day of the month after the effective date of this act, on forms prescribed by the department, a sworn statement of the number of bushels of wheat purchased in Nebraska. At the time the sworn statement is filed, the purchaser shall pay and remit to the department the tax as provided in section 11 of this act."

(Signed) Frank Nelson, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 20, 1955 at 4:30 p.m.

LB 492

LB 199

LB 134

LEGISLATIVE BILL 367. Correctly enrolled.

LEGISLATIVE BILL 378. Correctly enrolled.

LEGISLATIVE BILL 211. Correctly enrolled.

LEGISLATIVE BILL 159. Correctly enrolled.

LEGISLATIVE BILL 144. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 367

LB 211

LB 159

LB 144

LB 378

RESOLUTIONS

LEGISLATIVE RESOLUTION 23.

LR 23 was adopted with 41 ayes, 0 nays and 2 not voting.

Visitors

Mr. Perry introduced William Gillies, Teacher, and twenty-nine students from Irving Junior High School, Lincoln, Nebraska.

UNANIMOUS CONSENT — Executive Session

Mr. Aufenkamp asked unanimous consent that the Committee on Miscellaneous Appropriations and Claims be permitted to hold an

executive session at 1:00 p.m. on Monday, April 25, 1955. No objections. So ordered.

Member Excused

Mr. Hoffmeister was excused for Friday, April 22, 1955.

Visitors

Mr. T. Adams introduced Violet Douglas and May Stewart, Teachers, Elsie Rice, Principal, and sixty-nine students from the Capitol School, Lincoln, Nebraska.

Mr. T. Adams also introduced Georgia Craven, daughter of the late George Craven, former Member of the Legislature.

Mr. Person introduced Mrs. Deva Bontz, Teacher, seven parents, and thirty-two students from Ashland, Nebraska.

Mr. Bridenbaugh introduced Harry Lenhouts, Superintendent, and fourteen students from Emerson High School, Emerson, Nebraska.

Mr. Shultz introduced J. R. Johnson, Professor, and twenty-seven students from Wayne State College, Wayne, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 323. With emergency.

A bill for an act relating to insurance; to prescribe a uniform schedule of fees and charges to be paid to and collected by the Department of Insurance; to amend sections 21-1514, 44-114, 44-139, 44-341, 44-1019, 44-1031, 44-1213, 44-1418, and 44-1461, Reissue Revised Statutes of Nebraska, 1943, and section 44-332, Revised Statutes Supplement, 1953; to prescribe the fees and charges to be due and payable to the Department of Insurance; to establish and prescribe the account to which all such fees and charges shall be deposited by the State Treasurer; to permit a reduction of fees and charges paid by mistake as prescribed; to prescribe the manner of remitting payments of fees and charges made by mistake; to prescribe the method of collecting delinquent statutory fees and charges; to require the Department of Insurance to prescribe the manner in which and the time within which fees and charges shall be paid subject to the approval of the Tax Commissioner; to provide duties and powers for certain officials and agencies; to provide certain procedures; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdek
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Bahensky

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 113.

A bill for an act to amend section 54-134, Revised Statutes Supplement, 1953, relating to livestock; to increase the brand inspection area; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Ruhnke
Aufenkamp	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdek
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	
Cole	Liebers		

Voting in the negative, 0.

Not voting, 2:

Bahensky Purdy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 318. 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 194. E and R amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 343 to Select File

Mr. Tvrdik asked unanimous consent to return LB 343 to Select File for the following specific amendments:

1. Amend section 1 of the bill, line 27 by striking "seven" and inserting "seven six".

2. Amend the title to conform.

No objections. So ordered.

LEGISLATIVE BILL 343.

Mr. Tvrdik asked unanimous consent that his specific amendments found in this day's Legislative Journal be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 25. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 497. Considered.

The Lee amendment, found in the Legislative Journal for the Seventy-fifth Day, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 428. Laid over.**LEGISLATIVE BILL 271.** Read and considered.

Mr. Metzger moved that LB 271 be advanced to E and R for review.

Mr. Beaver Presiding**President Warner Presiding**

Mr. Aufenkamp moved that LB 271 be indefinitely postponed.

Mr. Thompson moved the previous question. The motion prevailed with 33 ayes, 0 nays and 10 not voting.

The Aufenkamp motion to indefinitely postpone lost with 13 ayes, 28 nays and 2 not voting.

Advanced to E and R for review with 29 ayes, 5 nays and 9 not voting.

Visitors

Mr. Perry introduced Mr. William Gillies, Teacher, and thirty-three students from the eighth grade of Irving Junior High School, Lincoln, Nebraska.

STANDING COMMITTEE REPORTS**Revenue**

LEGISLATIVE BILL 395. Indefinitely postponed.

LEGISLATIVE BILL 495. Placed on General File.

(Signed) Monroe Bixler, Chairman

Judiciary

LEGISLATIVE BILL 195. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Education

LEGISLATIVE BILL 321. Indefinitely postponed.

LEGISLATIVE BILL 277. Indefinitely postponed.

LEGISLATIVE BILL 330. Placed on General File as amended.

Standing Committee amendments to LB 330:

1. Amend section 1 of the bill by striking line 9 and inserting "tions of sections 68-601 to 68-619 , and sections 15 to 24 of this act,".

2. Amend section 2 of the bill by striking line 3 and inserting "68-602. As used in sections 68-601 to 68-619, and sections 15 to 24 of this act," by striking line 16 and inserting "into under sections 68-601 to 68-619 , and sections 15 to 24 of this", lines 21 and 22 by reinstating the stricken matter, line 22 by striking "the provisions" and inserting ", and sections 15 to 24", and line 28 by striking "section 68-624 (b)" and inserting "subsection (2) of section 18 of this act".

3. Amend section 3 of the bill, lines 7 and 8 by reinstating the stricken matter, line 8 by inserting ", and sections 15 to 24 of" lines 47 and 48 by reinstating the stricken matter and striking the new matter, line 52 by inserting after the word "agreement" the words and punctuation ", or services described in subsections (4) and (5) of this section", and lines 54 and 61 by inserting ", or both" after "(5)", line 65 by striking "20" and inserting "18".

4. Amend section 4 of the bill by striking line 20 and inserting "other provisions of sections 68-601 to 68-619 , and sections 15 to 24 of this act".

5. Amend section 5 of the bill by striking line 14 and inserting "after the enactment of sections 68-601 to 68-619 , and sections 15 to 24 of this act".

6. Amend section 6 of the bill, line 3 by striking "this" and inserting "the provisions of sections 68-601 to 68-619, and sections 15 to 24 of this", line 4 by inserting "each" after the word "act".

7. Amend section 8 of the bill, line 5 by striking "23" and inserting "19", and by striking line 14 and inserting "ment after enactment of sections 68-601 to 68-619, and sections 15 to 24 of this act,".

8. Amend the bill by striking section 9 and renumbering sections 10 and 11 as sections 9 and 10, respectively.

9. Amend renumbered section 9 of the bill by striking line 6 and inserting "for the purpose of sections 68-601 to 68-619 , and sections 15 to 24 of this act".

10. Amend renumbered section 10 of the bill by striking line 6 and inserting "sections 68-601 to 68-619 , and sections 15 to 24 of this act, and the directions of".

11. Amend the bill by striking section 12.

12. Amend the bill by renumbering sections 13 to 25 as sections 11 to 23, respectively.

13. Amend renumbered section 11 of the bill by striking line 5 and inserting "of sections 68-601 to 68-619, and sections 15 to 24 of this act, as it finds neces-", line 7 by reinstating the stricken matter, and by striking line 8 and inserting "68-619 , and sections 15 to 24 of this act."

14. Amend renumbered section 12 of the bill, lines 7, 8, 10, 11, and 13 by reinstating the stricken matter and striking the new matter, and lines 8, 11, and 13 by inserting after the reinstated figures "68-619" the following: ", and sections 15 to 24 of this act,".

15. Amend renumbered section 13 of the bill, line 4 by reinstating the stricken matter and inserting after the reinstated figures "68-619" the following: ", and sections 15 to 24 of".

16. Amend renumbered section 14 of the bill, lines 4 and 7 by reinstating the stricken matter and inserting ", and sections 15 to 24 of" after the reinstated figures "68-619".

17. Amend renumbered section 15 of the bill by striking lines 10 to 17 and inserting "shall be considered to constitute a referendum group; (c) the employees of a municipal university in a city of the metropolitan class shall be considered to constitute a referendum", line 35 by inserting "of sections 68-601 to 68-619, and sections 15 to 24" after the word "provisions", by striking line 44 and the word "ence" in line 45 and inserting "by a retirement system".

18. Amend renumbered section 16 of the bill, line 10 by inserting after the word "agreement" the following:

"; Provided, that if such a referendum shall have been conducted and certified in accordance with the provisions of section 218 (d) (3) of the Social Security Act, as amended in 1954, prior to the effective date of this act, then no further referendum shall be required, but this proviso shall not prohibit the conducting of such further referendum", and line 17 by inserting *"the provisions of sections 68-601 to 68-619, and sections 15 to 24 of"* after the word "under".

19. Amend renumbered section 18 of the bill, line 6 by striking "19" and inserting "17", line 9 by striking "act" and inserting "section".

20. Amend renumbered section 19 of the bill, line 4 by striking "17" and inserting "15".

21. Amend renumbered section 21 of the bill by striking lines 4 and 5 and inserting "dividual shall determine, conduct, and supervise referendum as pro-", line 8 by inserting "(a)," before "(b)", and line 9 by striking "17" and inserting "15".

22. Amend renumbered section 22 of the bill, line 6 by striking "17" and inserting "15".

23. Amend renumbered section 23 of the bill, line 3 by striking "17" and inserting "15".

24. Amend the bill by adding a new section immediately after renumbered section 23 to be known as section 24 and to read as follows:

"Sec. 24. In addition to other remedies provided for the collection or recovery of delinquent payments due under the provisions of section 68-610, the state agency may in the event of any such delinquency notify the county treasurer of the appropriate county to withhold payment to the delinquent political subdivision of any funds in the hands of such county treasurer to which such delinquent political subdivision would otherwise be entitled. The notice referred to shall be sent to the county treasurer by registered mail, and a copy of such notice shall be sent by ordinary mail to the secretary of the delinquent political subdivision. The county treasurer shall thereafter withhold payments in the manner provided in this section until notified by the state agency that the delinquency has been corrected."

25. Amend the bill by renumbering sections 26 and 27 as sections 25 and 26, respectively.

26. Amend renumbered section 25 of the bill, line 2 by striking "68-612," and line 3 by striking "68-616,".

27. Amend the title to conform.

(Signed) Glenn Cramer, Chairman

Revenue

LEGISLATIVE BILL 222. Placed on General File.

(Signed) Donald F. McGinley, Vice Chairman

Judiciary

LEGISLATIVE BILL 210. Indefinitely postponed.

LEGISLATIVE BILL 268. Indefinitely postponed.

LEGISLATIVE BILL 345. Placed on General File as amended.

Standing Committee amendments to LB 345:

1. Amend section 1 of the bill to read as follows:

"Section 1. Any person who ~~furnished~~ *furnishes* gasoline, diesel fuel, tractor fuel, oil, grease, or other motor fuel petroleum products to another to be used ~~for in farm machinery for power or lubricating purposes in~~ the production of any agricultural crop shall be entitled to a lien upon all ~~such~~ crops produced by the use of ~~such and owned by the person to whom the fuel or lubricant had been furnished~~ to secure the payment of the purchase price thereof upon compliance with the provisions of this act."

2. Amend section 2 of the bill to read as follows:

"Section 2. ~~At any time~~ *Within six months* after the fuel or lubricant has been furnished, but in no event later than the first day of November in the year such fuel was furnished, the person selling such fuel or lubricant shall perfect his lien by filing in the office of the register of deeds ~~file with the clerk of the county in which the crop is produced~~ a verified statement showing ~~notice of such lien, which notice shall show~~ (1) the name and address of the person claiming the lien, (2) the name of the person to whom the fuel or lubricant has been furnished ~~for use in farm machinery in the production of crops, the name of the crop or crops grown by such purchases, (3) a description of the land upon which the such crop or crops was were grown and~~, (4) the amount of fuel or lubricant furnished, and (5) ~~the amount due for furnishing such products.~~"

3. Amend section 3 of the bill to read as follows:

"Section 3. From and after the date of filing of the statement notice provided for in section 2 of this act, the claimant shall have a lien upon the crops therein described ~~produced and owned by the person to whom the fuel or lubricant had been furnished~~ to the amount of the purchase price of the fuel or lubricant sold. ~~In the event the person to whom the fuel or lubricant was furnished desires to sell or deliver any portion of the crops so produced, such person desiring to sell or deliver the same shall notify the consignee or purchaser that the petroleum bill has not been paid, and the lien herein given on such crops shall shift therefrom to the purchase price thereof in the hands of the purchaser or consignee above mentioned. In the event any portion of the crops is sold or consigned with the consent or knowledge of the person entitled to a lien thereon, as provided in this act, within six months after the date such fuel or lubricant was furnished, such lien shall not attach to any portion of such crops or to the purchase price thereof unless the person entitled to the lien shall notify the~~

purchaser in writing of the lien. Such lien shall be indexed and filed in the same manner as chattel mortgages and filed and may be satisfied by an instrument similar to a satisfaction of chattel mortgages. The lien may be foreclosed in the manner and form provided for the foreclosure of chattel mortgages; PROVIDED, such foreclosure shall be instituted within thirty days after the filing of the lien."

4. Add a new section to the bill, to be known as section 4, to read as follows:

"Section 4. The lien provided for in this act shall not attach to any portion of such crops in the hands of an innocent purchaser or dealer in the usual course of trade unless all the notices provided for in said act shall have been given. In the event the fuel or lubricant was furnished to a person on rented or leased land, the lien shall not apply to the landlord's or leasor's share of the crop produced. The lien shall not be assignable. "

LEGISLATIVE BILL 404. Indefinitely postponed.

LEGISLATIVE BILL 332. Indefinitely postponed.

LEGISLATIVE BILL 542. Placed on General File.

(Signed) Joseph D. Martin, Chairman

Enrollment and Review

LEGISLATIVE BILL 445. Placed on Select File as amended.

E and R amendments to LB 445:

1. In Standing Committee Amendment 1, line 3, before "The" insert "(2)".

2. In Standing Committee Amendment 2, in the newly inserted section 3, line 3, after "have" insert "each"; line 5, after "appointment" insert "shall be appointed as provided in this section"; line 10, at the end of the line after "and" insert a comma; line 14, insert a comma after "paid"; line 15, after "expenses" insert "and the expenses of administration and enforcement,"; lines 15 and 16, strike "from the applicants taking the examination" and in lieu thereof insert "collected as referred to in subsection (2) of section 12 of this act"; lines 17 and 18, strike "certificates of registration" and in lieu thereof insert "licenses"; line 19, after "year" insert a comma; and line 21, strike "certification of registration" and in lieu thereof insert "licenses".

3. In Standing Committee Amendment 2, in the newly inserted section 4, insert a comma in line 3 after "removal"; line 6 after "disbursements"; line 7 after "year"; line 11 after "agent"; and line 14 after "shop".

4. In Standing Committee Amendment 4, in the newly inserted section 6, line 1, before "Each" insert "(1)"; line 2, strike "(1)" and in lieu thereof insert "(a)"; line 5, strike "(2)" and in lieu thereof insert "(b)"; line 7, strike "both"; line 10, strike "(3)" and in lieu thereof insert "(c)", and in the same line before the period insert "as set forth in subsection (1) of section 12 of this act"; line 13 before "Applicants" insert "(2)"; line 22, after "board" insert "thereafter,"; and line 23, strike "that time" and in lieu thereof insert "twelve months".

5. In Standing Committee Amendment 6, line 3, strike "once" and in lieu thereof insert "for one time".

6. In Standing Committee Amendment 8, in the newly inserted section 13, line 1, before "At" insert "(1)"; line 4, after "residence" insert a comma; line 5 after "of" insert "the"; line 16, before "Any" insert "(2)"; line 17, strike "section 11" and in lieu thereof insert "subsection (1) of section 12"; lines 22 and 24, respectively, strike "certificate of registration" and in lieu thereof insert "license"; and line 25, strike "of" and in lieu thereof insert "in".

7. In Standing Committee Amendment 8, in the newly inserted section 14, lines 2 and 3, strike "certificate of registration" and in lieu thereof insert "license"; line 4, after "felony" insert a comma; line 7, after "exaggerated" insert a comma; lines 12 and 13, strike "certificate" and in lieu thereof insert "license"; and line 13, strike "at" and in lieu thereof insert "after".

8. In Standing Committee Amendment 8, in the newly inserted section 15, line 2, strike ", punishable" and in lieu thereof insert "which shall be punishable," and line 8, strike "a certificate of registration" and in lieu thereof insert "his license".

9. In Standing Committee Amendment 8, in the newly inserted section 16, line 4, after "by" insert "the"; line 8, strike "case" and in lieu thereof insert "an appeal"; line 9, before "judgment" insert "enter", and in the same line strike "costs" and in lieu thereof insert "the costs in such manner".

10. In Hoffmeister General File Amendment 1, line 3, strike the comma after "therapy".

11. In Moulton General File Amendment 1, line 7 (9, mimeograph), strike "board fund" and in lieu thereof insert "fund as provided by subsection (2) of section 12 of this act".

12. Strike Moulton Specific Amendment 4, as this is almost the same as Moulton Specific Amendment 8.

13. In Moulton Specific Amendment 6, line 3 (4, mimeograph), before "All" insert "(2)"; line 5 (8, mimeograph), after "money" insert a comma; line 6 (9, mimeograph), strike "sections 9 and 12" and in lieu thereof insert "section 9, subsections (1) and (2) of section 12, and subsection (1) of section 13"; line 7 (9, mimeograph), after "act" insert a comma, and in the same line (10, mimeograph), after "pay" insert "the"; line 8 (11, mimeograph), after "act" insert ", including the salaries and expenses referred to in section 3 of this act".

14. In the bill, section 1, line 1, before "For" insert "(1)"; line 2, strike "(1)" and in lieu thereof insert "(a)"; line 6, strike "(2)" and in lieu thereof insert "(b)"; line 11, strike "(3)" and in lieu thereof insert "(c)"; and line 14, strike "(2)" and in lieu thereof insert "(b) of subsection (1)".

15. In the bill, section 2, line 1, strike "Section" and in lieu thereof insert "Subsection (1) of section".

16. In the bill, renumbered section 8, line 1, after "year" insert a comma; line 3, after "massage" insert a comma; line 7, after "section" strike "4" and in lieu thereof insert "7"; and line 9, strike the period.

17. In the bill, renumbered section 10, line 1, after "with" insert "the"; line 2, after "examination" insert "required by this act"; line 5, strike "law" and in lieu thereof insert "the law of such state, territory, or the District of Columbia which are".

18. In the bill, renumbered section 11, line 3, after "ment" insert a comma, and in the same line after "obtained" insert "a license"; and line 4, strike "a license".

19. In the bill, renumbered section 12, line 1, before "The" insert "(1)"; line 2, strike "renewal" and in lieu thereof insert "a renewal of a license"; line 3, after "and" insert "it"; strike line 5 and in lieu thereof insert "practice massage. For taking the examination for a license to practice massage,"; line 6, strike "an" and in lieu thereof insert "such"; line 7, after the first comma insert "the fee shall be", and in the same line strike the second comma and in lieu thereof insert a semicolon; line 8, after "massage" insert a comma; and line 13, before "for" insert "and".

20. In the bill title, line 3, after the semicolon insert "to provide for renewals; to provide that such licenses may be suspended or revoked as prescribed,"; line 7, before "disposition" insert "the"; and line 9, strike the first "and" and in lieu thereof insert "; to provide", and in the same line before the period insert "; to provide for apprentices; to make certain acts unlawful; to provide penalties;

to provide certain procedure; to provide for display of license; to provide for appeals; and to provide certain powers and duties for Department of Health, Board of Examiners in Massage, and others prescribed”.

LEGISLATIVE BILL 152. Placed on Select File as amended.

E and R amendments to LB 152:

1. In the bill page 2, section 1, line 3, after the period insert “(1)”; and in line 7, before “The” insert “(2)”.
2. In the bill title line 10, strike “of” and insert in lieu thereof “within”.

LEGISLATIVE BILL 161. Correctly engrossed.

LEGISLATIVE BILL 540. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Members Excused

Mr. Otto was excused for Friday, April 22, 1955.

Mr. Martin was excused for Friday, April 22, 1955.

Adjournment

At 11:50 a.m., on a motion by Mr. Brower, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 22, 1955

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. Bahensky, Hoffmeister, Martin and Otto, who were excused.

The Journal for the Seventy-sixth Day was approved.

Communications

Letter from Mr. and Mrs. Max Moderegger of Tekamah, Nebraska, opposing a sales or income tax. Referred to Committee on Revenue.

Letter from M. C. Thompson of South Sioux City, Nebraska, protesting the suspension of his son from the University of Nebraska resulting from the riotous actions at the University. Referred to Committee on Education.

Invitation

Letter from Vern Scofield of the Nebraska Press Association, Lincoln, addressed to Lieutenant Governor Charles Warner, inviting the Members to the annual Press Association banquet at the Lincoln Hotel tonight at 6:00 p.m.

Announcement

President Warner announced that the Block and Bridle Club is holding a banquet tonight at 6:00 p.m. at the Student Union Building, to which the Members have been invited.

Visitor

Mr. Tvrdik introduced Walter Johnson, former Legislator and Attorney General for the State of Nebraska, and escorted him to the rostrum where Mr. Johnson addressed the Legislature briefly.

MOTION—Flowers

Mr. President: I move that flowers be sent to the funeral of Mr. Bedford's sister. (Signed) Dwight W. Burney

The motion prevailed.

Members Excused

Mr. Burney was excused for Monday, Tuesday, Wednesday and Thursday, April 25, 26, 27 and 28, 1955.

Mr. Fenske was excused for this afternoon, April 22, and for Monday, April 25, 1955.

Mr. Bridenbaugh was excused for Monday, Tuesday, Wednesday and Thursday, April 25, 26, 27 and 28, 1955.

UNANIMOUS CONSENT—Refer Bill Back to Committee

Mr. Bixler asked unanimous consent to have LB 519 referred back to the Committee on Revenue. No objections. So ordered.

STANDING COMMITTEE REPORTS**Government**

LEGISLATIVE BILL 444. Placed on General File as amended.

Standing Committee amendment to LB 444:

That in line three of the title of the bill, the word "worded" be stricken and the word "worked" inserted in lieu thereof.

LEGISLATIVE BILL 312. Indefinitely postponed.

LEGISLATIVE BILL 448. Indefinitely postponed.

LEGISLATIVE BILL 220. Placed on General File.

LEGISLATIVE BILL 294. Placed on General File as amended.

Standing Committee amendments to LB 294:

1. Amend section 7 of the bill line 23 by inserting "*having a population of more than five thousand inhabitants, and*" after the word "municipalities".

2. In Section 1, line 58, the new matter in the rest of that section be stricken and amend the title to conform.

LEGISLATIVE BILL 292. Placed on General File as amended.

Standing Committee amendments to LB 292:

1. Strike out Section 1.
2. Strike out Section 2.
3. Re-number Section 3 as Section 1.
4. Add a new section to be numbered Section 2:

"Section 2. Without limiting the applicability of Sections 14-366 to 14-372 inclusive, Reissue Revised Statutes of Nebraska, 1943, the City Council is authorized to levy special taxes and assessments on properties especially benefited by parks and playgrounds acquired either by purchase or condemnation without regard to whether the benefited property is within or without the City."

5. Strike out Section 4.
6. Strike out the title and substitute therefor the following:

"A BILL

FOR AN ACT relating to cities of the metropolitan class to extend the powers of such cities with respect to building regulations, and the removal of dilapidated or unsafe buildings within three miles of the corporate limits; to clarify the applicability of Section 14-366 to 14-372 inclusive, Reissue Revised Statutes of Nebraska, 1943, to property outside of the City boundary with respect to the assessability thereof by the City Council for benefits on account of acquisition of parks and playgrounds."

(Signed) Sam Klaver, Chairman

Enrollment and Review

LEGISLATIVE BILL 323. Correctly enrolled.

LEGISLATIVE BILL 113. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on April 21, 1955 at 4:20 p.m.

LB 378
LB 367

LB 211

LB 159

LB 144

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 323

LB 113

Visitors

Mr. Bedford introduced Mrs. Hazel Cast, Teacher, ten students and eight mothers and fathers from Friend, Nebraska.

RESOLUTIONS**LEGISLATIVE RESOLUTION 24.**

LR 24 was adopted with 35 ayes, 0 nays and 8 not voting.

LEGISLATIVE RESOLUTION 25. Re: Committee to Study Special State Institutional Building Fund Levy.

Introduced by Hal Bridenbaugh, 13th District.

WHEREAS, sections 72-1005 to 72-1007, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, provide a mill levy for the purpose of raising funds for the use of the Board of Regents of the University of Nebraska, Board of Education of State Normal Schools, Board of Control, Military Department, and the Governor for a building program, and

WHEREAS, such levy expires in the year 1956.

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

1. That the Legislative Council appoint a committee to make a study of such special levy, which shall include:

(a) Whether or not a continuation of the levy is necessary or advisable, upon expiration of the present law;

(b) An analysis of receipts and expenditures under the present levy, including purchase of land, building, replacement, maintenance, and repairs;

(c) Whether or not the present formula of distribution is fair and equitable;

(d) The advisability of including in the formula all state institutions and state buildings, their repair, maintenance, and replacement, including land purchase;

(e) Whether or not a board, commission, or Legislative Committee, should be designated as the authority for passing on land purchase and building needs of the institutions; and

(f) Any other information pertinent to such a study and which will result in a comprehensive survey of the state's building problems.

2. That the committee make a report of its study with recommendations to the next regular session of the Legislature.

STATEMENT—Introduce Bill

April 22, 1955

The Budget Committee, by unanimous vote, determined to introduce a bill, the purpose of which is to provide that cancelled warrants and receipts and vouchers, in the Auditor's office, more than five years old, may be destroyed. (Signed) Hal Bridenbaugh, Chairman

Permission to introduce the bill granted with 30 ayes, 1 nay and 12 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 553. By Committee on Budget, Hal Bridenbaugh, 13th District, Chairman.

A bill for an act to amend section 84-308, Reissue Revised Statutes of Nebraska, 1943, relating to the Auditor of Public Accounts; to provide that vouchers, receipts, and canceled warrants more than five years old may be destroyed; and to repeal the original section.

SUSPEND RULES—Place LB 553 on General File

Mr. President: I move that the rules be suspended and LB 553 be placed on General File. (Signed) Hal Bridenbaugh

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

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 192.

A bill for an act to amend section 79-328, Revised Statutes Supplement, 1953, relating to schools; to provide for additional powers and duties of the State Board of Education; to make certain acts

unlawful; to provide penalties; to provide for adopting certain standards, as prescribed, after securing the advice of 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, 35:

Adams, J.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Ruhnke
Anderson	Diers	McHenry	Shultz
Beaver	Foote	Metzger	Swanson
Bedford	Hubka	Morrison	Syas
Bixler	Klaver	Moulton	Thompson
Bridenbaugh	Kotouc	Nelson	Tvrdek
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

Voting in the negative, 4:

Aufenkamp	Fenske	Peterson	Purdy
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Not voting, 4:

Bahensky	Hoffmeister	Martin	Otto
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 446.

A bill for an act to amend section 52-118, Revised Statutes Supplement, 1953, relating to public lands and buildings; to provide that the surety bond for the benefit of laborers, mechanics, and material-men shall have a corporate surety; to extend the work to be covered by contracts referred to in this act and those making the same; to restate certain requirements and procedure with reference to such bonds; to provide for action on the bond to recover for labor or material and procedure in regard thereto as prescribed; to provide the venue for such actions, process, and in whose name to be instituted; 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Purdy
Anderson	Diers	McHenry	Ruhnke
Aufenkamp	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdek
Brower	Larkin	Person	Vogel
Burney	Lee	Peterson	

Voting in the negative, 0.

Not voting, 4:

Bahensky	Hoffmeister	Martin	Otto
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 445. E and R amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 152. E and R amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 150. Considered.

Mr. Hubka offered the following amendments:

1. Amend section 1 of the bill by striking lines 13 to 18 and all amendments thereto and inserting the following:

“(4) Household goods and personal effects of the value of two hundred dollars to each family. *Household goods as used in this subsection shall include air conditioners, deepfreezers, dishwashers, pianos and musical instruments, refrigerators, radio and record players, sewing machines, stoves (electric and gas), television sets, washers, dryers,*

ironers, and other household goods used in the household by the family for their comfort and accommodations and actually owned by such taxpayer."

2. Amend the title to conform.

Mr. Perry moved the previous question. The motion prevailed with 31 ayes, 0 nays and 12 not voting.

The Hubka amendments were adopted with 33 ayes, 1 nay and 9 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 428. Laid over.

LEGISLATIVE BILL 269. Considered.

Mr. Hubka offered the following amendments, which were adopted in lieu of the standing committee amendments found in the Legislative Journal for the Sixty-second Day:

1. Amend page 2 of the bill, section 1, by striking lines 3 to 18 and inserting the following in lieu thereof:

"30-339. When a person dies whose property is in custody of a legal guardian or conservator, and where the value of the property in the hands of such guardian or conservator at the time of the death of the ward does not exceed a sum sufficient for the payment of the expenses and costs of last illness, burial, and the guardianship or conservator proceedings, upon filing of the report of the guardian or conservator in the guardianship or conservator proceedings and after giving notice thereof by publication three successive weeks in one issue each week in a legal newspaper of general circulation in the county where such guardianship or conservator proceedings are pending, the county court shall have power to order payment of such costs and expenses, and to dispense with regular administration of the estate of the deceased ward. The county court shall have power to dispense with the regular administration of an estate. When a person dies whose property is in the custody of a legal guardian or conservator; and the value of the property in the hands of such guardian or conservator at the time of the death of the ward does not exceed a sum sufficient for the payment of expenses of last illness, claim for burial expense not in excess of two hundred fifty dollars, and the unpaid costs of the guardianship or conservator proceedings. Such dispensation with regular administration shall be made in closing the guardianship or conservator proceedings, and after giving notice of hearing thereof by publication

three successive weeks in one issue each week of a legal newspaper of general circulation in the county where such guardianship or conservator proceedings are pending. Upon such hearing, the court shall make appropriate findings, and may enter order dispensing with regular administration and directing payment of costs and expenses above specified."

2. Amend the title to the bill, line 3, by inserting after the punctuation following the word "estates" the following:

"to restate the requirements for dispensation with the regular administration of the estate of a deceased ward in guardianship or conservator proceedings;"

Mr. Perry offered the following amendment, which was adopted:

Amend the Hubka amendment to LB 269, line 23, by striking "*two hundred fifty dollars*" and inserting "*three hundred fifty dollars*" in lieu thereof.

Advanced to E and R for review.

LEGISLATIVE BILL 370. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-third Day was adopted.

Laid over.

LEGISLATIVE BILL 471. Considered.

Mr. Thompson offered the following amendment which was adopted:

1. Amend section 1 of the bill, line 24 by inserting "*, except officially adult vaccinated animals,*" after the word "herd".

Advanced to E and R for review.

LEGISLATIVE BILL 340. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Person moved that LB 340 be indefinitely postponed.

Mr. Brower requested a Call of the House.

A Call of the House was ordered and showed 35 members present.

The Call was raised.

The Person motion lost with 16 ayes, 18 nays and 9 not voting.

Mr. Lee offered the following amendment, which was adopted:

Amend Section 8, line 7 by striking the words and punctuation "at their discretion,".

Advanced to E and R for review with 18 ayes, 14 nays and 11 not voting.

LEGISLATIVE BILL 438. Laid over.

LEGISLATIVE BILL 467. 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.

LEGISLATIVE BILL 455. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-third Day was adopted.

Mr. Tvrdik offered the following amendments:

1. Amend the Bill (with the Standing Committee Amendment thereto) by striking Sections 2 and 3 and inserting in lieu thereof the following:

"Sec. 2. That section 75-104, Revised Statutes Supplement, 1953, be amended to read as follows:

75-104. Each of the commissioners shall receive an annual salary of six *eight* thousand dollars, payable in the same manner that the salaries of other state officers are paid. In addition thereto, the commissioners, secretary and clerks, and other employees of the commission, shall be entitled to receive from the state their actual necessary traveling expenses, which shall include the cost of transportation while traveling on the business of the commission, to be paid in the same manner as other claims against the state; Provided, that in computing cost of transportation for commissioners, secretary and clerks, and other employees as aforesaid, no mileage or other traveling expense shall be claimed or allowed unless the provisions of section 84-306 shall be strictly complied with.

Sec. 3. Sections 1 and 2 of this act shall be so interpreted as to effectuate its *their* general purpose, to provide, in the public interest, adequate compensation as therein provided for the *members of the State Railway Commission and its secretary*, and to *permit a change*

in give effect to such salary salaries as soon as same such increases may become operative under the Constitution of the State of Nebraska.

Sec. 4. That section 75-101, Reissue Revised Statutes, 1943, be amended to read as follows:

75-101. The members of the State Railway Commission shall be resident citizens of this state, and qualified voters under the constitution and laws thereof, *and, if members of, or practitioners in, any profession, in good standing according to the established standards of such profession, and not less than thirty years of age.* No person shall be eligible to the office of State Railway Commissioner who is directly or indirectly interested in any railway company in the state or out of it, or who is in any way or manner pecuniarily interested in any railroad corporation or any other common carrier subject to the provisions of sections 75-101 to 75-512, and if such commissioner, or any of them, become so interested, after his election or appointment, his office shall become vacant; and if any railway commissioner shall become so interested otherwise than voluntarily, he shall within a reasonable time divest himself of such interest, and, failing to do this, his office shall become vacant. No railway commissioner shall hold any other office under the government of the United States or of this state, or of any other state government, and shall not, while such commissioner, engage in any other occupation.

Sec. 5. That *said original sections 75-105 and 75-104, Revised Statutes Supplement, 1953, and 75-101, Reissue Revised Statutes, 1943, is are repealed.*"

2. Amend the Title of the Bill by striking lines 1 to 6 and inserting in lieu thereof the following:

"FOR AN ACT to amend section 75-105 *and section 75-104, Revised Statutes Supplement, 1953, and section 75-101, Reissue Revised Statutes, 1943, relating to the State Railway Commission; to increase the annual salaries of the secretary and the members of the commission; to provide that the salary of the secretary shall be fixed by the commission, payable monthly; to provide when a change in the salary may become effective; to provide when the same shall become operative; to enlarge the qualifications of such members or secretary to require good standing in their professions, if any; and to repeal the original sections.*"

Pending.

Visitors

Mr. Moulton introduced Mrs. Walter Yount and Barbara Miller, Teachers, fourteen mothers, and twenty-seven students from School District 35, Valley, Nebraska.

Mr. Bedford introduced Peggy Vostrez, Teacher, and eighteen students from District 34, Ohiowa, Nebraska.

Mr. Brower introduced Mr. Robert Schultz, Superintendent, Mrs. Schultz, Max Burbach, Teacher, and fourteen students from Creston, Nebraska.

Mr. Peterson introduced Don Lutz and Lloyd Reeves from Broken Bow, Nebraska.

Mr. Cole introduced Lee Oldenberg, Mayor of Gordon, Nebraska.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 260. Placed on General File as amended.

Standing Committee amendments to LB 260:

1. Amend section 1 of the bill by striking line 5 and inserting "and not more than six hundred forty acres, who".

2. Amend section 1 of the bill, line 14 by striking "ten" and inserting "twenty-five".

3. Amend section 1 of the bill, line 14 by adding a new sentence at the end of the section to read as follows:

"No license shall be issued to any person or persons who are nonresident of the State of Nebraska."

4. Amend section 4 of the bill, line 7 by adding at the end of the section a new sentence to read as follows:

"All such shooting areas shall be open to the public."

5. Amend section 5 of the bill, lines 9 and 10 by striking "at any time of the year".

6. Amend section 7 of the bill, line 1 by inserting "and hand-raised Mallard ducks" after the word "bird".

7. Amend section 7 of the bill, line 7 by adding a new sentence at the end of the section to read as follows:

"The shooting of pen-raised ducks shall be lawful only during the regular wild duck shooting season."

8. Amend section 10 of the bill, line 3 by inserting after the word "act" the following:

"; *Provided*, that the commission shall limit the number of areas proposed for licensing so that the total acreage licensed for game

breeding and controlled shooting areas in any one county shall not exceed one per cent of the total acreage of the county in which the areas are sought to be licensed. No license shall be issued for any area whose boundary lies within five miles of the boundary of any other area so licensed under the provisions of this act, within three miles of any river, or within three miles of any lake with an area exceeding three acres".

9. Amend section 5 of the bill, by adding a new subsection (3) to read as follows:

"(3) All ducks and pheasants released for hunting on a controlled hunting area must be banded prior to release."

10. Amend the title of the bill to conform.

(Signed) Frank Nelson, Chairman

Public Works

LEGISLATIVE BILL 452. Indefinitely postponed.

(Signed) William Moulton, Chairman

Enrollment and Review

LEGISLATIVE BILL 154. Placed on Select File.

LEGISLATIVE BILL 271. Placed on Select File.

LEGISLATIVE BILL 413. Placed on Select File as amended.

E and R amendment to LB 413:

In the bill section 1, line 7, after "ments", section 2, line 3, after "personnel", section 3, line 1, after "Engineer" and line 3, after "act" insert ","; section 3, lines 4 and 5, strike "*, payable monthly, to be paid*" and insert in lieu thereof "*Such salary shall be payable monthly,*"; line 5, after "Fund" insert "*, and shall be*"; section 4, lines 9, 10 and 11, strike the commas and insert in lieu thereof "*, , ,*"; section 5, line 6, after "shall" insert "(1)"; and in line 7, strike "shall" and insert in lieu thereof "*shall (2)*".

LEGISLATIVE BILL 148. Replaced on Select File as amended.

E and R amendments to LB 148:

1. In the original Liebers specific amendment 1, line 13, insert "*,*" after "purpose"; lines 15 and 16, strike "*, and the*" and insert in lieu thereof "*, and the . The*"; line 19 after "of" insert "*real*"; line 20

after "decrease" insert "so" and also in line 20 strike "the" and insert "the such"; line 42, strike "that" and insert in lieu thereof "that as"; line 49, strike the comma and show as stricken matter; line 57, after "such" insert "a"; line 61, after "agent" insert "can".

2. In the Liebers specific amendment 2, line 4, strike the comma after "77-201".

LEGISLATIVE BILL 273. Placed on Select File as amended.

E and R amendments to LB 273:

1. In the bill page 2, section 1, lines 7 and 14, strike ", providing"; line 18, after "of" insert "(a)", and in the same line strike "or" and insert "(b)"; line 19, after "or" insert "(c)"; and in line 23, after "states" insert "herein referred to".

2. In the bill title, line 3, after "commissioner" insert "or commissioners"; line 5, after "Nebraska" insert "as prescribed"; line 6, after "provide" insert "for"; line 12, after "compact" insert "by the State of Nebraska"; and in line 15, after the semicolon insert "to provide certain powers for such commissioner or commissioners; to provide when such compacts shall become binding upon the states involved or the citizens thereof;".

LEGISLATIVE BILL 324. Correctly engrossed.

LEGISLATIVE BILL 482. Correctly engrossed.

LEGISLATIVE BILL 431. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LR 23

Adjournment

At 11:55 a.m., on a motion by Mr. Peterson, the Legislature adjourned until 9:30 a.m., Monday, April 25, 1955.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 25, 1955

Pursuant to adjournment, the Legislature met at 9:32 a.m., Mr. Perry presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mrs. Foote and Messrs. Bedford, Bridenbaugh, Burney, Fenske and McHenry, who were excused.

The Journal for the Seventy-seventh Day was approved as corrected.

Mr. Martin Presiding

MESSAGE FROM THE GOVERNOR

April 21, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated George Wright of Elgin, Nebraska, to the Merit System Council, for a term beginning March 1, 1955, and expiring March 1, 1958.

Respectfully submitted,

(Signed) Victor E. Anderson
GOVERNOR

VEA:HH

Referred to Committee on Committees.

Communications

Postal cards from Eugene V. Sperry, Omaha, Nebraska, and Bessie Ferguson, Aurora, Nebraska, opposing sales and income tax. Referred to Committee on Revenue.

STANDING COMMITTEE REPORTS**Agriculture**

LEGISLATIVE BILL 538. Indefinitely postponed.

LEGISLATIVE BILL 356. Indefinitely postponed.

LEGISLATIVE BILL 441. Indefinitely postponed.

(Signed) Frank Nelson, Chairman

Government

LEGISLATIVE BILL 537. Placed on General File.

LEGISLATIVE BILL 219. Placed on General File as amended.

Standing Committee amendments to LB 219:

1. Amend the bill by striking sections 1 and 2 and inserting in lieu thereof the following:

"Section 1. State recognition is hereby given to the hazard created in the streets of cities of the first class of Nebraska by the great increase in the number of motor vehicles, buses and trucks. In order to remove the hazards to life and property and the inconvenience of congested traffic on the streets in such cities in this state, it is hereby deemed necessary and of general benefit to the entire State of Nebraska to provide means for such cities in Nebraska to own off-street vehicle parking facilities exclusively for the parking of motor vehicles.

Sec. 2. Any city of the first class in Nebraska is hereby authorized to own, purchase, construct, equip, lease or operate within said city off-street motor vehicle parking facilities for the use of the general public. The grant of power herein does not include the power to engage, directly or indirectly, in the sale of gasoline, oil, or other merchandise or in the furnishing of any service other than that of parking motor vehicles as provided herein. Any such city shall have the authority to acquire by grant, contract, purchase or through the condemnation of property, as provided by law, for such acquisition in the carrying out of this grant of power; *Provided*, that before any such city may commence a program to construct, purchase or acquire by other means a proposed off-street parking facility or facilities, notice shall be given by publication weekly for not less than thirty days inviting application

for private ownership and operation of off-street parking facilities. If no application has been received, or if received, have been disapproved by the governing body of such city within ninety days from the first date of publication then such city may proceed in the exercise of the powers herein granted."

2. Amend section 3 of the bill, line 8 by striking "all the facilities" and inserting "the parking meters".

3. Amend the bill by striking sections 6 to 9 and inserting in lieu thereof the following:

"Sec. 6. The mayor and council of a city of the first class adopting the proposition to make such purchase, or to erect such facility or facilities, set forth in section 2 of this act, before the purchase can be made or facility created, must submit the question to the electors of such city at a general municipal election or at an election duly called for that purpose and be approved by a majority of the electors voting on such question. If the question is submitted at a special election, the vote for the purchase or acquisition of such real estate or the purchase or erection of such facility or facilities shall equal at least a majority of the votes cast at the last preceding general election. Notice of the time and place of the election shall be given by publication in some legal newspaper printed and in general circulation in such city three successive weeks prior thereto.

Sec. 7. On the creation of such motor vehicle parking facility for the use of the general public, the city may if it desires lease such facility to one or more operators to provide for the efficient operation of the facility. Such lease shall be let on a competitive basis and no lease shall run for a period in excess of ten years. In granting any lease, the city shall retain such control of the facility as may be necessary to insure that the facility will be properly operated in the public interest and that the prices charged are reasonable. The provisions of this act shall not be construed to authorize the city or the lessee of the facility to engage in the sale of any commodity, product, or service, or to engage in any business other than the purposes set forth in section 2 of this act.

Sec. 8. Property now used or hereafter acquired for off-street motor vehicle parking by a private operator, shall not be subject to condemnation.

Sec. 9. This act is supplementary to existing statutes relating to cities of the first class and confers upon such cities powers not heretofore granted.

Sec. 10. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title to conform.

(Signed) Sam Klaver, Chairman

Public Works

LEGISLATIVE BILL 547. Placed on General File.

(Signed) William Moulton, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 22, 1955 at 4:30 p.m.

LB 323

LB 113

LEGISLATIVE BILL 498. Replaced on Select File as amended.

E and R amendments to LB 498:

1. In Standing Committee Amendment 6, (last line), strike the period after "taxation" and in lieu thereof insert a semicolon.

2. In the bill section 4, line 32, insert "to" after the word "is" (correct on printed bill).

3. In original Standing Committee Amendment 2, new section 3, line 5, strike "as herein provided" and in lieu thereof insert "provided for in this act"; and line 6, thereof, strike "hereinafter".

LEGISLATIVE BILL 531. Replaced on Select File as amended.

E and R amendment to LB 531:

1. In Enrollment and Review Committee Amendment 3, line 4, after "section 1" insert "of this act".

LEGISLATIVE BILL 149. Replaced on Select File as amended.

E and R amendment to LB 149:

In the bill section 1, line 6, after "merchant" and before the semicolon insert "for the purpose of this section".

LEGISLATIVE BILL 343. Replaced on Select File as amended.

E and R amendment to LB 343:

In the bill section 1, line 40, page 3, insert "," after "Attorney fees".

LEGISLATIVE BILL 497. Placed on Select File as amended.

E and R amendments to LB 497:

1. In original Standing Committee Amendment 1, line 7, before

"Any" insert "Sec. 2.", and in the same line after "regulation" insert ";"; line 8, strike "this section" and insert in lieu thereof "section 71-1631,"; line 11, after "jail" insert "for"; and in original Standing Committee Amendment 2, line 4, after "to" insert "make it unlawful to violate such rules and regulations as prescribed; to".

2. In the original Lee General File Amendment 1, line 3, strike "(1)" and insert in lieu thereof "(a)"; line 4, strike "(2) has been" and insert in lieu thereof "(b)"; and in line 6, strike "(3) has been" and insert in lieu thereof "(c)".

3. In the bill, page 2, section 1, line 31, strike "annually" and show as stricken matter; line 32, after "July" insert "of each year"; line 33, after "showing" insert "(a)"; and in the same line insert "," after "tion"; line 34, after the comma insert "(b)"; at the end of line 35 insert "(c)"; at the end of line 36, insert "(d)"; line 50, strike the semicolon and insert in lieu thereof ", nor be in effect"; and strike "2" after "Sec." and insert "3", in original section 2.

4. In the bill title line 6, after "regulations" insert ", as prescribed,".

LEGISLATIVE BILL 467. Placed on Select File as amended.

E and R amendments to LB 467:

1. In the bill page 2, section 1, line 3, insert "(1)" after the period; line 8, insert "(2)" after the period; section 2, line 4, after "attorneys", line 6, after "court", line 7, after "law", page 3, section 4, line 10, after "receive" insert ";"; and in section 5, line 1, strike "Sections 1 and" and insert in lieu thereof "Subsections (1) and (2) of section 1 and section".

2. In the bill title line 5, strike the comma.

LEGISLATIVE BILL 377. Correctly engrossed.

LEGISLATIVE BILL 446. Correctly enrolled.

LEGISLATIVE BILL 192. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

April 23, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body

that on April 22, 1955, he approved LB 64, 228, 325, 134, 492, 199, 144, 159, 211, 378, 367, 323 and 113.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 483.

A bill for an act to amend section 26-102, Reissue Revised Statutes of Nebraska, 1943, and section 26-106, Revised Statutes Supplement, 1953, relating to municipal courts in cities of the metropolitan and primary class; to increase the number of municipal judges in primary cities; to provide for an increase in salaries to judges and clerks of municipal courts of cities of the metropolitan and primary class; to provide the effective date of such increases in salaries; 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	Martin	Pizer
Anderson	Hoffmeister	Metzger	Ruhnke
Aufenkamp	Hubka	Morrison	Shultz
Bahensky	Klaver	Moulton	Swanson
Beaver	Kotouc	Nelson	Syas
Bixler	Larkin	Otto	Thompson
Brower	Lee	Perry	Tvrdek
Cole	Liebers	Person	Vogel

Voting in the negative, 0.

Not voting, 7:

Bedford	Burney	Foote	Purdy
Bridenbaugh	Fenske	McHenry	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 108.

Mr. Klaver asked unanimous consent to return LB 108 to Select File for the following specific amendments:

1. Amend the bill by striking Standing Committee Amendment 1.
2. Amend the bill by striking the Metzger Amendment adopted April 6, 1955.

No objections. So ordered.

LEGISLATIVE BILL 522.

A bill for an act to amend section 72-201, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 2, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to Board of Educational Lands and Funds; to provide for appointment of the members of the Board of Educational Lands and Funds by the Governor with the consent of a majority of the members elected to the Legislature as prescribed; to provide for recess appointments; to provide the term of office of such members and their qualifications; 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.	Diers	Martin	Pizer
Adams, T.	Hoffmeister	Metzger	Purdy
Anderson	Hubka	Morrison	Ruhnke
Bahensky	Klaver	Moulton	Shultz
Beaver	Kotouc	Nelson	Swanson
Bixler	Larkin	Otto	Syas
Brower	Lee	Perry	Thompson
Cole	Liebers	Person	Tvrdik
Cramer	McGinley	Peterson	Vogel

Voting in the negative, 0.

Not voting, 7:

Aufenkamp	Bridenbaugh	Fenske	McHenry
Bedford	Burney	Foote	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 140.

A bill for an act relating to cities and villages; to authorize cities and villages to make a special levy for the purpose of creating a fund out of which anti-pollution of water measures may be financed; and to provide that such levy shall be in addition to the maximum levies permitted under the prescribed sections of the statutes.

Whereupon the 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.	Cramer	Liebers	Purdy
Adams, T.	Diers	McGinley	Ruhnke
Anderson	Hoffmeister	Metzger	Shultz
Aufenkamp	Hubka	Morrison	Swanson
Bahensky	Klaver	Moulton	Syas
Beaver	Kotouc	Nelson	Thompson
Bixler	Larkin	Otto	Tvrdik
Brower	Lee	Person	Vogel
Cole			

Voting in the negative, 4:

Martin	Perry	Peterson	Pizer
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Not voting, 6:

Bedford	Burney	Foote	McHenry
Bridenbaugh	Fenske		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 108. Laid over.

LEGISLATIVE BILL 154. Laid over.

LEGISLATIVE BILL 271. Advanced to E and R for engrossment.

LEGISLATIVE BILL 413. 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 148. 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 273. E and R amendments found in the Legislative Journal for the Seventy-Seventh Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Tvrdik introduced Sister Solana, Sister Virgilia and Sister Ann Irene, Teachers, and sixty students from Saint Joseph School, Omaha, Nebraska.

Mr. Larkin introduced John McQuinn, Principal, Roy Valentine and Mrs. Hazel Meissner, Teachers, and sixty-three students from Highland School, Omaha, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 455. The Tvrdik amendments found in the Legislative Journal for the Seventy-seventh Day were considered.

Mr. Aufenkamp offered the following amendment, which was adopted:

Amend the Tvrdik amendment, Section 2, line 2, by striking the word "*eight*" and inserting in lieu thereof the word "*seven*".

The Tvrdik amendments, as amended, were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 181. Laid over until Monday, May 2, 1955.

LEGISLATIVE BILL 428. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 370. Laid over for half an hour.

LEGISLATIVE BILL 438. Laid over until Thursday, April 28, 1955.

LEGISLATIVE BILL 128. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-fourth Day were adopted.

Mr. Klaver moved to amend LB 128, Section 2, line 8, by inserting the word "be" before the word "blind". The motion prevailed.

Advanced to E and R for review.

LEGISLATIVE BILL 476. Laid over until Thursday, April 28, 1955.

LEGISLATIVE BILL 216. Laid over until Wednesday, April 27, 1955.

LEGISLATIVE BILL 99. Read and considered.

Mr. Syas moved that LB 99 be advanced to E and R for review.

Mr. Hubka moved that LB 99 be indefinitely postponed.

Mr. Syas asked unanimous consent that LB 99 be laid over until tomorrow. No objections. So ordered.

LEGISLATIVE BILL 370. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 311. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

Amend LB 311 by adding the emergency clause as "Sec. 5." and amend the title to conform.

Advanced to E and R for review.

UNANIMOUS CONSENT—Executive Session

Mr. Moulton asked unanimous consent to hold an executive session of the Committee on Public Works at 2:00 p.m. today. No objections. So ordered.

Visitors

Mr. Person introduced Ardythe Lamuel, Teacher, nineteen sponsors, and twenty students from School District 35, Yutan, Nebraska.

Mr. Tvrdik introduced Mrs. Beryl Hupp, Principal, Albert Wilson, Teacher, and thirty-one students from Lincoln School, Omaha, Nebraska.

Mr. Larkin introduced Miss Mary Mostyn and Mrs. Winifred Will-ette, Teachers, ten mothers, and sixty-eight students from Windsor School, Omaha, Nebraska.

Mr. Lee introduced Mrs. Roy Brandt, Teacher, seven sponsors, and twenty-four students from School District 18, Hooper, Nebraska.

Member Excused

Mr. Shultz was excused for Tuesday, Wednesday, and Thursday, April 26, 27 and 28, 1955.

Approved by the Governor

April 25, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 23, 1955, he approved LB 460.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 25. Replaced on Select File as amended.

E and R amendments to LB 25:

1. In Standing Committee Amendment 1, in the inserted section 1 (now section 2), line 12, strike "such" after "for" and show the same as stricken matter.

2. In the Otto Unanimous Consent Amendment 1, adopted April 14, 1955, line 7 (8, mimeograph), after "shall" insert ","; and line 16 (17, mimeograph), strike "the" before "cities", as this is not in the statutes; and strike Otto Unanimous Consent Amendment 2 and in lieu thereof insert "Renumber renumbered sections 6 and 7 as 8 and 9, respectively."

3. In first Enrollment and Review Committee Amendment 2, line 1, before "page" insert "original section 1," and line 5, after "in" insert "original section 2,".

4. In the bill, renumbered section 9, (original section 4), line 1, after "sections" and before the matter inserted thereafter by Standing Committee Amendment 3, insert "16-203," and in the same line after "17-704" insert a comma; line 4, strike "17-938,"; line 5, strike "18-1505,"; and line 6, after "1943," insert "section 17-938, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 235, Sixty-

seventh Session, Nebraska State Legislature, 1955, and section 18-1505, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 249, Sixty-seventh Session, Nebraska State Legislature, 1955.”.

5. In the bill title, line 2, after “sections” and before the new matter inserted thereafter by Standing Committee Amendment 4, insert “16-203,” and in the same line after “17-704” insert a comma; line 5, strike “and second class” and in lieu thereof insert “class, cities of the second class,”; line 9, after the semicolon insert “to eliminate or change references to levies in such sections as prescribed,”; line 10, strike “17-938,” and line 11, strike “18-1505,” and line 13, before the period insert “,” section 17-938, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 235, Sixty-seventh Session, Nebraska State Legislature, 1955, and section 18-1505, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 249, Sixty-seventh Session, Nebraska State Legislature, 1955”.

LEGISLATIVE BILL 269. Placed on Select File as amended.

E and R amendments to LB 269:

1. In the original Hubka General File Amendment 1, line 16, (mimeographed copy line numbered 17) strike “*When*” and insert in lieu thereof “*when*”, and in the same line insert “,” after the word “*dies*”; line 17, (mimeographed copy line numbered 19) strike the semicolon; line 18, (mimeographed copy line numbered 19) insert “,” after “*property*”; line 19, (mimeographed copy line numbered 21) insert “,” after “*ward*”; line 24, (mimeographed copy line numbered 26) strike the comma; line 28, (mimeographed copy line numbered 32) after “*enter*” insert “*an*”, and in the same lines after “*with*” insert “*the*”; and in line 29, (mimeographed copy line numbered 33) after “*directing*” and after “*of*” insert “*the*”.

2. In the Perry General File Amendment, line 1, strike “23” and in lieu thereof insert “numbered 23 on the mimeographed copy and line 21 on the original”.

3. In the bill title line 4, after “expense” insert “as prescribed”.

(Signed) Donald F. McGinley, Chairman

Revenue

LEGISLATIVE BILL 396. Placed on General File.

LEGISLATIVE BILL 129. Placed on General File as amended.

Standing Committee amendments to LB 129:

1. Amend section 2 of the bill, line 13 by inserting after the word and punctuation "possession." the following: *"Where the levy or assessment so declared illegal is applicable either throughout the state or in taxing districts beyond the geographic jurisdiction of the court making such declaration of illegality, then for the purpose of this act a judgment or final order shall mean a judgment or final order of the Supreme Court."*

Amend section 2 of the bill, line 16 by inserting after the word "refund" the following: *"within thirty days after the final judgment is entered declaring such taxes as illegal"*.

2. Amend the title to conform.

(Signed) Monroe Bixler, Chairman

Adjournment

At 11:55 a.m., on a motion by Mr. Aufenkamp, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 26, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Mr. Martin presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bridenbaugh, Burney, McHenry and Shultz, who were excused.

The Journal for the Seventy-eighth Day was approved as corrected.

Communications

Postal card from Rudy Yechout of Omaha, Nebraska, opposing any increase in taxes. Referred to Committee on Miscellaneous Appropriations and Claims.

Postal card from Elaine A. Thayer of Denton, Nebraska, opposing LB 493. Referred to Committee on Revenue.

Letter from Carl R. Jolliff, President, Nebraska Society Biological Scientists of Lincoln, Nebraska, enclosing copy of a resolution adopted by the society opposing LB 185. Referred to the Chairman, Legislative Council.

Invitation

Invitation from the Nebraska Oil and Gas Producers Committee to the Members, and the staff and employees of the Legislature and Legislative Council, to attend the Shrimp Hour today, from 5:00 to 7:00 p.m., at the Cornhusker Hotel.

NOTICE OF COMMITTEE HEARING
Committee on Committees

April 25, 1955

The Committee on Committees will meet at 1:30 p.m. on Monday, May 2, 1955 in the West Senate Lounge to consider the appointment of Mr. George Wright of Elgin, Nebraska to the Merit System Council for a term beginning March 1, 1955 and expiring March 1, 1958.

(Signed) Otto Kotouc, Sr., Chairman

STANDING COMMITTEE REPORTS
Miscellaneous Appropriations and Claims

LEGISLATIVE BILL 469. Indefinitely postponed.

(Signed) John Aufenkamp, Chairman

Enrollment and Review

LEGISLATIVE BILL 483. Correctly enrolled.

LEGISLATIVE BILL 522. Correctly enrolled.

LEGISLATIVE BILL 140. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

STATEMENT—Introduce Bill

April 26, 1955

The Committee on Public Works voted 5 to 1, 3 not voting, to introduce a request bill for Senator Nelson, pertaining to the removing of the flagman on passenger and mail trains consisting of not more than two passenger cars. (Signed) William Moulton, Chairman

Permission to introduce the bill granted with 26 ayes, 6 nays and 11 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 554. By Committee on Public Works, William Moulton, 10th District, Chairman.

A bill for an act to amend section 74-532, Reissue Revised Statutes of Nebraska, 1943, relating to railroads; to provide that when a passenger and mail train consists of not more than two passenger cars, such

trains may be operated with a crew consisting of one engineer, one fireman, one conductor, and one brakeman or flagman; and to repeal the original section.

Visitors

Mr. Cramer introduced Oma Thompson, Superintendent, Myrna Young, Tour Director, two teachers, and one hundred sixty students from Boone County, Nebraska.

Mr. Larkin introduced Wilma Schmidt and Paul Orchard, Teachers, Theresa Clark, Principal, and fifty-one students from Corrigan School, Omaha, Nebraska.

Announcement

Mr. Tvrdik announced that today is Mr. and Mrs. John Adams' fifty-second wedding anniversary, and in behalf of all present, extended congratulations.

UNANIMOUS CONSENT—Executive Sessions

Mr. Moulton asked unanimous consent that the Committee on Public Works be permitted to hold an executive session at 2:00 p.m. today. No objections. So ordered.

Mr. Bixler asked unanimous consent that the Committee on Revenue be permitted to hold an executive session at 2:00 p.m. today. No objections. So ordered.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Nelson asked unanimous consent that the following names be added as co-introducers of LB 554: Frank Nelson, 28th District, D. J. Cole, 40th District, Monroe Bixler, 41st District. No objections. So ordered.

SUSPEND RULES—Refer LB 554

Mr. President: I move that the rules be suspended and LB 554 be referred to the Committee on Judiciary. (Signed) Frank Nelson

The motion prevailed with 30 ayes, 5 nays and 8 not voting.

UNANIMOUS CONSENT—Consider LB 510

Mr. T. Adams asked unanimous consent that LB 510 be considered on General File on Thursday, May 5, 1955. No objections. So ordered.

UNANIMOUS CONSENT—Bracket LB 308

Mr. Aufenkamp asked unanimous consent that LB 308 be bracketed in the Enrollment and Review Committee pending action on LB 187. No objections. So ordered.

Visitors

Mr. Larkin introduced Miss Bertha Vaughan, Teacher, and fourteen students from the Field Club School, Omaha, Nebraska.

Mr. Bahensky introduced Mr. Robert Obermiller, Boelus, Nebraska, a former member of the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 161.

A bill for an act to amend section 53-141, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide the manner of determining the number of signatures required for remonstrance petitions as prescribed; to provide for keeping records of certain information 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, 38:

Adams, J.	Cramer	Liebers	Peterson
Adams, T.	Diers	McGinley	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Swanson
Beaver	Hubka	Moulton	Syas
Bedford	Klaver	Otto	Thompson
Bixler	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Cole	Lee		

Voting in the negative, 0.

Not voting, 5:

Bridenbaugh	McHenry	Nelson	Shultz
Burney			

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 section 50-112, Revised Statutes Supplement, 1953, relating to the Legislature; to increase the salary of the Clerk of the Legislature and the first assistant clerk; to provide when such increases in salary shall become effective; 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	Liebers	Peterson
Adams, T.	Diers	McGinley	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Swanson
Beaver	Hubka	Moulton	Syas
Bedford	Klaver	Nelson	Thompson
Bixler	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Cole	Lee	Person	

Voting in the negative, 0.

Not voting, 4:

Bridenbaugh	Burney	McHenry	Shultz
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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. Perry introduced Robert McNutt, a former member of the Legislature.

Mr. Thompson introduced Ollie O.D.A. O'Berg, Sydney, Australia, Deputy Chairman of the Commonwealth Immigration Advisory Council, Past President of the Australian Council of Employers' Federations, and Director of Rotary International.

Mr. Cole introduced Virginia Licking, Teacher, one sponsor, and two students from School District 107, Mullen, Nebraska.

Mr. Thompson introduced Mr. Frank Morrison, McCook, Nebraska.

UNANIMOUS CONSENT—Bracket LB 66

Mr. Larkin asked unanimous consent that LB 66 be bracketed in the Enrollment and Review Committee until Messrs. Burney and Bridenbaugh return. No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 108.**

Mr. Klaver asked unanimous consent that his amendments, found in the Legislative Journal for the Seventy-eighth Day, be adopted. No objections. So ordered.

Mr. Diers asked unanimous consent that the following amendment be adopted:

Amend section 1 of the bill, line 8 by striking "or mental".

Mr. Klaver objected.

Mr. Diers moved that LB 108 be returned to General File for the above specific amendment. The motion prevailed with 23 ayes, 12 nays and 8 not voting.

LEGISLATIVE BILL 154. Laid over.**LEGISLATIVE BILL 498.** E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 531. E and R amendment found in the Legislative Journal for the Seventy-eighth Day was adopted.

Laid over.

LEGISLATIVE BILL 149. E and R amendment found in the Legislative Journal for the Seventy-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 343. E and R amendment found in the Legislative Journal for the Seventy-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 25. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Mr. McGinley moved that LB 25 be indefinitely postponed. The motion prevailed with 20 ayes, 9 nays and 14 not voting.

LEGISLATIVE BILL 497. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 108. Consideration of the Diers specific amendment, found in this day's Legislative Journal.

Mr. Peterson asked unanimous consent to have LB 108 laid over until Thursday, April 28, 1955.

Mr. J. Adams objected.

Mr. Peterson moved that LB 108 be laid over until Thursday, April 28, 1955. The motion prevailed with 31 ayes, 0 nays and 12 not voting.

LEGISLATIVE BILL 99. Laid over.

LEGISLATIVE BILL 304. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-seventh Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 454. Bracketed until Tuesday, May 3, 1955.

LEGISLATIVE BILL 426. Read and considered.

Mr. Beaver offered the following amendment, which was adopted:

Strike the words "a majority" in line 22, Section 1, page 2, and insert in lieu thereof the words "fifty-five percent"; in line 24, Section 1, page 2, strike the words "a majority" and insert in lieu thereof the words "fifty-five percent".

Mr. Brower Presiding

Advanced to E and R for review.

Mr. Martin Presiding

LEGISLATIVE BILL 505. Read and considered.

Mr. Klaver offered the following amendments:

1. Amend the bill by striking section 6 and renumbering sections 7 to 25 as sections 6 to 24 respectively.
2. Amend renumbered section 24, line 2 by striking "2-1212,".
3. Amend the title of the bill, line 3 by striking "2-1212,".

Laid over.

LEGISLATIVE BILL 486. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-ninth Day was read.

Mr. Tvrdik offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 1, line 17 by striking "Metropolitan Utilities District" and inserting "*political subdivisions of the State of Nebraska*".

The Standing Committee amendment, as amended, was adopted.

Laid over until Thursday, April 28, 1955.

Visitors

Mr. Lee introduced William W. Spear of Fremont, Nebraska. Mr. Spear is Chairman of the Republican State Central Committee and a member of the Republican National Committee.

Mr. Beaver introduced Paul Basler, Superintendent of Beemer High School, his wife, Mr. Eckwald, and thirty-one students, from Beemer, Nebraska.

Mr. Beaver also introduced his wife, Mrs. Beaver, and her sister, Mrs. Anna Peters of Scribner, Nebraska; their nieces, Mrs. Howard Nehling of Omaha, and Mrs. P. O. Robards of Chicago, Illinois, and her husband and son, Bud.

RESOLUTIONS

LEGISLATIVE RESOLUTION 26. Re: In Memory of William Henry O'Gara.

Introduced by Charles F. Tvrdik, 7th District; Earl J. Lee, 11th District; Harry L. Pizer, 38th District.

William Henry O'Gara, a member of the House of Representatives of the Nebraska State Legislature from 1921 to 1935, died April 25, 1955. He was born in a sod house on his father's homestead in Cedar County, Nebraska, on July 29, 1877. His parents came from Ireland. He married Mamie L. Harrington in 1913, and two daughters were born of such marriage. William Henry O'Gara attended the public schools at Wayne and also Wayne State Normal. He served as Speaker of the House of Representatives in 1935. He spent his time farming and raising livestock. He always took an interest in civic affairs and was an active worker in the Catholic Church.

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-SEVENTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, William Henry O'Gara, 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, as an expression of our respect for the deceased, and our sympathy for the bereaved.

SUSPEND RULES—Adopt Resolution

Mr. President: I move that the rules be suspended and LR 26 be adopted. (Signed) Charles F. Tvrdik

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

The members of the Legislature stood in silent tribute to the memory of Mr. O'Gara.

GENERAL FILE

LEGISLATIVE BILL 375. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 267. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventieth Day were adopted.

Advanced to E and R for review with 15 ayes, 12 nays and 16 not voting.

LEGISLATIVE BILL 316. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventieth Day was adopted.

Advanced to E and R for review.

SUSPEND RULES—Sign LR 26

Mr. President: I move that the rules be suspended to permit the Acting Speaker to sign LR 26. (Signed) Charles F. Tvrdik

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

Acting Speaker Signs

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

LR 26

GENERAL FILE

LEGISLATIVE BILL 394. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventieth Day were adopted.

Mr. Larkin offered the following amendment, which was adopted:

Amend the title of LB 394 to conform to the body of the bill.

Advanced to E and R for review.

Visitors

Mr. Hoffmeister introduced Docteur and Madame Andre L. Brunel, Paris, France.

Mrs. Foote introduced her uncle and aunt, Mr. and Mrs. H. R. Smith, and their son, Chauncey, from Somerset, Michigan.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 474. Placed on General File as amended.

Standing Committee amendment to LB 474:

1. Amend section 1 of the bill, line 11 by striking "twelve dollars" and inserting "*ten dollars and fifty cents*".

LEGISLATIVE BILL 385. Placed on General File as amended.

Standing Committee amendments to LB 385:

1. Amend section 1 of the bill by reinstating lines 21 to 26, line 24 by inserting "*and subsequent acts*," before the reinstated word "and".
2. Amend section 3 of the bill, line 5 by striking the word "and" and show as stricken matter, and line 6 by inserting the word "*State*" after the word "Nebraska".
3. Amend section 6 of the bill, line 14 by striking the word "of" and show the same as stricken matter.
4. Amend section 7 of the bill, lines 16 and 17 by striking "superintendent" and inserting "*superintendent director*", and line 23 by striking "superintendent" and inserting "*director*".

(Signed) Glenn Cramer, Chairman

Enrollment and Review**LEGISLATIVE BILL 194.** Replaced on Select File as amended.

E and R amendment to LB 194:

1. In Enrollment and Review Committee Amendment 7, line 3, strike the figure "20" and in lieu thereof insert "12".

LEGISLATIVE BILL 520. Placed on Select File as amended.

E and R amendments to LB 520:

1. In Standing Committee Amendment 3, insert "," in line 6 before "in", line 7 after "board", and line 9 after "villages".
2. In the bill, section 1, at the end of the line insert ";" in lines 9, 19, 31, 36, and 88; strike the first parenthesis in lines 11, 19, and 63, and the parenthesis in lines 52 and 67, and the reinserted parenthesis in line 57, and in lieu thereof insert "(", ";", strike the second parenthesis in lines 11, 19, and 63, and the parenthesis in lines 53 and 68, and the reinserted parenthesis in line 58, and show the same as stricken matter; line 21, strike the quotation marks and show the same as stricken matter; line 26, strike the period and in lieu thereof insert ". "; lines 38 and 50, strike the comma after "Beer" and show the same as stricken matter; line 66, insert a comma after "villages", as in the statutes; line 71, after "Beer" insert "only", and in the same line strike "only," and show the same as stricken matter; line 82, at the end of the line insert "; and"; line 89, strike "in this act provided" and in lieu thereof insert "in this act provided in this act"; lines 90 and 91, strike "April 30, next

succeeding" and in lieu thereof insert "*the following* April 30 , next succeeding"; strike line 93 and in lieu thereof insert "as *fixed* in this section fixed , regardless of the time when *the* applica-"; line 94, after "for" insert "*such*".

3. In the bill, renumbered section 2, line 4, after "county" insert ","; line 6, strike the comma and show as stricken matter; and line 17, after the reinstated word "villages" insert "*, as*".

4. In the bill title, line 8, after "village" insert "*as prescribed*"; line 10, strike "and"; line 11, after "of" insert "*the*"; and line 12, after the semicolon insert "to permit the governing body of any city or village, in respect to licenses in such city or village, or the county board, in respect to licenses outside the corporate limits of any city or village, to provide for the earlier closing of the sale of alcoholic liquors, including beer, as prescribed, by ordinance or resolution,".

LEGISLATIVE BILL 150. Placed on Select File as amended.

E and R amendments to LB 150:

1. In the original Hubka General File Amendment 1, line 1, strike (4) and insert in lieu thereof "*(4) (d)*"; line 4, after "goods" insert "*,*" and in the same line strike "*subsection*" and insert in lieu thereof "*subdivision of subsection (1) of this section*"; at the end of line 5, insert "*other*"; line 7, strike "*stoves (electric and gas)*" and insert in lieu thereof "*electric and gas stoves*"; and in line 9, strike "*such*" and insert "*the*".

2. In the bill page 2, section 1, line 3, after the period insert "*(1)*"; line 5, strike "*(1)*" and insert in lieu thereof "*(1) (a)*"; line 7, strike "*(2)*" and insert in lieu thereof "*(2) (b)*"; line 9, strike "*(3)*" and insert in lieu thereof "*(3) (c)*"; line 10, after "charitable" insert "*,*"; line 19, before "The" insert "*(2)*".

3. Strike all amendments to the title and also strike all the title after the semicolon in line 5 of the title and in lieu thereof insert "to include personal effects, with household goods, in the exemption prescribed of two hundred dollars; to define the term household furniture as prescribed; and to repeal the original section."

LEGISLATIVE BILL 471. Placed on Select File as amended.

E and R amendments to LB 471:

1. In Standing Committee Amendment 3, line 3, strike "*at the*" and in lieu thereof insert "*an*".

2. In the Standing Committee Amendment 4, to the title, line 6, after "vaccine" insert "for brucellosis control" and in lines 6 and 7, strike "*at the*" and in lieu thereof insert "*an*".

3. In the bill page 2, section 1, line 9, after "of" and after "upon" insert "*the*"; line 17, after "After" insert "*such*"; line 18, after "with" insert "*the*"; line 21, strike "results of" and insert in lieu thereof "*the results of such*"; line 31, strike "pre-vaccinal" and insert in lieu thereof "*Pre-vaccinal prevaccinal*"; and on page 3, section 2, line 4, after "control" and line 5, after "54-766.13" insert ",".

LEGISLATIVE BILL 340. Placed on Select File as amended.

E and R amendments to LB 340:

1. In Standing Committee Amendment 1, line 5, insert a comma after "unless".

2. In the bill, insert a comma in: section 1, lines 7, 10, and 14 after "hunting", line 8 after "validated", and line 9 after "stamp"; section 2, line 2 after "act"; section 3, line 1 after "stamp", line 2 after "act"; section 4, line 1 after "person", line 2 after "act", and line 11 after "stamp"; section 6, line 2 after "stamps" and line 3 after "therefor"; section 7, line 9 after "firm", line 10 after "fees", and line 11 after "commission"; section 8, line 2 after "stamps" and line 6 after "commission".

3. In the bill, section 1, line 10, before "taking" insert "time of"; lines 11 and 12, strike "upon request exhibit immediately" and in lieu thereof insert ", immediately upon request, exhibit".

4. In the bill, section 2, line 1, strike "provided" and in lieu thereof insert ", provided for"; and lines 2 and 3, strike "and such stamps will" and in lieu thereof insert ". Such stamps shall".

5. In the bill, section 3, line 4, after "provided" insert "for".

6. In the bill, section 4, line 4, after "to" insert "(a)"; line 5, strike "to" and in lieu thereof insert "(b)"; line 6, strike "or" and in lieu thereof insert ", or (c)"; lines 10 and 11, strike "upland game birds" and in lieu thereof insert "pheasants or quail,"; line 13, after the semicolon insert "and"; and line 17, before "the" insert "any of".

7. In the bill, section 5, line 2, strike "and" before "may" and in lieu thereof insert ". They"; line 3, strike ", and from such other persons" and in lieu thereof insert "or from such other persons, firms,"; and line 4, strike "issue" and in lieu thereof insert "sell".

8. In the bill, section 6, line 1, after "person" insert ", firm, or corporation"; and line 7, strike "and corporations as may be" and in lieu thereof insert ", firms, or corporations".

9. In the bill, section 7, line 2, after "received" insert "by him, or from others authorized to sell such stamps,"; strike lines 5 and 6,

commencing with "Upland" in line 5 to and including "commission" in line 6, and in lieu thereof insert "Pheasants and Quail Stamp Fund. The secretary of the commission and any county clerk or public official designated to sell such stamps"; line 7, strike "bond" and in lieu thereof insert "bonds"; line 8, strike "herein required, the funds" and in lieu thereof insert "required by this act,"; and line 13, strike "and, after demand" and in lieu thereof insert "and this act and, after demand is".

10. In the bill, section 8, line 3, strike "Upland Game Bird Fund" and in lieu thereof insert "Pheasants and Quail Stamp Fund,"; and line 7, strike the comma after "commission".

11. In the bill, section 9, line 3, strike the comma after "therein"; and lines 4 and 5, strike "37-208, Reissue Revised Statutes of Nebraska, 1943." and in lieu thereof insert "4 of this act.".

12. In the bill title, line 4, insert a comma after "take", and in the same line before the semicolon insert ", commencing October 1, 1955, and for four years thereafter"; line 5, after "for" insert "the"; and line 8, before "to" insert "to provide duties for the prescribed public officials; to make certain acts unlawful;".

LEGISLATIVE BILL 405. Correctly engrossed.

LEGISLATIVE BILL 318. Correctly engrossed.

LEGISLATIVE BILL 152. Correctly engrossed.

LEGISLATIVE BILL 149. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:59 a.m., on a motion by Mr. Fenske, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 27, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Mr. Martin presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. J. Adams, Bridenbaugh, Burney, and Shultz, who were excused, and Mr. T. Adams, who was excused until 9:30 a.m.

The Journal for the Seventy-ninth Day was approved as corrected.

Communications

Postal card from Mrs. Al Miller and John Esler, Omaha, Nebraska, opposing the state sales and income tax bills. Referred to Committee on Revenue.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 161. Correctly enrolled.

LEGISLATIVE BILL 540. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 324.

A bill for an act to repeal Chapter 44, article 11, Reissue Revised Statutes of Nebraska, 1943, relating to employers' mutual liability insurance associations.

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

Voting in the affirmative, 35:

Aufenkamp	Fenske	Martin	Pizer
Bahensky	Foote	Metzger	Purdy
Beaver	Hoffmeister	Morrison	Ruhnke
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Cole	Lee	Perry	Tvrdik
Cramer	Liebers	Person	Vogel
Diers	McHenry	Peterson	

Voting in the negative, 0.

Not voting, 8:

Adams, J.	Anderson	Burney	McGinley
Adams, T.	Bridenbaugh	Hubka	Shultz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 482.

A bill for an act to amend section 37-211, Reissue Revised Statutes of Nebraska, 1943, relating to game and fish; to increase the permit fee for nonresident fur buyers as prescribed; to define residents for the purposes of this act; to require a bond for nonresidents as prescribed; 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, 37:

Anderson	Fenske	McGinley	Peterson
Aufenkamp	Foote	McHenry	Pizer
Bahensky	Hoffmeister	Martin	Purdy
Beaver	Hubka	Metzger	Ruhnke
Bedford	Klaver	Morrison	Swanson
Bixler	Kotouc	Moulton	Syas
Brower	Larkin	Nelson	Thompson
Cole	Lee	Otto	Tvrdik
Cramer	Liebers	Person	Vogel
Diers			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Bridenbaugh	Perry	Shultz
Adams, T.	Burney		

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 relating to livestock; to provide that the Director of the Department of Agriculture and Inspection shall have power to promulgate rules and regulations for the purpose of carrying out a swine brucellosis eradication and control plan; to provide for defining certified brucellosis free swine herds; to provide the manner of carrying out the program; and to declare an emergency.

Whereupon the President stated: "All provisions of 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:

Anderson	Fenske	McGinley	Person
Aufenkamp	Foote	McHenry	Peterson
Bahensky	Hoffmeister	Martin	Pizer
Beaver	Hubka	Metzger	Purdy
Bedford	Klaver	Morrison	Ruhnke
Bixler	Kotouc	Moulton	Swanson
Brower	Larkin	Nelson	Thompson
Cole	Lee	Otto	Tvrdik
Cramer	Liebers	Perry	Vogel
Diers			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Bridenbaugh	Shultz	Syas
Adams, T.	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.

SELECT FILE

LEGISLATIVE BILL 194. 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 154. Laid over temporarily.

LEGISLATIVE BILL 531. Laid over temporarily.

LEGISLATIVE BILL 467. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 269. E and R amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 520. 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 150. 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 471. 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 340. 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—Place Bills at Head of General File

Mr. Peterson asked unanimous consent that the following bills be placed at the head of General File: LB 500, 330, 518, 544 and 545. No objections. So ordered.

MOTION—Postpone Bills in Standing Committees

Mr. President: I move that all bills in the Standing Committees

be indefinitely postponed except those in the Budget Committee.

(Signed) O. H. Person

Mr. Ruhnke moved to amend the Person motion as follows: "that all bills not reported out of committee by May 3, 1955, be indefinitely postponed."

Mr. Nelson moved to amend the Ruhnke amendment by changing the date from May 3 to May 10, 1955.

The Nelson amendment lost.

The Ruhnke amendment lost.

Mr. Hubka moved that the Person motion to indefinitely postpone all bills in standing committees be laid over until May 4, 1955.

The motion prevailed with 25 ayes, 12 nays and 6 not voting.

Visitors

Mr. Lee introduced Margery Waugh, Teacher, twelve sponsors and fifteen students from Rosedale School, Nickerson, Nebraska.

SELECT FILE

LEGISLATIVE BILL 154.

Mr. McGinley asked unanimous consent that the following amendment be adopted:

1. Strike the Standing Committee Amendment and in lieu thereof in section 1, line 8, strike "for ad valorem taxes other taxes upon grain and" and in section 2, lines 7 and 8 strike "for ad valorem taxes other taxes upon grain or" and in each case in lieu thereof insert "a basis other than valuation for taxes upon grain and" and amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 531.

Mr. McGinley asked unanimous consent that the following amendment be adopted:

Amend LB 531 in the bill section 1, lines 5 and 6 by striking the following: " , not in excess of the rate of ten cents per hour," and in new section 3 strike the Enrollment and Review Amendment 1 to line 6 of the newly inserted matter in said new section 3; also in said new

section 3 strike the matter commencing with the comma after "ordinance" (in the sixth line) to and including the words "of this act" before the period in said sentence, line 8.

No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 500. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Mr. Beaver moved that LB 500 be indefinitely postponed.

Mr. Kotouc moved the previous question. The motion prevailed with 20 ayes, 5 nays and 18 not voting.

The Beaver motion to indefinitely postpone lost with 7 ayes, 28 nays and 8 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 330. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Mr. Brower Presiding

Mr. Martin Presiding

Mr. Peterson asked unanimous consent that LB 330 be laid over until Monday, May 2, 1955.

Mr. Cramer objected.

Advanced to E and R for review with 35 ayes, 2 nays and 6 not voting.

Visitors

Mr. Liebers introduced Mrs. Georgia Martin, Teacher, and twenty-one students from Malcolm, Nebraska.

Mr. Peterson introduced Mr. Roy Hicks, Sargent, Nebraska.

Mr. Kotouc introduced Miss Janice Johnson, Teacher, three sponsors, and seventeen students from School District 65, Sterling, Nebraska.

Mr. Martin introduced Mr. J. H. Halterman, Superintendent, and twenty-five seniors from Dunlap High School, Dunlap, Iowa.

Mr. Klaver introduced Mrs. M. Yates, Teacher, Mrs. S. Taylor, School Nurse, and forty-three students from Train School, Omaha, Nebraska.

Mr. Martin introduced Mr. C. W. Richards, Superintendent, and twenty-six seniors from Anthon High School, Anthon, Iowa.

NOTICE OF COMMITTEE HEARINGS Judiciary

LB 554 Monday, May 2, 1955 2:00 p.m.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 128. Placed on Select File as amended.

E and R amendment to LB 128:

1. In the bill page 2, section 1, line 23, strike "insane asylum" and insert in lieu thereof, "*insane asylum hospital for the mentally ill*"; page 3, line 35, insert "*such*" after "of"; line 36, after "support" and after "part" insert ","; line 44, strike the period and insert in lieu thereof ","; page 4, line 12, section 2, insert "," after "condition"; line 38, strike "*Provided,*" and insert in lieu thereof "*and provided*"; line 41 after the comma insert "*blind*"; and on page 5, line 45, strike the period and insert ",".

LEGISLATIVE BILL 370. Placed on Select File as amended.

E and R amendment to LB 370:

In the bill page 2, section 2, line 3, strike "a".

LEGISLATIVE BILL 311. Placed on Select File as amended.

E and R amendments to LB 311:

1. In the bill page 2, section 2, line 2, after "domain" insert a comma.

2. In the bill title line 8, after the semicolon insert "to provide how such land may be acquired; to grant powers to The Board of Regents of the University of Nebraska as prescribed;"

LEGISLATIVE BILL 271. Correctly engrossed.

LEGISLATIVE BILL 413. Correctly engrossed.

LEGISLATIVE BILL 148. Correctly engrossed.

LEGISLATIVE BILL 498. Correctly engrossed.

LEGISLATIVE BILL 343. Correctly engrossed.

LEGISLATIVE BILL 194. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Judiciary

LEGISLATIVE BILL 38. Placed on General File as amended.

Standing Committee amendments to LB 38:

1. Amend section 1 of the bill, line 7 by striking "or" and inserting "and", by striking lines 45 and 46 and inserting in lieu thereof the following:

"(10) Board shall mean the Board of Educational Lands and Funds."

2. Amend section 4 of the bill by striking lines 1 to 28 and inserting in lieu thereof the following:

"Sec. 4. The general administration of the provisions of this act is hereby vested in the Board of Educational Lands and Funds. The board shall make rules and regulations not inconsistent herewith, as may be necessary to carry out the provisions of this act. The board shall employ an executive officer and such assistants and employees as may be necessary to efficiently discharge the duties imposed by the provisions of this act. The executive officer in charge of the system shall keep a record of all acts and proceedings taken by the officers. He shall keep a complete record of the names of all the members, their ages and length of service, the salary of each member, together with such other facts as may be necessary in the administration of the provisions of this act, and for the purpose of obtaining such facts, he shall have access to the records of the various departments of the state. A certified copy of a birth certificate or delayed birth certificate shall be prima facie evidence of the age of the person named therein. The board is hereby authorized to invest such funds of the system as in the judgment of the board are not needed for immediate purposes, in such securities as are duly authorized or legal investments for investment of funds derived from the sale of school lands by the Board of Educational Lands and Funds, and shall sell any such securities upon request from the officers of the system so as to provide money for the payment of benefits or annuities."

3. Amend section 6 of the bill, line 10 by striking "seventy" and inserting "seventy-five".

4. Amend section 8 of the bill, line 3 by striking "seventy" and inserting "seventy-five", line 5 by striking "when any", by striking lines 7 and 8 and inserting "the com-", and line 10 by striking "seventy" and inserting "seventy-five".

5. Amend section 9 of the bill, lines 3, 9, 10, and 14 by striking "Supreme Court" and inserting "board", line 8 by striking "Clerk of the Supreme Court" and inserting "board", lines 10 and 11 by striking "court" and inserting "board", and line 16 by striking "board" and inserting "judge".

6. Amend section 10 of the bill by striking "Any such judge" in line 14, and by striking lines 15 to 28.

7. Amend section 12 of the bill, lines 15 and 28 by striking "Supreme Court" and inserting "board", lines 17, 18, 19, 20, and 26 by striking "court" and inserting "board", by striking line 22 and inserting "board", line 26 by striking "so inform the board which".

8. Amend the title of the bill, line 5 by striking "judges" and inserting "Judges of the Supreme Court and the judges of the district court".

(Signed) Joseph D. Martin, Chairman

Revenue

LEGISLATIVE BILL 285. Placed on General File as amended.

Standing Committee amendments to LB 285:

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 77-722, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-722. If any foreign corporation is taxed in this state upon any tangible or intangible property, then the value of its gross shares of stock shall be ascertained by deducting from the actual value of the foreign corporation's paid-up capital stock, surplus and undivided profits, the assessed *actual* value of its property taxed in this state; and thereafter the taxing officials of counties in which shares of stock of any such foreign corporation may be owned, shall determine, in relation to such net value of the gross shares of stock, the value for assessment and taxation purposes of any such individual shares of stock in the hands of the resident owners.

2. Amend the bill by striking section 2 and inserting in lieu thereof the following:

"Sec. 3. That original section 77-722, Reissue Revised Statutes of Nebraska, 1943, and section 77-706, Revised Statutes Supplement, 1953, are repealed."

3. Amend the title of the bill, line 2 by inserting "section 77-722, Reissue Revised Statutes of Nebraska, 1943, and" after the word "amend", line 5 by striking "and domesticated" and inserting ", domesticated, and foreign", and line 6 by striking "section" and inserting "sections".

LEGISLATIVE BILL 548. Placed on General File.

(Signed) Monroe Bixler, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 549. Placed on General File.

(Signed) John J. Larkin, Jr., Chairman

Adjournment

At 11:49 a.m., on a motion by Mr. McGinley, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 28, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., Mr. Martin presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bridenbaugh, Burney and Shultz, who were excused, Mr. T. Adams, who was excused until 10:30 a.m., and Mr. Tvrdik, who was excused until 10:00 a.m.

The Journal for the Eightieth Day was approved.

STANDING COMMITTEE REPORTS **Enrollment and Review**

LEGISLATIVE BILL 431. Correctly enrolled.

LEGISLATIVE BILL 482. Correctly enrolled.

LEGISLATIVE BILL 324. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 377.

A bill for an act to amend section 81-2,164.03, Revised Statutes Supplement, 1953, relating to poultry and eggs; to eliminate the provision that no money from the General Fund of the state, or money raised by taxation or assessments made by the state or by any governmental agencies shall be appropriated or used for carrying out the

provisions of sections 81-2,164.01 to 81-2,164.03, Revised Statutes Supplement, 1953; 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.	Cramer	Lee	Otto
Bahensky	Diers	Liebers	Perry
Beaver	Fenske	McGinley	Person
Bedford	Foote	Martin	Peterson
Bixler	Hoffmeister	Metzger	Purdy
Brower	Klaver	Morrison	Swanson
Cole	Kotouc	Moulton	Vogel

Voting in the negative, 5:

Aufenkamp	Ruhnke	Syas	Thompson
Pizer			

Not voting, 10:

Adams, T.	Burney	McHenry	Shultz
Anderson	Hubka	Nelson	Tvrdik
Bridenbaugh	Larkin		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 128. E and R amendment found in the Legislative Journal for the Eightieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 370. E and R amendment found in the Legislative Journal for the Eightieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 311. E and R amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Perry introduced Mr. Elmer E. Meinke, Teacher, and ten students from Calvary Lutheran School, Lincoln, Nebraska.

Helen Ahlmeier, Teacher, three sponsors, and fourteen students from School District 8, North Bend, Nebraska, visited the Legislature.

Mr. Brower introduced Mrs. Stella Ross, Teacher, eight sponsors, and eighteen students from School District 33, Creston, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 518. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Mr. Person moved that LB 518 be indefinitely postponed.

Mr. Kotouc moved the previous question. The motion prevailed with 24 ayes, 0 nays and 19 not voting.

The Person motion to indefinitely postpone lost with 10 ayes, 21 nays and 12 not voting.

Advanced to E and R for review.

UNANIMOUS CONSENT—Consider LB 181

Mr. Bixler asked unanimous consent that LB 181 be considered on General File at this time and that LB 544 and 545 be bracketed on General File until Monday, May 2, 1955. No objections. So ordered.

LEGISLATIVE BILL 181. Considered.

Mr. Aufenkamp offered the following amendments:

1. Amend page 21 of the bill, section 33, line 16, by inserting after the word "Governor" the following:

" , but not to exceed seven thousand dollars per annum".

2. Amend page 26 of the bill, section 50, line 8, by inserting after the word "Governor" the following:

" , but not to exceed twelve thousand dollars per annum, to be paid monthly by warrant of the Auditor of Public Accounts on the State Treasurer".

Mr. Bixler requested a division of the question.

The Aufenkamp amendment 1 was adopted.

The Aufenkamp amendment 2 was not adopted.

Mr. Ruhnke asked unanimous consent that his amendments, found in the Legislative Journal for the Fortieth Day, be withdrawn. No objections. So ordered.

Mr. Bixler offered the following amendments, which were adopted:

1. Amend section 13 of the bill, lines 8 and 9 by striking the word "department" and inserting "bureau".

2. Amend section 15 of the bill, line 5 by striking "Administrator" and inserting "Governor", and line 21 by striking "administrator" and inserting "Governor".

3. Amend section 30 of the bill, line 7 by inserting after the word "Roads" the words "*and approved by the Governor*".

4. Amend section 33 of the bill, line 11 by striking the word "and", by striking the period in line 13 and the new matter in lines 13 to 16 and insert in lieu thereof the following:

"; (4) the Director of Irrigation, eight thousand five hundred dollars; and (5) the Director of Motor Vehicles, seven thousand dollars."

5. Amend section 42 of the bill, line 10 by inserting after the word "Roads" the words "*and approved by the Governor*".

6. Amend section 43 of the bill, line 11 by inserting after the word "Roads" the words "*and approved by the Governor*".

7. Amend section 58 of the bill, line 3 by striking the word "and" before the word "Chapter", and inserting "*and sections 81-830 to 81-838,*" before the word "Revised".

8. Amend the bill by adding three new sections immediately after section 59 to be known as sections 60, 61, and 62, respectively, and to read as follows:

"Sec. 60. All of the powers and duties imposed by law under Chapters 31, 39, 72, 81, and 83, Reissue Revised Statutes of Nebraska, 1943, and any amendments thereto, upon the State Engineer are hereby transferred to and shall be carried out by the Administrator of the Bureau of Roads. In the publication of supplements to the Revised Statutes, 1943, or any reissue of any permanent volume thereof, the Revisor of Statutes is authorized to insert the name of the Administrator of the Bureau of Roads in said Chapters 31, 39, 72, 81, and 83 in lieu of the State Engineer, wherever that name appears.

Sec. 61. All of the powers and duties imposed by law under Chapter 46, Reissue Revised Statutes of Nebraska, 1943, and any amend-

ments thereto, upon the State Engineer are hereby transferred to and shall be carried out by the Director of the Department of Irrigation. In the publication of supplements to the Revised Statutes, 1943, or any reissue of any permanent volume thereof, the Revisor of Statutes is authorized to insert the name of the Director of the Department of Irrigation in said Chapter 46 in lieu of the State Engineer, wherever that name appears.

Sec. 62. All of the powers and duties imposed by law under Chapters 60 and 75, Reissue Revised Statutes of Nebraska, 1943, and any amendments thereto, upon the State Engineer are hereby transferred to and shall be carried out by the Director of the Department of Motor Vehicles. In the publication of supplements to the Revised Statutes, 1943, or any reissue of any permanent volume thereof, the Revisor of Statutes is authorized to insert the name of the Director of the Department of Motor Vehicles in said Chapters 60 and 75 in lieu of the State Engineer, wherever that name appears."

9. Amend renumbered sections 60 and 61 as sections 63 and 64, respectively.

Mr. Brower Presiding

Mr. Vogel moved that LB 181 be bracketed until LB 413 is disposed of on Final Reading on May 2, 1955. The motion prevailed.

UNANIMOUS CONSENT—Consider LB 366

Mr. Peterson asked unanimous consent that LB 366 be considered on General File at this time. No objections. So ordered.

Mr. Martin Presiding

LEGISLATIVE BILL 366. Read and considered.

Mr. Klaver offered the following amendments:

1. Amend page 2 of the bill, section 1, line 11 by reinstating the stricken matter and striking the new matter, and line 12 by inserting after the word "assistance" the following: "Provided, that in determining the allowance to meet the need of sundries, the standards presently in effect shall be increased by two dollars and twenty cents; and provided further, that in determining the allowance to meet the need of food, the standards presently in effect shall be increased by eighty cents."

2. Amend the title to conform.

Mr. Kotouc moved the previous question. The motion prevailed with 22 ayes, 9 nays and 12 not voting.

Mr. Klaver requested a record vote on the adoption of his amendments.

Voting in the affirmative, 23:

Adams, J.	Fenske	McGinley	Pizer
Anderson	Foote	McHenry	Purdy
Aufenkamp	Klaver	Metzger	Syas
Bahensky	Kotouc	Morrison	Thompson
Bixler	Larkin	Nelson	Tvrdik
Cramer	Liebers	Otto	

Voting in the negative, 13:

Beaver	Diers	Martin	Peterson
Bedford	Hubka	Perry	Swanson
Brower	Lee	Person	Vogel
Cole			

Not voting, 7:

Adams, T.	Burney	Moulton	Shultz
Bridenbaugh	Hoffmeister	Ruhnke	

The amendments were adopted.

Mr. Perry moved that LB 366 be indefinitely postponed.

Mr. Klaver requested a record vote.

Voting in the affirmative, 17:

Beaver	Diers	Metzger	Person
Bedford	Hoffmeister	Morrison	Peterson
Brower	Hubka	Otto	Swanson
Cole	Lee	Perry	Vogel
Cramer			

Voting in the negative, 22:

Adams, J.	Fenske	McGinley	Pizer
Adams, T.	Foote	McHenry	Purdy
Anderson	Klaver	Martin	Syas
Aufenkamp	Kotouc	Moulton	Thompson
Bahensky	Larkin	Nelson	Tvrdik
Bixler	Liebers		

Not voting, 4:

Bridenbaugh	Burney	Ruhnke	Shultz
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The motion lost.

Mr. Hubka offered the following amendment:

Amend LB 366, Section 1, line 11, by striking the words "sixty-five" and inserting in lieu thereof "sixty-seven".

Pending.

Visitors

Mr. Kotouc introduced Doris Rulla, Teacher, two sponsors, and nine students from District 79, Johnson County, Nebraska.

Mr. Anderson introduced Miss Hartwell, Principal, Dale Hall, Teacher, and sixteen students from Trumbull High School, Clay County, Nebraska.

Mr. Morrison introduced his brother and sister-in-law, Mr. and Mrs. Ralph Morrison from Mitchell, Nebraska.

Mr. Kotouc introduced Mr. Lowell Cornelius and Mrs. John Shafer, Teachers, and twenty-four students from District 69, Lewiston, Nebraska.

MOTION—Recess

Mr. President: I move that we recess until 2:00 p.m. (Signed) Robert C. Brower

Members Excused

Mr. McGinley was excused for this afternoon.

Messrs. Klaver and Bixler were excused for Friday, April 29, 1955.

UNANIMOUS CONSENT—Executive Sessions

Mr. Cramer asked unanimous consent that the Committee on Education be permitted to hold an executive session at 2:00 p.m. today. No objections. So ordered.

Mr. Bixler asked unanimous consent that the Committee on Revenue be permitted to hold an executive session at 2:00 p.m. today. No objections. So ordered.

Mr. Klaver asked unanimous consent that the Committee on Government be permitted to hold an executive session at 1:00 p.m., Monday, May 2, 1955. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 394. Placed on Select File as amended.

E and R amendments to LB 394:

1. In Standing Committee Amendment line 3, strike "*of the Department of Insurance*" and insert in lieu thereof "*of Insurance*,"; line 4, after "*act*" insert ","; line 5, strike "*one thousand, five*" and insert in lieu thereof "*fifteen*".

2. In the original bill page 2, section 1, line 3, strike the comma after "11-201" and in lieu thereof insert a period (printed bill correct); line 8, after "terms" insert ","; section 2, line 8, strike "such" and insert in lieu thereof "~~such~~ *the*"; and in line 10, insert "," after "commission".

LEGISLATIVE BILL 304. Placed on Select File as amended.

E and R amendments to LB 304:

1. In the bill page 2, section 1, line 3, strike "the" and insert in lieu thereof "~~the~~ *a*"; at the end of line 3, and after "reside" in line 4, insert ","; line 10, after "*care*" insert "*shall*"; line 14, after "costs" and line 15, after "children" insert ","; line 15, strike "in annual payments" and show as stricken matter; and in line 16, after "amounts" insert "*per annum*".

2. In the bill title line 3, after "physically" insert "and educable mentally"; line 7, after "*care*" insert "*shall*"; and in line 8, after the semicolon insert "to provide for the determination of the amount of excess costs, as prescribed, that shall be paid by the state for the education and care of physically and educable mentally handicapped children; to increase the maximum annual limitation thereof for educable mentally handicapped children as prescribed;".

LEGISLATIVE BILL 375. Placed on Select File as amended.

E and R amendments to LB 375:

1. In the bill page 2, section 1, line 6, after "equivalent" insert ","; page 3, section 5, line 12, strike "save and" and show as stricken matter.

2. In the bill title, line 9, strike "; to provide" and insert in lieu thereof "as prescribed; to authorize expenditures for same as prescribed; to provide for the furnishing of" and in line 10, after the semicolon insert "to grant powers to the Board of Regents;".

(Signed) Donald F. McGinley, Chairman

Education

LEGISLATIVE BILL 303. Placed on General File as amended.

Standing Committee amendment to LB 303:

1. Amend section 7 of the bill, line 2 after the word "individual" insert "*other than the blind*".

(Signed) Glenn Cramer, Chairman

Adjournment

At 12:02 p.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 29, 1955

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. Anderson, Bixler, and Klaver, who were excused, and Messrs. T. Adams and Metzger, who were excused until 9:30 a.m.

The Journal for the Eighty-first Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 377. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 446	LB 522	LB 540	LB 324
LB 192	LB 140	LB 431	LB 377
LB 483	LB 161	LB 482	LR 24

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 405.

A bill for an act to amend section 44-1213, Reissue Revised Statutes of Nebraska, 1943, as amended by section 8, Legislative Bill 323,

Sixty-seventh Session, Nebraska State Legislature, 1955, relating to insurance; to reduce the tax on the gross premiums or deposits received from Nebraska subscribers of domestic reciprocal insurance organizations, less amounts returned or credited to such subscribers, in lieu of taxes on the intangible personal property of such organizations under the conditions prescribed; to allocate all such taxes on such premiums or deposits collected to the Insurance Tax Fund 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, 29:

Adams, J.	Cramer	McGinley	Perry
Aufenkamp	Diers	McHenry	Person
Bahensky	Hoffmeister	Martin	Purdy
Beaver	Kotouc	Morrison	Shultz
Bedford	Larkin	Moulton	Swanson
Bridenbaugh	Lee	Nelson	Tvrdik
Brower	Liebers	Otto	Vogel
Cole			

Voting in the negative, 8:

Fenske	Hubka	Pizer	Syas
Foote	Peterson	Ruhnke	Thompson

Not voting, 6:

Adams, T.	Bixler	Klaver	Metzger
Anderson	Burney		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 318.

A bill for an act to amend sections 44-333 and 44-334, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to provide for the issuance of agents' licenses upon application of the agent and the requisition of the company and the procedure and certain requirements therefor as prescribed; to permit the issuance of brokers' licenses without formal application therefor; to require each application for an agent's license or renewal to contain certain minimum information in addition to any other information requested by the Department of Insurance; to prescribe additional duties of the Department of Insurance pertaining to original or renewal licenses of insurance

agents; to provide that stated percentages of commissions and underwriting fees received during a license year constitute either presumptive or conclusive evidence of violation of section 44-361, Reissue Revised Statutes of Nebraska, 1943; to make certain acts illegal; to prescribe penalties therefor; 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, 33:

Adams, T.	Diers	Liebers	Perry
Aufenkamp	Fenske	McGinley	Person
Bahensky	Foote	McHenry	Shultz
Beaver	Hoffmeister	Martin	Swanson
Bedford	Hubka	Morrison	Syas
Bridenbaugh	Kotouc	Moulton	Thompson
Burney	Larkin	Nelson	Tvrdik
Cole	Lee	Otto	Vogel
Cramer			

Voting in the negative, 6:

Adams, J.	Peterson	Purdy	Ruhnke
Brower	Pizer		

Not voting, 4:

Anderson	Bixler	Klaver	Metzger
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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 77-303, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to provide that the State Tax Commissioner shall formulate and promulgate rules and regulations pertaining to the valuation and assessment of property; to provide for employees to assist the Tax Commissioner in the administration of the property tax laws within the counties; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, T.	Aufenkamp	Bahensky	Beaver
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Bedford	Hoffmeister	Morrison	Purdy
Bridenbaugh	Hubka	Moulton	Ruhnke
Brower	Kotouc	Nelson	Shultz
Burney	Lee	Otto	Swanson
Cole	Liebers	Perry	Syas
Cramer	McGinley	Person	Thompson
Diers	McHenry	Peterson	Tvrdik
Fenske	Martin	Pizer	Vogel
Foote			

Voting in the negative, 1:

Larkin

Not voting, 5:

Adams, J.	Bixler	Klaver	Metzger
Anderson			

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 relating to revenue and taxation; to provide for the use of average inventories in determining the value of certain personal property for taxation, as prescribed; and to provide how to arrive at the same.

Whereupon the 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, T.	Hoffmeister	Martin	Person
Bahensky	Hubka	Metzger	Ruhnke
Bedford	Kotouc	Morrison	Swanson
Brower	Lee	Moulton	Syas
Cole	Liebers	Nelson	Thompson
Cramer	McGinley	Otto	Tvrdik
Foote	McHenry	Perry	Vogel

Voting in the negative, 10:

Aufenkamp	Burney	Larkin	Pizer
Beaver	Diers	Peterson	Shultz
Bridenbaugh	Fenske		

Not voting, 5:

Adams, J.	Bixler	Klaver	Purdy
Anderson			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 394. 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 304. 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 375. E and R amendments found in the Legislative Journal for the Eighty-first Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 520 to Select File

Mr. T. Adams asked unanimous consent that LB 520 be returned to Select File for the following amendment: Add the emergency clause and amend the title to conform.

No objections. So ordered.

LEGISLATIVE BILL 520. Mr. T. Adams asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

Visitors

Mr. Kotouc introduced Robert Schemmel, Superintendent, Mrs. Merrill Banks, Teacher, and eight students from Salem High School, Salem, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 366. Laid over.

LEGISLATIVE BILL 438. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 476. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Sixty-fourth Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 108. Laid over.

LEGISLATIVE BILL 486. Laid over.

LEGISLATIVE BILL 487. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-second Day were adopted.

Mr. Brower moved that LB 487 be indefinitely postponed.

Mr. Person moved the previous question. The motion prevailed with 21 ayes, 2 nays and 13 not voting.

The Brower motion to indefinitely postpone LB 487 prevailed with 21 ayes, 15 nays and 7 not voting.

STATEMENT—Introduce Bill

April 29, 1955

Mr. President: The Committee on Miscellaneous Appropriations and Claims, by unanimous vote, determined to introduce a bill making appropriations for the payment of claims filed against the State of Nebraska in the Auditor's office or the secretary of Sundry Claims Board, and presented to the Legislature, for which no previous appropriations have been made. (Signed) John Aufenkamp, Chairman

Permission to introduce the bill granted with 38 ayes, 0 nays and 5 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 555. By Committee on Miscellaneous Appropriations and Claims, John Aufenkamp, 2nd District, 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.

SUSPEND RULES—Place LB 555 on General File

Mr. President: I move that the rules be suspended and that LB 555 be placed on General File. (Signed) John Aufenkamp

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

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on April 29, 1955, at 9:45 a.m.

LB 161	LB 140	LB 540	LB 192
LB 431	LB 324	LB 522	LB 483
LB 482	LB 377	LB 446	

LEGISLATIVE BILL 473. Replaced on Select File as amended.

E and R amendments to LB 473:

1. In the Adams Unanimous Consent Amendment 1, line 3 (4, mimeograph), after "association" insert ","; line 5 (6, mimeograph), after "by" insert "a"; line 7 (8, mimeograph), strike "prior" and in lieu thereof insert ", prior . Prior"; line 8 (9, mimeograph), strike "having" and in lieu thereof insert "having shall have"; line 10 (11, mimeograph), strike ", and" and in lieu thereof insert ", and or"; line 14 (16, mimeograph), strike ", shall be" and in lieu thereof insert ", shall be (1)"; line 16 (18, mimeograph), strike "and shall be" and in lieu thereof insert "and shall be , (2)"; and line 16 (19, mimeograph), before "re-" ("recorded" in mimeograph) insert "(3)".

2. In the bill title, line 18, after "to" insert "reduce the requirements for the adoption of a resolution, by the trustees of an incorporated religious association, to authorize the conveyance or encumbrance of property of such association, as prescribed; to".

LEGISLATIVE BILL 428. Placed on Select File as amended.

E and R amendments to LB 428:

1. In the bill, section 1, line 3, before "The" insert "(1)"; line 5, strike ", shall, before" and in lieu thereof insert ", shall, before (a)"; line 6, insert ";" after "enlargement"; line 7, strike "or" and in lieu thereof insert "or (b)"; line 8, strike "before" and in lieu thereof insert "(c) before"; line 10, after the period insert "(2)"; line 11, strike "shall" and in lieu thereof insert ", required by the provisions of subsection (1) of this section, shall be upon a form prescribed by the Department of Roads and Irrigation and furnished by such department without cost to an applicant. Such application shall (a)"; line 12, after the comma insert "(b)"; line 13, strike "the amount thereof as nearly as may be," and in lieu thereof insert "(c) the amount thereof of the appropriation desired, as nearly as the same may be estimated, (d)"; line 14, after the comma insert "(e)"; line 16, after the comma insert "(f)"; line 20, before "the" insert "(g)", and in the same line, strike the comma after "applied" and show as stricken matter; line 22, strike the comma after "thereby" and show the same as stricken matter, and in the same line before "any" insert "(h)"; line 23, strike "On" and in lieu thereof insert "(3) On Upon"; strike lines 24 to 26, commencing with the comma in line 24 to and including "applicant" in line 26, and in lieu thereof insert "required by the provisions of subsection (1) of this section and containing the information set forth in subsection (2) of this section, which shall be on a form prescribed by the department and be furnished by it without cost to the applicant"; line 26, after "shall" insert "(a)"; line 27, strike "and" and in lieu thereof insert ", (b) and"; line 28, after "and" insert "(c)"; line 35, after "thereof" insert "and"; line 36, strike "which refiling" and in lieu thereof insert "which such refiling"; line 37, strike "filed" and in lieu thereof insert "so filed and", and in the same line strike the comma after "required" and show as stricken matter.

2. In the bill, section 2, line 3, before "Every" insert "(1)", and in the same line insert ";" after "person"; line 5, after "purpose" insert ";"; line 17, after the period insert "(2)"; and line 19, strike the comma after "therefrom" and show as stricken matter.

3. In the bill, section 3, line 8, strike the comma after "applied" and show the same as stricken matter; and line 12, strike "day of" and in lieu thereof insert "day date of the".

4. In the bill, section 4, line 11, after "state" insert ";"; line 12, before "residents" insert "the"; and line 13, strike ", and" and in lieu thereof insert ", and . He".

5. In the bill, section 5, line 13, strike the comma after "completed" and show as stricken matter; line 15, after "flood" insert ";"; line 26, after "above" insert "the"; line 36, strike "sale or rental" and in lieu thereof insert "sale or rental furnishing", and in the same line insert ";" after "States"; and line 37, after "provided" insert ";".

LEGISLATIVE BILL 426. Placed on Select File as amended.

E and R amendments to LB 426:

1. In the bill page 2, section 1, line 3, after "appropriation", line 16, after "district" line 17, after "city" line 34, after "may", and on page 3, line 35, after "ordinance" insert ","; page 2, line 4, strike "upon" and insert in lieu thereof "upon on"; page 3, line 44, strike "with" and show as stricken matter; at the end of line 46, insert "the"; line 47, insert "(a)" after "any"; line 48, strike "or any" and insert in lieu thereof ", (b) or any"; and in line 49, strike "or donation," and insert in lieu thereof ", or (c) other donation,".

2. In the bill title line 4, strike "change the number" and insert in lieu thereof "reduce the percentage".

LEGISLATIVE BILL 500. Placed on Select File as amended.

E and R amendment to LB 500:

1. In Standing Committee Amendment 1, in the newly inserted section 2, line 4, strike "herein specified upon" and in lieu thereof insert "specified in section 1 of this act upon the".

LEGISLATIVE BILL 316. Placed on Select File as amended.

E and R amendments to LB 316:

1. Strike the insertion made by Standing Committee Amendment, in section 1, line 18.

2. In the bill page 2, section 1, line 18, insert "," after "there-with" and at the end of the same line insert ", article 3,".

3. In the bill title line 4, insert "that" after "require".

LEGISLATIVE BILL 66. Correctly engrossed.

LEGISLATIVE BILL 467. Correctly engrossed.

LEGISLATIVE BILL 269. Correctly engrossed.

LEGISLATIVE BILL 531. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Metzger introduced Mrs. C. A. Burd, Teacher, eight sponsors, and seventeen students from District 96, Manley, Nebraska.

Mr. Shultz introduced Mrs. Clara Dunn, Principal, O. L. Lindell, Sponsor, and twenty-three students from Leigh High School, Leigh, Nebraska.

Mr. Lee introduced Janet Mattson, Teacher, sixteen sponsors, and eleven students from District 15, Winslow, Nebraska.

Mr. Burney introduced Mrs. Lela Kish, Teacher, and thirty-three students from Riverton, Iowa.

Mr. Burney also introduced Mrs. Emme Sein Win from Burma, an employee of the U. S. Information Agency Library, who addressed the Legislature briefly. Mrs. Sein Win is a house guest of Mrs. E. M. Forsyth of Lincoln.

Mr. Vogel introduced Ella Egan, Teacher, three sponsors, and twenty students from Saunders School, Omaha, Nebraska.

Mr. Hoffmeister introduced Dr. Fay Smith of Imperial, Nebraska.

Mr. Burney introduced Mrs. Olga Kollekowski, Teacher, and five students from Herkimer, Kansas.

Mr. Person introduced Mrs. Richard Hinze, Teacher, and sixth, seventh and eighth grade students from District 70, Rising City, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 486. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 216. Laid over.

LEGISLATIVE BILL 99. Laid over.

LEGISLATIVE BILL 505. Laid over.

LEGISLATIVE BILL 320. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 204. Laid over.

LEGISLATIVE BILL 485. Laid over.

Invitation

Invitation from the University of Nebraska to the Members to attend the Nebraska-Iowa State baseball games today at 3 p.m. and tomorrow at 2 p.m.

Adjournment

At 11:52 a.m., on a motion by Mr. Fenske, the Legislature adjourned until 9:30 a.m., Monday, May 2, 1955.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 2, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. McHenry, who was excused, and Mr. T. Adams, who was excused until 9:45 a.m.

The Journal for the Eighty-second Day was approved as corrected.

Approved by the Governor

April 30, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on April 29, 1955, he approved LB 446, 192, 483, 522, 140, 161, 540, 431, 482, 324 and 377.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Communications

Letter from Mrs. William F. Schestedt of Fremont, Nebraska, concerning the Stanton County Livestock Feeders Association. Referred to Committee on Agriculture.

Invitation

Invitation from Archie J. Baley, General Manager, Lincoln Chamber of Commerce, to Members and their wives, to visit the Lincoln Air Force Base on Thursday afternoon and evening, May 12, 1955.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 497. Replaced on Select File as amended.

E and R amendment to LB 497:

1. In Enrollment and Review Committee Amendment 1, line 6, strike "line 4" and in lieu thereof insert "line 3".

LEGISLATIVE BILL 267. Placed on Select File as amended.

E and R amendments to LB 267:

1. Strike Standing Committee Amendment 1 and in lieu thereof in the bill, section 1, line 1, after "The" strike "Nebraska State Railway Commission" and in lieu thereof insert "Department of Labor".

2. Strike Standing Committee Amendment 9 and in lieu thereof in section 3, lines 4 and 5, strike "Nebraska State Railway Commission" and in lieu thereof insert "Department of Labor".

3. In the bill, section 1, line 3, strike the comma after "shelter" and line 4, strike the period.

4. In the bill, section 3, line 3, after "meaning" and line 5, after "notice" insert a comma, line 6, strike ", and after" and in lieu thereof insert ". After"; and line 7, before "enter" insert "he shall".

5. In the bill title, lines 2 and 3, strike "Nebraska State Railway Commission" and in lieu thereof insert "Department of Labor"; line 4, strike "and for enforcement of same"; line 6, after "employees" insert "to the extent prescribed"; and line 7, after "employees" insert ", sanitary containers as prescribed, and individual paper drinking cups".

LEGISLATIVE BILL 455. Placed on Select File as amended.

E and R amendments to LB 455:

1. In Tvrdik General File Amendment 1, in the newly inserted section 2, lines 6 and 11 (6 and 12, mimeograph), strike "and" before "clerks" and in lieu thereof insert "and,"; line 11 after "puting" ("computing" in mimeograph) insert "the"; line 12 (13, mimeograph), strike

"as aforesaid" and show as stricken matter; and line 13 (14, mimeograph), strike "section" and in lieu thereof insert "sections", as in the statutes.

2. In Tvrdik General File Amendment 1, strike newly inserted section 3 and in lieu thereof insert "Sec. 4. *Sections 2 and 3 of this act shall be so interpreted as to effectuate their general purpose, to provide, in the public interest, adequate compensation as therein provided for the members of the State Railway Commission and its secretary, and to give effect to such salaries so fixed or authorized as soon as such increases so fixed or authorized may become operative under the Constitution of the State of Nebraska.*".

3. In Tvrdik General File Amendment 1, renumber newly inserted section 4 as "Section 1." and in line 1, after "Statutes" insert "of Nebraska"; line 3, after "shall" insert "(1)"; line 4, strike "and" and in lieu thereof insert "and (2) be"; line 5, strike "and" after "thereof," and in lieu thereof insert "(3) be", and in the same line strike the comma after "of" and (line 6, mimeograph) after "in"; line 7, after "and" insert "(4) be"; line 9 (10, mimeograph), strike the comma after "it" and show as stricken matter; strike lines 11 and 12 (13 and 14, mimeograph), commencing with the comma after "75-512" in line 11 to and including "them," in line 12, and in lieu thereof insert ", and if . If any such commissioner, or any of them, shall"; line 14 (16, mimeograph), insert "," after "interested"; line 15 (17, mimeograph), insert "," after "shall" and "time", and in the same line strike the comma after "interest" and show as stricken matter; and line 18 (21, mimeograph), after "and" insert "he".

4. In Tvrdik General File Amendment 1, strike the newly inserted section 5 and in lieu thereof insert "Sec. 5. That original section 75-101, Reissue Revised Statutes of Nebraska, 1943, and sections 75-104 and 75-105, Revised Statutes Supplement, 1953, are repealed."

5. Strike Tvrdik General File Amendment 2, and in lieu thereof in the bill title, strike lines 2 to 7 and in lieu thereof insert "FOR AN ACT to amend section 75-101, Reissue Revised Statutes of Nebraska, 1943, and sections 75-104 and 75-105, Revised Statutes Supplement, 1953, relating to the State Railway Commission; to increase the annual salaries of the members of the commission; to provide that the salary of the secretary shall be fixed by the commission within the prescribed limits and be payable monthly; to provide when the same shall become operative; to enlarge the qualifications of such members or secretary to require good standing in their professions, if any; and to repeal the original sections."

6. In Aufenkamp General File Amendment strike "line 2" and in lieu thereof insert "line 4".

7. In the bill, renumber section 1 as "Sec. 3.", and in lines 11 and 12, after "to" insert "*hold*"; line 13, after "appoint" insert "(1)"; and line 15, after "and" insert "(2)". Correct the order of the sections in this bill as they are now numbered.

LEGISLATIVE BILL 476. Placed on Select File as amended.

E and R amendments to LB 476:

1. Strike section 1, as this is unchanged from the present law since amended, and the Committee on Enrollment and Review will amend the title and original sections 2 and 3 to conform by certificate, without reporting the same back to the Legislature as amendments.

2. In original section 2, line 9, after "to" insert "(a)"; line 11, before "his" insert "(b)", and in the same line after "and" insert "(c)"; and line 16, strike "then" and show as stricken matter, and in the same line after "each" insert "*such blind person*".

3. In the bill title, line 5, before "assistance" insert "maximum", and in the same line, after "allowance" insert "as prescribed".

LEGISLATIVE BILL 320. Placed on Select File as amended.

E and R amendments to LB 320:

1. In the bill, section 1, line 25, after "after" insert "*the*".

2. In the bill title, line 10, before the semicolon insert "as prescribed".

LEGISLATIVE BILL 518. Placed on Select File as amended.

E and R amendments to LB 518:

1. In Standing Committee Amendment 5, line 3, insert "(2)" before "The"; and in line 12, after "provided" insert "for".

2. In the bill page 2, section 2, line 6, after "Inspection", line 7, after "committee", section 3, line 16 after "lienor" insert a comma; page 3, section 4, line 1, after the period insert "(1)"; line 6, after the period insert "(2)"; line 6 after "committee" insert ", referred to in subsection (1) of this section,"; line 7, after "who" insert "(a)" and in the same line after the comma insert "(b) are"; line 8, strike "who shall" and insert in lieu thereof ", (c)"; line 10, strike "who" and insert in lieu thereof "(d)"; line 11, after "and" insert "also, as ex officio members without a vote on the committee,"; strike line 14 beginning with "who" and all of line 15, and insert in lieu thereof ". (3) Two of the seven members of the committee, referred to in subsections (1) and (2) of this section, shall be resi-"; at the

end of line 21 strike the comma; line 27, after "and" insert "such person"; page 4, section 5, line 8, strike ", and as" and insert in lieu thereof ". As"; line 12, after "vacancy" insert a comma, line 15, strike "vacant" and insert in lieu thereof "so vacated"; section 7, line 2, strike "after being" and insert in lieu thereof ". He shall first be"; line 3, strike "and" and insert in lieu thereof "against him and also"; line 4, after "ceasing to" insert "(1)"; line 5, strike "or ceasing to" and insert in lieu thereof ", (2)"; line 6, strike "ceasing to" and insert in lieu thereof "(3)"; section 8, strike line 5, beginning with "The " and all of line 6; section 9, line 8, page 5, after "department" insert "shall,"; line 9, strike "shall" and insert in lieu thereof a comma; line 20, after "Adopt" insert "such"; page 6, section 13, line 1, strike "provided" and insert in lieu thereof ", provided for"; line 2, after the word "act" and also after "deducted", line 3, after "act", section 14, line 1, after "tax", line 2, after "act", section 15, line 1, after "purchaser", section 16, line 2, after "report" and line 3, after "year" insert a comma; section 15, line 1 after the period insert "(1)" and at the end of the same line insert "therefor,"; line 5, strike "the (1)" and insert in lieu thereof "(a) the", and in the same line strike "(2)" and insert in lieu thereof "(b)"; line 6, strike "(3)" and insert in lieu thereof "(c)"; line 7, strike "(4)", and insert in lieu thereof "(d)", and in the same line before "The" insert "(3)"; line 8, after "voices" insert ", referred to in subsection (1) of this section,"; line 10, strike the period and insert in lieu thereof "and, upon conviction thereof, shall be punished as is provided by section 19 of this act."; section 17, line 8, page 7, after "Accounts" insert "shall"; and in line 9, strike "shall".

3. In the bill title line 4, after "creation" and line 5, after "inspection" insert a comma; line 6, after "terms;" insert "to declare the public policy of the State of Nebraska as prescribed,"; line 14, after "collection" insert "and use"; and in line 17, after the semicolon insert "to prescribe duties for the prescribed public officials;".

LEGISLATIVE BILL 471. Correctly engrossed.

LEGISLATIVE BILL 340. Correctly engrossed.

LEGISLATIVE BILL 520. Correctly engrossed.

LEGISLATIVE BILL 154. Correctly engrossed.

LEGISLATIVE BILL 405. Correctly enrolled.

LEGISLATIVE BILL 318. Correctly enrolled.

LEGISLATIVE BILL 152. Correctly enrolled.

LEGISLATIVE BILL 149. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 405

LB 318

LB 152

LB 149

Visitors

Mr. Bahensky introduced Ellen Grossart, Teacher, four sponsors, and seventeen students from District 43, Greeley County, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 271.

A bill for an act to repeal Chapter 39, article 12, Revised Statutes Supplement, 1953, relating to highways.

Whereupon the 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:

Bahensky	Hoffmeister	Morrison	Purdy
Beaver	Kotouc	Nelson	Ruhnke
Bedford	Lee	Otto	Shultz
Bixler	Liebers	Person	Swanson
Burney	McGinley	Peterson	Thompson
Cole	Martin	Pizer	Vogel
Diers	Metzger		

Voting in the negative, 15:

Adams, J.	Brower	Hubka	Perry
Anderson	Cramer	Klaver	Syas
Aufenkamp	Fenske	Larkin	Tvrdik
Bridenbaugh	Foote	Moulton	

Not voting, 2:

Adams, T. McHenry

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 413. With emergency.

A bill for an act relating to the State Capitol building; to provide for the appointment of the State Engineer as the consulting engineer for the State Capitol building; to define the duties of the consulting engineer and his compensation; to amend section 81-101, Reissue Revised Statutes of Nebraska, 1943, and section 81-108, Revised Statutes Supplement, 1953; 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.	Cole	Liebers	Peterson
Anderson	Diers	McGinley	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Shultz
Beaver	Hubka	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Person	Vogel

Voting in the negative, 3:

Bridenbaugh	Foote	Ruhnke
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Not voting, 4:

Adams, T.	Cramer	McHenry	Perry
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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 148.

A bill for an act to amend sections 77-112, 77-506, 77-1503, and 77-1506, Reissue Revised Statutes of Nebraska, 1943, sections 77-201 and 77-1239, Revised Statutes Supplement, 1953, and section 77-1242, Revised Statutes Supplement, 1953, as amended by section 18, Legislative Bill 151, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to revenue and taxation; to define basic value; to provide that the basic value of property shall be used as the basis of assessment as prescribed; to provide that all intangible property, not expressly exempt therefrom, shall be subject to taxation, and shall be valued

and assessed at its actual value; to provide certain powers and duties of the State Board of Equalization and Assessment, the Tax Commissioner, and county boards of equalization; 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.	Cramer	Liebers	Otto
Anderson	Foote	McGinley	Person
Beaver	Hoffmeister	Martin	Shultz
Bixler	Klaver	Metzger	Swanson
Bridenbaugh	Kotouc	Morrison	Thompson
Brower	Lee	Moulton	Vogel
Cole			

Voting in the negative, 13:

Aufenkamp	Diers	Larkin	Pizer
Bahensky	Fenske	Nelson	Purdy
Bedford	Hubka	Peterson	Ruhnke
Burney			

Not voting, 5:

Adams, J.	Perry	Syas	Tvrdik
McHenry			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 498. With emergency.

A bill for an act to define and regulate public auction sales; to define other terms; to provide for applications for and issuance of licenses as prescribed; to provide certain requirements and procedures; to fix fees for licenses as prescribed; to provide exceptions; to make certain acts unlawful; to provide penalties; to confer certain powers upon cities and villages in regard to licensing public auctions as prescribed; to provide duties for the prescribed public officials; to provide for reports of public auction sales 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Shultz
Beaver	Hubka	Moulton	Swanson
Bedford	Klaver	Nelson	Syas
Bixler	Kotouc	Otto	Thompson
Bridenbaugh	Larkin	Perry	Tvrdik
Brower	Lee	Person	Vogel

Voting in the negative, 2:

Burney Foote

Not voting, 1:

McHenry

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 343.

A bill for an act to amend section 25-1801, Revised Statutes Supplement, 1953, relating to civil procedure; to provide for attorney fees on recovery of certain judgments not to exceed one thousand dollars; to provide for fixing the amount of such fees; to reduce the rate of interest recoverable, as prescribed, from seven per cent to six per cent; 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.	Brower	Kotouc	Perry
Adams, T.	Burney	Larkin	Person
Anderson	Cole	McGinley	Ruhnke
Aufenkamp	Cramer	Martin	Shultz
Bahensky	Diers	Morrison	Swanson
Beaver	Fenske	Moulton	Syas
Bedford	Foote	Nelson	Tvrdik
Bixler	Hoffmeister	Otto	Vogel
Bridenbaugh	Klaver		

Voting in the negative, 6:

Liebers	Peterson	Purdy	Thompson
Metzger	Pizer		

Not voting, 3:

Hubka	Lee	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 194.

A bill for an act to amend sections 60-703, 60-705, 60-706, 60-707, 60-708, 60-709, 60-710, 60-711, 60-712, 60-713, and 60-715, Reissue Revised Statutes of Nebraska, 1943, relating to itinerant merchants; to define and redefine terms; to transfer the administration and enforcement of Chapter 60, article 7, Reissue Revised Statutes of Nebraska, 1943, to the State Railway Commission; to provide for bond requirements and penalties; to provide for additional bonds under the conditions prescribed; to restate certain of the procedure and requirements in regard thereto; to provide for service of process upon the secretary of the commission as prescribed, the effect thereof, and certain procedure in regard thereto; to provide powers and duties of the commission and other public officials; to provide for disposition of funds; 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.	Burney	Kotouc	Perry
Anderson	Cole	Larkin	Person
Bahensky	Cramer	Lee	Peterson
Beaver	Diers	McGinley	Shultz
Bedford	Fenske	Martin	Swanson
Bixler	Hoffmeister	Moulton	Syas
Bridenbaugh	Hubka	Nelson	Tvrdek
Brower	Klaver	Otto	Vogel

Voting in the negative, 10:

Adams, T.	Liebers	Pizer	Ruhnke
Aufenkamp	Metzger	Purdy	Thompson
Foote	Morrison		

Not voting, 1:

McHenry

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Vogel introduced Larry Rout and Mrs. Allison Ruby, Teachers, and seventy-one students from Tech Junior High School, Omaha, Nebraska.

Mr. Swanson introduced Mrs. Earl High, Chairman, and twenty-four members of the Phelps County Farm Bureau Women.

Mr. Nelson introduced Mrs. Grant Peacock, Miss Thelma Young, and Miss Alice Young, Teachers, and thirty students, and twelve sponsors from Holt County Rural School.

Mr. Metzger introduced Miss Vivienne Ward, Teacher, two sponsors, and thirty-three students from District 103, Nehawka, Nebraska.

UNANIMOUS CONSENT—Executive Sessions

Mr. Moulton asked unanimous consent that the Committee on Public Works be permitted to hold an executive session at 2:00 p.m. today. No objections. So ordered.

Mr. Cramer asked unanimous consent that the Committee on Education be permitted to hold an executive session immediately following the executive session of the Committee on Public Works this afternoon. No objections. So ordered.

Members Excused

Mr. Perry was excused for Tuesday, May 3, 1955.

Mr. Cramer was excused for the remainder of the morning.

UNANIMOUS CONSENT—Lay Over LB 500

Mrs. Foote asked unanimous consent that she be excused for the remainder of the morning and that LB 500 be laid over on Select File. No objections. So ordered.

UNANIMOUS CONSENT—Return LB 445 to Select File

Mr. Moulton asked unanimous consent that LB 445 be returned to Select File for the following amendment:

1. Amend Moulton Amendment 3 adopted April 18, 1955, line 2 by inserting "practical nurses," before the word "cosmetologists".

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 445. Mr. Moulton asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 473. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 428. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 426. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 500. Laid over.

LEGISLATIVE BILL 316. E and R amendments found in the Legislative Journal for the Eighty-second Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 544. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Mr. Bixler asked unanimous consent that LB 544 and 545 be considered on General File at the same time.

Mr. Bridenbaugh objected.

Mr. Bixler moved that LB 544 be advanced to E and R for review.

Pending.

Member Excused

Mr. Lee was excused for this afternoon, and for Tuesday, Wednesday, Thursday and Friday, May 3, 4, 5 and 6, 1955.

STANDING COMMITTEE REPORTS**Enrollment and Review**

- LEGISLATIVE BILL 271.** Correctly enrolled.
- LEGISLATIVE BILL 413.** Correctly enrolled.
- LEGISLATIVE BILL 148.** Correctly enrolled.
- LEGISLATIVE BILL 498.** Correctly enrolled.
- LEGISLATIVE BILL 343.** Correctly enrolled.
- LEGISLATIVE BILL 194.** Correctly enrolled.
- LEGISLATIVE BILL 330.** Placed on Select File as amended.

E and R amendments to LB 330:

1. In Standing Committee Amendment 2, line 8, strike "*of this act*".
2. In Standing Committee Amendment 3, line 6, strike "*subsections*" and in lieu thereof insert "*subdivisions*"; and line 7, after "*both*" and before the quotation marks insert "*of these subdivisions*".
3. In Standing Committee Amendment 6, line 3, after the quotation marks and before "*each*" insert ",".
4. In Standing Committee Amendment 24, in the newly inserted section 24, insert ";" in line 3 after "*may*" and line 4 after "*delinquency*"; and line 7, strike "*to*".
5. In the bill, section 1, line 3, before "In" insert "(1)", and in the same line before "employees" insert "*the*"; line 14, before "In" insert "(2)"; and line 15, after "America" insert ",".
6. In the bill, section 2, insert "," in line 15 after "*which*", line 17 after "*act*", and line 21 after "*Education*"; lines 25, 26, and 63, strike the quotation marks; and line 59, strike "*Contribution*" and in lieu thereof insert "*Contributions*".
7. In the bill, section 3, insert "," in line 4 after "enter", line 5 after "Nebraska", and line 14 after "modification"; and line 65, strike "*subdivision*" and in lieu thereof insert "*subsection*".
8. In the bill, section 4, line 18 after "Such" insert "an".
9. In the bill, renumbered section 9, line 7, strike "for, and" and show as stricken matter.

10. In the bill, renumbered section 13, insert “,” in line 3 after “Commissioner” and line 5 after “act”; line 4, after “to” insert “the”; and line 6, strike “, to be” and in lieu thereof insert “, to be. Such salary shall be”.

11. In the bill, renumbered section 15, insert “,” in line 1 after “group”, line 2 after “act”, and line 30 after “committee”; and line 36, strike the quotation marks.

12. In the bill, renumbered section 17, line 7, strike “(” and in lieu thereof insert “(,” and in the same line, strike “)” and in lieu insert “),”.

13. In the bill, renumbered section 18, line 8, insert “,” after “certificate”; line 19, strike “within seven days of” and in lieu thereof insert “, within seven days after,”; line 21, strike “in subsection 2 of this section” and in lieu thereof insert “for in subsection (2) of this section,”; strike lines 22 and 23, commencing with “of” in line 22, and in lieu thereof insert “as defined in subsection (2) of section 15 of this act,”; line 25, after “group” insert “, as defined in subsection (1) of section 15 of this act,”; and line 30, strike the comma and in lieu thereof insert “with a”.

14. In the bill, renumbered section 19, insert “,” in line 1 after “If” and “referendum”, line 2 after “employees”, and line 13 after “plan”; and line 16, strike “education” and in lieu thereof insert “educational”.

15. In the bill, renumbered section 20, line 4, strike “notice, ballot” and in lieu thereof insert “notices, ballots,”.

16. In the bill, renumbered section 21, line 8, strike the figure “1” and in lieu thereof insert “(1)”.

17. In the bill, renumbered section 23, line 10, after “such” insert “a”.

18. In the bill title, line 6, after the semicolon insert “to declare the policy of the State of Nebraska as prescribed,”; and strike lines 8 and 9, to and including “endums” in line 9, and in lieu thereof insert “for expenses”; and line 12, after the semicolon, insert “to provide duties for the prescribed public officials; to provide additional remedies, as prescribed, for the collection or recovery of delinquent payments; to provide for notices in regard thereto;”.

LEGISLATIVE BILL 311. Correctly engrossed.

LEGISLATIVE BILL 370. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Judiciary

LEGISLATIVE BILL 270. Indefinitely postponed.

LEGISLATIVE BILL 393. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

UNANIMOUS CONSENT—Executive Session

Mr. Bixler asked unanimous consent that the Committee on Revenue be permitted to hold an executive session immediately following the Judiciary Committee hearing this afternoon. No objections. So ordered.

Speaker Signs

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

LB 271

LB 148

LB 343

LB 194

LB 413

LB 498

Adjournment

At 11:50 a.m., on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 3, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Eighty-third Day was approved.

Member Excused

Mr. Hubka was excused at 9:45 a.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 2, 1955 at 12:10 p.m.

LB 271

LB 498

LB 413

LB 194

LB 343

LB 148

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

May 2, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Acting Governor Charles J. Warner has requested me to inform your Honorable Body that on May 2, 1955, he approved LB 271.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

ANNOUNCEMENT—Birthday

Mr. Diers announced that today is Mr. Vogel's birthday. Mr. Swanson led the Members in singing "Happy Birthday" to Mr. Vogel.

STANDING COMMITTEE REPORTS**Committee on Committees**

Mr. President: Your Committee on Committees wishes to report favorably on the appointment of Mr. George Wright to the Merit System Council, for a term beginning March 1, 1955 and expiring March 1, 1958 and recommends that it be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr., Chairman

Motion to adopt the report prevailed.

Vote on Mr. Wright

Voting in the affirmative, 38.

Voting in the negative, 0.

Not voting, 5.

Having received a majority of the votes of all members, the Speaker declared the appointment of Mr. Wright confirmed.

Education

LEGISLATIVE BILL 398. Placed on General File as amended.

Standing Committee amendments to LB 398:

1. Amend section 1 of the bill by striking lines 9 to 14 and inserting in lieu thereof the following:

"of the committee. The remaining five members of the state committee shall be appointed by the Governor, one each for terms of one, two, three, four, and five years respectively. As the terms of any appointive member shall expire, a successor shall be appointed for a term of five years. Within thirty days after the effective date of this act, the State Board of Education by resolution adopted with the assent of a majority of its members shall appoint the remaining five members of the state committee, one each for terms of one, two, three, four, and five years respectively. As the term of each such member shall expire, a successor shall be appointed in the same manner for a term of five years. The present members of the state committee, as heretofore constituted, shall continue to act until the State Board of Education has appointed the new membership as above provided, at which time the terms of the present members shall end. Three members of the", lines 19 and 20, by striking the new matter.

2. Amend section 2 of the bill, line 8 by inserting the word "or" after the word "chairman".

(Signed) Glenn Cramer, Chairman

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 2, 1955 at 3:15 p.m.

LB 318

LB 152

LB 405

LB 149

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 25.

LR 25 was adopted with 38 ayes, 0 nays and 5 not voting.

LEGISLATIVE RESOLUTION 27. Re: Committee to Study Methods of Filing Pleadings Before and Taking Appeals from Administrative Boards, Commissions, and Departments of the State of Nebraska.

Introduced by Robert Perry, 20th District, Robert C. Brower, 26th District, Joseph D. Martin, 30th District.

WHEREAS, there are many methods of filing pleadings, and various forms of practice before the administrative boards, commissions, and departments of the State of Nebraska, and

WHEREAS, there are many ways of taking an appeal to review the orders and decisions of the administrative boards, commissions, and departments of the State of Nebraska,

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

That the Legislative Council appoint a committee to make a comprehensive study of the methods now provided for filing of pleadings and forms of practice before the administrative boards, commissions, and departments of the State of Nebraska, and the procedure now provided for taking appeals therefrom, and report their findings to the next regular session of the Legislature. The report to provide:

1. A recommendation as to changes for a uniform procedure for filing of pleadings, hearings, and appeals; and

2. Necessary bills to be introduced in the Legislature to carry out the provisions of the report.

UNANIMOUS CONSENT—Executive Sessions

Mr. Larkin asked unanimous consent that the Committee on Banking, Commerce and Insurance be permitted to hold an executive session this afternoon at 1:00 p.m. No objections. So ordered.

Mr. Moulton asked unanimous consent that the Committee on Public Works be permitted to hold an executive session this afternoon at 1:00 p.m. No objections. So ordered.

Mr. Bixler asked unanimous consent that the Committee on Revenue be permitted to hold an executive session this afternoon at 1:00 p.m. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 500. E and R amendment found in the Legislative Journal for the Eighty-second Day was adopted.

Mr. Syas asked unanimous consent to amend LB 500 by striking the standing committee amendments adopted on the Seventy-fifth Day, and amending the title to conform.

Mrs. Foote objected.

Mr. Syas moved that LB 500 be returned to General File for the above specific amendment.

Point of Order—Ruling on Procedure

Mr. J. Adams requested a ruling on the procedure of the Committee on Miscellaneous Appropriations and Claims in changing the original purpose of LB 500 by offering amendments contrary to the original content.

The Chair ruled that the Committee had the right to amend the bill as it saw fit.

Mr. Perry moved the previous question. The motion prevailed with 32 ayes, 0 nays and 11 not voting.

The Syas motion lost with 14 ayes, 21 nays and 8 not voting.

Mr. Perry moved that LB 500 be returned to General File for the following specific amendment: Amend LB 500 by striking from Section 1, line 2, the words "at public auction to the highest bidder for" and inserting in lieu thereof the words "to the City of Hastings for recreational purposes for one dollar", and amend the title to conform.

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

LEGISLATIVE BILL 497. E and R amendment found in the Legislative Journal for the Eighty-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 267. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 455. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 518. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Mr. McGinley asked unanimous consent to amend LB 518, Section 10, by striking the words "a branch" in Line 2, and inserting in lieu thereof the words "an administrative".

No objections. So ordered.

Mr. Person asked unanimous consent that the following specific amendment be adopted: Amend the title of the bill, line 17, by inserting after the word "fund" the following: "to authorize the Wheat Development, Utilization, and Marketing Committee to set up research or development agencies;".

Mr. McGinley objected.

Mr. Person moved that LB 518 be returned to General File for the above specific amendment.

The motion lost with 16 ayes, 15 nays and 12 not voting.

Mr. Person asked unanimous consent that the following specific amendment be adopted: That everything in the bill pertaining to setting up a new committee be stricken and that the Director of the Department of Agriculture and Inspection and the Dean of the College of Agriculture of the University of Nebraska be the Committee.

Mr. McGinley objected.

Mr. Person moved that LB 518 be returned to General File for the above specific amendment.

The motion lost with 12 ayes, 20 nays and 11 not voting.

Advanced to E and R for engrossment with 24 ayes, 11 nays and 8 not voting.

LEGISLATIVE BILL 330. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Otto introduced Mrs. Tracey Van Camp, Home Extension Agent, and twenty-seven ladies from Buffalo County Extension Clubs.

Mr. Tvrdik introduced Mabel C. Spraktes, Teacher, three sponsors, and thirty-three students from Hawthorne School, Omaha, Nebraska.

Mr. Aufenkamp introduced Mrs. Emma Ocker, Teacher, and nine students from District 41, Syracuse, Nebraska.

Mr. Moulton Presiding

GENERAL FILE

UNANIMOUS CONSENT—Change Order of Bills

Mr. Peterson asked unanimous consent that LB 501 be placed immediately ahead of LB 99 on General File. No objections. So ordered.

LEGISLATIVE BILL 500. Consideration of the Perry specific amendment found in this day's Legislative Journal.

Laid over.

Speaker Burney Presiding

LEGISLATIVE BILL 544. Consideration of the Bixler motion to advance to E and R for review.

Mr. Thompson moved the previous question. The motion prevailed with 31 ayes, 5 nays and 7 not voting.

Advanced to E and R for review with 32 ayes, 4 nays and 7 not voting.

LEGISLATIVE BILL 545. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 454. Read and considered.

Mr. Moulton offered the following amendment, which was adopted:

Amend LB 454, Section 9, line 20 by striking "not" and inserting "nor" in lieu thereof.

Advanced to E and R for review.

Visitors

Mr. Klaver introduced Mr. Asher Zidon, Deputy Secretary of the (Knesset) Parliament, Jerusalem, Israel, who addressed the Legislature briefly.

Mr. Vogel introduced Miss Esther Wick and Julia Plumleigh, Teachers, and seventy-eight students from Tech Junior High School, Omaha, Nebraska.

Mr. Bedford introduced Darlene Musil, Teacher, and five students from District 40, Saline County.

STANDING COMMITTEE REPORTS
Government**LEGISLATIVE BILL 513.** Placed on General File as amended.

Standing Committee amendments to LB 513:

1. Amend section 1 of the bill, line 16 by inserting "a straight life pension of" before "one", and line 16 by inserting after the word "month" the following: *"Provided, that for each additional year of service after such fireman or policeman shall have become eligible to retire, such pension shall be increased one dollar and fifty cents per month, but not to exceed a total increase of seven dollars and fifty cents per month."*

2. Amend section 2 of the bill by striking line 3 after the figures "15-1002." to and including line 20 and show the same as stricken matter and line 20 after the end of the sentence insert the following: *"On or prior to the effective date of such retirement, but not thereafter, any such policeman or fireman may elect, by written notice filed with the city, to receive his pension as a straight life pension of one hundred thirty-five dollars per month or such larger amount to which he may be entitled under the provisions of section 15-1001, or he may elect to receive the actuarial equivalent of his straight life pension in a reduced pension payable throughout his life, and nominate a survivor beneficiary, having an insurable interest, in accordance with the provisions of option A or B, as hereinafter set forth in this section. Said actuarial*

equivalent shall be computed upon the basis of the 1937 Standard Annuity Mortality Table and an interest computation of three per cent per annum, compounded annually.

Option A. Under option A, a retired policeman or fireman shall receive a reduced pension payable throughout his life and upon his death his said reduced pension shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly executed and filed with the city on or prior to the effective date of his retirement.

Option B. Under option B, a retired policeman or fireman shall receive a reduced pension payable throughout his life and upon his death one half of his said reduced pension shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly executed and filed with the city on or prior to the effective date of his retirement.

In the event a retired fireman or policeman and his survivor beneficiary, if any, die before the aggregate amount of pension payments received by the said retired fireman or policeman and his survivor beneficiary, if any, equals the total amount of contributions made to the retirement plan by the said retired fireman or policeman, without interest, the difference between the total amount of his contributions and the aggregate amount of pension payments received by the retired fireman or policeman and his survivor beneficiary, if any, shall be paid, in a single sum, to such person or persons as the retired fireman or policeman shall have nominated by written designation duly executed and filed with the city. If there be no such designated person or persons surviving the retired fireman or policeman and his survivor beneficiary, if any, such difference, if any, shall be paid to his duly qualified personal representative; Provided, that if the difference is less than three hundred dollars, the city may pay same to such claimant or claimants as the city, in its discretion, shall determine to be entitled to same.

Any election or designation may be made by a fireman or policeman after he is eligible to retire, or within one year prior thereto, or after he has served for at least twenty-four years and is at least forty-nine years of age.

Any election or designation by a fireman or policeman prior to retirement may be revoked or changed by him, without the consent of any other person, or a new election or designation be substituted by him, as often as such fireman or policeman may desire, not later than the applicable final date on which he may make election.

In event of mental incapacity of a fireman or policeman, the right of election and designation may be exercised by his guardian."

3. Amend the bill by adding two new sections immediately after section 2 to be known as sections 3 and 4 and to read as follows:

"Sec. 3. That section 15-1003, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-1003. (1) When any such fireman or policeman shall be eligible to retire, regardless of whether he may actually elect to do so, the pension provided in this act shall in any event be payable upon his death from any cause or upon any other termination of his service as a member of said department, whether by reason of resignation, discharge or otherwise.

(2) *In event of the death of a fireman or policeman who is eligible to retire, under conditions not bringing it within the provisions of sections 15-1005 or 15-1006, the payments shall be made in accordance with the survivor beneficiary designation, if any, made by such deceased fireman or policeman under Option A, and if no such designation has been made, then the payments shall be made to the surviving wife of such deceased fireman or policeman, under Option A, as if the deceased had retired at the time of his death.*

(3) *In event of the termination of service of a fireman or policeman who is eligible to retire, by reason of resignation, discharge or otherwise, in situations not covered by the provisions of subsection 2 of this section, or sections 15-1005 or 15-1006, such fireman or policeman shall make designation as to whether the payments shall be made to him during his lifetime alone, or under Option A or Option B.*

Sec. 4. That section 15-1004, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-1004. (1) If any fireman or policeman hereafter entering the employment of any primary city as a member of its paid fire or police department, except those who shall have been formerly employed in such department who are now in military service, shall die other than in line of duty under conditions not bringing the death within the provisions of sections 15-1005 or 15-1006, after becoming fifty years of age and before age fifty-five, and after serving in the paid fire or police department of such city for at least twenty-five years, then the same pension shall be paid to the widow or minor children of such deceased fireman or policeman as provided for in section 15-1002, as if such deceased fireman or policeman were fifty-five years of age and eligible to retire at the time of his death. The payments shall be made in accordance with the survivor beneficiary designation, if any, made by such deceased fireman or policeman under Option A, and if no such designation has been made, then the payments shall be made to the surviving wife of such deceased fireman or policeman, under Option A."

4. Amend section 3 of the bill, by renumbering as section 5, line 7 by striking "thirty-five" and inserting "five", lines 7 and 8 by striking "the widow or" and inserting "*the widow or his surviving wife during her lifetime, and upon her death to the*", line 9 by inserting "*until the youngest living child reaches eighteen years of age*" after the word "man", and line 11 by inserting after the word "provided" the following:

"; Provided, that as set forth in subsection 2 of this section, any such fireman or policeman shall have the election by his written nomination filed with the city, to designate a survivor beneficiary who shall receive payment for such death, in the amount payable under Option A which would be applicable to retirement as of the date at which such death occurs.

(2) *The election shall apply (a) where such death occurs after such fireman or policeman is eligible to retire, or (b) where such death occurs after he becomes fifty years of age and has served at least twenty-five years in the paid fire or police department of such city."*

5. Amend the bill by adding a new section immediately after renumbered section 5 to be known as section 6 and to read as follows:

"Sec. 6. That section 15-1006, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

15-1006. (1) In case any such fireman or policeman shall become permanently and totally disabled from accident or other cause, while in the line of duty, such fireman or policeman shall forthwith be placed upon the roll of pensioned firemen or policemen, at the rate provided in this act for retired firemen or policemen of one hundred thirty-five dollars per month; *Provided, that if such disability occurred after such fireman or policeman was eligible to retire, the said rate shall be increased one dollar and fifty cents per month for each additional year of service from the time of such eligibility up to the time of such disability, but not to exceed a total increase of seven dollars and fifty cents per month. In case of the death of any fireman or policeman who has been placed on such pension roll for such disability, a pension of one hundred five dollars per month shall be paid to his surviving wife so long as she remains unmarried, if he was married to her prior to his being placed on such pension roll, and upon her death or remarriage, to his minor children until the youngest living child reaches eighteen years of age; and provided further, that any such fireman or policeman shall have, as set forth in subsection 2 of this section, the election, on or prior to the effective date of such disability retirement, or within thirty days thereafter, to elect to nominate a survivor beneficiary in accordance with the provisions of option A or option B contained in*

section 15-1002, the payments to be based upon the amount provided under such designated option for retirement as of the date on which such fireman or policeman was placed on the pension roll because of said disability.

(2) The election shall apply (a) where such disability occurs after such fireman or policeman is eligible to retire, or (b) where such disability occurs after he becomes fifty years of age and has served at least twenty-five years in the paid fire or police department of such city.

In case of temporary total disability of a fireman or policeman received while in line of duty, he shall receive his salary during the continuance of such disability for a period not to exceed twelve months; *Provided*, if it shall be ascertained by the city council or other proper municipal authorities within twelve months that such disability has become permanent, then his salary shall cease and he shall be entitled to the benefits of the foregoing provisions with reference to pensions in case of total and permanent disability. All payments of pension or salary provided by this section shall be subject to deduction of amounts paid under the Workmen's Compensation Act, as hereinafter provided."

6. Amend section 4 of the bill by renumbering as section 7, line 3 by striking "7, 1947" and inserting "7, 1947 1, 1955", line 4 by striking "may be required by the city" and inserting "may be required by the city shall", and lines 5 and 6 by striking "not more than three" and inserting "not more than three four".

7. Amend the bill by adding a new section immediately after re-numbered section 7 to be known as section 8 and to read as follows:

"Sec. 8. Any city of the primary class shall have the power to establish a fire and police pension fund. Such city may anticipate its liability for future pension payments on an actuarial basis, and in order to equalize the tax burden over a period of years, may levy and collect taxes in each fiscal year sufficient to meet current needs and equalize future payments. Said tax shall be in excess of and in addition to all other taxes now or hereafter authorized to be levied by said city. The taxes so levied and collected, together with contributions made by firemen and policemen, shall be credited to said fund. Any unexpended balance remaining in said fund at the close of the fiscal year shall be reappropriated for the ensuing year. Pension payments required by law shall be a general obligation of the city and may be made out of but not limited to said fund. Said fund may be invested in whole or in part in:

(1) Bonds or other obligations of either the United States of America or of any corporation or agency created or contemplated by

an act of Congress of the United States that are directly or indirectly guaranteed in whole or in part by the United States of America;

(2) *General obligation bonds or other interest-bearing obligations of the State of Nebraska or any county, city, village, school district therein, or other legally constituted political subdivision in Nebraska having the power to levy ad valorem taxes; Provided, such state, county, city, village, school district, or other subdivision has not defaulted in the payment of the principal or interest on any of its bonds or other interest-bearing obligations for a period in excess of one hundred twenty days within five years immediately preceding such investment;*

(3) *Legally issued bonds or notes secured by a first mortgage on real estate in this state and which mortgage is not larger than fifty per cent of the appraised value of said real estate and the improvements thereon at the time the loan is made; Provided, that (a) any such loan may be made in an amount not to exceed sixty per cent of the appraised value of the real estate offered as security if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the equal annual installment payments are sufficient to amortize forty per cent or more of the principal of the loan with a period of not more than ten years, and a proportionate principal reduction is provided for the balance of the term, and (b) the foregoing limitations shall not apply to any of the classes of securities if they are guaranteed or insured in whole or in part by the United States government or any agency thereof; but nothing in this section shall be deemed to prohibit the renewal or extension of a loan for the original amount where a shrinkage in value of such real estate would cause the loan in the original amount to be in excess of fifty per cent of the appraised value of such real estate at such renewal or extension date nor prohibit the acceptance, as part payment for real estate sold, of a mortgage thereon for more than fifty per cent of the purchase price of such real estate; (c) not more than twenty per cent of said fund may be invested in bonds or notes, secured by first mortgages, at any time;*

(4) *Bonds of any federal land bank or obligations secured by first mortgages on real estate, located wholly or partly in the State of Nebraska, issued by corporations doing business in the State of Nebraska whose net earnings, after depreciation and taxes, during the five years immediately preceding the date of purchase have averaged not less than two times the interest requirement on all funded debt and which corporations have not defaulted in the payment of either principal or interest on their funded debt for the past ten years;*

(5) *Bonds or other interest-bearing obligations of any corporation organized under the laws of the United States or any state*

thereof; Provided, that at the time the purchase is made, they are given, by at least two statistical organizations whose publications are in general use, one of the four highest ratings given by such organization;

(6) Revenue bonds or debentures of Nebraska waterworks plants and distribution systems, electric light plants and distributing systems, gas plants and distributing systems, highway bridges, and municipal or district sewage disposal plants where the earnings available for debt service have, for a five-year period, immediately preceding the date of purchase, averaged not less than one and three-fourths times said service requirements;

(7) Certificates of deposit of banks in the United States which are members of the Federal Deposit Insurance Corporation, if the amount deposited does not exceed the amount of insurance available thereon; and amounts within the limits of this provision in Nebraska state banks in which the average deposits for the preceding year do not exceed ten times the average combined capital, surplus, undivided profits, and reserves during the same period;

(8) Preferred stock of any corporation organized under the laws of the United States or of any state thereof, subject to the following conditions: (a) In the case of a public utility corporation, said corporation, during the five years immediately preceding the date of purchase, shall have earned an average of at least two times both the interest on its funded debt, if any, and its preferred dividend requirement, and in no year during said period shall have earned said combined interest charges and preferred dividend requirement less than one and one half times, and said corporation, during said five-year period, shall have paid the interest on its funded debt, if any, and its preferred dividend requirements, without interruption; (b) in the case of any other corporation, said corporation, during the five years immediately preceding the date of purchase, shall have earned by an average of at least three times both the interest on its funded debt, if any, and its preferred dividend requirement, and in no year during said period shall have earned said combined interest charges and preferred dividend less than two times and said corporation during said five-year period shall have paid the interest on its funded debt, if any, and its preferred dividend requirements, without interruption; and (c) in the case of an original or new issue of preferred stock of a corporation, said preferred stock shall qualify hereunder if the earnings of said corporation during the five years immediately preceding purchase of said preferred stock would have been sufficient to have provided for the coverage hereinabove required and if the amount of preferred stock purchased for the fund shall not exceed twenty per cent of the total approximate value of the fund at the time of such purchase."

8. Amend section 5 by renumbering as section 9, line 2 by striking "15-1005" and inserting "15-1003, 15-1004, 14-1005, 15-1006".

9. Amend the title to conform.

LEGISLATIVE BILL 80. Placed on General File as amended.

Standing Committee amendments to LB 80:

1. Amend Section 2, Page 3, under the heading "*Congressional Ticket*" to strike the following wording: "For Congressman District" and insert in lieu thereof the following: "For Representative in Congress.....District."

2. Amend Section 4, Page 6, Line 12, by striking "Congressmen" and inserting in lieu thereof "Representatives in Congress."

3. Amend Section 10, Page 13, Line 47, by inserting after the word "than" and before the word "the" the word "twice."

4. Amend the bill by adding a new section immediately after section 6, to be known as Section 7, and to read as follows:

"Sec. 7. That Section 32-505, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-505. There shall be a primary election held at the regular polling place in each precinct on the first Tuesday after the second Monday in May, 1957, and every two years thereafter, except as otherwise provided in sections 32-506 and 32-507, for the nomination of all the candidates except those exempted from the provisions of Chapter 32, Article 5, to be voted for at the November election and for delegates to the county conventions."

5. The new matter in Section 11 be stricken and the stricken matter be reinstated.

6. Amend the bill by renumbering original sections 7 through 17 and sections 8 through 18, respectively.

7. Amend the title to conform.

LEGISLATIVE BILL 536. Placed on General File as amended.

Standing Committee amendments to LB 536:

1. Amend section 2 of the bill, line 11 by adding a new sentence to read as follows:

"Appeals may be taken from the action of the county board to the district court of the county within twenty days after entry of such action

on the records of the county by the county clerk, in the same manner as appeals are now taken from the action of the county board in the allowance or disallowance of claims against the county."

2. Amend the title to conform.

LEGISLATIVE BILL 502. Indefinitely postponed.

LEGISLATIVE BILL 479. Indefinitely postponed.

LEGISLATIVE BILL 489. Indefinitely postponed.

(Signed) Sam Klaver, Chairman

Education

LEGISLATIVE BILL 521. Indefinitely postponed.

(Signed) Glenn Cramer, Chairman

Enrollment and Review

LEGISLATIVE BILL 150. Replaced on Select File as amended.

E and R amendment to LB 150:

1. In Enrollment and Review Committee Amendment 1, line 5, insert "," after "section".

LEGISLATIVE BILL 438. Placed on Select File as amended.

E and R amendments to LB 438:

1. In the bill page 2, section 1, line 10, after "be" insert "(a)", and in the same line strike "estimates" and insert in lieu thereof "*the general charge of the Board of Control, as provided in subsection (1) of this section, after estimates are*"; line 12, strike "be" and insert in lieu thereof "*bc (b)*"; line 15, after "dollars" insert "," and in the same line after "warehouses," insert "or a"; line 16, strike "etc."; line 18 after "tiary" and line 20 after "warden" insert ","; line 18, after "by" insert "*the*"; lines 23 and 28, strike "board" and insert in lieu thereof "*Board of Control board*"; line 31, after "let" insert "*by the Board of Control*"; page 3, line 48, strike "the" after "from" and insert in lieu thereof "*the such a*"; line 49 strike "contracts" and insert in lieu thereof "*contract or contracts therefor*" and in the same line after "contract" insert "*or contracts*".

2. In the bill title line 6, strike "without estimates and not by contract" and insert in lieu thereof "may be constructed under the conditions and in the manner prescribed".

LEGISLATIVE BILL 486. Placed on Select File as amended.

E and R amendments to LB 486:

1. Strike original section 1 and strike all of Standing Committee Amendment 1, commencing with line 3 of said Standing Committee Amendment 1, to the end of said amendment and all amendments thereto, and in lieu thereof insert:

"60-330. For the registration of farm or local trucks or truck tractors, the registration fees shall be as follows: For each truck or truck tractor, each with factory rated carrying capacity of three-fourths ton or less, eight dollars; one ton, ten dollars; one and one half tons, twelve dollars; two tons, fifteen dollars; two and one half tons, twenty-five dollars; three tons, forty-five dollars; four tons, fifty-five dollars; five tons, seventy-five dollars; six tons, one hundred dollars; and seven tons, one hundred thirty dollars, except tractor and semitrailer units and these ; Provided, that such trucks carrying a net load of ten tons or more shall be classified as a commercial vehicle vehicles for registration purposes . ; and provided further, that truck-tractor and semitrailer combinations must be registered as commercial vehicles, and that truck-tractor and semitrailer combinations owned and used exclusively by irrigation districts or political subdivisions of the State of Nebraska for the hauling of their draglines, bulldozers, caterpillar tractors, and ditchers shall pay the registration fee as provided in section 60-333."

2. In the bill title strike "or truck-tractors" in line 5, and insert in lieu thereof "; to provide how such trucks, carrying a net load of ten tons or more, shall be classified for registration purposes; to provide how truck-tractor and semitrailer combinations shall be registered; to provide that the registration fee for truck-tractor and semitrailer combinations, owned and used exclusively by irrigation districts or political subdivisions of the State of Nebraska, shall be the amount fixed by section 60-333, Revised Statutes Supplement, 1953".

LEGISLATIVE BILL 394. Correctly engrossed.

LEGISLATIVE BILL 128. Correctly engrossed.

LEGISLATIVE BILL 375. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:56 a.m., on a motion by Mr. Kotouc, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:01 p.m., Speaker Burney presiding.

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

GENERAL FILE**LEGISLATIVE BILL 181.** Considered.

Mr. Bixler moved that LB 181 be advanced to E and R for review.

Mr. Anderson moved that LB 181 be indefinitely postponed.

Mr. Anderson requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Nelson moved that the Call be raised. The motion prevailed with 36 ayes, 0 nays and 7 not voting.

The Anderson motion to indefinitely postpone lost with 17 ayes, 22 nays and 4 not voting.

Advanced to E and R for review with 20 ayes, 18 nays and 5 not voting.

LEGISLATIVE BILL 366. Considered.

Mr. Hubka asked unanimous consent that his amendment, found in the Legislative Journal for the Eighty-first Day, be withdrawn. No objections. So ordered.

Mr. Perry offered the following amendments, which were adopted:

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 68-215.08, Revised Statutes Supplement, 1953, be amended to read as follows:

68-215.08. Any old age assistance lien may be foreclosed in the name of the old age assistance board of any county or in the name of the State Director of Assistance in the same manner as provided for the foreclosure of real estate mortgages, except *(1) that there may be a joinder of parties and causes of action in the same manner as provided in sections 77-1905 to 77-1907, and (2) that no stay of an order of sale shall be allowed when old age assistance liens are foreclosed.*”

2. Amend section 2 of the bill by striking lines 1 and 2 and inserting the following:

"Sec. 3. That original sections 68-206 and 68-215.08, Revised Statutes Supplement, 1953, are repealed."

3. Amend the title to conform.

Mr. Bedford moved that LB 366 be indefinitely postponed.

Mr. Klaver requested a record vote.

Voting in the affirmative, 16:

Beaver	Burney	Hubka	Person
Bedford	Cole	Kotouc	Peterson
Bridenbaugh	Diers	Metzger	Swanson
Brower	Hoffmeister	Perry	Vogel

Voting in the negative, 25:

Adams, J.	Fenske	Martin	Purdy
Adams, T.	Foote	Morrison	Ruhnke
Anderson	Klaver	Moulton	Shultz
Aufenkamp	Larkin	Nelson	Syas
Bahensky	Liebers	Otto	Thompson
Bixler	McGinley	Pizer	Tvrdik
Cramer			

Not voting, 2:

Lee	McHenry
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The motion lost.

Advanced to E and R for review.

LEGISLATIVE BILL 108. Laid over.

LEGISLATIVE BILL 216. Mr. Otto asked unanimous consent that LB 216 be laid over until Tuesday, May 10, 1955.

Mr. Fenske objected.

Read and considered.

Standing Committee amendments found in the Legislative Journal for the Sixty-fifth Day were adopted.

Member Excused

Mr. Beaver was excused for the remainder of the afternoon.

Mr. Fenske moved that LB 216 be indefinitely postponed.

Pending.

Visitors

Mr. Tvrdik introduced Mr. Charles Wilson, Norfolk, Nebraska, a former Member of the Legislature, and Mrs. Wilson.

UNANIMOUS CONSENT—Executive Session

Mr. Martin asked unanimous consent that the Committee on Judiciary be permitted to hold an executive session at 8:30 a.m., Wednesday, May 4, 1955. No objections. So ordered.

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) William A. Metzger

The motion prevailed with 20 ayes, 18 nays and 5 not voting, and at 4:06 p.m., the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 4, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lee and McHenry, who were excused, and Mr. Larkin, who was excused from 9:00 to 10:30 a.m.

The Journal for the Eighty-fourth Day was approved as corrected.

Approved by the Governor

May 3, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Acting Governor Charles J. Warner has requested me to inform your Honorable Body that on May 3, 1955, he approved LB 405 and 318.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

MOTION—Flowers

Mr. President: I move that the Legislature send flowers to Mr. McHenry at St. Elizabeths Hospital. (Signed) H. K. Diers

The motion prevailed.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 276. Placed on General File.

(Signed) Donald F. McGinley, Vice Chairman

Judiciary

LEGISLATIVE BILL 554. Placed on General File as amended.

Standing Committee amendment to LB 554:

1. In line 12 following the word "cars," and preceding the word "such" insert the following: "and such train has for a period of six months produced revenues which are less than the out of pocket cost of operating such train,".

LEGISLATIVE BILL 532. Indefinitely postponed.

(Signed) Joseph D. Martin, Chairman

Visitors

Mr. Peterson introduced his father, W. S. Peterson of Burwell, Nebraska.

RESOLUTIONS

LEGISLATIVE RESOLUTION 27.

LR 27 was adopted with 36 ayes, 0 nays and 7 not voting.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 362. Placed on General File as amended.

Standing Committee amendments to LB 362:

1. Amend the bill by striking sections 1 to 15 and inserting in lieu thereof three new sections to read as follows:

"Section 1. Beginning, January 1, 1956, owners or operators of trucks and truck-tractors registered in states other than Nebraska and carrying a net load of more than sixteen tons operating into or through Nebraska shall obtain a mileage permit and shall pay the rate of five cents per mile for each and every mile traveled into or through the State of Nebraska. Such permit to be obtained at a Nebraska port of entry. Money collected from the mileage permit referred to above shall be remitted by the Department of Roads and Irrigation to the State

Treasurer who shall credit the same to the department for the construction and maintenance of the national system of interstate highways.

Sec. 2. Any owner of a truck or truck-tractor referred to in section 1 of this act, may be exempt from the provision of section 1 of this act by purchasing a Nebraska nonresident commercial license.

Sec. 3. No tax shall be required from any truck, tractor, truck-tractor, semitrailer, or trailer when such vehicle engaged in interstate commerce does not come into the State of Nebraska a distance greater than ten miles from the boundary of said state on any given trip, and does not travel on the highways of this state a distance of more than twenty miles on said trip, nor shall any tax be required where said vehicle does not leave the incorporated limits of any village or city while in the State of Nebraska within a zone circumscribed by a line running parallel to the corporate limits of any city, village, or contiguous cities and villages, and ten miles distant therefrom. Nothing contained in this section shall be construed as preventing trucks, tractors, truck-tractors, semitrailers, or trailers from coming into the state such distance as shall be necessary to reach the nearest railway shipping station on the most direct traveled route from the state line to said station if under the law of the state of the residence of such owner like exemptions and privileges are granted to vehicles duly registered under the law and owned by residents of this state."

LEGISLATIVE BILL 416. Indefinitely postponed.

LEGISLATIVE BILL 411. Placed on General File as amended.

Standing Committee amendments to LB 411:

1. Amend the bill by striking section 1 and inserting in lieu thereof 6 new sections to be known as sections 1 to 6 and to read as follows:

"Section 1. That section 77-628, Revised Statutes Supplement, 1953, be amended to read as follows:

77-628. For the purpose of ascertaining the average rate of all general taxes provided for in section 77-629, the county official who prepares the tax list of each county shall certify to the State Board of Equalization and Assessment, on or before December 1 of each year, the total valuation, the respective levies, and the total amount of all general taxes, state, county, municipal, school, and local, as shown on the tax lists of the county for the current year.

Sec. 2. That section 77-629, Revised Statutes Supplement, 1953, be amended to read as follows:

77-629. The State Board of Equalization and Assessment shall each year make a levy, for purposes of taxation, against the values assessed

and determined to exist in the state as provided in sections 77-626 and 77-627, at a rate which shall be equal, as nearly as may be, to the average rate of all general taxes, state, county, municipal, school, and local, levied throughout the several taxing districts of the state for the preceding year. When such rate of levy shall have been determined, the board shall cause to be sent to each owner or operator of car line property a statement of the amount of valuation or assessment, the rate of the levy, and the amount of the tax, which tax so found and notified is required to be paid to the Tax Commissioner for the use of the General Fund of the state within the time provided for the payment of general personal property taxes. *The amount collect shall be apportioned to the general fund of the counties.* The Tax Commissioner may issue a distress warrant to compel payment of the same which may be served by any sheriff, any member of the Nebraska Safety Patrol, or any person specially deputized by the Tax Commissioner to serve the same. At the time of paying the tax the Tax Commissioner shall issue 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 treasury.

Sec. 3. That section 77-704, Revised Statutes Supplement, 1953, be amended to read as follows:

77-704. The tax upon intangible property in Classes "A" and "B" shall be in lieu of all other taxes thereon, and shall be due, delinquent, and collectible at the same time as personal taxes. The amount collected in the various taxing districts of the state shall be apportioned ~~one-sixth~~ to the state General Fund, ~~one-sixth~~ *one-third* to the county general fund, *one-third* to the general fund of the city or village, and *one-third* to the general fund of the school district in which the property is assessable; *Provided*, if the property is not assessable within a city or village, two-thirds of the tax collected shall be apportioned to the general fund of the school district.

Sec. 4. That section 77-1003, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1003. The State Board of Equalization and Assessment shall each year make a levy for purposes of taxation against the values assessed and determined to exist, as provided in section 77-1002, at a rate which shall be equal, as nearly as may be, to the average rate of all general taxes, state, county, municipal, school, and local, levied throughout the several taxing districts of the state for the preceding year.

Sec. 5. That section 77-1004, Revised Statutes Supplement, 1953, be amended to read as follows:

77-1004. When the rate of levy shall have been determined, as provided in section 77-1003, the State Board of Equalization and Assess-

ment shall cause to be sent to each owner or operator of any of the vehicles, a statement of the amount of valuation and assessment, the rate of the levy, and the amount of the tax, which tax so found shall be paid to the Tax Commissioner for the use of the General Fund of the state within the time provided for the payment of general personal property taxes. *The amount collected shall be apportioned to the general fund of the counties.* 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. The taxes so levied shall be a first lien on the property so assessed and upon all other property of the owner to whom assessed from and after the date of levy of the year in which they are assessed until paid.

Sec. 6. That section 77-1250, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

77-1250. When levied, the tax shall be collected and , paid , and distributed in the same manner as the tax on car companies as provided in sections 77-629 to 77-631.

Sec. 7. That original sections 77-1003 and 77-1250, Reissue Revised Statutes of Nebraska, 1943, sections 77-628, 77-629, 77-704, and 77-1004, Revised Statutes Supplement, 1953, and also sections 68-230, 77-512, 77-513, 77-514, 77-515, and 77-516, Reissue Revised Statutes of Nebraska, 1943, are repealed."

2. Amend the title of the bill by striking lines 2 to 7 and inserting the following:

"FOR AN ACT to amend sections 77-1003 and 77-1250, Reissue Revised Statutes of Nebraska, 1943, and sections 77-628, 77-629, 77-704, and 77-1004, Revised Statutes Supplement, 1953, relating to taxation; to change the allocation of funds from the state General Fund to the county general fund, as prescribed; and to repeal the original sections, and also sections 68-230, 77-512, 77-513, 77-514, 77-515, and 77-516, Reissue Revised Statutes of Nebraska, 1943."

LEGISLATIVE BILL 552. Placed on General File.

LEGISLATIVE BILL 519. Placed on General File as amended.

Standing Committee amendments to LB 519:

1. Amend the bill by adding two new sections to be known as sections 1 and 2 and to read as follows:

"Section 1. That section 39-605, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

30-305. The various county treasurers shall act as agents for the Department of Roads and Irrigation in the collection of all motor vehicle registration fees. While acting as such agents, the county treasurers shall retain from the funds collected for motor vehicle registration ten cents for each motor vehicle registration. Said ten cents shall be accounted for as other fees passing through their hands. After ten cents for original motor vehicle registration is deducted, the county treasurers shall transmit to the State Treasurer two and one half per cent of all such funds collected by them. Said two and one half per cent shall be credited to the state General Fund.

Sec. 2. That section 39-606, Revised Statutes Supplement, 1953, be amended to read as follows:

30-305. After the payments provided for in section 39-605, ~~thirty~~ *forty* per cent of all the motor vehicle registration fees paid shall be transmitted by the county treasurers of the various counties to the State Treasurer and shall, by said State Treasurer, be credited to the state Highway Cash Fund, out of which fund shall be allowed claims for the maintenance of the state highway system. In any county in which the population of the cities and incorporated villages therein, as the same is ascertained from the federal census from time to time, exceeds two hundred thousand or more persons, ~~fifty~~ *forty-five* per cent, in any county in which the population of the cities and incorporated villages therein, as the same is ascertained from such census from time to time, exceeds sixty thousand and is not more than two hundred thousand persons, ~~thirty-five~~ *thirty* per cent, in any county in which the population of the cities and incorporated villages therein, as the same is ascertained from such census from time to time, is more than ten thousand and not more than sixty thousand persons, thirty per cent, and in all other counties, twenty per cent, of the motor vehicle registration fees paid by residents of the cities and incorporated villages in their county shall be credited by the county treasurer to the road fund of the cities and incorporated villages within such county in the proportion that the motor vehicle registration of each bears to the total motor vehicle registration of all such cities and incorporated villages, and the sum of money so allocated shall be used by such cities and incorporated villages for constructing street improvements, amortization of bonded indebtedness when created for street improvements, and for the cleaning, maintenance, and repair of streets or boulevards; and the remainder of such fees so collected shall be credited by the county treasurer to the county road fund."

3. Amend renumbered section 14 of the bill, lines 29, 32, 36, 41, 44, and 48 by striking "60-330" and inserting "60-330 60-331".

4. Amend the bill by adding two new sections immediately after

renumbered section 14 to be known as sections 15 and 16 and to read as follows:

"Sec. 15. That section 60-330, Revised Statutes Supplement, 1953, be amended to read as follows:

60-330. For the registration of farm or local trucks or truck-tractors, the registration fees shall be as follows: For truck or truck-tractor, each with factory rated carrying capacity of three-fourths ton or less, ~~eight ten~~ *ten* dollars and fifty cents; one ton, ~~ten~~ *fifteen* dollars; one and one half tons, ~~twelve~~ *seventeen* dollars; two tons, ~~fifteen~~ *twenty* dollars; two and one half tons, ~~twenty-five~~ *thirty* dollars; three tons, ~~forty-five~~ *fifty* dollars; four tons, ~~fifty-five~~ *sixty* dollars; five tons, ~~seventy-five~~ *eighty* dollars; six tons, one hundred ~~five~~ dollars; and seven tons, one hundred ~~thirty~~ *thirty-five* dollars; ~~eight tons, one hundred sixty-five dollars; and nine tons, one hundred ninety-five dollars~~, except tractor and semitrailer units and those carrying a net load of ten tons or more shall be classified as a commercial vehicle for registration purposes.

Sec. 16. That section 60-331, Revised Statutes Supplement, 1953, be amended to read as follows:

60-331. The registration fee on commercial trucks shall be based upon the load to be hauled; the registration fee on commercial truck-tractors shall be based on the load to be hauled on such truck-tractors plus the load to be hauled on any semitrailer connected therewith; and the registration fee on such commercial trucks and truck-tractors shall be at the following rates: One half ton, ~~ten dollars~~ *twelve dollars and fifty cents*; one ton, ~~fifteen~~ *twenty* dollars; one and one half tons, ~~twenty-five~~ *thirty-two dollars and fifty cents*; two tons, ~~thirty~~ *forty* dollars; two and one half tons, ~~forty~~ *forty-two dollars and fifty cents*; three tons, ~~sixty-five~~ *eighty* dollars; three and one half and four tons, ~~eighty~~ *one hundred* dollars; four and one half tons, ~~ninety-five~~ *one hundred seventeen dollars and fifty cents*; five tons, one hundred ~~twenty~~ *forty-five* dollars; five and one half and six tons, one hundred ~~fifty~~ *eighty* dollars; six and one half and seven tons, one hundred ~~seventy-five~~ *two hundred forty-five* dollars; seven and one half and eight tons, two hundred ~~eighty~~ *eighty* dollars; eight and one half and nine tons, two hundred ~~twenty-five~~ *three hundred fifteen* dollars; nine and one half and ten tons, ~~three~~ *four hundred twenty* dollars; eleven tons, ~~three hundred~~ *four hundred sixty* dollars; twelve tons, ~~three hundred~~ *eighty five hundred* dollars; thirteen tons, ~~four hundred~~ *ten five hundred forty* dollars; fourteen tons, ~~four hundred~~ *forty five hundred eighty* dollars; fifteen tons, ~~four hundred~~ *seventy six hundred twenty* dollars; sixteen tons, ~~five hundred~~ *six hundred sixty* dollars; seventeen tons, ~~five hundred~~ *thirty seven hundred* dollars; eighteen tons, ~~five hundred~~ *sixty seven hundred forty* dollars; nineteen tons, ~~five~~

hundred ninety seven hundred eighty dollars; twenty tons, six eight hundred twenty dollars; twenty-one tons, six hundred fifty eight hundred sixty dollars; twenty-two tons, six nine hundred eighty dollars; twenty-three tons, seven hundred ten nine hundred forty dollars; twenty-four tons, seven hundred forty nine hundred eighty dollars; and twenty-five tons, seven hundred seventy one thousand twenty dollars; *Provided*, that for fractional tons in excess of the twenty per cent or the tolerance of one thousand pounds, as provided in section 39-723.03, the fee shall be computed on the basis of the next higher bracket. No registration fee shall be required on truck-tractors and trailers owned and used exclusively by any irrigation district for hauling draglines. No truck shall be registered for a fee which is computed on a basis that is less than its rated carrying capacity when such factory rated carrying capacity is three tons or less."

5. Amend section 13 of the bill by renumbering it as section 17, line 1 by inserting "39-605," after "sections", line 4 by inserting "39-606," after "sections", and line 4 by striking "and 60-329" and inserting "60-329, 60-330, and 60-331".

6. Amend the title to conform.

LEGISLATIVE BILL 436. Placed on General File as amended.

Standing Committee amendments to LB 436:

1. Amend the bill by striking sections 1 to 4 and inserting in lieu thereof three new sections to read as follows:

"Section 1. That section 66-424.01, Revised Statutes Supplement, 1953, be amended to read as follows:

66-424.01. The Gasoline Tax Fund shall be distributed by the State Treasurer as follows:

(1) The State Treasurer shall first make all refunds, as provided in sections 66-413 and 66-414, and credit to the Division of Motor Fuels of the Department of Agriculture and Inspection such amount of the Gasoline Tax Fund as shall be necessary, in addition to such other funds as may be available for that purpose, to pay the cost of administering and enforcing the motor vehicle fuel tax laws of this state; *Provided*, that in no event shall the amount so credited exceed one per cent of the total Gasoline Tax Fund collected;

(2) The State Treasurer shall then pay all warrants drawn by the Auditor of Public Accounts for all refunds and for such amount as shall be necessary to provide the identifying chemicals, as provided in section 66-447;

(3) One-sixth of the remainder of the Gasoline Tax Fund shall then be transferred to the various county treasurers of the state in the

same manner as provided in section 66-422 and shall be used as provided in sections 39-222 and 39-1001 to 39-1009, until May 9, 1959, and after May 9, 1959, twenty per cent of the remainder of the Gasoline Tax Fund shall then be transferred to the various county treasurers of the state in the same manner as provided in section 66-422 and shall be used as provided in sections 39-222 and 39-1001 to 39-1009;

(4) After distribution and payment of the amounts above set forth, thirty per cent of the balance of the Gasoline Tax Fund shall be transferred to the various county treasurers of the state in the same manner and for the same uses as provided in sections 66-422 and 66-423 until May 9, 1959, and after May 9, 1959, after distribution and payment of the amounts above set forth, three-eighths of the balance of the Gasoline Tax Fund shall be transferred to the various county treasurers of the state in the same manner and for the same uses as provided in sections 66-422 and 66-423; *Provided, that twenty per cent of the funds distributed to the counties as provided by this subsection shall be used for matching federal aid funds when available for improving any road that is a part of the approved federal secondary system; and*

(5) The other seventy per cent of the balance remaining in said fund shall be transferred to the Department of Roads and Irrigation in the same manner and for the same uses and purposes as provided in section 66-424, until May 9, 1959, and after May 9, 1959, the other five-eighths of the balance remaining in said fund shall be transferred to the Department of Roads and Irrigation in the same manner and for the same uses and purposes as provided in section 66-424.

Sec. 2. That section 66-504, Revised Statutes Supplement, 1953, be amended to read as follows:

66-504. Sections 66-501 to 66-513 shall not be construed to include the carrying of motor vehicle fuels in the supply tank of said vehicles which is regularly connected with the carburetor of the engine of the vehicle, except when said fuel supply tank shall have a capacity of more than twenty *ten* gallons, in which case the amount of fuel in said tank in excess of twenty *ten* gallons shall be taxed at the rate of tax for such type of fuel as provided by the laws of this state then in force; *Provided, that there shall be issued at ports of entry or at other points designated by the Department of Agriculture and Inspection, upon request, a certificate as to the amount of fuel in the supply tank of a vehicle departing from this state and said vehicle may, within fifteen days thereafter, re-enter this state with an amount of fuel in the supply tanks not*

in excess of the amount evidenced in said certificate. Any fuel in excess of the amount shown on such certificate shall be taxed at the rate of tax for such type of fuel as provided by the laws of this state then in force. Such a certificate shall expire at midnight of the fifteenth calendar day after issuance, and shall not be transferable either as to persons or vehicles.

Sec. 3. That original sections 66-424.01 and 66-504, Revised Statutes Supplement, 1953, are repealed."

2. Amend the title to conform.

(Signed) Monroe Bixler, Chairman

STATEMENT—Introduce Bill

May 2, 1955

Should LB 187, repealing all of the present highway laws, be passed by the Legislature, a bill providing for the operation of the State Weighing Scales is a must.

This bill provides that the Governor is to either put the scales under the direction of the Department of Roads and Irrigation or under the State Safety Patrol.

It further provides for making peace officers of the civilian employees, should they be given charge of the scales, which would empower them to make arrests, etc.

(Signed) William Moulton, Chairman
Committee on Public Works

Permission to introduce the bill granted with 34 ayes, 0 nays and 9 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 556. By Committee on Public Works, William Moulton, 10th District, Chairman.

A bill for an act relating to motor vehicles; to redefine the authority of the Department of Roads and Irrigation to construct, maintain, and operate weighing stations for weighing and inspection of buses, motor trucks, truck-tractors, and trailers; to authorize the Governor to designate either the Nebraska Safety Patrol or employees of the Department of Roads and Irrigation as peace officers, to operate the weighing stations; to provide for bonds and payment of premiums of such bonds of the employees designated as peace officers; to provide for

the powers, uniform, and badge of such peace officers; to provide for notice or summons for a violation of this act and hearing before a magistrate on the violation; to provide for violations; to provide penalties; to amend sections 39-603.03 and 39-603.04, Reissue Revised Statutes of Nebraska, 1943; and to repeal the original sections.

SUSPEND RULES—Place LB 556 on General File

Mr. President: I move that the rules be suspended and LB 556 be placed on General File. (Signed) William Moulton

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

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 305. Placed on General File as amended.

Standing Committee amendments to LB 305:

1. Amend the bill by adding a new section immediately after section 3 to be known as section 4 and to read as follows:

"Sec. 4. That section 79-403, Revised Statutes Supplement, 1953, be amended to read as follows:

79-403. Any freeholder or freeholders may file a petition with a board consisting of the county superintendent, county clerk, and county treasurer, asking to have any land described therein set-off from the district in which it is situated and attached to some other district. The petition shall state the reasons for the proposed change and show: (1) That the land therein described is owned by the petitioner or petitioners; (2) that the land adjoins the district to which it is to be attached; (3) that the territory proposed to be attached has children of school age residing thereon with their parents or guardians; and (4) that they are each more than two miles from the schoolhouse in their own district, and at least one half mile nearer to the schoolhouse in the adjoining district, which distance shall be measured by the shortest route possible upon section lines or traveled roads open to the public. The petition shall be verified by the oath of the petitioner or petitioners. The board may, after a public hearing on the petition, thereupon change the boundaries of the districts so as to set-off the land described in the petition and attach it to such adjoining district as is called for in the petition whenever they deem it just and proper and for the best interest of the petitioner or petitioners so to do. Notice of the filing of the petition and hearing thereon before the board shall be given at least ten days prior to the date of such hearing, by one publication in a legal newspaper of general circulation

in such district, and by posting a notice on the outer door of the school-house in each district affected thereby, which notice shall designate the territory to be transferred ; *Provided, that the petitions requesting transfers of property across county lines shall be addressed jointly to the county superintendents of the counties concerned, and the petitions shall be acted upon by the county superintendents, county clerks, and county treasurers of the counties involved as one board. Appeals may be taken from the action of such board, or when such board fails to agree, to the district court of the county in which the real estate is located within twenty days after entry of such action on the records of the board by the county clerk of the county in which the real estate is located or within six months after the petition is filed and the board fails to agree, in the same manner as appeals are now taken from the action of the county board in the allowance or disallowance of claims against the county.*"

2. Amend the bill by renumbering sections 4 to 9 as sections 5 to 10, respectively.

3. Amend renumbered section 10, line 3 by inserting "79-403," before "79-420".

4. Amend the title to conform.

5. Amend section 6 of the bill, line 10 by inserting after the word "district" the following: "*; Provided, that such enumeration of children shall not effect the manner of distribution or apportionment of school funds*".

6. Amend page 4 of the bill, section 3, by reinstating the stricken matter in lines 17 to 19.

7. Amend page 5 of the bill, section 4, line 5 by inserting the word "or" before (2), line 5 by inserting the word "*either*" after the word "shall", and line 8 by striking "*, or (3)*" and inserting "*, or (3)*".

8. Amend section 5 of the bill, line 11 by inserting after "*face*" the following: "*; Provided, that in school districts of the third, fourth, and fifth classes facsimile signatures of board members may be used and a person or persons delegated by the board may sign and validate all warrants of the district*".

(Signed) Glenn Cramer, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 66.

A bill for an act to amend section 60-404, Reissue Revised Statutes of Nebraska, 1943, relating to motor vehicles; to provide that

after November 1, 1955, every person holding a valid Nebraska operator's license shall be re-examined when he attains the respective ages of thirty, forty, fifty, sixty, seventy, seventy-five, eighty, eighty-five, ninety, or ninety-five, respectively, before he shall be issued the first renewal of his license after attaining such respective ages; to provide for satisfactory evidence to be presented to the county treasurer as prescribed before a renewal of such a license shall be granted by such officer at the ages prescribed; to clarify and restate certain of the provisions 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, 20:

Adams, T.	Burney	Liebers	Perry
Anderson	Cole	McGinley	Person
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Morrison	Swanson
Brower	Kotouc	Otto	Thompson

Voting in the negative, 20:

Adams, J.	Cramer	Metzger	Ruhnke
Aufenkamp	Diers	Moulton	Shultz
Bedford	Fenske	Nelson	Syas
Bixler	Hubka	Peterson	Tvrdik
Bridenbaugh	Klaver	Pizer	Vogel

Not voting, 3:

Larkin	Lee	McHenry
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A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

LEGISLATIVE BILL 467.

A bill for an act to amend sections 24-211, 48-814, 49-703, and 49-703.01, Reissue Revised Statutes of Nebraska, 1943, relating to courts; to increase the salaries of the Clerk and Reporter of the Supreme Court and the Revisor of Statutes; to provide that the Clerk of the Supreme Court shall receive no additional salary as an officer or employee of the Court of Industrial Relations after January 1, 1957; to provide that the Revisor of Statutes shall be relieved of certain duties and the salary therefor after January 1, 1957; to provide when the increases in salaries as prescribed shall become effective; and to repeal the original sections, and also section 49-703.02, Reissue 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.	Burney	Liebers	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Shultz
Bahensky	Fenske	Morrison	Swanson
Beaver	Foote	Moulton	Syas
Bedford	Hoffmeister	Nelson	Thompson
Bixler	Hubka	Otto	Tvrdik
Bridenbaugh	Klaver	Perry	Vogel
Brower	Kotouc		

Voting in the negative, 1:

Ruhnke

Not voting, 4:

Larkin	Lee	McHenry	Person
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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 to amend section 30-339, Revised Statutes Supplement, 1953, relating to decedent's estates; to restate the requirements for dispensation with the regular administration of the estate of a deceased ward in guardianship or conservator proceedings; to limit the amount of claim for burial expense 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:

Adams, T.	Bridenbaugh	Hubka	Nelson
Anderson	Brower	Klaver	Otto
Aufenkamp	Cole	Kotouc	Perry
Bahensky	Cramer	Liebers	Person
Beaver	Diers	McGinley	Peterson
Bedford	Fenske	Martin	Pizer
Bixler	Foote	Moulton	Purdy

Ruhnke	Swanson	Thompson	Vogel
Shultz	Syas	Tvrdik	

Voting in the negative, 3:

Hoffmeister	Metzger	Morrison
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Not voting, 5:

Adams, J.	Larkin	Lee	McHenry
Burney			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 531.

A bill for an act relating to cities and villages, particular classes; to provide for the use of parking meters for the control of vehicular traffic; to define terms; and to provide for the disposition of the funds derived from the use of parking meters or other mechanical devices.

Whereupon the 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.	Burney	Liebers	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Moulton	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Hubka	Otto	Thompson
Bridenbaugh	Klaver	Perry	Tvrdik
Brower	Kotouc	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Larkin	Lee	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Perry introduced Mrs. Ethel Long, Principal, Gwendoline Birky, Teacher, and thirty-one students from Randolph School, Lincoln, Nebraska.

Mr. Anderson introduced John R. Johnson, Superintendent, three sponsors, and sixteen students from Polk High School, Polk, Nebraska.

Mr. Syas introduced Mrs. Chittim, Mrs. Sackett and Mr. Reece, Teachers, and eighty-four students from Minne Lusa School, Omaha, Nebraska.

SELECT FILE

LEGISLATIVE BILL 150. E and R amendment found in the Legislative Journal for the Eighty-fourth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 476. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 320. E and R amendments found in the Legislative Journal for the Eighty-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 438. E and R amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 486. E and R amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for engrossment with 31 ayes, 5 nays and 7 not voting.

MOTION—Indefinitely Postpone Bills

Consideration of the Person motion to indefinitely postpone all bills in Standing Committees, except the Budget Committee, found in the Legislative Journal for the Eightieth Day.

Mr. Person moved to amend his motion as follows: That all bills reported out by the Committees, even if not so reported to the Clerk of the Legislature, shall not be included in my motion.

Mr. Person asked unanimous consent that consideration of his amendment be laid over until 2:00 p.m. today. No objections. So ordered.

Member Excused

Mr. T. Adams was excused for one hour.

STANDING COMMITTEE REPORTS
Public Works

LEGISLATIVE BILL 339. Placed on General File as amended.

Standing Committee amendments to LB 339:

1. Amend the bill by striking sections 1 and 2 and inserting in lieu thereof two new sections to read as follows:

"Section 1. That section 39-723.07, Revised Statutes Supplement, 1953, be amended to read as follows:

39-723.07. When any motor truck, truck-tractor, or trailer is operated upon the public highways of this state carrying a load in excess of the maximum tolerance permitted in subdivisions (1) and (2) of section 39-723.03, the load shall be reduced or shifted to within such maximum tolerance before being permitted to operate on any public highway of this state; *Provided*, that no motor truck, truck-tractor, or trailer carrying a load of livestock shall exceed the maximum load as provided by section 39-722 and the tolerance provided for by the provisions of subdivision (2) of section 39-723.03, but shall be exempt from excess of carrying capacity on any wheel, on any axle, or on a group of axles as provided by the provisions of section 39-722 and the tolerance provided by subdivision (2) of section 39-723.03 when caused by a shifting of the weight of the livestock. *that any truck, truck-tractor, semitrailer, or trailer carrying only a load of livestock may exceed the maximum load with tolerance on only one axle, or on only one group of axles where the distance between the first and last axle of said group of axles is six feet or less, if the excess load on said axle or on said group of axles is caused by a shifting of the weight of the livestock by said livestock, and if the vehicle or combination of vehicles is within the maximum gross load with tolerance.* All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

Sec. 2. That original section 39-723.07, Revised Statutes Supplement, 1953, is repealed."

2. Amend the title to conform.

LEGISLATIVE BILL 384. Placed on General File as amended.

Standing Committee amendments to LB 384:

1. Amend Page 2, section 1, line 19, by adding after the word "facilities" the following words "without additional cost to the land-owners".

2. Amend the bill on Page 8 by adding a new section immediately after section 8 to read as follows:

"Sec. 9. That section 31-816, Revised Statutes Supplement, 1953, be amended to read as follows:

31-816. The plan, upon final approval as provided by section 31-815, may be carried into effect if the estimate of the costs to be borne by the district, exclusive of any contributions by the United States government, does not exceed five per cent of the assessed value of the land benefited. If the estimate of costs does exceed five per cent of the assessed value of the land benefited, such plans must be submitted to the landowners of the district and owners of easements in or upon real estate in the district *voters in the manner provided in subdivision (4) of section 31-809* and be approved by three-fifths of the total number of votes eligible to be cast at the election before it is carried into effect. The provisions for *manner of voting* shall be the same as voting for directors."

3. Renumber sections 9 and 10 of the bill as sections 10 and 11.

4. Amend the bill by adding a new section to read as follows:

"Sec. 12. 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 to conform.

LEGISLATIVE BILL 359. Indefinitely postponed.

LEGISLATIVE BILL 493. Indefinitely postponed.

LEGISLATIVE BILL 541. Placed on General File as amended.

Standing Committee amendments to LB 541:

1. Amend section 3 of the bill by striking the word "the" after the word "exceeds" in line 5, by striking all of lines 6 to 11, and by striking "five" in line 12 and inserting "four".

2. Amend section 6 of the bill by striking lines 1 to 6 and inserting "Sec. 6. The provisions of sections 3, 4, and 5 of this act shall not apply to".

3. Amend section 7 of the bill by striking lines 1 to 3 and inserting "Sec. 7. All structures outside the".

(Signed) William Moulton, Chairman

GENERAL FILE

LEGISLATIVE BILL 216. Consideration of the Fenske motion to indefinitely postpone the bill.

Mr. Metzger Presiding

Member Excused

Mr. Larkin was excused at 11:15 a.m.

Mr. Otto moved the previous question.

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

The Fenske motion lost with 16 ayes, 23 nays and 4 not voting.

Mr. Klaver moved that LB 216 be advanced to E and R for review.

Mr. Otto requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

The Call was raised.

The motion to advance LB 216 lost with 20 ayes, 20 nays and 3 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 28. Re: In Memory of Sarah T. Muir

Introduced by Charles F. Tvrdek, 7th District, Kathleen A. Foote, 31st District, and Harry L. Pizer, 38th District.

Sarah T. Muir, a former member of the Legislature died in Lincoln, Nebraska, May 3, 1955. She was born at Racine, Wisconsin, and received her education in the Lincoln Schools, University of Nebraska, and Hillsdale College at Hillsdale, Michigan. Miss Muir served as a member of the House of Representatives in 1925 and 1933. She was one of the first lady members of the Nebraska Legislature.

Sarah T. Muir was chairman of the English Department of Lincoln High School for 29 years, which position she held until the time of her retirement in 1947. She was active in educational affairs and served as President of the Lincoln Teachers Association, District 1 of the Nebraska State Teachers Association, and American Association of University Women. She was a writer and speaker on social, educational, and political subjects. Miss Muir was active in civic and religious affairs.

She leaves her surviving one sister, and several nieces and nephews.

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-SEVENTH SESSION ASSEMBLED:

1. That we pause for a moment in our deliberations and stand in humility and reverence in honor of our departed member, Sarah T. Muir, 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, as an expression of our respect for the deceased, and our sympathy for the bereaved.

SUSPEND RULES—Adopt Resolution

Mr. Tvrdik moved that the rules be suspended and that LR 28 be adopted.

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

The Members of the Legislature stood in silent tribute to the memory of Miss Muir.

GENERAL FILE

LEGISLATIVE BILL 216. Considered.

Mr. Klaver moved that LB 216 be advanced to E and R for review.

The Chair ruled the Klaver motion out of order.

Mr. Klaver moved that the Legislature reconsider its action.

The motion lost with 19 ayes, 19 nays and 5 not voting.

Mr. Klaver asked unanimous consent that LB 216 be laid over. No objections. So ordered.

Members Excused

Mr. Hubka was excused for the remainder of the day.

Mr. Moulton was excused for this afternoon.

Mr. Beaver was excused for this afternoon from 2:30 p.m.

Visitors

Mr. Shultz introduced the Reverend Francis Oborny, Superintendent, Sister M. Gerard, Principal, and Sister M. Veronica, Teacher, and thirty-seven students from Saint Wenceslaus School, Dodge, Nebraska.

Mr. Metzger introduced Nona Edmondson, Teacher, five sponsors and thirty-one students from District 36, Greenwood, Nebraska.

Mr. Aufenkamp introduced Marlene Bohling, Teacher, four sponsors and nineteen students from District 61, Auburn, Nebraska.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 259. Placed on Select File as amended.

E and R amendments to LB 259:

1. In the bill, insert “,” in: section 1, line 14 after “mend” and “education”; section 2, lines 3 and 19 after “member”, lines 4 and 8 after “employment”, line 20 after “contributions”, line 22 after “member”, and line 24 after “section”; section 3, line 3 after “If” and “time”, line 16 after “system” and “79-1044”; section 4, line 4 after “elected” and line 5 after “79-1041”; and section 7, line 1 after “employee”, line 3 after “benefits”, and line 8 after “payment”.

2. In the bill, section 1, lines 7 and 11, respectively, strike “shall” and show the same as stricken matter; line 8, strike “proceedings” and in lieu thereof insert “*the proceedings of such meetings*”; line 12, insert “*the*” before “proceeds”; lines 12 and 13, strike “; and” and in lieu thereof insert “; and . *They shall*”; line 16, strike “annually” and in lieu thereof insert “*annually* ,”; and line 17, insert “*of each year,*” after “July”.

3. In the bill, section 2, line 7, strike “date of severance. Upon” and in lieu thereof insert “*the date of such severance. Upon the*”; line 25, insert “*the*” before “date”.

4. In the bill, section 3, line 6, strike “to” and show the same as stricken matter.

5. In the bill, section 8, line 11, strike “Retirement” and in lieu thereof insert “*survivors*”.

6. In the bill title, lines 13 and 15, respectively, after “cent” insert “, as prescribed,”; line 18, strike “218d” and in lieu thereof insert “218 (d) (3)” ; insert a comma in: line 21 after “elected”, line 22 after “79-1041” and line 25 after “security”; line 28, strike the first semicolon and in lieu thereof insert “as prescribed; to provide other rules and requirements in regard to contributions and payments as prescribed,”.

LEGISLATIVE BILL 544. Placed on Select File as amended.

E and R amendment to LB 544:

1. In the bill page 2, section 1, line 2, after "Robinson" insert a comma; line 6, strike "thereat" and insert in lieu thereof "at Fort Robinson"; and in section 2, line 5, strike "the" after "pay" and insert "such".

LEGISLATIVE BILL 545. Placed on Select File as amended.

E and R amendment to LB 545:

1. In the bill page 2, section 1, line 3, after "and" insert "the"; and in section 2, line 5, strike "the" after "pay" and insert in lieu thereof "such".

LEGISLATIVE BILL 304. Correctly engrossed.

LEGISLATIVE BILL 497. Correctly engrossed.

LEGISLATIVE BILL 426. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 550. Placed on General File.

LEGISLATIVE BILL 551. Placed on General File as amended.

Standing Committee amendments to LB 551:

1. Amend the bill by adding a new section, to be known as Section 3, to read as follows:

"The warden shall on the first Monday of each month make a report to the Board of Pardons in which he shall include (1) those inmates eligible for parole, (2) any inmate who in his opinion is entitled to have good time restored to him, (3) the names of any inmates who in his opinion should be considered for a parole."

2. Renumber Section 3 as Section 4.

3. Amend the title to conform.

(Signed) John J. Larkin, Jr., Chairman

Public Works

LEGISLATIVE BILL 189. Placed on General File.

LEGISLATIVE BILL 190. Placed on General File.

LEGISLATIVE BILL 191. Placed on General File.

LEGISLATIVE BILL 365. Placed on General File.

LEGISLATIVE BILL 188. Placed on General File as amended.

Standing Committee amendment to LB 188:

Section 4. Strike the word "thousand", and insert in lieu thereof the word "hundred".

LEGISLATIVE BILL 335. Placed on General File as amended.

Standing Committee amendment to LB 335:

Amend Section 1, line 11, to read "twenty-two feet".

LEGISLATIVE BILL 187. Placed on General File as amended.

Standing Committee amendments to LB 187:

1. Amend section 9 of the bill by striking lines 1 to 36 and inserting in lieu thereof the following:

"Sec. 9. The map prepared by the department showing a proposed state highway system in Nebraska, filed with the Clerk of the Legislature on May 3, 1955, is hereby adopted by the Legislature as the state highway system on the effective date of this act.

The state highway system may be redesignated, relocated, re-determined, or recreated by the department, with the written advice of the State Highway Commission and the consent of the Governor. In redesignating, relocating, redetermining, recreating the several routes of the state highway system, the following factors may be considered: (1) The actual or potential traffic volumes and other traffic survey data, (2) the relevant factors of construction, maintenance, right-of-way and the costs thereof, (3) the safety and convenience of highway users, (4) the relative importance of each highway to existing business, industry, agriculture, enterprise, and recreation and to the development of natural resources, business, industry, agriculture, enterprise, and recreation, (5) the desirability of providing an integrated system to serve interstate travel, principal market centers, principal municipalities, county seat municipalities, and travel to places of statewide interest, (6) the desirability of connecting the state highway system with any state park, state forest reserve, state game reserve, the grounds of any state institution or any recreational, scenic, or historic place owned or operated by the state or federal governments, (7) the national defense, and (8) the general welfare of the people of the state."

2. Amend section 13 of the bill, line 6 by adding a new sentence to read as follows:

"Prior to offering its advice to the Governor, the state Highway Commission shall extend an opportunity for a public hearing to the political or governmental subdivisions or public corporations wherein any portion of the state highway system is to be abandoned or relinquished."

3. Amend section 1 of the bill by striking lines 1 to 61 commencing with the word "Recognizing" in line 1.

4. Amend section 2 of the bill by striking lines 84 to 91 and inserting the following:

"(25) State highway system shall mean the roads, streets, and highways shown on the map provided for in section 11 of this act, as forming a group of highway transportation lines for which the department shall be the primary authority. The state highway system shall include, but not be limited to, rights-of-way, connecting links, drainage facilities, and the bridges, appurtenances, easements, and structures used in conjunction with such roads, streets, and highways;"

5. Amend section 3 of the bill, line 2 by striking "make and adopt" and inserting "adopt and amend".

6. Amend section 9 of the bill by striking lines 1 to 3 and inserting "Sec. 9. The department, with the advice of the State Highway Commission, and the consent of the Governor, shall designate, locate, create, and determine the", and by striking lines 34 to 36 and inserting "changed by the department, with the advice of the State Highway Commission, and the consent of the Governor."

7. Amend section 10 of the bill by striking lines 2 to 5 and inserting the following:

"system may not exceed ten thousand miles of roads, highways, and connecting links; *Provided*, that such mileage limitation shall not include those roads constituting a part of the National System of Interstate Highways built with federal funds appropriated in an amount exceeding fifty per cent of the cost thereof. Such mileage limitation may be increased fifty miles in each calendar year after the year 1955."

8. Amend section 13 of the bill, line 1 by inserting "; with the advice of the State Highway Commission, and the consent of the Governor,".

9. Amend section 27 of the bill by striking lines 1 to 10 and inserting the following:

"Sec. 27. The department with the advice of the State Highway Commission, and the consent of the Governor, shall designate and es-

establish controlled access facilities. Upon such consent, the department is authorized to designate and establish controlled access facilities and may design, construct, maintain, improve, alter and vacate such facilities and may regulate, restrict or prohibit access to such facilities so as to best serve the traffic for which such facilities are intended. The department may provide for the elimination of intersections at grade with existing roads, streets or highways if the public interest shall be served thereby, and no road, street or highway shall be opened into or connected with such facilities without the consent of the department. An existing road, street, or highway may be included within such facilities or such facilities may include new or additional roads, streets or highways. The department may designate, establish, design, construct, maintain, improve, alter, vacate and regulate frontage roads within the boundaries of any present or hereafter acquired right-of-way and exercise the same jurisdiction over such frontage roads as is authorized over controlled access facilities. In order to carry out the purposes of this section, the department may acquire, in public or private property, such rights of access as are deemed necessary, including but not necessarily limited to air, light, view, egress and ingress. Such acquisitions may be by gift, devise, purchase, agreement adverse possession, prescription, condemnation or otherwise and may be in fee simple absolute or in any lesser estate or interest. The department may make provision to mitigate damages caused by such acquisitions, terms and conditions regarding the abandonment or reverter of such acquisitions, and any other provisions or conditions that are desirable for the needs of the department and the general welfare of the public."

10. Amend section 28 of the bill by striking lines 1 to 6 and inserting the following:

"Sec. 28. The department is authorized to designate, establish, design, construct, maintain, vacate, alter, improve and regulate frontage roads within the boundaries of any present or hereafter acquired right-of-way and to exercise the same jurisdiction over such frontage roads as is authorized over controlled access facilities. Such frontage roads may be connected to or separated from the controlled access facilities at such places as the department shall determine to be consistent with public safety. Upon the construction of any frontage road, any right of access between the controlled access facility, and property abutting or adjacent to such frontage road, shall terminate and ingress and egress shall be provided to the frontage road at such places as will afford reasonable and safe connections."

11. Amend section 29 of the bill by striking lines 1 to 9 and inserting the following:

"Sec. 29. The right of reasonable convenient egress and ingress

from lands or lots abutting on an existing highway, street, or road may not be denied except with the consent of the owners of such lands or lots, or with the condemnation of such right of access to and from such abutting lands or lots if the construction or reconstruction of any highway to be paid for in whole or in part with federal or state highway funds results in the abutment of property on such highway that did not theretofore have direct egress and ingress to it, no rights of direct access shall accrue because of such abutment, but the department may prescribe and define the location of the privilege of access, if any, of properties that then, but not theretofore, abut on such highway."

12. Amend section 32 of the bill, line 1 by striking "or maintain".

13. Amend section 33 of the bill by striking lines 1 to 25 and inserting the following:

"Sec. 33. The department is authorized to adopt and to amend reasonable and necessary rules and regulations, grant permits, and to adopt and amend specifications covering standard entrance or exit driveways to serve residential, farm, commercial, industrial and roadside service establishments and other uses of property abutting upon highways, including but not limited to, specifications for construction of culverts, requirements as to depth of fills, and requirements for drainage facilities as may be deemed necessary. Any permit issued by the department may contain such terms and conditions as in the judgment of the granting authority may be in the best interest of the public."

14. Amend section 53 of the bill, line 10 by striking "not", and by striking line 11 and inserting "to the public. The department may charge a suitable fee for such proposal forms."

15. Amend section 55 of the bill, line 14 by inserting after the word and punctuation "Legislature." the following:

"The maintenance, protection and control of the materials, machinery, equipment, supplies, tools and buildings shall be under the authority and responsibility of the department."

16. Amend section 56 of the bill, line 1 by striking "or" and inserting "construct, or otherwise", line 2 by inserting "and may maintain" after "quire", and inserting "buildings," after the word "supplies", and lines 3 and 4 by striking ", and purchase, lease, or construct all necessary buildings".

17. Amend section 61 of the bill, line 3 by inserting "pipes," after the word "flumes", line 4 by striking "poles, wires", line 14 by inserting after the word and punctuation "permit." the following:

"No person, firm or corporation shall construct or install any new pole line, any underground conduit, or any buried cable or erect any new guy wires upon any portion of the state highway right-of-way without obtaining a written consent or permit from the department. The department shall grant such written consent or permits to do any of the things mentioned in this section if the installation of such thing does not interfere with, or cause unreasonable hazards to the use of the right-of-way for highway purposes.",

line 17 by inserting "upon the request of the department" before "shall", and line 24 by adding a new sentence to read as follows:

"A written permit to do any of the things mentioned in this section shall not be required for emergency maintenance or emergency repair work on existing facilities, but in such cases oral consent shall be secured from the State Engineer or his authorized representative as soon as the exigencies of the situation allow."

18. Amend section 62 of the bill, line 4 by striking "poles, wires", and line 5 by inserting after "railways" the following:

"for constructing, or installing any new pole line, underground conduit, buried cable, or new guy wires,".

(Signed) William Moulton, Chairman

RECESS

At 11:48 a.m., on a motion by Mr. Peterson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Burney presiding.

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

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 467. Correctly enrolled.

LEGISLATIVE BILL 269. Correctly enrolled.

LEGISLATIVE BILL 531. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 467

LB 269

LB 531

UNANIMOUS CONSENT—Withdraw Motion

Mr. Person asked unanimous consent to withdraw his motion to indefinitely postpone all bills still in Standing Committees, found in the Legislative Journal for the Eightieth Day, and his amendment to the motion, found in this day's Legislative Journal. No objections. So ordered.

MOTION—Indefinitely Postpone Bills

Mr. President: I move that the following bills that are in the hands of the following committees be indefinitely postponed: Judiciary Committee, LB 317; Revenue Committee, LB 400 and 480; and Budget Committee, LB 496. (Signed) O. H. Person

The Chair ruled that this would be a suspension of the rules and would require 29 votes.

The motion prevailed with 32 ayes, 2 nays and 9 not voting.

Member Excused

Mr. Tvrdik was excused for the remainder of the afternoon, and he asked unanimous consent that LB 485 be laid over on General File. No objections. So ordered.

Visitors

Mr. Beaver introduced Mrs. Howard Golden, President, and six members of the Happy Harmony Extension Club of Tekamah, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 500. Laid over until Monday, May 9, 1955.

LEGISLATIVE BILL 108. Laid over until Monday, May 9, 1955.

LEGISLATIVE BILL 501. Read and considered.

Mrs. Foote offered the following Standing Committee amendments, which were adopted:

1. Amend the bill by adding a new section to be known as section 1 and to read as follows:

"Section 1. That section 70-604, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-604. The petition shall be addressed to the Department of Roads and Irrigation, and state in substance that it is the intent and purpose of the petitioners by the petition to create a district under the provisions of sections 70-601 to 70-679, subject to approval by the department. The petition must state and contain:

(1) The name of the proposed district, which name shall contain, if the district is to engage in the electric light and power business, the words "public power district." If the proposed district is to engage in the business of owning and operating irrigation works, the name shall include the words "public irrigation district. " ; *Provided, if electric light and power are the major business of such district it need not include these words in its name.* A district may be organized to engage only in the electric light and power business, or only in the business of owning and operating irrigation works, or to engage in both of such businesses.

(2) The names of the municipalities constituting the proposed district, and the boundaries thereof.

(3) A general description of the nature of the business which the district intends to engage in, and the location and method of operation of the proposed power plants and systems or irrigation works of the district.

(4) The location of the principal place of business of the proposed district.

(5) A statement that the proposed district shall not have the power to levy taxes nor to issue general obligation bonds.

(6) Except in a district having within its proposed boundaries twenty-five or more cities or villages, the names and addresses of the members of the board of directors of the district (not less than five nor more than twenty-one except where the district comprises or proposes to operate in more than fifty counties in the state, in which case the number shall be seven), who shall serve until their successors are elected and qualified. In any proposed district having within its boundaries twenty-five or more cities and villages, the petition shall set forth the number of directors of the district and shall provide that the board of directors, to serve until their successors are elected and qualified, shall be appointed by the Governor within thirty days after the approval of the formation of the district. In the petition the directors named or to be appointed by the Governor shall be divided as nearly as possible into three equal groups, the members of the first group to hold office until their successors elected at the first general state elec-

tion thereafter shall have qualified, the members of the second group to hold office until their successors elected at the second general state election thereafter shall have qualified, and the members of the third group to hold office until their successors elected at the third general state election thereafter shall have qualified. The group to which each proposed director belongs shall be designated in the petition or, in case the district has within its proposed boundaries twenty-five or more cities and villages, shall be set forth in the order of appointment by the Governor."

2. Amend section 1 of the bill, line 1 by striking "Section 1." and inserting "Sec. 2.", and by striking lines 7 to 24 and inserting the following:

"trict. Notwithstanding anything to the contrary in sections 70-601 to 70-679, no district operating, owning lines, or operating and owning lines, in thirteen or more counties in the state shall combine, merge or consolidate all or a major portion of its property with the property of any other such district. trict. Any district that is interested by ownership, lease or otherwise in the operation of electric power plants, distribution systems or transmission lines, either alone or in association with another district or districts, in thirteen or more counties in the state may sell, lease, combine, merge or consolidate all or a part of its property with the property of any other district or districts."

3. Amend the bill by adding three new sections immediately after renumbered section 2 of the bill to be known as sections 3 to 5 respectively and to read as follows:

"Sec. 3. If all or the major portion of the property of any district is combined, merged or consolidated by purchase, lease or other similar transaction, with the property of a district in which the directors are elected under the provisions of section 70-614.01, in all subsequent elections of directors of that district as provided in section 70-614.01, the qualified electors of any voting precinct situated within any of the election districts set out in subsection (c) of section 70-614.01, shall be (1) all qualified electors of each incorporated city or village in which electric energy for the inhabitants is sold by the district at retail, or at wholesale to the supplier of the said city or village under firm power contract; and (2) all qualified electors outside of incorporated cities or villages and within counties in which at least thirty-three and one-third per cent of the electric energy for the inhabitants of the county outside of incorporated cities and villages is sold by the district at retail, or at wholesale to a distributor in said county under firm power contract.

Sec. 4. That section 70-662, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

70-662. A petition for the creation of a district under the provisions of sections 70-601 to 70-679 may be amended as herein provided *in this section* . Any public power district, public irrigation district, or public power and irrigation district, now existing or hereafter created under the provisions of said sections, may eliminate, detach, reduce and subdivide area and territory from within the boundaries of such district, provided such district does not own or operate any electric light and power plants, lines or systems, or irrigation works, within such territory to be so eliminated or detached. Any such district may add to, increase or enlarge its area and territory by the addition and inclusion of territory which is not a part of the area and territory of any existing district. *so long as the plants, systems and works, the operation of the same, the exercise of powers, and the assumption of duties and responsibilities, of or on the part of such district do not nullify, conflict with or materially affect those of, or on the part of, any other district.* Any such district may amend its charter to provide for a change in its name or change in the location of its principal place of business, and may reduce or increase the number of members of its board of directors. No such elimination or detachment, or increase or enlargement, of the territory of a district, or change in its principal place of business, its name or the number of members of its board of directors, shall occur unless authorized by the affirmative vote of three-fifths of all the directors of the district involved.

Sec. 5. *If any section of this act, or any part of any section of this act, shall be declared invalid or unconstitutional, such declaration of invalidity or unconstitutionality shall not affect the validity and constitutionality of other parts of this act."*

4. Amend section 2 of the bill by renumbering as section 6, line 1 by striking "section 70-628.01" and inserting "sections 70-604, 70-628.01, and 70-662", and line 2 by striking "is" and inserting "are".

5. Amend the bill 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."

6. Amend the title to conform.

Mr. Peterson offered the following amendments, which were adopted:

1. Amend Standing Committee Amendment 1 by adding a new section after section 1 to be known as section 2 and to read as follows:

"Sec. 2. That section 70-614.01, Revised Statutes Supplement, 1953, be amended to read as follows:

70-614.01. Where the district operates, or is interested by ownership, lease or otherwise in the operation of, electric power plants, distribution systems or transmission lines in more than fifty counties in the state, and an amendment to the petition for creation of the district has been filed as provided in section 70-609.01, membership on the board of directors of the district shall be filled as follows:

(1) Where, prior to the amendment of the petition for creation of the district, the board of directors consisted of more than seven members, no new members shall be elected until the membership is reduced to seven.

(2) Where, prior to the amendment of the petition for creation of the district, the board of directors consisted of less than seven members, there shall be nominated and elected at the first general election held after August 27, 1951, additional directors, no two of whom may be from the same district, as hereinafter defined, sufficient to bring the number up to seven. All unfilled positions on the board of directors resulting from the increase in the number of directors to seven, as hereinafter set forth, shall be filled by the Governor by appointment from districts not represented on the board of directors, and in the sequence hereinafter set forth, to serve until the first Thursday after the first Tuesday succeeding the next general state election held after such increase is made and until successors so elected shall have been qualified. At the first general state election held after the increase of the number of directors to seven, one director shall be elected for a term of two years and one director, if necessary to bring the number up to seven, for a period of four years, and each director shall be elected from districts, in the sequence hereinafter set forth, not having full term representation on the board of directors.

(3) Where, prior to the amendment of the petition for creation of the district, the board of directors consisted of seven members, or when the number has been reduced or increased to seven as hereinbefore provided, as the terms of members of the board of directors expire, or when any vacancy occurs in the membership of the board, their successors shall be nominated, elected and take office, subject to the provisions of this act, in the same manner, as nearly as may be, as by law provided for the nomination and election of Judges of the Supreme Court. For the purpose of election of directors, the state shall be divided into seven districts as follows: District 1 shall comprise the counties of Dawes, Sheridan, Box Butte, Morrill, Scotts Bluff, Cheyenne, Kimball, Banner, Deuel, Keith, Perkins, Garden, Cherry, Sioux, Grant, Hooker, Arthur and McPherson; District 2 shall comprise the counties of Brown, Rock, Boyd, Holt, Knox, Pierce, Cedar, Dixon, Dakota, Thurston, Wayne, Madison, Stanton, Cuming, Burt, Keya Paha and Antelope; District 3 shall comprise the counties of Wheeler, Platte, Nance, Mer-

rick, Boone, Greeley, Valley, Sherman, Howard, Garfield, Polk, Butler, and Colfax, and areas, if any, within Dodge, Saunders, and Washington counties, as shall be receiving or hereafter receive electric service from such district; District 4 shall comprise the counties of Thomas, Blaine, Loup, Custer, Dawson, Buffalo, Gosper, Furnas, Harlan, Franklin, Kearney, Phelps, Logan, Lincoln, Chase, Hayes, Frontier, Dundy, Hitchcock and Red Willow; District 5 shall comprise the counties of Hall, Hamilton, Seward, York, Adams, Clay, Fillmore, Webster, Nuckolls and Thayer; District 6 shall comprise the counties of Saline, Jefferson, Gage, Pawnee, Richardson, Johnson, Nemaha, Cass and Otoe; and District 7 shall comprise the county of Lancaster. *Qualified Except as otherwise provided for in section 4 of this act, qualified* electors of any voting precinct comprised in whole or in part of any municipality, as defined in section 70-601, situated within any of the foregoing election districts, shall be qualified electors for the purpose of voting for a director to be elected from any such election district. Each of the election districts above set forth in which the power district operates shall be entitled to have one member serve on the board of directors and, until all such election districts are represented on the board of directors, one member from each of such districts shall be elected as the terms of members expire or a vacancy occurs; in the case of an expiration of a term, at the general state election held before such expiration; and in the case of a vacancy, at the first general state election held after such vacancy occurs. In case there are two or more of such election districts that are not represented on the board of directors by qualified district electors residing in such districts as defined at the time a vacancy occurs or the term of office of any director expires, the districts heretofore enumerated shall elect directors at the next following general election in the following order until all of such districts are represented on said board: District 1; District 7; District 2; District 6; District 4; District 5; and District 3. After all election districts have attained membership on the board of directors, their successors shall be nominated and elected from the same district. Where the territory corresponding to one of the election districts above defined does not have within its boundaries a municipality that is a part of such power district for the purpose of voting for directors, as provided by section 70-601, a member of the board of directors of such power district shall not be elected from such territory, but instead shall be elected at large. The terms of each member of the board thus elected, except to fill a vacancy, shall be six years and until his successor is elected and qualified. All vacancies thereafter occurring on the board of directors shall be filled by the Governor by appointment until the vacancies are filled by the qualification of a director legally elected at the next general election held thereafter. Such appointment shall be made from the district in which the vacancy to be filled by such appointment occurred."

2. Amend Standing Committee Amendment 2, line 2 by striking "2" and inserting "3".

3. Amend Standing Committee Amendment 3 by renumbering sections 3, 4, and 5 as sections 4, 5, and 6, respectively.

4. Amend Standing Committee Amendment 4, line 2 by striking "6" and inserting "7".

5. Amend Standing Committee Amendment 5 by renumbering section 6 as section 7.

6. Amend renumbered section 7, line 2 by inserting ", and section 70-614.01, Revised Statutes Supplement, 1953" after "1943".

Mr. Perry offered the following amendment, which was adopted:

Amend Section 2, as amended, by adding after the word "districts" in Section 2 at the end of the Section, the following: "provided that the Board of Directors of any such district shall not delegate its duties to any other district or group of districts."

Mr. Brower offered the following amendment, which was adopted:

Amend the title of LB 501 to conform to the amendments adopted.

Advanced to E and R for review.

Member Excused

Mr. Bahensky was excused for the remainder of the afternoon.

LEGISLATIVE BILL 99. Laid over.

LEGISLATIVE BILL 505. Consideration of the Klaver amendment, found in the Legislative Journal for the Seventy-ninth Day.

Mr. Klaver asked unanimous consent that his amendment be adopted. No objections. So ordered.

Mr. Peterson offered the following amendment, which was adopted:

1. Amend section 9 of the bill, line 17 by striking "July" and inserting "December".

Advanced to E and R for review.

LEGISLATIVE BILL 204. Read and considered.

Mr. Syas offered the following amendment, which was adopted:

Amend LB 204, Section 1, line 11 by deleting "add" and inserting "and" in lieu thereof.

Mrs. Foote offered the following amendments, which were adopted:

1. Amend section 3 of the bill, line 9 by striking "six months have" and inserting "six months have *one year has*".
2. Amend the title to conform.

Mr. Syas offered the following amendments, which were adopted:

1. Amend the bill by striking section 4 and renumbering section 5 as section 4.
2. Amend renumbered section 4, lines 1 and 2 by striking ", 66-461, and 66-462" and inserting "and 66-461".
3. Amend the title, line 2 by striking ", 66-461, and 66-462" and inserting "and 66-461".

Mr. Morrison asked unanimous consent that LB 204 be laid over. No objections. So ordered.

LEGISLATIVE BILL 485. Laid over.

LEGISLATIVE BILL 348. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS **Enrollment and Review**

LEGISLATIVE BILL 366. Placed on Select File as amended.

E and R amendments to LB 366:

1. In the Klaver General File Amendment 1, insert "," before "Provided" in line 3, and in line 8, strike the period.
2. In the Perry General File Amendment 1, line 9, insert "is" after "as" and in the same line after "provided" insert "for".
3. In the bill page 2, section 1, line 3, after the period insert "(1)"; line 10 after the period insert "(2)"; and in line 12, strike "to any such person as assistance" and insert in lieu thereof "*as assistance to any such person as assistance entitled thereto*".

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LR 25

LR 28

Adjournment

At 4:02 p.m., on a motion by Mr. Cole, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 5, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Eighty-fifth Day was approved as corrected.

Communications

Letter from The Nebraska Committee of Private Carriers Processors and Distributors, opposing the ton mile tax. Referred to Committee on Revenue.

Letter from Mrs. Jeanette Debus, Lincoln, Nebraska, opposing income tax and sales tax. Referred to Committee on Revenue.

Letter from L. N. Ress, State Engineer, enclosing a map of the State of Nebraska showing a proposed State Highway System. Referred to Committee on Public Works.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 316. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 471.

A bill for an act to amend section 54-764, Reissue Revised Statutes

of Nebraska, 1943, and section 54-766.11, Revised Statutes Supplement, 1953, relating to livestock; to make it mandatory that official calfhood vaccination of cattle shall be employed under the Bang's disease program; to remove the plan for official vaccination of adult cattle for official Bang's disease control; to provide that the cost of vaccine for brucellosis control shall not be an expense of the State of 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, 37:

Adams, J.	Burney	Kotouc	Person
Adams, T.	Cole	Larkin	Pizer
Anderson	Cramer	Liebers	Purdy
Aufenkamp	Diers	McGinley	Shultz
Bahensky	Fenske	Martin	Swanson
Beaver	Foote	Metzger	Syas
Bedford	Hoffmeister	Morrison	Thompson
Bixler	Hubka	Moulton	Tvrdik
Bridenbaugh	Klaver	Perry	Vogel
Brower			

Voting in the negative, 2:

Otto	Ruhnke
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Not voting, 4:

Lee	McHenry	Nelson	Peterson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 340.

A bill for an act relating to game and fish; to require persons over sixteen years of age to purchase a stamp to hunt, take, or kill any pheasants or quail, commencing October 1, 1955, and for four years thereafter; to provide for the issuance of such stamps, the fee therefor, and disposition of the proceeds thereof; to provide powers of the Game, Forestation and Parks Commission; to provide duties for the prescribed public officials; to make certain acts unlawful; to provide violations; and to provide penalties.

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

Voting in the affirmative, 26:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Shultz
Anderson	Hoffmeister	Martin	Swanson
Aufenkamp	Hubka	Metzger	Syas
Bahensky	Klaver	Moulton	Tvrdik
Bridenbaugh	Kotouc	Otto	Vogel
Burney	Larkin		

Voting in the negative, 15:

Beaver	Diers	Nelson	Purdy
Bedford	Fenske	Perry	Ruhnke
Bixler	Foote	Person	Thompson
Brower	Morrison	Pizer	

Not voting, 2:

Lee	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 520. With emergency.

A bill for an act to amend sections 53-124 and 53-179, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to change the classification of beer license and alcoholic liquors for consumption on the premises; to authorize the county board to regulate the hours of sale by beer retailers outside the corporate limits of any city or village as prescribed; to remove the authority of the Liquor Commission to regulate the hours for sale of beer on Sunday outside of the corporate limits of cities and villages by order or rule; to permit the governing body of any city or village, in respect to licenses in such city or village, or the county board, in respect to licenses outside the corporate limits of any city or village, to provide for the earlier closing of the sale of alcoholic liquors, including beer, as prescribed, by ordinance or resolution; 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.	Bahensky	Bridenbaugh	Cramer
Adams, T.	Beaver	Brower	Diers
Anderson	Bedford	Burney	Fenske
Aufenkamp	Bixler	Cole	Foote

Hoffmeister	McGinley	Perry	Shultz
Hubka	Metzger	Person	Swanson
Klaver	Morrison	Peterson	Syas
Kotouc	Moulton	Pizer	Thompson
Larkin	Nelson	Purdy	Tvrdek
Liebers	Otto	Ruhnke	Vogel

Voting in the negative, 1:

Martin

Not voting, 2:

Lee McHenry

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. J. Adams was excused for a short period.

LEGISLATIVE BILL 154. Introduced by Otto H. Liebers, 18th District; Earl J. Lee, 11th District; Don Thompson, 33rd District; Monroe Bixler, 41st District; Joseph D. Martin, 30th District

A bill for an act for submission to the electors of an amendment to Article VIII of the Constitution of Nebraska, relating to revenue; to authorize the Legislature to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1956, there shall be submitted to the electors of the State of Nebraska for approval the following new section to Article VIII of the Constitution of Nebraska, to be known as section 10, which is hereby proposed by the Legislature:

"Sec. 10. Notwithstanding the other provisions of Article VIII, the Legislature is authorized to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state. Existing revenue laws not inconsistent with the Constitution shall continue in effect until changed by the Legislature."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to authorize the Legislature to substitute a basis other than valuation for taxes upon grain and seed produced or handled in this state.

☐ For

☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

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

Voting in the affirmative, 36:

Adams, T.	Diers	McGinley	Pizer
Anderson	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Otto	Syas
Brower	Kotouc	Perry	Thompson
Cole	Larkin	Person	Tvrdik
Cramer	Liebers	Peterson	Vogel

Voting in the negative, 3:

Bridenbaugh	Burney	Nelson
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Not voting, 4:

Adams, J.	Aufenkamp	Lee	McHenry
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A constitutional three-fifths 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 to appropriate the sum of four hundred eighty thousand dollars out of the General Fund of the state to the University of Nebraska for the purpose of acquiring an addition to the site

of the College of Medicine for the establishment of a medical center for professional training in the care and rehabilitation of children; to provide how such land may be acquired; to grant powers to The Board of Regents of the University of Nebraska as prescribed; to provide for the payment thereof to the Board of Regents, 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, 37:

Adams, J.	Diers	Martin	Pizer
Adams, T.	Fenske	Metzger	Purdy
Aufenkamp	Foote	Morrison	Ruhnke
Bahensky	Hoffmeister	Moulton	Shultz
Beaver	Klaver	Nelson	Swanson
Bixler	Kotouc	Otto	Syas
Brower	Larkin	Perry	Thompson
Burney	Liebers	Person	Tvrdik
Cole	McGinley	Peterson	Vogel
Cramer			

Voting in the negative, 3:

Anderson	Bedford	Bridenbaugh
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Not voting, 3:

Hubka	Lee	McHenry
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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 370. With emergency.

A bill for an act relating to public welfare; to provide for allocation of money to each county to be used for payment of administration and other expenses involved in giving crippled children services and services to state institutions; to provide for state and county financial participation in administrative costs and other expenses incurred in giving county child welfare services; and to declare an emergency.

Whereupon the President stated: "All provisions of 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Burney	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Brower	Lee	McHenry
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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. Klaver introduced Mr. Don Fitch, Physical Education Instructor, Mrs. Bess Garret, Teacher, and thirty students from Mason School, Omaha, Nebraska.

Mr. Brower introduced Joseph, Barney and Clem Wernhoff, from Humphrey, Nebraska.

The Sergeant-at-Arms introduced Mr. Robert C. Goodwin, Director, Bureau of Employment Security, U.S. Department of Labor, Washington, D.C., Clint Johnson and Merle Olden, Kansas City, Missouri, James Weasmer and Robert Malone, Lincoln, Nebraska. Mr. Goodwin addressed the Legislature briefly.

Mr. J. Adams introduced Welcome Bryant, Loretta Walsh, Robert Rose, and Kathryn Butler, Teachers, Zell R. Sahn, Principal, and sixty-four students from the Howard Kennedy School, Omaha, Nebraska, and the group responded with a musical selection.

Mr. Anderson introduced Mr. S. DePue, Mr. L. Pratt, Miss V. Ericson, Mrs. L. Tesar and Miss H. Van Skiver, Teachers, Mr. Rotylaff, bus driver, and thirty-five students from District 61, Hordville, Nebraska.

Member Excused

Mr. Cramer was excused for this afternoon.

UNANIMOUS CONSENT—Defer Debate on LB 510

Mr. T. Adams asked unanimous consent to defer the debate on LB 510 until Tuesday, May 10, 1955, for the following reasons:

1. The introducers have discovered by further study of the bill by several students of taxation that one of the formulas used in the bill can be amended to make the bill simpler and improve the usefulness of the act.

2. We need the additional time to prepare the amendments.

Mr. Kotouc objected.

Mr. T. Adams moved that the debate on LB 510 be deferred until Tuesday, May 10, 1955.

The motion lost with 14 ayes, 26 nays and 3 not voting.

UNANIMOUS CONSENT—Return LB 181 to General File

Mr. Bixler asked unanimous consent that LB 181 be returned to General File for the purpose of withdrawing the bill. No objections. So ordered.

Mr. Aufenkamp Presiding**SELECT FILE**

LEGISLATIVE BILL 259. 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 366. E and R amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 181. Mr. Bixler asked unanimous consent that LB 181 be withdrawn. No objections. So ordered.

LEGISLATIVE BILL 510.

Mr. Person offered the following amendment: To strike the enacting clause.

Mr. T. Adams offered the following amendment to the Person amendment: Amend the Person amendment by striking therefrom the words "to strike the enacting clause" and inserting in lieu thereof "to advance LB 510 to E and R for review".

Pending.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 267. Replaced on Select File as amended.

E and R amendment to LB 267:

1. In Enrollment and Review Amendment 4, line 4, strike "he" before "shall" and in lieu thereof insert "it".

LEGISLATIVE BILL 454. Placed on Select File as amended.

E and R amendments to LB 454:

1. In the bill, strike the period and in lieu thereof insert a semicolon in: section 2, lines 10 and 18; section 3, lines 4, 9, 12, and 14; section 7, lines 8, 10, 12, 13, 19, 23, 27, 36, 43, and 47; section 12, line 34; section 13, lines 12, 17, 20, 23, 25, and 27.

2. In the bill, strike the period and in lieu thereof insert "; and" in section 2, line 27; section 7, line 49; section 12, line 42; and section 13, line 30.

3. In the bill, insert a comma in section 2, line 14 after "safety", 19 after "space", 20 after "thereto", 22 after "property", 24 after "uses", 26 after "convenience", 29 after "welfare", and 30 after "concern"; section 3, line 7 after "exits" and 8 after "machinery"; section 5, line 13 after "Governor" and "appointments", 18 after "member", and 19 after "office"; section 6, line 15 after "bond" and 16 after "thority"; section 7, line 16 after "tion", 20 after "lease", 23 after "assign", 29 after "indebtedness", 31 after "received", 36 after "county", and 41 after "use"; section 8, line 1 after "county" and 2 after "located"; section 11, line 7 after "concession"; section 12, line 29 after "officer" and 30 after "coupon"; section 13, line 16 after "maintenance"; and section 15, line 3 after the second "trustee" and 13 after "had".

4. In the bill section 1 line 2 strike the quotation marks.

5. In the bill, section 2, line 8, after "and" insert "that,"; line 11, before "the" insert "(a)"; line 12, strike "and limb" and in lieu thereof insert ", limb,"; line 13, strike "and" and in lieu thereof insert ", (b)"; line 15, strike "and" and in lieu thereof insert ", and (c)"; line 21,

after "and" insert "that"; line 28, strike "provisions for relieving" and in lieu thereof insert "providing for the relieving of"; line 30, strike "and" before "statewide" and in lieu thereof insert a comma.

6. In the bill, section 3, line 1, strike "contest" and in lieu thereof insert "context"; line 17, strike the period and in lieu thereof insert "; and

(6) Board shall mean the governing body of such authority, constituted as is provided by section 5 of this act."

7. In the bill, section 4, line 3, after "of" insert "the"; line 8, strike the quotation marks, and in the same line strike the parenthesis before "inserting" and in lieu thereof insert ", therein"; line 9, strike ")", which" and in lieu thereof insert ". Such an authority"; and line 11, strike "The" and in lieu thereof insert "Such".

8. In the bill, section 5, line 3, strike "by" and in lieu thereof insert "be"; line 5, strike "and" and in lieu thereof insert ". Each of these ex officio members"; line 8, strike "and" and in lieu thereof insert ". Two of these members"; line 9, strike ", two for the" and in lieu thereof insert "for a"; lines 14 and 15, strike "in the board, however, caused" and in lieu thereof insert ", in the appointed members of the board for any reason"; line 16, before "appointment" insert "an"; and line 24, after "duties" insert "as a member of the board of such authority".

9. In the bill, section 6, line 12, strike "premium of their bond" and in lieu thereof insert "cost of their bonds"; line 16, strike "on his duties" and in lieu thereof insert "upon his duties as such secretary and treasurer".

10. In the bill, section 7, line 24, before "employ" insert "(a)"; line 26, strike "may be necessary in its judgment and to" and in lieu thereof insert "it may deem to be necessary, (b)"; line 27, strike "and" and in lieu thereof insert ", and (c)"; line 32, strike "herein provided" and in lieu thereof insert "provided in this act"; line 44, strike "instant" and in lieu thereof insert "granted"; and line 45, after "corporations" insert "which are".

11. In the bill, section 8, line 12, strike "herein contained" and in lieu thereof insert "contained in this act"; and line 14, before "adjoining" insert "such".

12. In the bill, section 9, line 7, strike "necessary, and any" and in lieu thereof insert "shall be necessary. Any"; and line 12, strike the comma after "work".

13. In the bill, section 12, line 2, after "money" insert ", as authorized in this section or subdivision (8) of section 7 of this act,"; line 6, strike the period and in lieu thereof insert a colon; strike the comma in line 16 after "time" and lines 19 and 41 after "price"; line 25, strike ", and the" and in lieu thereof insert ". The"; lines 26 and 27, strike "secretary-treasurer" and in lieu thereof insert "secretary and treasurer"; and line 27, strike ", and any" and in lieu thereof insert ". Any".

14. In the bill, section 13, line 10, strike the comma after "revenues".

15. In the bill, section 14, line 7, strike ", and the" and in lieu thereof insert ". The"; line 9, strike the comma after "otherwise"; line 10, after "whether" insert "or not"; and line 11, strike "not" and in lieu thereof insert "nor".

16. In the bill, section 16, line 1, before "as" insert "(1)"; line 4, strike "or" before "to" and in lieu thereof insert "(2)"; and line 6, after "or" insert "(3)".

17. In the bill, section 17, line 7, strike "if satisfied" and in lieu thereof insert ", if satisfied that".

18. In the bill, section 18, line 10, strike "whatsoever who now are" and in lieu thereof insert "who are now".

19. In the bill, section 19, lines 8 and 9, strike "from time to time by the authority" and in lieu thereof insert "by the authority from time to time".

20. In the bill, section 20, line 4, strike "and maintenance" and in lieu thereof insert ", maintenance,"; line 8, strike "used by" and in lieu thereof insert "for the use of".

21. In the bill, section 22, lines 10 and 11, strike "and other documents" and in lieu thereof insert "documents,".

22. In the bill, section 23, line 8, strike ", and any" and in lieu thereof insert ". Any" and lines 9 and 10, strike "proportion to the area of property contributed by each" and in lieu thereof insert "in the manner provided by section 20 of this act".

23. In the bill, section 24, line 1, before "event" insert "the"; and line 3, strike "Governor's Proclamation" and in lieu thereof insert "proclamation issued by the Governor, as provided for by section 4 of this act,".

24. In the bill, section 25, line 3, strike "such matter" and in lieu thereof insert "the matters".

25. In the bill title, line 3, strike "members" and in lieu thereof insert "formation, termination, and members including ex officio members"; line 5, strike "the" before "members" and in lieu thereof insert "certain of its"; and lines 6 and 7, strike, commencing with "to" in line 6 to and including the semicolon in line 7, and in lieu thereof insert "to define terms; to permit it to borrow money as prescribed and limited; to provide for issuance of bonds and the procedure therefor; to prescribe a legislative finding and policy; to provide how this act shall be known or referred to; to declare that the provisions of this act shall be complete and in addition to other provisions of the law of the State of Nebraska as prescribed; to provide duties and powers of certain public officials, bodies, or corporations as prescribed; to provide a savings clause;".

LEGISLATIVE BILL 150. Correctly engrossed.

LEGISLATIVE BILL 445. Correctly engrossed.

LEGISLATIVE BILL 154. Correctly enrolled.

Presented to the Governor

Presented to the Governor for approval on May 5, 1955, at 9:00 a.m.

LB 531

LB 269

LB 467

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:57 a.m., on a motion by Mr. Fenske, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Burney presiding.

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

Mr. Aufenkamp Presiding

GENERAL FILE

LEGISLATIVE BILL 510.

The T. Adams and Person amendments, found in this day's Legislative Journal, were withdrawn.

Mr. Person moved that LB 510 be indefinitely postponed.

Mr. Kotouc moved the previous question. The motion prevailed with 33 ayes, 2 nays and 8 not voting.

Mr. T. Adams requested a record vote on the Person motion.

Voting in the affirmative, 28:

Adams, J.	Fenske	Martin	Purdy
Anderson	Foote	Metzger	Ruhnke
Aufenkamp	Hubka	Moulton	Shultz
Beaver	Klaver	Nelson	Swanson
Bridenbaugh	Kotouc	Person	Syas
Brower	Larkin	Peterson	Tvrdik
Diers	Liebers	Pizer	Vogel

Voting in the negative, 12:

Adams, T.	Bixler	Hoffmeister	Otto
Bahensky	Burney	McGinley	Perry
Bedford	Cole	Morrison	Thompson

Not voting, 3:

Cramer	Lee	McHenry
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The motion prevailed, and LB 510 was indefinitely postponed.

Visitors

Mr. Brower introduced Mrs. Lucille McKillip, Teacher, Mrs. Wallace Peterson, Mrs. Wilber Thomazin, Mrs. Elmer Lowe and Mrs. Fred McBride, Sponsors, and seven students from District 12, Genoa, Nebraska.

Mr. Bedford introduced Don Haberman, Superintendent, Ralph Samuelson, a member of the school board, and twenty-three students from Friend High School, Friend, Nebraska.

Mr. Perry introduced Mrs. Ruth Stough, Teacher, and twenty-five students from Irving Junior High School, Lincoln, Nebraska.

LEGISLATIVE BILL 216. Considered.

Mr. Otto asked unanimous consent that LB 216 be laid over until Wednesday, May 11, 1955.

Mr. Pizer objected.

Mr. Otto moved that LB 216 be laid over until Wednesday, May 11, 1955.

The motion prevailed with 20 ayes, 19 nays and 4 not voting.

LEGISLATIVE BILL 99. Consideration of the Hubka motion to indefinitely postpone the bill.

Speaker Burney Presiding

Mr. Bahensky moved the previous question. The motion prevailed with 30 ayes, 0 nays and 13 not voting.

The Hubka motion prevailed with 21 ayes, 19 nays and 3 not voting.

LEGISLATIVE BILL 204. Laid over until Thursday, May 12, 1955.

LEGISLATIVE BILL 485. Laid over.

LEGISLATIVE BILL 360. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for review.

Members Excused

Messrs. Morrison and Martin were excused for Friday, May 6, 1955.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 370. Correctly enrolled.

LEGISLATIVE BILL 520. Correctly enrolled.

LEGISLATIVE BILL 471. Correctly enrolled.

LEGISLATIVE BILL 311. Correctly enrolled.

LEGISLATIVE BILL 340. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 154
LB 370

LB 520
LB 471

LB 311
LB 340

LR 27

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) Arthur W. Swanson

The motion lost.

Explanation of Vote

Mr. President: I voted against indefinite postponement of LB 510 for the reason that I felt the bill should have been read and the committee amendments considered as I felt the bill did not receive proper and due consideration. (Signed) Don Thompson

GENERAL FILE

LEGISLATIVE BILL 546. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 153. Laid over until Thursday, May 12, 1955.

LEGISLATIVE BILL 349. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-second Day was adopted.

Mr. Kotouc offered the following amendment, which was adopted:

Amend the title of LB 349 to conform to the body of the bill.

Advanced to E and R for review with 19 ayes, 9 nays and 15 not voting.

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) Robert C. Brower

The motion lost.

Members Excused

Messrs. Brower and Vogel were excused for the remainder of the day.

Adjournment

At 4:11 p.m., on a motion by Mr. Kotouc, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 6, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Lee, McHenry, Martin and Morrison, who were excused, and Messrs. J. Adams and McGinley, who were excused until 9:30 a.m. and 9:15 a.m., respectively.

The Journal for the Eighty-sixth Day was approved as corrected.

Communications

Letter from Miss Helen Coulter, Corresponding Secretary, Delta Kappa Gamma, Rho State, Council Bluffs, Iowa, approving the Social Security Enabling Act. Referred to Committee on Education.

Letter from U.S. Senator Roman L. Hruska, Washington, D.C., concerning increased appropriations for the Glendo Dam.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 6, 1955, at 8:30 a.m.

LB 154

LB 520

LB 311

LB 340

LB 370

LB 471

LEGISLATIVE BILL 455. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 394. With emergency.

A bill for an act to amend sections 11-201, 11-202, and 11-203, Reissue Revised Statutes of Nebraska, 1943, relating to bonds of officers and employees of the State of Nebraska; to transfer the duties heretofore performed by the Board of Educational Lands and Funds to the Director of Insurance; to provide for additional compensation for the Director of Insurance for his services in connection with the administration of such duties; to change the time of filing report with the Legislature; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 34:

Adams, T.	Cole	Larkin	Peterson
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	Metzger	Purdy
Bahensky	Fenske	Moulton	Shultz
Beaver	Foote	Nelson	Swanson
Bedford	Hoffmeister	Otto	Syas
Bixler	Hubka	Perry	Tvrdik
Bridenbaugh	Klaver	Person	Vogel
Brower	Kotouc		

Voting in the negative, 2:

Ruhnke	Thompson
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Not voting, 7:

Adams, J.	Lee	McHenry	Morrison
Burney	McGinley	Martin	

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 128.

A bill for an act to amend sections 68-202 and 68-402, Revised Statutes Supplement, 1953, relating to assistance; to provide other conditions of eligibility for old age and blind assistance; and to repeal the original sections.

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

Voting in the affirmative, 26:

Adams, T.	Diers	Moulton	Ruhnke
Anderson	Fenske	Nelson	Shultz
Bedford	Foote	Otto	Swanson
Bixler	Klaver	Perry	Syas
Bridenbaugh	Larkin	Pizer	Tvrdik
Brower	Liebers	Purdy	Vogel
Cramer	McGinley		

Voting in the negative, 12:

Aufenkamp	Burney	Hubka	Person
Bahensky	Cole	Kotouc	Peterson
Beaver	Hoffmeister	Metzger	Thompson

Not voting, 5:

Adams, J.	McHenry	Martin	Morrison
Lee			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 375.

A bill for an act to amend section 71-1,149, Reissue Revised Statutes of Nebraska, 1943, and sections 85-107 and 85-122, Revised Statutes Supplement, 1953, relating to colleges and universities; to authorize the establishing of a School of Veterinary Medicine and Surgery at the University of Nebraska; to authorize agreements with colleges and schools of veterinary medicine in other states as prescribed; to authorize expenditures for same as prescribed; to provide for the furnishing of educational facilities not presently available at the University of Nebraska; to grant powers to the Board of Regents; to provide that holders of required degrees from the School of Veterinary Medicine and Surgery of the University of Nebraska may be licensed to practice veterinary medicine and surgery within this state without further examination; to provide for the Veterinary School Fund and how disbursed; 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.	Anderson	Aufenkamp	Bahensky
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Beaver	Diers	McGinley	Pizer
Bedford	Fenske	Metzger	Purdy
Bixler	Foote	Moulton	Shultz
Bridenbaugh	Hoffmeister	Nelson	Swanson
Brower	Klaver	Otto	Syas
Burney	Kotouc	Perry	Thompson
Cole	Larkin	Person	Tvrdik
Cramer	Liebers	Peterson	Vogel

Voting in the negative, 2:

Hubka Ruhnke

Not voting, 5:

Adams, J. McHenry Martin Morrison
Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—Place LB 521 on General File

Mr. President: I move that LB 521 be placed on General File notwithstanding the committee action. (Signed) Monroe Bixler

Mr. Otto moved the previous question. The motion prevailed with 29 ayes, 0 nays and 14 not voting.

The Bixler motion prevailed with 23 ayes, 13 nays and 7 not voting.

Visitors

Mr. Bahensky introduced Mrs. Lucille Tolen and Mrs. Verna Bauman, Teachers, ten sponsors, and forty-two students from Ord Junior High School, Ord, Nebraska.

Mr. Larkin introduced Miss Theresa Clark, Principal, Miss Ruth DeLong and Mr. Paul Orchard, Teachers, Mrs. Caroline Schueleke, and thirty-three students from Robbins School, Omaha, Nebraska.

Mr. Moulton introduced Miss Sklenar, Miss Weibe and Mr. Noodell, Teachers, Mrs. Hawkinson, Mrs. Rompecek and Mrs. Brewer, parents, and one hundred one students from Westside Junior-Senior High School, Omaha, Nebraska.

Members Excused

Mr. Liebers was excused for Monday, Tuesday and Wednesday, May 9, 10 and 11, 1955.

Mr. Klaver was excused for this afternoon.

Mr. Peterson was excused for the remainder of the day.

Visitors

Mr. Tvrdik introduced Dr. E. J. Kuncel, and thirty-six students from the American Government Class of Omaha South High School, Omaha, Nebraska. Dr. Kuncel, a graduate of the Nebraska School for the Blind, addressed the Legislature on the subject of education.

RESOLUTIONS

LEGISLATIVE RESOLUTION 29. Re: Committee to Study Care of Neglected and Dependent Children.

Introduced by Committee on Budget, Hal Bridenbaugh, 13th District, Chairman.

WHEREAS, the Home for Children and the Foster Care Unit make up the direct care program for the State of Nebraska for dependent and neglected children, and

WHEREAS, the Home for Children provides institutional care for children committed to the Board of Control as neglected or dependent children by the juvenile courts, or voluntarily relinquished by the parent or parents, and

WHEREAS, the staff of the Home for Children provides care and service for neglected and dependent children, and when in its opinion, a child is ready to be placed in a private home, the superintendent of the Home for Children, makes a report of the study to the Foster Care Unit and makes and recommends placement, and

WHEREAS, private institutions are now caring for neglected and dependent children and place them in private homes.

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

That the Legislative Council appoint a committee to make a detailed study of care of neglected and dependent children, and their adoptions and make a report to the next regular session of the Legislature. The report to contain:

1. Whether it will be more practicable for the adoptions to be handled direct at the Home for Children, thus abolishing the need for applications to be processed and approved by the Foster Care Unit;

2. Should children be eligible for adoption at an earlier date than now provided by law and regulations, thereby reducing the cost to the State of Nebraska and giving parental care rather than having them as institutional wards;

3. Whether foster care homes for which foster parents are paid for care, (a) properly supervised, as to environment and work requirements of the child in addition to the pay the foster parents receive for this care, (b) inspected frequently and child given proper care, and (c) paid either too much or not enough;

4. Whether county welfare directors should or may place neglected or dependent children in foster homes or institutions;

5. Whether neglected or dependent children may be placed in foster homes or institutions privately;

6. Such other pertinent facts on the foster care of neglected and dependent children; and

7. Necessary bills to make the changes in laws to carry out the recommendations of the committee.

SELECT FILE

LEGISLATIVE BILL 267. E and R amendment found in the Legislative Journal for the Eighty-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 544. 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 545. 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 454. E and R amendments found in the Legislative Journal for the Eighty-sixth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE**MOTION—Change Order of Bills**

Mr. President: I move that LB 187, 188, 189, 190, 191 and 556 be so placed at the head of General File that they may be considered consecutively on Thursday, May 12, 1955. (Signed) William Moulton

The motion prevailed with 22 ayes, 4 nays and 17 not voting.

LEGISLATIVE BILL 485. Laid over.

LEGISLATIVE BILL 328. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 472. Laid over.

LEGISLATIVE BILL 494. Read and considered.

Mr. Perry offered the following amendment which was adopted: Amend LB 494 by striking Sections 1 and 2 and adopting the Standing Committee amendments found in the Legislative Journal for the Seventy-second Day in lieu thereof, and amend the title to conform.

Mr. J. Adams moved that LB 494 be indefinitely postponed. The motion lost.

Advanced to E and R for review.

LEGISLATIVE BILL 230. Read.

Pending.

Visitors

Mr. Moulton introduced Phyllis Forbes, Teacher, three sponsors and twenty-three students from District 56, Douglas County, Nebraska.

Mr. Burney introduced E. A. Schaefer, Principal, and twenty-one students from Bethlehem Lutheran School, Bremen, Kansas.

Mr. Shultz introduced Mrs. W. W. Mahan, Teacher, and fifteen students from District 9, Wayne County, Hoskins, Nebraska.

Acting Governor Warner and Governor and Mrs. J. Hugo Aronson from Montana were escorted to the rostrum. Governor Warner introduced Governor and Mrs. Aronson, and Governor Aronson addressed the Legislature. The visitors were escorted from the Chamber.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 473. Replaced on Select File as amended.

E and R amendments to LB 473:

1. In the original bill, section 2, line 66, strike "not does" and in lieu thereof insert "does not", as in the statutes, (printed bill is correct).

2. In Enrollment and Review Amendment 4, line 5, insert "77," after "75," at the end of the line.

3. In the bill, section now renumbered 9, page 8, lines 12 and 13, strike "its affairs shall be conducted" and in lieu thereof insert "*shall conduct its affairs shall be conducted*".

LEGISLATIVE BILL 428. Correctly engrossed.

LEGISLATIVE BILL 273. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:52 a.m., on a motion by Mr. Bixler, the Legislature adjourned until 9:30 a.m., Monday, May 9, 1955.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 9, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Liebers and McHenry, who were excused, Messrs. McGinley and Swanson, who were excused until 9:45 a.m., and Mr. Hubka, who was excused until 10:30 a.m.

The Journal for the Eighty-seventh Day was approved.

Communications

Expression of appreciation from J. N. Grant and family and Mr. and Mrs. Mervin Bedford for the flowers sent to the funeral of Mr. Bedford's sister.

Approved by the Governor

May 6, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Acting Governor Charles J. Warner has requested me to inform Your Honorable Body that on May 6, 1955, he approved LB 343, 498, 148, 413, 194, 149, 152 and 154.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS**Enrollment and Review****LEGISLATIVE BILL 375.** Correctly enrolled.**LEGISLATIVE BILL 128.** Correctly enrolled.**LEGISLATIVE BILL 394.** Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 375

LB 128

LB 394

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 304.

A bill for an act to amend section 43-609, Reissue Revised Statutes of Nebraska, 1943, relating to physically and educable mentally handicapped children; to provide that a school district qualifies for excess cost reimbursement for the education and care of handicapped children when the education and care shall have been secured within the State of Nebraska; to provide for the determination of the amount of excess costs, as prescribed, that shall be paid by the state for the education and care of physically and educable mentally handicapped children; to increase the maximum annual limitation thereof for educable mentally handicapped children as prescribed; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, T.	Cole	Lee	Peterson
Anderson	Cramer	Martin	Pizer
Aufenkamp	Diers	Metzger	Purdy
Bahensky	Fenske	Morrison	Ruhnke
Beaver	Foote	Moulton	Shultz
Bedford	Hoffmeister	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Burney			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Liebers	McHenry	Swanson
Hubka	McGinley		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 497.

A bill for an act to amend section 71-1631, Revised Statutes Supplement, 1953, relating to public health and welfare; to authorize a board of health in counties having a population of more than two hundred thousand inhabitants to enact rules and regulations, as prescribed, for the prevention of disease and for protection of public health beyond the jurisdictional limits of cities of the metropolitan class; to make it unlawful to violate such rules and regulations as prescribed; to provide penalties for violating such rules and regulations; 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.	Diers	Martin	Pizer
Anderson	Fenske	Metzger	Purdy
Aufenkamp	Foote	Morrison	Ruhnke
Bahensky	Hoffmeister	Moulton	Shultz
Beaver	Klaver	Nelson	Swanson
Bedford	Kotouc	Otto	Syas
Bixler	Larkin	Perry	Thompson
Bridenbaugh	Lee	Person	Tvrdik
Brower	McGinley	Peterson	Vogel
Cramer			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Cole	Liebers	McHenry
Burney	Hubka		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 426. With emergency.

A bill for an act to amend section 16-703, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to reduce

the percentage of legal voters required to initiate or approve the establishment of a recreation fund in such cities; 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.	Burney	Lee	Peterson
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	Martin	Ruhnke
Aufenkamp	Diers	Metzger	Shultz
Bahensky	Fenske	Morrison	Swanson
Beaver	Foote	Moulton	Syas
Bedford	Hoffmeister	Otto	Thompson
Bixler	Klaver	Perry	Tvrdik
Bridenbaugh	Kotouc	Person	Vogel
Brower	Larkin		

Voting in the negative, 2:

Nelson Purdy

Not voting, 3:

Hubka Liebers McHenry

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. Bridenbaugh introduced Honorable and Mrs. Ole H. Olson from the State of Washington. Mr. Olson is a member of the State Legislature.

ANNOUNCEMENT—Birthday

Mr. McGinley announced that today is Mr. Tvrdik's birthday, and the members sang "Happy Birthday" to him.

Announcement

Mr. Diers announced that he visited Mr. McHenry at the hospital and that he is improving in health.

SELECT FILE

LEGISLATIVE BILL 473. E and R amendments found in the Legislative Journal for the Eighty-seventh Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE**UNANIMOUS CONSENT—Change Order of Bills**

Mr. Kotouc asked unanimous consent to place the following bills at the head of General File: LB 500, 108, 38, 303, 555, 519 and 436.

Mr. Peterson objected to changing the order of LB 519.

Mr. Kotouc withdrew LB 519 from his request.

No objections. So ordered.

LEGISLATIVE BILL 500. Considered.

Mr. Perry offered the following amendments and asked unanimous consent that they be considered before the Perry amendment found in the Legislative Journal for the Eighty-fourth Day:

1. Amend the bill by striking Standing Committee Amendments and Enrollment and Review Amendments.

2. Amend original section 1 of the bill, line 5 by inserting after "Nebraska" the following: "which is described as follows: That part of the southeast quarter of section twenty-eight, township six, north, range ten, west of the six p.m., Adams County, Nebraska, described as follows: Begin at a stone at the northeast corner of the southeast quarter of section twenty-eight, township six, north, range 10, west, thence south along the section line 254' to a point where the south right-of-way line of the C.B. & Q. Railroad intersects the said section line, said point being the point of beginning for parcel herein conveyed. Thence northwesterly along the south right-of-way line of the C.B. & Q. Railroad, 648' to an iron pin, thence left 95 degrees 28 minutes 414.7' to an iron pin; thence left 38 degrees 21 minutes, 324.2'; thence right 57 degrees 15 minutes, 805.8' to an iron pin; thence right 60 degrees 13 minutes, 48.9' to an iron pin; thence left 51 degrees 20 minutes, 1026.7' to an iron pin; thence left 62 degrees 21 minutes 208.9' to an iron pin on the south side of section twenty-eight, thence left 58 degrees 38 minutes, 186.5' along the section line to an iron pin, thence left 48 degrees 22 minutes, 371.7' to an iron pin; thence left 21 degrees 30 minutes, 574' to an iron pin; thence right 70 degrees 20 minutes, 605.8'

to an iron pin on the section line between sections twenty-seven and twenty-eight thence north along said section line 1588' to the point of beginning, containing 32.79 acres more or less.

That part of the southwest quarter of section twenty-seven, township six, north, range ten, west, Adams County, Nebraska, described as follows:

Begin at a stone at the northwest corner of the southwest quarter of section twenty-seven, township six, north, range ten, west, thence south along the section line 254' to a point where the south right-of-way line of the C.B. & Q. Railroad intersects the said section line, said point being the point of beginning for the parcel herein conveyed. Thence southeasterly along the south right-of-way line of said railroad 265.7' to an iron pin, thence right 81 degrees and 14 minutes, 272' to an iron pin, thence left 52 degrees 50 minutes, 151' to an iron pin, thence left 12 degrees, 165' to an iron pin, thence right 19 degrees, 6 minutes, 211.5' to an iron pin, thence right 6 degrees 36 minutes, 132' to an iron pin, thence right 6 degrees 34 minutes, 198.2' to an iron pin, thence left 6 degrees 35 minutes, 198' to an iron pin, thence right 10 degrees, 22 minutes, 132.3' to an iron pin, thence right 13 degrees, 54 minutes, 132' to an iron pin, thence right 7 degrees 15 minutes, 132' thence right 13 degrees 05 minutes, 120.5' thence left 15 degrees 28 minutes, 131.8', thence right 31 degrees 10 minutes, 66', thence right 34 degrees 14 minutes, 99' thence right 23 degrees 4 minutes 157.8', thence right 19 degrees 19 minutes, 264' thence right 9 degrees 20 minutes, 642.6' to a point on the north and south dividing line between sections twenty-seven and twenty-eight and 812' north of the southwest corner of section twenty-seven, thence north along the section line 1, 588' to the place of beginning, containing 30.22 acres."

3. Amend the title to conform.

No objections. So ordered.

Mr. Perry moved that the rules be suspended and that the above amendments and the Perry amendment found in the Legislative Journal for the Eighty-fourth Day be voted upon at the same time.

The motion prevailed with 29 ayes, 4 nays and 10 not voting.

Mr. Person moved the previous question. The motion prevailed with 30 ayes, 2 nays and 11 not voting.

The Perry amendments lost with 9 ayes, 22 nays and 12 not voting.

Mrs. Foote moved to advance LB 500 to E and R for engrossment.

Mr. Syas moved that the Legislature reconsider its action on the Beaver motion to indefinitely postpone the bill, found in the Legislative Journal for the Eightieth Day.

Mrs. Foote raised a point of order, and the Chair declared the Syas motion out of order since Mr. Syas did not vote on the prevailing side on the Beaver motion.

Mr. Beaver moved to strike the enacting clause.

The Beaver motion lost with 12 ayes, 21 nays and 10 not voting.

The Foote motion prevailed and LB 500 was advanced to E and R for engrossment.

Visitors

Mr. Metzger introduced Mrs. Skalla, Teacher, three sponsors and twelve students from District 43, Sarpy County, Nebraska.

Mr. Klaver introduced Anthony Salerno and Mildred Boyd, Teachers, and twenty-seven students from Webster Grade School, Omaha, Nebraska.

Mr. Ruhnke introduced Hilde Schoenrock, Teacher, one mother, Mrs. Almond Schroeder, and five students from District 10, Jefferson County, Nebraska.

Mr. T. Adams introduced LeRoy Hansen, Harold Lantz, Mrs. Marjorie Adams and Mrs. Mary Hietbrink, Teachers, and seventy-five students from Everett Junior High School, Lincoln, Nebraska.

Members Excused

Mr. T. Adams was excused for the remainder of the day.

Mr. Brower was excused for Tuesday, May 10, 1955.

Mr. Perry was excused for Thursday and Friday, May 12 and 13, 1955.

GENERAL FILE

LEGISLATIVE BILL 108. Consideration of the Diers specific amendment found in the Legislative Journal for the Seventy-ninth Day.

The Diers specific amendment was adopted with 22 ayes, 10 nays and 11 not voting.

Mr. Person offered the following amendment, which was adopted:

1. Amend section 3 of the bill by striking lines 5 to 8 and inserting in lieu thereof the following:

“(1) Has been a resident of the State of Nebraska five years during the nine years immediately preceding the date of the application

for aid to the permanently and totally disabled person, and has resided therein continuously for one year immediately preceding the application;"

Advanced to E and R for review with 23 ayes, 12 nays and 8 not voting.

Mr. Anderson Presiding

LEGISLATIVE BILL 38. Sections 1 through 6 read and considered.

Standing Committee amendments 1 and 2, found in the Legislative Journal for the Eightieth Day, were adopted.

Standing Committee amendment 3, found in the Legislative Journal for the Eightieth Day, was not adopted with 13 ayes, 22 nays and 8 not voting.

Mr. Burney moved that LB 38 be indefinitely postponed.
Pending.

UNANIMOUS CONSENT—Executive Session

Mr. Bixler asked unanimous consent that the Committee on Revenue be permitted to hold an executive session at 1:30 p.m. today. No objections. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 320. Replaced on Select File as amended.

E and R amendment to LB 320:

1. In the bill section 2 line 1, strike "2" after the word "Section" and in lieu thereof insert "1".

LEGISLATIVE BILL 438. Replaced on Select File as amended.

E and R amendment to LB 438:

1. In the bill title, line 4, strike "the Board of Control may build".

LEGISLATIVE BILL 348. Placed on Select File as amended.

E and R amendments to LB 348:

1. In Standing Committee Amendment 4, (mimeographed copy line 4) after "this" insert "act"; line 5, (mimeographed copy line 5) strike

"Any securities so held" and insert in lieu thereof "The holding of any such securities"; line 12, (mimeographed copy line 12) after "for" insert "the"; line 13, (mimeographed copy line 13) strike the comma after "Nebraska" and insert in lieu thereof "and", and in the same line strike "its agents, the" and insert in lieu thereof "agents. The"; and in line 14, (mimeographed copy line 14) strike "to" and insert in lieu thereof "shall".

2. In Standing Committee Amendment 5, insert a comma after "consolidation" in line 7, (mimeographed copy line 7) and after the words "shall" and "thereof" in line 10, (mimeographed copy line 10).

3. In the bill page 2, section 1, insert a comma after "Puerto Rico" line 11, after "shall" line 16, after "act" line 17, section 2, line 1, after "insurer", line 2 after "state", line 6 after "capital", section 3, line 3, after "state", line 6, after "windstorm", page 3, section 4, line 3, after "province" and line 5 after "province", section 5, line 3, after "shall", section 7, line 2 after "may", line 6, after "association", page 4, section 7, line 10, after "director", line 12 after "shall", line 13 after "solidation", and in the same line after "reinsurance", section 8, line 3, after "rehabilitation", line 4, after "jurisdiction", line 6, after "rehabilitator", section 9, line 2, after "director" and in the same line after "law", section 10, line 1, after "court", and in renumbered section 13, page 5, line 2 after "repeal".

4. In the bill page 2, section 1, line 6, strike "the"; line 20, strike the comma after "companies"; section 3, line 4, after the comma insert "and"; page 3, section 3, strike lines 7 and 8 beginning with "(4)" line 7, including the comma after "Associations" in line 8; line 10 after "policyholders" insert "in the United States"; section 5, line 2, strike "this chapter" and insert in lieu thereof "Chapter 44, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto,"; section 7, page 4, line 9, strike "upon" and insert in lieu thereof ", upon an"; line 11, after "cause" insert "therefor being"; section 8, at the end of line 1, insert "such"; and in line 2, after "Upon" insert "an".

5. In the bill title line 4 after "Insurance" insert "as prescribed"; line 8, strike "define the nature of the liability of" and insert in lieu thereof "provide there shall be no liability upon"; and in line 10, strike the semicolon and insert in lieu thereof "as prescribed; to provide for the designation of depositories for securities as prescribed; to provide duties and powers for the prescribed public officials; to provide for insurance as prescribed; to provide that unclaimed securities shall become the property of the State of Nebraska as prescribed;".

LEGISLATIVE BILL 476. Correctly engrossed.

LEGISLATIVE BILL 486. Correctly engrossed.

LEGISLATIVE BILL 366. Correctly engrossed.

LEGISLATIVE BILL 267. Correctly engrossed.

LEGISLATIVE BILL 544. Correctly engrossed.

LEGISLATIVE BILL 545. Correctly engrossed.

LEGISLATIVE BILL 473. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:53 a.m., on a motion by Mr. Peterson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Mr. Anderson presiding.

The roll was called and all members were present except Messrs. T. Adams, Liebers and McHenry, who were excused, and Mrs. Foote, who was excused until 2:15 p.m.

GENERAL FILE

LEGISLATIVE BILL 38. Consideration of the Burney motion to indefinitely postpone.

Mr. J. Adams requested a record vote.

Voting in the affirmative, 16:

Bahensky	Cole	Peterson	Swanson
Bedford	Diers	Purdy	Syas
Bridenbaugh	Nelson	Ruhnke	Tvrdik
Burney	Person	Shultz	Vogel

Voting in the negative, 21:

Adams, J.	Fenske	Larkin	Morrison
Aufenkamp	Hoffmeister	Lee	Moulton
Beaver	Hubka	McGinley	Perry
Bixler	Klaver	Martin	Pizer
Brower	Kotouc	Metzger	Thompson
Cramer			

Not voting, 6:

Adams, T.	Foote	McHenry	Otto
Anderson	Liebers		

The motion lost.

Remainder of bill read and considered.

Standing Committee amendment 4, found in the Legislative Journal for the Eightieth Day, was not adopted.

Standing Committee amendments 5, 6, 7 and 8, found in the Legislative Journal for the Eightieth Day, were adopted.

Advanced to E and R for review with 24 ayes, 11 nays and 8 not voting.

Visitors

Mr. Vogel introduced Mr. and Mrs. Eric Westling, Omaha, Nebraska, and their nephew and niece, Mr. and Mrs. Ingvar Westling from Sweden.

Mr. Lee introduced Miss Mildred Bartosh, Teacher and Sponsor, and twenty-two seniors from Dodge High School, Dodge, Nebraska.

MOTION—Place Bill on General File

Mr. President: I move that LB 532 be placed on General File notwithstanding the committee action. (Signed) K. W. Peterson

The motion lost with 10 ayes, 18 nays and 15 not voting.

Speaker Burney Presiding

LEGISLATIVE BILL 303. 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.

UNANIMOUS CONSENT—Revert to Introduction of Bills

Mr. Bixler asked unanimous consent to revert to the introduction of bills. No objections. So ordered.

STATEMENT—Introduce Bill

The Committee on Revenue voted, 7 ayes, 0 nays and 2 not voting, to introduce a bill providing for a tax on coin-operated machines.

(Signed) Monroe Bixler
Chairman

Permission to introduce the bill was granted with 32 ayes, 1 nay and 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 557. By Committee on Revenue, Monroe Bixler, 41st District, Chairman.

A bill for an act relating to revenue; to provide for a license fee for games of skill, musical devices, and vending machines, as prescribed; to provide for disposition of such fees; to provide for violations; and to prescribe penalties.

GENERAL FILE

LEGISLATIVE BILL 555. Read and considered.
Laid over.

Members Excused

Mrs. Foote was excused for the remainder of the afternoon.

Mr. Ruhnke was excused for the remainder of the afternoon.

Mr. J. Adams was excused for the remainder of the afternoon.

LEGISLATIVE BILL 436. Read and considered.
Laid over.

STANDING COMMITTEE REPORTS**Enrollment and Review
Presented to the Governor**

Presented to the Governor for approval on May 9, 1955 at 3:00 p.m.

LB 394

LB 128

LB 375

LEGISLATIVE BILL 330. Replaced on Select File as amended.

E and R amendments to LB 330:

1. In Enrollment and Review Amendment 17, at the end of line 1, insert "the second word"; and in Enrollment and Review Amendment 18, line 1, insert "first" before "semicolon".

2. In Standing Committee Amendment 18, line 10, insert "second" after "the" and before "word".

3. In the bill renumbered section 18, (originally section 20) line 14, insert "," after "tion".

LEGISLATIVE BILL 349. Placed on Select File as amended.

E and R amendments to LB 349:

1. Amend Standing Committee Amendment 1, by inserting the new matter in line 2 of said amendment after "*vehicles*," instead of "*vehicles*"; and in the new matter, of Standing Committee Amendment 1, line 3, strike "which" and insert "*such*".

2. In the bill page 2, section 1, line 5, insert "," after "refuse"; line 6, strike "to go immediately therefrom, or" and insert in lieu thereof ", to go immediately therefrom, *leave such enclosure or cultivated lands or any person*"; line 7, after "lands" insert ","; line 8, after "for" insert "*the*"; and in line 9, strike "shall" and insert in lieu thereof "*such a person or persons shall* ,".

LEGISLATIVE BILL 426. Correctly enrolled.

LEGISLATIVE BILL 497. Correctly enrolled.

LEGISLATIVE BILL 304. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 4:16 p.m., on a motion by Mr. Brower, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 10, 1955

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Warner presiding.

Prayer was offered by the Reverend Richard W. Nutt, Pastor of the Wesley Foundation Church, Lincoln, Nebraska.

The roll was called and all members were present except Messrs. Brower, Liebers and McHenry who were excused, and Mr. Larkin who was excused until 10:30 a.m.

The Journal for the Eighty-eighth Day was approved as corrected.

Communications

Mr. Peterson asked unanimous consent that the following communication be made a part of today's Journal. No objections. So ordered.

J. Monroe Bixler, Chairman
Revenue Committee

Hugo Srb, Clerk of Legislature

Nebraska State Legislature
State Capitol Building
Lincoln, Nebraska

Having served as a member of the Nebraska State Senate in 1933 and subsequently representing the Motor Carrier Industry, I don't recall a Committee or the Legislature recommending for passage or passing a Bill which increases taxes on an Industry of over a million dollars without a Public Hearing. Even the Legislative Rules as I understand them, require that each Bill shall have a Public Hearing and certainly the intent of this rule covers the subject matter covered by each bill.

We therefore respectfully request that LB 519 be set down for Public Hearing on the new subject matter contained therein upon which there has been no Public Hearing. In all fairness this would allow all interested parties to be heard. Further, may we respectfully request that a week be allowed in order that Public Notice of such a hearing can be given. This will allow all interested parties to give your Committee the benefit of their testimony as to how the proposed motor carrier license fees increases will effect the Industry and the economy of our State; keeping in mind that the 1953 Legislature passed increases on commercial license fees averaging 60% and increased fuel taxes 20%.

NEBRASKA MOTOR CARRIERS ASSOCIATION

By (Signed) Paul Halpine
Secretary

Referred to Committee on Revenue.

Bills Referred to Standing Committees

LB Committee

557.....Revenue

President Signs

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

LB 426

LB 497

LB 304

RESOLUTIONS

LEGISLATIVE RESOLUTION 30. Re: The Filing of Copies of All Bills Prepared by the Bill Drafter with the Clerk of the Legislature.

Introduced by Mervin V. Bedford, 23rd District; William A. Metzger, 3rd District; Joseph D. Martin, 30th District.

WHEREAS, many bills are drafted for members of the Legislature which are duplicate of other bills, and

WHEREAS, members of the Legislature have no knowledge of contents of bills prepared until introduced in the Legislature, and

WHEREAS, if such procedure could be remedied, it would save time and pressure in the office of the Bill Drafter, and

WHEREAS, bills have been prepared solely for the purpose of harassing persons or industries with no thought of being introduced, and

WHEREAS, preparation of bills for the purpose of harassing is contrary to public interest.

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

That in order to prevent the preparation of unnecessary bills and the harassment of the public and industry, that the Bill Drafter be required to file a copy of all bills as prepared with the Clerk of the Legislature.

UNANIMOUS CONSENT—Add Co-Introducers

Mr. Metzger asked unanimous consent to add the names of the following members as co-introducers of LR 30: Karl E. Vogel, 9th District; Monroe Bixler, 41st District; Arthur W. Swanson, 36th District; Donald F. McGinley, 39th District; Amos Morrison, 42nd District. No objections. So ordered.

Message from the Governor

May 9, 1955

Members of the 67th Session
of the Nebraska Legislature,
Legislative Chamber,
Capitol Building,
Lincoln, Nebraska.

Gentlemen:

An agreement has been worked out with Commodity Credit Corporation operating under the auspices of the United States Department of Agriculture whereby Commodity Credit Corporation will remove their inspectors from the State of Nebraska, who inspect and audit warehouses, doing almost identically the same work that the grain warehouse inspectors working out of the Warehouse Department, Nebraska State Railway Commission are required by law to perform.

The Federal Government is willing to re-imburse the State of Nebraska for inspection reports and information compiled by the Nebraska Inspectors from figures available. The State of Nebraska can make the required amount of inspections to satisfy the United States Department of Agriculture for an increased appropriation by the Budget Committee, but the appropriation will be absorbed by the depositing in the State

Treasury to the credit of the General Fund, funds received from the United States Department of Agriculture in excess of the amount of funds required which is conservatively estimated at \$20,000.00 per year.

Based upon the number of inspections which is authorized by the United States Department of Agriculture, the funds derived annually which would be deposited in the General Fund is conservatively estimated to be from \$22,000 to \$25,000 per year.

Federal Inspectors are much more expensive to keep in the field than State Inspectors are. If this bill is passed permitting a receipt of the funds from the United States Department of Agriculture as payment for inspection reports, it will amount to a savings to the people of this country estimated at \$90,000 per year.

In order to affect this saving, it will be necessary and is essential that we have Legislation enacted which according to our Legal Advisor is contained in the Bill which is being presented for introduction.

Very sincerely yours,

(Signed) Charles J. Warner
Acting Governor

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 558. By Frank Nelson, 28th District and Earl J. Lee, 11th District, upon the recommendation of Honorable Charles J. Warner, Acting Governor.

A bill for an act to amend section 88-202, Revised Statutes Supplement, 1953, relating to public grain warehouses; to authorize the Nebraska State Railway Commission to make the results of its inspections made of public grain warehouse available to the United States government, or any of its agencies; to provide for fees for such services; to authorize the commission to enter into contracts and agreement for such purposes; to provide for the disposition of fees collected; to repeal the original section; and to declare an emergency.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 316.

A bill for an act to amend section 44-379, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to require that a cancella-

tion clause be incorporated in certain types of insurance policies filed for approval with the Department of Insurance; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, J.	Cole	Lee	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Shultz
Bahensky	Foote	Morrison	Swanson
Beaver	Hoffmeister	Moulton	Syas
Bedford	Hubka	Nelson	Thompson
Bixler	Klaver	Otto	Tvrdik
Bridenbaugh	Kotouc	Person	Vogel
Burney			

Voting in the negative, 2:

Perry Ruhnke

Not voting, 4:

Brower Larkin Liebers McHenry

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 150. Laid over.

LEGISLATIVE BILL 445.

A bill for an act relating to public health and welfare; to provide for the practice of massage by requiring a license; to provide for renewals; to provide that such licenses may be suspended or revoked as prescribed; to provide for a Board of Examiners in Massage and the qualifications, terms of office, and compensation of the members of the board; to define terms; to provide for fees, and the disposition thereof; to provide for qualifications to practice massage; to provide for schools and establishments of massage; to provide for apprentices; to make certain acts unlawful; to provide penalties; to provide certain procedure; to provide for display of license; to provide for appeals; and to provide certain powers and duties for Department of Health, Board of Examiners in Massage, and others 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, 22:

Adams, T.	Cramer	Moulton	Shultz
Anderson	Foote	Otto	Swanson
Bahensky	Hoffmeister	Person	Syas
Beaver	McGinley	Purdy	Thompson
Bedford	Martin	Ruhnke	Tvrdik
Cole	Morrison		

Voting in the negative, 14:

Aufenkamp	Fenske	Metzger	Peterson
Bixler	Hubka	Nelson	Pizer
Burney	Kotouc	Perry	Vogel
Diers	Lee		

Not voting, 7:

Adams, J.	Brower	Larkin	McHenry
Bridenbaugh	Klaver	Liebers	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Speaker Burney introduced Mr. Henry W. Washburn, a Member of the Iowa Senate.

Mr. Tvrdik introduced Mrs. Jessie Bryant, Mrs. Gertrude Naylor and Mrs. Rowena Wirtz, Teachers, and ninety students from Beals School, Omaha, Nebraska.

SELECT FILE

LEGISLATIVE BILL 320. E and R amendment found in the Legislative Journal for the Eighty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 438. E and R amendment found in the Legislative Journal for the Eighty-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 330. E and R amendments found in the Legislative Journal for the Eighty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 348. E and R amendments found in the Legislative Journal for the Eighty-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 349. E and R amendments found in the Legislative Journal for the Eighty-eighth Day were adopted.

Bracketed until Thursday, May 12, 1955.

Members Excused

Mr. Moulton was excused from 10:00 a.m. for the remainder of the morning.

Mr. McGinley was excused for the remainder of the morning.

Mr. Hoffmeister was excused for Thursday afternoon and Friday, May 12 and 13, 1955.

GENERAL FILE

LEGISLATIVE BILL 555. Considered.

Mr. Aufenkamp offered the following amendment, which was adopted:

1. Amend page 14 of the bill, section 1 by inserting after line 444 the following:

"City of Fremont City Auditorium Fremont, Nebraska	Paving assessment	General Fund	\$2,172.04
Melvin L. Miller Pickrell, Nebraska	Refund of gasoline tax	Gas Tax Refund, Auditor Account No. 704	26.00
Joe Christensen 232 South 10th St. Lincoln, Nebraska	Print abstract of votes for 1952 election	General Fund	303.05

Roland D. Gibson Sheriff Central City, Nebraska	Extradition Expense	General Fund	\$138.77
George Robert Norton, Jr. 322 W. 4th St. Sioux City, Iowa	Truck Damage	Highway Cash Fund, Auditor Account No. 189	75.00
Nickolas Gibleal 418 West 25th St. Kearney, Nebraska	Car Damage	Highway Cash Fund, Auditor Account No. 189	84.39
Eleanor J. Benes Route #3 Lincoln, Ne- braska	Unpaid warrant more than two years old	Annuity Reserve Fund, Auditor Account No. 870	285.40
Polak Bros. Valparaiso, Nebraska	Unpaid warrant more than two years old	Gas Tax Refund, Auditor Account No. 704	97.87
Delmer O.	Car Damage	Highway Cash	144.76".

Mr. Lee offered the following amendment, which was adopted:

1. Amend section 1 of the bill by inserting after line 650 the following:

"Clifford LeRoy Foust, Fremont, Nebraska	Unpaid warrant more than two years old	Municipal An- nuity Reserve Fund, Auditor Account No. 878".	\$ 261.26
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Advanced to E and R for review.

LEGISLATIVE BILL 436. Laid over.

LEGISLATIVE BILL 485. Read and considered.

Mr. Tvrdik offered the following amendment and asked unanimous consent that it be adopted:

1. Amend Standing Committee Amendment 1, line 11 by inserting "or" before the words "the amount", and line 12 by striking "or the amount owed by him to the creditor,".

No objections. So ordered.

Standing Committee amendments found in the Legislative Journal for the Seventy-first Day were adopted as amended.

Advanced to E and R for review.

LEGISLATIVE BILL 472. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-second Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 230. Laid over.

LEGISLATIVE BILL 392. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 432. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-third Day was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 466. Laid over.

LEGISLATIVE BILL 543. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-third Day was adopted.

Mr. Lee offered the following amendments which were adopted:

1. Amend LB 543, after line 6 in Section 2, by inserting the figure "3" after the word "Sec."
2. Amend LB 543, Section 2, line 3, by inserting the word "rate" following the word "intrastate" and striking the word "rate" in line 4.

Mr. Klaver moved that LB 543 be indefinitely postponed.

Speaker Burney Presiding

President Warner Presiding

The motion lost with 5 ayes, 29 nays and 9 not voting.

Advanced to E and R for review.

Visitors

Mr. Metzger introduced Esther Wrede, Principal, Margaret Pugh, Teacher, and thirty-four students from District 42, Sarpy County, Nebraska.

Mr. Syas introduced Father Wortmann, Assistant Pastor, Mrs. Theresa Rubeck, Chaperone, four sponsors, and thirty-three students from Blessed Sacrament School, Omaha, Nebraska.

Mr. Tvrdik introduced Mrs. Lois McMillian, Principal, Fred Rasmussen, Teacher, six sponsors, and thirty-three students from Adams School, Omaha, Nebraska.

Mr. Larkin introduced Sister Rosalia, Teacher, and forty students from Saint Mary's School, Omaha, Nebraska.

Mr. Burney introduced Earl Warne, Teacher, and twenty-six students from Avoca High School, Avoca, Iowa.

Mr. Person introduced Mrs. Earl Volk, Teacher, and seven students from District 57, Saunders County, Nebraska.

Mr. Person also introduced Mrs. F. E. Wisely, and ten students from District 105, Saunders County, Fremont, and Mrs. Henry DePrez, and eight students from District 46, Saunders County, Fremont, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 381. Read and considered.

Mr. Bahensky offered the following amendments:

1. Amend page 2 of the bill, section 1, lines 10 and 14 by striking "five hundred" and inserting "five hundred two thousand".

2. Amend the title of the bill, line 6 by inserting after "roads" the following:

"without contract".

Mr. Lee offered the following amendment: amend the Bahensky amendment to LB 381 by changing "two thousand" to "one thousand" in each instance.

Pending.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 360. Placed on Select File as amended.

E and R amendments to LB 360:

1. In Standing Committee Amendment 1, in the newly inserted section 1, lines 6, 7, and 9, strike "the" and in lieu thereof insert "the *each*"; and line 16, before "*trustees*" insert "*trustee or*".

2. In Standing Committee Amendment 1, in the newly inserted section 2, line 3, before "*trustees*" insert "*trustee or*"; line 4, after "of" insert "(1)"; and line 7, after "or" insert "(2)".

3. Strike Standing Committee Amendment 7 and in lieu thereof in the bill title, line 2, after "ACT" insert "to amend sections 12-512.02 and 12-512.03, Reissue Revised Statutes of Nebraska, 1943, "; line 8, strike "and"; and line 9, after "conditions" insert "; to provide for allocation of funds to the perpetual care fund from sales of lots on contract; to require trustees, if selected in lieu of an incorporated trust company, to be residents of the county in which the cemetery is located as prescribed; to make certain acts unlawful; to provide penalties; and to repeal the original sections".

4. In the bill, renumbered section 3, lines 9 and 10, strike ", Reissue Revised Statutes of Nebraska, 1943".

5. In the bill, renumbered section 4, line 5, strike "Reissue Revised Statutes of Nebraska, 1943,".

6. In the bill, strike ", Reissue Revised Statutes of Nebraska, 1943," in renumbered section 5, lines 3 and 4, and renumbered section 6, line 3.

LEGISLATIVE BILL 546. Placed on Select File as amended.

E and R amendments to LB 546:

1. In the bill, section 1, line 22, strike ", or" and in lieu thereof insert "*or with*" and line 27, insert "," after "*villages*"; and also line 27, strike "*or towns*".

2. In the bill, section 2, line 6, strike "*other*".

3. In the bill title, line 9, after "subdivision" insert "as prescribed".

LEGISLATIVE BILL 494. Placed on Select File as amended.

E and R amendment to LB 494:

1. Strike Standing Committee Amendment and Perry General File Amendment and in lieu thereof (1) strike original sections 1 and 2 of the bill and in lieu thereof insert:

"Section 1. That section 26-103, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

26-103. No person shall be eligible to the office of judge of the

municipal court unless he (1) is thirty years of age, (2) is a citizen of the United States, (3) is a resident of the city state for at least five three years next preceding his election or appointment, and (4) unless he shall have been a regularly admitted and practicing as an attorney or judge in the this State state of Nebraska for at least five years and remains as an attorney in good standing at the bar thereof .

Sec. 2. That original section 26-103, Reissue Revised Statutes of Nebraska, 1943, is repealed."

and (2) strike original title and in lieu thereof insert:

"A BILL

FOR AN ACT to amend section 26-103, Reissued Revised Statutes of Nebraska, 1943, relating to municipal courts in cities of the metropolitan and primary classes; to change the qualifications of a judge of the municipal court in such a city; and to repeal the original section."

LEGISLATIVE BILL 438. Correctly engrossed.

LEGISLATIVE BILL 320. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:55 a.m., on a motion by Mr. Metzger, 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. Anderson, Brower, Larkin, Liebers, and McHenry, who were excused, Mr. T. Adams, who was excused until 2:20 p.m., and Messrs. Bridenbaugh, Diers, Fenske, Peterson, Pizer, Shultz, and Vogel, who were excused until 2:45 p.m.

Visitors

Mr. Kotouc introduced Mrs. Rex Roth and Mrs. Emma Cunningham, Teachers, one sponsor, and thirty-two students from Table Rock, Nebraska.

Mr. Moulton introduced Father Kerwin, Sister Mary Francetta, and sixty students from St. Bernard's School, Omaha, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 381. Consideration of the Lee amendment to the Bahensky amendment, found in this day's Legislative Journal.

The Lee amendment was not adopted with 10 ayes, 16 nays and 17 not voting.

The Bahensky amendment, found in this day's Legislative Journal, was adopted with 23 ayes, 3 nays and 17 not voting.

Mr. Bahensky offered the following amendments, which were adopted:

Strike the word "three" and insert the word "two" in line 7, Section 1; also strike "three" and insert "two" in line 14; strike "three" and insert "two" in line 10.

Laid over.

UNANIMOUS CONSENT—Revert to Introduction of Resolutions

Mr. Metzger asked unanimous consent to revert back to the introduction of resolutions. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 31. Re: Release of Official Reports of County Audits to Press, Radio and Television Representatives.

Introduced by William A. Metzger, 3rd District; Joseph D. Martin, 30th District; Amos Morrison, 42nd District.

WHEREAS, it appears from reports of audits of county officers made by the office of the Auditor of Public Accounts that several of the counties have disregarded their duties and responsibilities as well as the laws of Nebraska, and

WHEREAS, when such illegal acts have been disclosed, the law enforcement officers of the counties have failed to take the necessary actions to correct such illegal acts, and

WHEREAS, such illegal acts have not been disclosed to the office of the Attorney General for prosecution, and

WHEREAS, necessary changes in our laws should be considered by this Legislature.

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

1. That the Auditor of Public Accounts release all official reports of county audits to the press, radio, and television representatives, and that no restriction be placed on such reports as confidential.

2. That necessary legislation be introduced by appropriate bill or bills to correct the present situation that the public may have knowledge of governmental affairs.

GENERAL FILE

LEGISLATIVE BILL 95. Laid over.

LEGISLATIVE BILL 466. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend Standing Committee amendment 9 to LB 466 by inserting a comma following the word "sale" in line 2 and following the word "distributor" in line 3.

Mr. Moulton moved that LB 466 be advanced to E and R for review.

Mr. J. Adams moved that LB 466 be indefinitely postponed. The motion lost.

The Moulton motion prevailed, and LB 466 was advanced to E and R for review.

LEGISLATIVE BILL 177. Read and considered.

Mr. Ruhnke offered the following amendment, which was adopted: Amend LB 177 by adding the emergency clause and amending the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 179. Read and considered.

Mr. Lee offered the following amendment, which was adopted: Amend LB 179 by adding the emergency clause and amending the title to conform.

Advanced to E and R for review.

Member Excused

Mr. T. Adams was excused for the remainder of the afternoon.

LEGISLATIVE BILL 242. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 247. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-third Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 197. Laid over.

LEGISLATIVE BILL 307. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 417. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-fourth Day was adopted.

Mr. Burney offered the following amendment, which was adopted: Amend LB 417, Section 1, line 15 by striking the word "five" and inserting in lieu thereof the words "twenty-five".

Mr. Hubka offered the following amendment: Amend LB 417, Section 1, line 15, by inserting "three" before the word "hundred" in lieu of the word "one"; and line 16, by deleting the words "ninety days" and inserting in lieu thereof the words "six months".

Pending.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 454. Replaced on Select File as amended.

E and R amendment to LB 454:

1. In the bill section 5, line 7, strike the word "of" at the end of the line; section 23, line 9, strike the word "in"; and in section 24, line 4, insert a comma after the first word "authority" in said line.

LEGISLATIVE BILL 328. Placed on Select File as amended.

E and R amendments to LB 328:

1. In the bill, section 1, line 4, strike "first class or second class or village" and in lieu thereof insert "*city of the first class, city of the or second class, or village shall*"; in line 6 insert "," after "appropriate" and after "domain"; in line 9 insert "," after "*system*," and strike "or" before the last word "electric" and show as stricken matter; in line 10 strike "or" before "heating" and also before "street" and show the same as stricken matter; in line 15 insert "," after "though"; in line 17 insert "," after "plant"; in line 19 insert "," after "authority"; in line 21 after "plant" insert "*, railway, pipelines,*"; in line 23 after "service" insert "*to such a city or village*"; in lines 24 and 25 strike "as herein provided" and in lieu thereof insert "*, as herein provided in sections 19-701 to 19-707,*"; in line 38 strike "the" before "city" and in lieu thereof insert "*the such a*"; and in line 45 after "submitted" insert "*to the voters of such a city or village*".

2. In the bill title line 5 after "first" insert a comma; and in line 8 insert "as prescribed" after "pipelines".

LEGISLATIVE BILL 501. Placed on Select File as amended.

E and R amendments to LB 501:

1. In Standing Committee Amendment 1, in the newly inserted section 1, line 5, strike "the" after "by" and in lieu thereof insert "*the such*"; lines 11 and 14, strike the quotation marks and show as stricken matter; line 18, strike "or" and show as stricken matter; lines 20, 22, 26, and 28, strike the period and in lieu thereof insert "*, ;*"; line 31, strike the period and in lieu thereof insert "*. ; and*"; line 35, strike "(" and in lieu thereof insert "{ "; line 38, strike ")" and in lieu thereof insert "}, "; insert "," in lines 49, 51, and 54 after "successors", and lines 50, 52, and 55 after "thereafter".

2. In Standing Committee Amendment 2, insert "," in line 9 after "lease", line 11 after "systems", and line 13 after "merge".

3. In Standing Committee Amendment 3, in newly inserted section 3, now renumbered as section 4, insert "," in line 2 after "merged", line 3 after "lease", and line 6 after "district".

4. In Standing Committee Amendment 4, in newly inserted section 4, now renumbered as section 5, insert "," in line 5 after "amended", line 9 after "reduce", line 14 after "increase", line 17 after "systems", line 20 after "with", and line 28 after "name"; line 10, strike "provided" and in lieu thereof insert "provided if"; line 23, before "change" insert "a".

5. In Peterson General File Amendment 1, in newly inserted section 2, insert "," in line 4 after "lease", line 5 after "systems", line 8 after "filed", line 43 after "elected"; line 51 after "Arthur", line 54

after "Paha", line 62 after "Hitchcock", line 64 after "Nuckolls", and line 66 after "Cass"; line 14, strike the period and in lieu thereof insert ".,"; line 16, after "for" insert "the"; line 36, strike the period and in lieu thereof insert "., and"; line 47, before "election" insert "the".

6. In Peterson General File Amendment 5, line 2, strike "section 6 as section 7" and in lieu thereof insert "'Sec. 7.' as 'Sec. 8.'".

7. Strike the Perry General File Amendment, and in lieu thereof in Standing Committee Amendment 2, line 15, after "tricts" insert "., *Provided, that the board of directors of any such district shall not delegate its duties to any other district or group of districts*".

8. In the bill, renumbered section 3, line 4, after "privileges" insert ".,".

LEGISLATIVE BILL 316. Correctly enrolled.

LEGISLATIVE BILL 445. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Hoffmeister introduced Dr. Don Page, Dr. Jerry Smith, Dr. Russell H. Hanson and Mr. Harold Eichman, from Boulder, Colorado.

Approved by the Governor

May 9, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 8, 1955, he approved LB 531, 269, 467, 370, 520, 471, 311 and 340.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

UNANIMOUS CONSENT—Return Bill to Select File

Mr. Peterson asked unanimous consent to return LB 438 to Select File for the following specific amendment: Add the emergency clause and amend the title to conform.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 438.

Mr. Peterson asked unanimous consent that his amendment to LB 438 found in this Day's Journal be adopted. No objections. So ordered.

Advanced to E and R for re-engrossment.

Adjournment

At 4:14 p.m., on a motion by Mr. Fenske, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETIETH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 11, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by the Reverend Carroll H. Lemon, Nebraska Council of Churches.

The roll was called and all members were present except Messrs. Bedford, Liebers and McHenry, who were excused, and Mr. Anderson, who was excused until 9:35 a.m.

The Journal for the Eighty-ninth Day was approved as corrected.

Communications

Telegrams from the Sidney Chamber of Commerce, Imperial Junior Chamber of Commerce, and the Dalton Lions Club urging passage of LB 518. Referred to Committee on Agriculture.

Letter from the family of William H. O'Gara expressing appreciation for the tribute paid to the memory of Mr. O'Gara by the Legislature.

LEGISLATIVE EXPENSES, APRIL, 1955

Account E-2 Members Salaries

Gross Amount	\$ 8,600.00	
Members Net Payments		\$ 7,978.80
W. H. Income Taxes		449.20
Deferred Payment O.A.S.I. Taxes		172.00

\$ 8,600.00

Account E-4 Employees Wages	Time	Rate	Gross Wages
Dianne Alexander, Committee Clerk Assistant	1 mo. @	165/mo.	\$165.00
Lorraine Anderson, Docket Clerk	1 mo. @	250/mo.	250.00
Jackie Berkheim, Government Committee Clerk	1 mo. @	250/mo.	250.00
Ruby Black, Stenographer	1 mo. @	235/mo.	235.00
Eunice Bradley, Supervisor of Stenographer's Pool	1 mo. @	275/mo.	275.00
William Burley, Page	1 mo. @	165/mo.	165.00
Donna Cleavenger, Office Assistant & Secretary	1 mo. @	250/mo.	250.00
John Dewey Curtis, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Darlene Custer, Public Health & Misc. Subjects Committee Clerk	1 mo. @	250/mo.	250.00
Clarence M. Davis, Legal Advisor	1 mo. @	900/mo.	900.00
Adelaide Eichelberger, Stenographer	12 das. @	235/mo.	108.48
Lois L. Ferguson, Judiciary Committee Clerk	1 mo. @	250/mo.	250.00
Jo Fisher, Chief Engrossing Clerk	1 mo. @	325/mo.	325.00
Ernest Fouts, Chief Legislative Custodian	1 mo. @	200/mo.	200.00

NINETEETH DAY—MAY 11, 1955

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	Time	Rate	Gross Wages
Dorothea M. Fuchs, Budget Committee Clerk	1 mo. @	250/mo.	\$250.00
Eloise M. Galloway, Supervisor of Stenographer's Pool ...	1 mo. @	275/mo.	275.00
Viola Gardiner, Stenographer	1 mo. @	235/mo.	235.00
Florence S. Graham, Assistant Journal Clerk	1 mo. @	260/mo.	260.00
Ramona T. Hansen, Proofreader	62½ hrs. @	1.40/hr.	87.50
E. C. Hansen, Chaplain	1 mo. @	140/mo.	140.00
Marjory A. Hines, Revenue Committee Clerk	1 mo. @	250/mo.	250.00
Carl Hoffman, Assistant Legislative Custodian	1 mo. @	185/mo.	185.00
Charles E. Keefer, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Jane Kenner, Receptionist, Lieutenant Governor	1 mo. @	200/mo.	200.00
Darlene Kepler, Stencil Cutter and Mimeographer	1 mo. @	200/mo.	200.00
Shirley-Kling, Stenographer	1 mo./8 hrs. @	235/mo.	244.04
Betty Jean Koch, Education Committee Clerk	1 mo. @	250/mo.	250.00
Carlene Kroese, Steno Typist	1 mo. @	235/mo.	235.00
Clara Jean Lewis, Page	1 mo. @	165/mo.	165.00
Marguerite Listiak, Stenographer	120 hrs. @	1.25/hr.	150.00
G. F. Martin, Chief Clerk, Bill Room	1 mo. @	240/mo.	240.00
F. R. Miller, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Charles A. Mohrman, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Barbara Nelson, Agriculture Committee Clerk ...	1 mo. @	250/mo.	250.00
Ruby Nelson, Postmistress	1 mo. @	180/mo.	180.00
LaVerne Obermeyer, Journal Clerk	1 mo. @	325/mo.	325.00
Ethel Pattison, Page	21 das. @	165/mo.	133.35
Clyde Pinkerton, Assistant Clerk, Bill Room	1 mo. @	195/mo.	195.00
Elizabeth Reger, Proofreader	108 hrs. @	1.40/hr.	151.20

Ralph Reger, Page	1 mo. @ 165/mo.	\$165.00
Betty Remington, Labor & Public Welfare Committee Clerk	1 mo. @ 250/mo.	250.00
Melba Richling, Bookkeeper	1 mo. @ 275/mo.	275.00
Francis Robinson, Assistant Clerk of the Legislature	26 das. @ 18/da.	468.00
George L. Santo, Sergeant-at-Arms	1 mo. @ 230/mo.	230.00
Edna S. Scott, Proofreader	82 hrs. @ 1.40/hr.	114.80
Mary Smetter, Proofreader	99 hrs. @ 1.40/hr.	138.60
Verneal Spilker, Page	1 mo. @ 165/mo.	165.00
Ella Sue Steenson, Public Works Committee Clerk.	1 mo. @ 250/mo.	250.00
Ralph Stouffer, Assistant Custodian	1 mo. @ 185/mo.	185.00
A. C. Taylor, Assistant Sergeant-at-Arms	1 mo. @ 190/mo.	190.00
Ruth Theobald, Banking, Commerce & Insurance Committee Clerk	1 mo. @ 250/mo.	250.00
Richard C. Thoene, Misc. Appropriations & Claims Committee Clerk	1 mo. @ 250/mo.	250.00
Charles Touzalin, Assistant Clerk, Bill Room	1 mo. @ 195/mo.	195.00
Ruth Turner, Stenographer	1 mo/12 hrs. @ 235/mo.	248.56
Gertrude A. Tyler, Telephone Operator	1 mo. @ 180/mo.	180.00
Shirley Walker, Stenographer	1 mo. @ 235/mo.	235.00
Tillie Walker, Stenographer	124 hrs. @ 1.25/hr.	155.00

TOTAL GROSS WAGES\$ 12,949.53

Net Amount Due Employees 11,082.54

W. H. Income Taxes 1,610.80

Deferred Payment O.A.S.I. Taxes 256.19

\$ 12,949.53

Account E-5 Incidental Expenses

Purchasing Department Revolving Fund, supplies	\$ 141.53	
Rosewell Floral Company, cut flowers, spray & two telegrams	26.75	
Purchasing Department Revolving Fund, supplies	82.36	
Western Newspaper Union, 70 reams mimeograph paper	82.52	
Journal Star Printing Company, printing journal 39th to 61st day	1,791.68	
Schwarz Paper Company, 1¼ gross senate pads	22.17	
Sanitary Towel & Laundry Company, linen service January, February & March	4.80	
Lincoln Telephone & Telegraph Company	171.45	
Railway Express Agency, shipping carton to Sunol, Nebraska	3.56	
Total Incidental Expenses		\$ 2,326.82

Account 7 Salary of Lieutenant Governor

Lt. Governor Salary, Net	142.44	
Deferred Payment O.A.S.I. Taxes	2.91	
Gross Salary, Lt. Governor		145.35

Account 8 Clerk's Salary, Other Wages & Office Expenses

Hugo F. Srb, Clerk of the Legislature, Net Salary	\$ 465.01
W. H. Income Taxes	45.40
Deferred Payment O.A.S.I. Taxes	10.42

Gross Salary, Clerk of Legislature	<u>520.83</u>
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GRAND TOTAL APRIL EXPENSES ..	<u><u>\$ 24,542.53</u></u>
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NINETEETH DAY--MAY 11, 1955

SUSPEND RULES—Place LB 558 on General File

Mr. President: I move that the rules be suspended and LB 558 be placed on General File. (Signed) Frank Nelson

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

President Signs

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

LB 316

LB 445

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 455.

A bill for an act to amend section 75-101, Reissue Revised Statutes of Nebraska, 1943, and sections 75-104 and 75-105, Revised Statutes Supplement, 1953, relating to the State Railway Commission; to increase the annual salaries of the members of the commission; to provide that the salary of the secretary shall be fixed by the commission within the prescribed limits and be payable monthly; to provide when the same shall become operative; to enlarge the qualifications of such members or secretary to require good standing in their professions, if any; and to repeal the original sections.

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

Voting in the affirmative, 31:

Adams, J.	Cole	Kotouc	Perry
Adams, T.	Cramer	Larkin	Peterson
Aufenkamp	Diers	Lee	Pizer
Bahensky	Fenske	McGinley	Shultz
Beaver	Foote	Morrison	Swanson
Bixler	Hoffmeister	Moulton	Syas
Bridenbaugh	Hubka	Nelson	Tvrdik
Burney	Klaver	Otto	

Voting in the negative, 8:

Brower	Metzger	Purdy	Thompson
Martin	Person	Ruhnke	Vogel

Not voting, 4:

Anderson	Bedford	Liebers	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 428.

A bill for an act to amend sections 46-233, 46-241, 46-242, 46-252, and 46-273, Reissue Revised Statutes of Nebraska, 1943, relating to irrigation; to eliminate the requirement for issuance and filing a certificate of appropriation; to provide for designating later priority dates, as prescribed; to require applicants to make a showing of acquiring interest in storage reservoirs; to provide for deductions for loss of water in transit; and to repeal the original sections, and also sections 46-232 and 46-239, Reissue 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.	Diers	McGinley	Purdy
Adams, T.	Fenske	Metzger	Ruhnke
Aufenkamp	Foote	Moulton	Shultz
Bahensky	Hoffmeister	Nelson	Swanson
Beaver	Hubka	Otto	Syas
Bixler	Klaver	Person	Thompson
Bridenbaugh	Kotouc	Peterson	Tvrdik
Burney	Larkin	Pizer	Vogel
Cramer	Lee		

Voting in the negative, 5:

Brower	Martin	Morrison	Perry
Cole			

Not voting, 4:

Anderson	Bedford	Liebers	McHenry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 273. With emergency.

A bill for an act relating to water compacts; to provide for the appointment of a commissioner or commissioners to act on behalf

of the State of Nebraska to negotiate a compact among the States of Wyoming, South Dakota, and Nebraska as prescribed; to provide for an equitable division and apportionment among the states of the waters of the Niobrara River and its tributaries; to negotiate a compact between the States of South Dakota and Nebraska; to provide for the equitable division and apportionment between the states of the waters of Ponca Creek and its tributaries; to negotiate a compact by the State of Nebraska with the States of South Dakota and Wyoming, or either of them, relating to the extraction and use of ground waters from sources common to the compacting states; to provide certain powers for such commissioner or commissioners; to provide when such compacts shall become binding upon the states involved or the citizens 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, 40:

Adams, J.	Cole	Lee	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdek
Burney	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Bedford	Liebers	McHenry
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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 454. 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 360. 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 546. 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 494. E and R amendments found in the Legislative Journal for the Eighty-ninth Day were adopted.

Mr. J. Adams moved to indefinitely postpone LB 494.

Mr. Perry raised a point of order as a motion to indefinitely postpone the bill had been previously offered and defeated.

The Chair ruled that the Adams motion was in order since the bill had been amended after the first motion to indefinitely postpone.

The motion lost with 2 ayes, 27 nays and 14 not voting.

Member Excused

Mr. T. Adams was excused for the remainder of the morning.

LB 494 was advanced to E and R for engrossment.

LEGISLATIVE BILL 328. 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 501. E and R amendments found in the Legislative Journal for the Eighty-ninth Day were adopted.

Mr. Peterson asked unanimous consent to amend the Perry amendment found in the Legislative Journal for the Eighty-fifth Day as follows:

1. Amend Perry Amendment of May 4, 1955, line 3 by inserting "*nothing in this bill shall permit*" after the word "that", and line 4 by striking "shall not" and inserting "to".

Pending.

Mr. Morrison asked unanimous consent to bracket LB 501 until Wednesday, May 18, 1955.

Mr. Peterson objected.

Mr. Morrison moved that LB 501 be bracketed until Wednesday, May 18, 1955.

The motion prevailed with 14 ayes, 7 nays and 22 not voting.

GENERAL FILE

LEGISLATIVE BILL 417. Consideration of the Hubka amendment found in the Legislative Journal for the Eighty-ninth Day.

The Hubka amendment was adopted with 22 ayes, 0 nays and 21 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 216. Considered.

Mr. Thompson offered the following amendment, which was adopted:

Amend section 5, line 6 by striking "Three per cent" and inserting "An appropriate amount as determined by the Director of Agriculture".

Advanced to E and R for review with 20 ayes, 10 nays and 13 not voting.

LEGISLATIVE BILL 436. Laid over.

LEGISLATIVE BILL 230. Considered.

Mr. Brower asked unanimous consent that the following amendment be adopted:

Amend LB 230, Section 1, line 8, by deleting "25-179" and inserting "25-2179" in lieu thereof.

No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 381. Considered.

Advanced to E and R for review with 20 ayes, 3 nays and 20 not voting.

Mr. Person Presiding**LEGISLATIVE BILL 95.**

Mr. Hubka moved that the following Standing Committee amendments be substituted for the Standing Committee amendment found in the Legislative Journal for the Seventy-third Day. The motion prevailed.

Standing Committee amendments to LB 95:

1. Amend page 2 of the bill, section 1, line 12, by striking the words "as in other cases".

2. Amend page 2 of the bill, section 1, by striking lines 17 to 20, inclusive, and inserting the following in lieu thereof:

"The summons shall be returnable within five days from date of issuance and shall require the garnishee to answer within ten days from the date of issuance. The garnishee shall hold the property of every description and the credits of the defendant in his possession or under his control from the time of the service of the summons and interrogatories until further order of the court."

3. Amend Section 2, line 12, by striking beginning with the word "or" and all of lines 13, 14, 15, 16 and 17.

4. Amend page 3 of the bill by adding three new sections immediately following section 2 to be known as sections 3, 4, and 5 and to read as follows:

"Sec. 3. That section 25-1056, Revised Statutes Supplement, 1953, be amended to read as follows:

25-1056. In all cases where an execution issued upon any judgment of a judgment has been entered by any court of record, or of by a justice of the peace, shall be returned by the officer in whose hands the same was placed for service unsatisfied for want of sufficient property whereof to levy and collect the same, and the judgment creditor in such execution, his agent or attorney, shall file an affidavit in the office of the clerk of the court or with the justice of the peace, from which said execution issued, where the judgment has been entered, that he has good reason to and does believe that any person, partnership, or corporation, naming him or it, has property of and is indebted to the judgment debtor, the said clerk or justice of the peace shall issue an order as provided in section 25-1010, a summons requiring such person, partnership, or corporation, as garnishee, to answer written interrogatories to be furnished by the plaintiff and to be attached to such summons respecting the matters set forth in section 25-1026. The summons shall be returnable within five days from date of issuance and shall require the garnishee to answer within ten days from the date of issuance. The garnishee shall hold the property of every description

and the credits of the defendant in his possession or under his control from the time of the service of the summons and interrogatories until further order of the court . Thereafter, the service of the order summons and interrogatories and all further proceedings shall be in all respects the same as provided in sections 25-1011 and 25-1026 to 25-1031.01.

Sec. 4. That section 26-151, Revised Statutes Supplement, 1953, be amended to read as follows:

26-151. When an affidavit is made by the plaintiff, his agent, or his attorney, and is filed in a pending action, containing the necessary allegations of an affidavit of attachment, and in addition that plaintiff has good reason to believe, and does believe, that any person, partnership, or corporation, to be named, and within the jurisdiction of the court in which the action is brought, has property of the defendant, describing the same, in his possession, that cannot be levied upon by attachment, the clerk of the municipal court shall issue *an order a summons* that such person, partnership, or corporation as garnishee be required to answer written interrogatories to be *furnished by the plaintiff and attached to such order summons* , respecting the matters set forth in section 25-1026. *The summons shall be returnable within five days from date of issuance and shall require the garnishee to answer within ten days from the date of issuance. The garnishee shall hold the property of every description and the credits of the defendant in his possession or under his control from the time of the service of the summons and interrogatories until further order of the court. Thereafter, the procedure shall be as set forth in sections 25-1011 and 25-1026 to 25-1031.01.*

Sec. 5. That section 27-410, Revised Statutes Supplement, 1953, be amended to read as follows:

27-410. When an affidavit is made by the plaintiff, his agent, or attorney, and is filed in a pending action, containing the necessary allegations of an affidavit of attachment, and in addition that plaintiff has good reason to believe, and does believe, that any person, partnership, or corporation, to be named, and within the county where the action is brought, has property of the defendant, describing the same, in his possession, that cannot be levied upon by attachment, the justice of the peace shall issue an order that *a summons requiring* such person, partnership, or corporation as garnishee shall be required to answer written interrogatories to be *furnished by the plaintiff and attached to such order summons* , respecting the matters set forth in section 25-1026. *The summons shall be returnable within five days from date of issuance and shall require the garnishee to answer within ten days from the date of issuance. The garnishee shall hold the property of every description and the credits of the defendant in his possession or under his control from the time of the service of the summons and interrogatories until further order of the court . Thereafter, the*

procedure shall be as set forth in sections 25-1011 and 25-1026 to 25-1031.01."

5. Amend page 3 of the bill by striking present section 3 and inserting the following in lieu thereof:

"Sec. 6. That original sections 25-1010, 25-1011, 25-1056, 26-151, and 27-410, Revised Statutes Supplement, 1953, are repealed."

6. Amend the title to the bill, line 2, by striking "and 25-1011" and inserting in lieu thereof "25-1011, 25-1056, 26-151, and 27-410".

7. Amend the title to the bill, line 5, by striking the words "before judgment".

(Signed) Joseph D. Martin, Chairman

Laid over until Friday, May 13, 1955.

Visitors

Mr. Morrison introduced his brother and sister-in-law, Mr. and Mrs. Paul Morrison, Mitchell, Nebraska.

Mr. Hubka introduced Jean Tincher, Teacher, two sponsors, and eleven students from District 122, Gage County, Nebraska.

Mr. Hubka also introduced Dolores Harms, Teacher, six sponsors, and eleven students from District 1, Gage County, Nebraska.

UNANIMOUS CONSENT—Hold Hearing

Mr. Metzger asked unanimous consent to hold a hearing of the Rules Committee at 1:00 p.m. on Thursday, May 19, 1955. No objections. So ordered.

LEGISLATIVE BILL 197. Laid over.

LEGISLATIVE BILL 262. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 407. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 523. Laid over.

LEGISLATIVE BILL 376. Laid over.

Visitors

Mr. Person introduced Mrs. Ethel Vance, Teacher, one mother, and nine students from District 44, Saunders County, Nebraska.

Mr. Larkin introduced Father Vernon, Sister Macrina, Sister Mary Jane, and fifty-one students from Sts. Peter and Paul School, Omaha, Nebraska.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 348. Replaced on Select File as amended.

E and R amendment to LB 348:

1. In the bill section 9, line 4, strike "chapter" and in lieu thereof insert "act".

LEGISLATIVE BILL 505. Placed on Select File as amended.

E and R amendments to LB 505:

1. In the bill, section 1, line 4, strike ", embracing" and in lieu thereof insert ", embracing *including* (1)"; line 5, strike "with a bill" and in lieu thereof insert "with (2) a bill *schedule*"; line 7, strike "and" and in lieu thereof insert "and , (3)"; line 8, strike "together with" and in lieu thereof insert "*together with , and* (4)"; and line 12, strike ", and not" and in lieu thereof insert ", and not . *Not*".

2. In the bill, section 2, line 3, after "shall" insert "(1)"; line 4, strike "and" and in lieu thereof insert "and (2)"; and line 5, strike "said annual convention, and" and in lieu thereof insert "*said the annual convention of such association, and* (3)".

3. In the bill, section 3, line 5, before "report" insert "(1) a"; lines 6 and 7, strike "said annual convention, together with" and in lieu thereof insert "*said the annual convention of such association , (2) together with*"; and lines 7 and 8, strike "including" and in lieu thereof insert "*and (3) including*".

4. In the bill, section 4, line 3, after "shall" insert "(1)"; line 4, strike "and" and in lieu thereof insert "and (2)"; and lines 5 and 6, strike "said annual convention, and shall" and in lieu thereof insert "*said the annual convention of such association , and (3) shall*".

5. In the bill, section 5, line 5, after "contain" insert "(1)"; line 6, strike "convention," and in lieu thereof insert "*annual convention of such association , (2)*"; line 7, strike "the" and in lieu thereof insert "*the such*"; line 8, strike "and" and in lieu thereof insert "*and (3) such*";

line 9, strike “. The annual report shall also contain” and in lieu thereof insert “. The annual report shall also contain , (4)”; line 10, strike “including” and in lieu thereof insert “including and (5)”; and line 20, after “Senate” insert “,”.

6. In the bill, renumbered section 7, line 3, after “year” insert “,”; line 5, strike “of” and in lieu thereof insert “for”; line 9, strike “total” and show as stricken matter.

7. In the bill, renumbered section 8, lines 4 and 5, strike “; and he shall have” and in lieu thereof insert “; and he . He shall have *the*”; line 32, strike “so” and show as stricken matter; and line 33, after “Legislature” insert “*thereof*”.

8. In the bill, renumbered section 9, line 11, strike “may be deemed by him” and in lieu thereof insert “*he may be deemed by him deem to be*”.

9. In the bill, renumbered section 12, line 6, after “statements” insert “,”; line 10, strike “may to the commission seem” and in lieu thereof insert “may to the commission *shall deem to be seem*”; and line 25, after “with” insert “*a*”.

10. In the bill, renumbered section 13, line 5, after “showing” insert “(1)”; line 6, strike “together with” and in lieu thereof insert “(2) together with”; and line 8, after the first “and” insert “(3)”.

11. In the bill, renumbered section 14, line 8, strike “and financial reports” and in lieu thereof insert “, and financial reports ,”; line 9, after “any” insert “*of the*”, and in the same line after “(2)” insert “*to*”; insert “,” in line 11 after “receipts”, lines 26 and 28 after “bills”, line 29 after “bill”, line 37 after “quality” and “work”, and line 38 after “just”; line 33, before “in” insert “*to inquire into,* ”; line 34, strike “to inquire into” and show as stricken matter; line 40, before “from” insert “*to publish,*”; and line 41, strike “to publish,” and show as stricken matter.

12. In the bill, renumbered section 16, line 3, before “The” insert “(1)”; line 6, insert “,” after “Schools”; line 14, strike “sale” and in lieu thereof insert “*sale such sales*”; line 16, after the period insert “(2)”; and line 22, before “shall” insert “*of the Purchasing Agent*”.

13. In the bill, renumbered section 17, line 5, strike the comma after “aration” and show as stricken matter; line 6, after “report” insert “*to the Governor*”, and in the same line strike “action” and in lieu thereof insert “*action acts*”; and line 7, strike “to the Governor” and show as stricken matter.

14. In the bill, renumbered section 18, line 5, strike the comma after "*year*"; insert "," in line 7 after "*forestation*", line 9 after "*Reports*", and line 10 after "*years*"; and line 12, after "*for*" insert "*the*".

15. In the bill, renumbered section 19, line 13, strike "; it" and in lieu thereof insert "; it . *It*"; and line 15, strike "; and it may" and in lieu thereof insert "; and it . *It may also*".

16. In the bill, renumbered section 20, insert "," in line 5 after "*roster*" and line 7 after "*architects*"; line 9, strike the comma after "*registered*" and in lieu thereof insert ", . *They shall be*"; line 10, strike the comma after "*State*" and show as stricken matter; and line 13, strike ", and" and in lieu thereof insert ", and . *It*".

17. In the bill, renumbered section 21, line 4, after "*reports*" insert "*to the Governor*" and line 5, strike "*to the Governor*" and show as stricken matter.

18. In the bill, renumbered section 22, line 3, before "*The*" insert "*(1)*"; insert "," in line 4 after "*reformatory*", line 10 after "*delinquency*", line 20 after "*linquency*", and 27 after "*improving*"; line 8, strike "*The board*" and in lieu thereof insert "*(2) The board Board of Control*"; line 27, before "*The*" insert "*(3)*"; and line 28, strike "*board's investigations*" and in lieu thereof insert "*board's investigations of the Board of Control, as required by subsections (1) and (2) of this section*".

19. In the bill, renumbered section 23, line 5, after "*determine*" insert "*proper*".

20. In the bill title, line 8, after "*reports*" insert a comma; and line 10, after "*commissions*" insert "*prescribed*".

21. In the bill, renumbered section 7, line 9, insert "*total*" before "*expense*".

LEGISLATIVE BILL 438. Correctly re-engrossed.

LEGISLATIVE BILL 500. Correctly engrossed.

LEGISLATIVE BILL 330. Correctly engrossed.

LEGISLATIVE BILL 454. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:47 a.m., on a motion by Mr. Anderson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:01 p.m., Speaker Burney presiding.

The roll was called and all members were present except Messrs. Bedford, Liebers and McHenry, who were excused.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 428. Correctly enrolled.

LEGISLATIVE BILL 273. Correctly enrolled.

LEGISLATIVE BILL 455. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 428

LB 273

LB 455

Visitors

Mr. T. Adams introduced Mrs. Shirley Harris, Teacher, and twenty-five students of the Social Studies Class of Whittier Junior High School, Lincoln, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 376. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-sixth Day were adopted.

Mr. Metzger offered the following amendment, which was adopted with 22 ayes, 11 nays and 10 not voting:

Amend Standing Committee amendment 5 to LB 376 by striking newly inserted Sec. 22 and renumbering subsequent section accordingly.

Mr. Anderson offered the following amendments to LB 376, which were adopted:

1. Amend Standing Committee Amendment 5, by adding a new section immediately after section 21 to be known as section 22 and to read as follows:

"Sec. 22. This act shall be in full force and in effect on and after July 1, 1956."

2. Amend renumbered section 22 as section 23.

3. Amend the title to conform.

Mr. Anderson offered the following amendment, which was adopted:

Amend Standing Committee Amendment 5 to LB 376, Section 14, line 10, by striking the second word "or" and inserting in lieu thereof the word "for".

Mr. Brower moved that LB 376 be indefinitely postponed.

The motion lost with 14 ayes, 20 nays and 9 not voting.

Laid over until Monday, May 16, 1955.

UNANIMOUS CONSENT—Return LB 407 to General File

Mr. Shultz asked unanimous consent that LB 407 be returned to General File for the following specific amendment:

Amend LB 407, Section 2, line 3 of the Standing Committee amendments by striking all after "39-725.", to the end of Standing Committee amendment 2.

No objections. So ordered.

LEGISLATIVE BILL 407. The Shultz amendment, found in this day's Legislative Journal, was adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 10, 1955 at 3:00 p.m.

LB 304

LB 426

LB 497

Presented to the Governor for approval on May 11, 1955 at 3:15 p.m.

LB 316

LB 445

(Signed) Donald F. McGinley, Chairman

Member Excused

Mr. J. Adams was excused for Thursday, May 12, 1955, and Friday, May 13, 1955 until 2:00 p.m.

GENERAL FILE

LEGISLATIVE BILL 495. Read and considered.

Laid over.

Adjournment

At 3:58 p.m., on a motion by Mr. Moulton, the Legislature adjourned.

Hugo F. Srb

Clerk of the Legislature

NINETY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 12, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by Reverend David Gracey, Pastor of the Church of the Holy Trinity, (Episcopal), Lincoln, Nebraska.

The roll was called and all members were present except Messrs. J. Adams, McHenry, and Perry, who were excused.

The Journal for the Ninetieth Day was approved as corrected.

Communications

Telegrams from Charles Steward of Panama, Ivan Lickey, Manager of the Walton Elevator, Fred Johnson, Manager of Farmers Elevator, Waverly, and R. M. Reed, President of Farmers Elevator, opposing LB 518. Referred to Committee on Agriculture.

Honorable A. L. Miller, U. S. Representative, Washington, D.C. sent a copy of The Congressional Record for May 3, 1955, showing Extension of Remarks by him concerning a questionnaire which he had mailed to the 86,000 boxholders in Nebraska's Fourth Congressional District.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 432. Placed on Select File as amended.

E and R amendments to LB 432:

1. In the bill, section 1, line 7, after "appropriated" insert ",".
2. In the bill title, line 4, strike "money" and in lieu thereof in-

sert "sum of fifty thousand dollars"; lines 4 and 5, strike "and credited to the use of" and in lieu thereof insert "shall be credited to"; line 7, after "1956" insert ", as prescribed".

LEGISLATIVE BILL 108. Placed on Select File.

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 30.

Mr. Bedford requested that LR 30 be referred to the Rules Committee. Upon recognition of five seconds, the President declared the request granted.

Visitors

Mr. Tvrdik introduced Mr. Carl R. Lindgren of Campbell, Nebraska, a former Member of the Legislature.

Mr. Syas introduced Mrs. Marie Kavan, Principal, Miss Bertha Huber, Teacher, several parents, and fifty-eight students from Monmouth Park School, Omaha, Nebraska.

Mr. Klaver introduced Mrs. Ruth M. James and Miss Edith Myrthen James, Teachers, and fifteen students from Pratt School of Individual Instruction, Omaha, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 518. With emergency.

A bill for an act relating to development, utilization, and marketing of wheat grown in Nebraska; to provide for the creation, in the Department of Agriculture and Inspection, of a Division of Wheat Development, Utilization, and Marketing; to define terms; to declare the public policy of the State of Nebraska as prescribed; to provide powers and duties of such department in connection therewith; to provide for the creation of an advisory committee to be known as the Nebraska Wheat Development, Utilization, and Marketing Committee, and to prescribe its powers and duties; to provide for making certain reports; to provide for the imposing of an excise tax and the collection and use thereof; to provide for the establishment in the state treasury of the Nebraska Wheat Development, Utilization, and Marketing Fund; to prescribe duties for the prescribed public officials; to make certain acts and practices unlawful; 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, 27:

Adams, T.	Cole	Liebers	Purdy
Anderson	Cramer	McGinley	Ruhnke
Bahensky	Fenske	Martin	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bixler	Klaver	Morrison	Thompson
Bridenbaugh	Larkin	Moulton	Tvrdik
Burney	Lee	Otto	

Voting in the negative, 12:

Aufenkamp	Diers	Kotouc	Peterson
Bedford	Foote	Nelson	Pizer
Brower	Hubka	Person	Syas

Not voting, 4:

Adams, J.	McHenry	Perry	Vogel
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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, 26:

Adams, T.	Cramer	McGinley	Purdy
Bahensky	Fenske	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bixler	Klaver	Morrison	Swanson
Bridenbaugh	Larkin	Moulton	Thompson
Burney	Lee	Otto	Tvrdik
Cole	Liebers		

Voting in the negative, 13:

Anderson	Diers	Kotouc	Peterson
Aufenkamp	Foote	Nelson	Pizer
Bedford	Hubka	Person	Syas
Brower			

Not voting, 4:

Adams, J.	McHenry	Perry	Vogel
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A constitutional majority having voted in the affirmative, the

bill was declared passed with the emergency clause stricken and the title agreed to.

Speaker Burney Presiding

LEGISLATIVE BILL 476.

A bill for an act to amend section 68-404, Revised Statutes Supplement, 1953, relating to blind assistance; to increase the maximum assistance allowance 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, 40:

Adams, T.	Cole	Lee	Peterson
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	McGinley	Purdy
Bahensky	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Tvrdik
Burney	Larkin	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Adams, J.	McHenry	Perry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 486.

A bill for an act to amend section 60-330, Revised Statutes Supplement, 1953, relating to motor vehicles; to clarify the law providing for the registration of farm or local trucks; to provide how such trucks, carrying a net load of ten tons or more, shall be classified for registration purposes; to provide how truck-tractor and semitrailer combinations shall be registered; to provide that the registration fee for truck-tractor and semitrailer combinations, owned and used exclusively by irrigation districts or political subdivisions of the State of Nebraska, shall be the amount fixed by section 60-333, Revised Statutes Supplement, 1953; 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.	Cole	Lee	Peterson
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	McGinley	Ruhnke
Bahensky	Fenske	Martin	Shultz
Beaver	Foote	Metzger	Swanson
Bedford	Hoffmeister	Morrison	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrdik
Brower	Kotouc	Otto	Vogel
Burney	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	McHenry	Perry	Purdy
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 366.

A bill for an act to amend sections 68-206 and 68-215.08, Revised Statutes Supplement, 1953, relating to assistance; to increase the amounts that may be used in determining the allowances to meet the need for sundries and to meet the need for food as prescribed; to permit the joinder of parties and causes of actions in the foreclosure of old age assistance liens as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 26:

Adams, T.	Cramer	McGinley	Purdy
Anderson	Fenske	Martin	Ruhnke
Aufenkamp	Foote	Moulton	Shultz
Bahensky	Hubka	Nelson	Syas
Beaver	Klaver	Otto	Thompson
Bixler	Larkin	Pizer	Tvrdik
Burney	Liebers		

Voting in the negative, 14:

Bedford	Diers	Metzger	Peterson
Bridenbaugh	Hoffmeister	Morrison	Swanson
Brower	Kotouc	Person	Vogel
Cole	Lee		

Not voting, 3:

Adams, J.	McHenry	Perry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 267.

A bill for an act relating to railroads; to provide for the Department of Labor to adopt rules and regulations for the safety, sanitation, shelter, and health of railroad maintenance-of-way employees to the extent prescribed; to provide for drinking water for such employees, sanitary containers as prescribed, and individual paper drinking cups; and to provide for settlement of disputes.

Whereupon the 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.	Fenske	Liebers	Purdy
Anderson	Foote	Metzger	Ruhnke
Bahensky	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Nelson	Swanson
Bixler	Klaver	Otto	Syas
Bridenbaugh	Kotouc	Person	Thompson
Brower	Larkin	Pizer	Tvrdek
Diers	Lee		

Voting in the negative, 9:

Aufenkamp	Cole	McGinley	Peterson
Beaver	Cramer	Martin	Vogel
Burney			

Not voting, 4:

Adams, J.	McHenry	Moulton	Perry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I wish to have the record show that I wanted to vote "yes" on LB 267 instead of "no". (Signed) John Aufenkamp

LEGISLATIVE BILL 544. With emergency.

A bill for an act to appropriate the sum of ninety-four thousand dollars to the Game, Forestation and Parks Commission for the purpose of developing park facilities at Fort Robinson and to be used for erecting, remodeling, repairing, and constructing cabins at Fort Robinson; to provide for placing twenty-five per cent of the gross rentals and other income into the General Fund until the amount expended under this appropriation is repaid in full as prescribed; to provide duties for the prescribed public officials; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Foote	Metzger	Ruhnke
Anderson	Hoffmeister	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Brower	Kotouc	Nelson	Syas
Cole	Larkin	Otto	Thompson
Cramer	Liebers	Pizer	Tvrdik
Diers	McGinley	Purdy	Vogel
Fenske	Martin		

Voting in the negative, 9:

Aufenkamp	Bedford	Burney	Lee
Bahensky	Bridenbaugh	Hubka	Peterson
Beaver			

Not voting, 4:

Adams, J.	McHenry	Perry	Person
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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. With emergency.

A bill for an act to appropriate the sum of thirty-six thousand six hundred forty-four dollars to the State Historical Society to establish a western branch of the State Historical Society for the purpose

of developing a museum at Fort Robinson and the maintenance thereof for the biennium ending June 30, 1957; to provide for placing twenty-five per cent of the gross income of such museum into the General Fund until the amount expended under this appropriation is repaid in full as prescribed; to provide duties for the prescribed public officials; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Hoffmeister	Metzger	Purdy
Anderson	Klaver	Morrison	Ruhnke
Bixler	Kotouc	Moulton	Shultz
Brower	Larkin	Nelson	Swanson
Cole	Lee	Otto	Syas
Cramer	Liebers	Person	Thompson
Fenske	McGinley	Pizer	Tvrdik
Foote	Martin		

Voting in the negative, 10:

Aufenkamp	Bedford	Diers	Peterson
Bahensky	Bridenbaugh	Hubka	Vogel
Beaver	Burney		

Not voting, 3:

Adams, J.	McHenry	Perry
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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 473. With emergency.

A bill for an act to amend sections 21-1,130, 21-303, 21-304, 21-306, 21-307, 21-309, 21-313, 21-838, 21-841, 21-847, 21-902, and 33-101, Reissue Revised Statutes of Nebraska, 1943, relating to corporations; to provide for revival of the corporate name when a corporation has been dissolved for nonpayment of annual fees and penalties; to provide for every corporation for profit registered in the office of Secretary of State on January 1 to pay an annual fee which will be due on January 1 and delinquent July 1; to change the date of annual report of foreign corporations; to provide that domestic nonprofit corporations with or without capital stock shall make annual report, as prescribed and pay a fee of ten dollars; to provide penalty for

failure to pay fees before delinquent; to provide additional requirement for contents of articles of incorporation of religious associations; to reduce the requirements for the adoption of a resolution, by the trustees of an incorporated religious association, to authorize the conveyance or encumbrance of property of such association, as prescribed; to change the manner of charging for exemplifications of records in the office of Secretary of State; to restate the powers and duties of the trustees or directors of nonprofit and similar associations; to clarify provisions; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 37:

Adams, T.	Cole	Liebers	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Lee	Person	Tvrdik
Burney			

Voting in the negative, 0.

Not voting, 6:

Adams, J.	Larkin	Perry	Vogel
Fenske	McHenry		

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. Vogel introduced Mrs. Mary Ackerman and Nancy Spring, Teachers, and forty-five students from Walnut Hill School, Omaha, Nebraska.

Mr. Syas introduced Don Balderson, Principal, and fourteen students from Mount View School, Omaha, Nebraska.

Messrs. Tvrdik and Larkin introduced Sister Rosalita and Sister Rose Ann and twenty-three students from Immaculate Conception School, Omaha, Nebraska.

Members Excused

Mr. Bahensky was excused for Friday, May 13, and Monday, May 16, 1955.

Mr. Thompson was excused for the remainder of the day.

UNANIMOUS CONSENT—Return Bill to General File

Mr. T. Adams asked unanimous consent to return LB 262 to General File for the following specific amendment:

1. Amend section 1 of the bill, line 32 by striking "39-7,107.03" and inserting "39-7,107.02", and line 35 by striking "39-7,107.03 or 39-7,107.04" and inserting "39-616". No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 557 Thursday, May 19, 1955 2:00 p.m.

Mr. Martin Presiding

SELECT FILE

LEGISLATIVE BILL 348. E and R amendment found in the Legislative Journal for the Ninetieth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 505. E and R amendments found in the Legislative Journal for the Ninetieth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 349. Laid over.

UNANIMOUS CONSENT—Return Bill to Select File

Mr. Peterson asked unanimous consent to return LB 387 to Select File for the following specific amendment:

1. Amend Standing Committee amendment 1, section 3, line 29 by striking "and" and show the same as stricken matter, line 31 by striking the period and inserting ". ; and", and by adding a new subdivision after line 31 to read as follows:

"(6) To submit to the Governor, its written advice regarding the feasibility of each relinquishment or abandonment of a fragment, section

of route, or route on the state highway system proposed by the department. The chairman of the commission shall designate one or more of the members of the commission, prior to submitting such advice, to personally inspect the fragment, section of route, or route to be relinquished or abandoned, who shall take into consideration the following factors: (a) Cost to the state for maintenance, (b) estimated cost to the state for future improvements, (c) whether traffic service provided is primarily local or otherwise, (d) whether other facilities provide comparable service, and (e) the relationship to an integrated state highway system. The department shall furnish to the commission all needed assistance in making its inspection and study. If the commission, after making such inspection and study, shall fail to reach a decision as to whether or not the fragment, section of route, or route should be relinquished or abandoned, it may hold a public hearing on such proposed relinquishment or abandonment. The commission shall give written notice of the time and place of such hearing not less than two weeks prior to the time of the hearing, to the political or governmental subdivisions or public corporations wherein such portion of the state highway system is proposed to be relinquished or abandoned. The commission shall submit to the Governor, within two weeks after such hearing, its written advice on such proposed relinquishment or abandonment."

No objections. So ordered.

LEGISLATIVE BILL 387. Considered.

Mr. Peterson asked unanimous consent that his amendment found in this Day's Journal be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 262.

Mr. T. Adams asked unanimous consent that his amendment found in this Day's Journal be adopted. No objections. So ordered.

Advanced to E and R for review.

LEGISLATIVE BILL 204. Laid over until Monday, May 16, 1955.

LEGISLATIVE BILL 153. Read and considered.

Advanced to E and R for review.

UNANIMOUS CONSENT—Bills Laid Over

Mr. Burney asked unanimous consent to lay over LB 187, 188, 189, 190 and 191 until Tuesday, May 17, 1955. No objections. So ordered.

LEGISLATIVE BILL 556. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 436. Considered.

Mr. Metzger offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 1, section 2, line 7 by inserting after the word "tank" the following:
"of any bus or commercial truck or commercial truck-tractor where the rated capacity of such truck or truck-tractor is more than one and one half tons".

Mr. Metzger moved the adoption of Standing Committee Amendment 1, found in the Legislative Journal for the Eighty-fifth Day.

Mr. Kotouc moved the previous question. The motion prevailed with 27 ayes, 1 nay and 15 not voting.

Laid over until Tuesday, May 17, 1955.

LEGISLATIVE BILL 197. Laid over until Monday, May 16, 1955.**Visitors**

Mr. T. Adams introduced Mrs. Ruth Stough, Teacher, and sixty-eight students from Irving Junior High School, Lincoln, Nebraska.

STANDING COMMITTEE REPORTS
Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on May 12, 1955 at 10:10 a.m.

LB 455

LB 273

LB 428

LEGISLATIVE BILL 543. Placed on Select File as amended.

E and R amendments to LB 543:

1. In Lee General File amendment 1, line 2, insert a period after the figure "3" and before the quotation mark following such figure.

2. In the bill, section 1, line 3, strike "herein shall prevent" and in lieu thereof insert "*contained in the provisions of sections 75-501 to 75-512 herein shall prevent (1)*"; in line 4, insert "," after "storage"; in line 5 strike "or for any city," and in lieu thereof insert "or for

any city, *village*, or"; in line 6 strike "or town government, or" and in lieu thereof insert "or town government, or"; in line 7 strike ", or" and in lieu thereof insert "; or ; (2)"; in line 10 strike ", or" and in lieu thereof insert "; or ; (3)"; and in line 12, strike ", nor to prevent" and in lieu thereof insert ", nor to prevent ; or (4)"; and in line 14, insert a comma after "pestilence".

3. In the bill title line 6, after the semicolon insert "to restate the provisions in regard to carrying freight free or at reduced rates; to eliminate the restriction in regard to railroads operated by steam only, as prescribed;"; and line 7, insert a comma after "penalty".

LEGISLATIVE BILL 392. Placed on Select File as amended.

E and R amendments to LB 392:

1. In the bill in section 1, in line 8, insert a comma after "officers" and before "or".

2. In the bill title line 2, insert "an" before "amendment".

LEGISLATIVE BILL 303. Placed on Select File as amended.

E and R amendments to LB 303:

1. In Standing Committee Amendment 1, lines 2 and 3, insert "," before "other" and after "blind".

2. In the bill, insert "," in section 2, line 2 after "administered" and lines 3 and 5 after "Education"; section 3, line 8 after "agencies", line 11 after "therein", and line 13 after "facilities"; section 4, line 4 after "government"; section 7, line 12 after "counseling"; section 8, line 1 after "individual" and line 2 after "rehabilitation"; and section 9, line 12 after "subpoena".

3. In the bill, section 2, line 12, before "personnel" insert "(a)", and in the same line strike the semicolon and in lieu thereof insert ", (b)"; line 13, strike "; eligibility and investigation" and in lieu thereof insert ", (c) eligibility, investigation,"; line 15, strike the semicolon and in lieu thereof insert ", (d)"; lines 15 and 16, strike "and such other regulations" and in lieu thereof insert ", and (e) such other matters"; line 21, strike "appointment" and in lieu thereof insert "the appointment of"; line 22, after "for" insert "the"; and line 27, after "out" insert "the provisions of".

4. In the bill, section 3, line 13, strike "the" and in lieu thereof insert "this".

5. In the bill, section 4, line 3, strike "to cooperate" and in lieu thereof insert "(a) to cooperate,"; line 11, before "to" insert "(b)";

line 13, before "to" insert "(c)"; and line 16, strike "and" and in lieu thereof insert ", and (d)".

6. In the bill, section 6, line 10, after "the" insert "maximum amount of"; and line 11, strike "in the maximum amount and" and in lieu thereof insert "and the".

7. In the bill, section 7, line 4, after the comma insert "as"; line 5, before "full" insert "a"; line 8, after "enable" insert "such"; line 14, after the semicolon insert "and"; and line 19, after "through" insert "the".

8. In the bill title, line 6, after the semicolon insert "to provide for a director of such division and his appointment, duties, and powers;"; and line 7, after "terms;" insert "to provide powers and duties of certain public officials, boards, and agencies; to provide for hearings as prescribed; to make certain acts unlawful; to provide for personnel; to provide for reports, budget estimates, and estimates of available funds as prescribed;".

LEGISLATIVE BILL 348. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:47 a.m., on a motion by Mr. Shultz, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Burney presiding.

The roll was called and all members were present except Messrs. J. Adams, T. Adams, Hoffmeister, McHenry, Perry, and Thompson, who were excused.

GENERAL FILE

LEGISLATIVE BILL 523. Laid over until Monday, May 16, 1955.

LEGISLATIVE BILL 495. Considered.

Mr. Metzger offered the following amendment, which was adopted:

Amend LB 495, Section 1, line 15, by striking the word "two" and inserting in lieu thereof the word "ten".

Advanced to E and R for review.

LEGISLATIVE BILL 222. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 345. Read and considered.

Standing Committee amendments 1, 2, and 3, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Mr. Cole moved that LB 345 be indefinitely postponed.

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 36 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed with 19 ayes, 13 nays and 11 not voting.

The Cole motion lost with 16 ayes, 18 nays and 9 not voting.

Mr. Cole asked unanimous consent that LB 345 be laid over until Thursday, May 26, 1955.

Mr. Peterson objected.

Mr. Cole moved that LB 345 be laid over until Thursday, May 19, 1955. The motion prevailed with 19 ayes, 13 nays and 11 not voting.

Visitors

Speaker Burney introduced Mrs. Minnie E. Taylor, Principal, and twenty seniors from the Underwood, Iowa High School.

Mr. Syas introduced Andrew Scholtz, Teacher, twelve sponsors, and twenty-six students from the Lutheran Parochial School, Malcolm, Nebraska.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 473. Correctly enrolled.

LEGISLATIVE BILL 545. Correctly enrolled.

LEGISLATIVE BILL 544. Correctly enrolled.

LEGISLATIVE BILL 267. Correctly enrolled.

LEGISLATIVE BILL 366. Correctly enrolled.

LEGISLATIVE BILL 486. Correctly enrolled.

LEGISLATIVE BILL 476. Correctly enrolled.

LEGISLATIVE BILL 518. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 473	LB 544	LB 366	LB 476
LB 545	LB 267	LB 486	LB 518

Members Excused

Messrs. Kotouc and Ruhnke were excused for Friday, May 13, 1955.

Mr. Cramer was excused for Friday afternoon, May 13, 1955.

MOTION—Adjourn

Mr. President: I move that we adjourn until 9:30 a.m., Monday, May 16, 1955. (Signed) O. H. Person

The motion lost with 4 ayes, 19 nays and 20 not voting.

GENERAL FILE

LEGISLATIVE BILL 542. Read and considered.

Mr. Lee moved to advance LB 542 to E and R for review and requested a record vote.

Voting in the affirmative, 24:

Anderson	Cramer	Lee	Purdy
Bahensky	Fenske	McGinley	Ruhnke
Beaver	Foote	Nelson	Shultz
Bedford	Hubka	Otto	Swanson
Bridenbaugh	Klaver	Person	Syas
Cole	Kotouc	Peterson	Vogel

Voting in the negative, 0.

Not voting, 19:

Adams, J.	Burney	McHenry	Perry
Adams, T.	Diers	Martin	Pizer
Aufenkamp	Hoffmeister	Metzger	Thompson
Bixler	Larkin	Morrison	Tvrdik
Brower	Liebers	Moulton	

The motion prevailed, and LB 542 was advanced to E and R for review.

Visitors

Mr. Fenske introduced Mr. Ham, Lyle Mather and John Hornicek from Sidney, Nebraska.

LEGISLATIVE BILL 444. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-seventh Day was adopted.

Advanced to E and R for review.

Adjournment

At 3:17 p.m., on a motion by Mr. Person, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 13, 1955

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. Bahensky, Hoffmeister, Kotouc, Larkin, McHenry, Purdy, Ruhnke and Shultz, who were excused.

The Journal for the Ninety-first Day was approved as corrected.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 320. With emergency.

A bill for an act to amend section 44-119.01, Revised Statutes Supplement, 1953, relating to insurance; to recognize credit for past service in excess of the minimum service qualification requirements for certain personnel of the actuarial and examining staff; to increase the maximum number of salary increases which may be permitted to certain personnel of the actuarial and examining staff; to permit the Director of Insurance to decrease salaries of the actuarial and examining staff as prescribed; to provide when a change in such salaries shall become effective; 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, T.	Aufenkamp	Beaver	Bedford
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Bixler	Fenske	Martin	Peterson
Bridenbaugh	Foote	Metzger	Pizer
Brower	Hubka	Morrison	Swanson
Burney	Klaver	Moulton	Syas
Cole	Lee	Nelson	Thompson
Cramer	Liebers	Otto	Tvrdik
Diers	McGinley	Person	Vogel

Voting in the negative, 0.

Not voting, 11:

Adams, J.	Hoffmeister	McHenry	Ruhnke
Anderson	Kotouc	Perry	Shultz
Bahensky	Larkin	Purdy	

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 150.

A bill for an act to amend section 77-202, Reissue Revised Statutes of Nebraska, 1943, relating to revenue and taxation; to change the property that is exempt from taxation; to include personal effects, with household goods, in the exemption prescribed of two hundred dollars; to define the term household furniture 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, 28:

Adams, J.	Burney	Klaver	Nelson
Adams, T.	Cole	Lee	Otto
Aufenkamp	Cramer	Liebers	Person
Beaver	Diers	McGinley	Peterson
Bedford	Fenske	Martin	Swanson
Bridenbaugh	Foote	Morrison	Tvrdik
Brower	Hubka	Moulton	Vogel

Voting in the negative, 5:

Bixler	Pizer	Syas	Thompson
Metzger			

Not voting, 10:

Anderson	Bahensky	Hoffmeister	Kotouc
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Larkin
McHenry

Perry
Purdy

Ruhnke

Shultz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 349. Laid over.

Members Excused

Messrs. Martin and Metzger were excused for the remainder of the day.

LEGISLATIVE BILL 432. E and R amendments found in the Legislative Journal for the Ninety-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 108. Advanced to E and R for engrossment, with 15 ayes, 9 nays and 19 not voting.

LEGISLATIVE BILL 543. E and R amendments found in the Legislative Journal for the Ninety-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 392. E and R amendments found in the Legislative Journal for the Ninety-first Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 303. 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: If I had been present on May 12th I would have voted "aye" on LB 518, 486, 267, 544, 545 and 473. (Signed) John Adams, Sr.

GENERAL FILE**MOTION—Consider LB 548 on General File**

Mr. President: I move that we consider LB 548 on General File at this time. (Signed) Earl J. Lee

The motion prevailed.

LEGISLATIVE BILL 548. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 95. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Ninetieth Day were adopted.

Mr. Perry offered the following amendment, which was adopted: Amend new Section 5, inserted by Standing Committee amendment 4, line 14, by inserting the word "to" immediately before the word "answer".

Advanced to E and R for review.

LEGISLATIVE BILL 220. Read and considered.

Advanced to E and R for review.

MOTION—Letter of Thanks

Mr. President: I move that the Clerk of the Legislature write to the Commanding Officer of the Lincoln Air Force Base and the Lincoln Chamber of Commerce thanking each for making yesterday's trip through the Lincoln Air Force Base possible. (Signed) Dwight W. Burney

The motion prevailed.

Communications

Upon the request of Mr. Syas, the Clerk read a letter, addressed to Mr. Syas, from Philip H. Vogt, Administrator, Douglas County Welfare Administration, Omaha, Nebraska, concerning the number of mentally ill persons in Douglas County awaiting admission and treatment in a State facility.

UNANIMOUS CONSENT—Withdraw LB 411

Mr. Burney asked unanimous consent that LB 411 be withdrawn. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 294. Laid over.

LEGISLATIVE BILL 292. Laid over.

LEGISLATIVE BILL 553. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 260. Laid over until Wednesday, May 18, 1955.

LEGISLATIVE BILL 537. Read and considered.

Mrs. Foote offered the following amendment, which was adopted:

Amend LB 537, Section 1, line 18, by striking the word "to" and inserting "shall" in lieu thereof.

Bracketed.

LEGISLATIVE BILL 219. Laid over until Wednesday, May 18, 1955.

LEGISLATIVE BILL 547. Read and considered.

Advanced to E and R for review.

Visitors

Mr. Anderson introduced his daughter, Mrs. Harold Grove, and her children, Sandy and Stephen, Omaha, Nebraska.

Mr. Vogel introduced Mrs. Maxon McQuarrie, Teacher, and two students from Brownell Hall, Omaha, Nebraska.

Mr. Moulton introduced Mrs. Hoevet, Teacher, eight sponsors, and thirty-eight students from Ashland Park School, Omaha, Nebraska.

Mr. Lee introduced June Steinke, Teacher, six sponsors and twenty students from District 7, Sarpy County, Nebraska.

Mrs. Foote introduced LeMoyne Waak, Teacher, six sponsors and nine students from St. Paul's Lutheran School, Kenesaw, Nebraska.

Mr. Tvrdik introduced Sam Sollenberger, Teacher, Miss Agnes Nelson, Principal, ten sponsors and forty-seven students from Garfield School, Omaha, Nebraska.

LEGISLATIVE BILL 396. Read and considered.

Mr. Hubka asked unanimous consent to amend LB 396, Section 5, line 4, by striking the word "double". No objections. So ordered.

Mr. McGinley moved that LB 396 be indefinitely postponed.

The motion lost with 14 ayes, 15 nays and 15 not voting, with the Lieutenant Governor, as presiding officer, voting "no".

Advanced to E and R for review.

LEGISLATIVE BILL 129. Laid over.

LEGISLATIVE BILL 474. Laid over.

MOTION—Adjourn

Mr. President: I move that we adjourn until 9:30 a.m., Monday, May 16, 1955. (Signed) John Aufenkamp

The motion lost with 10 ayes, 18 nays and 15 not voting.

Members Excused

Mr. Peterson was excused for the remainder of the day.

Mr. Anderson was excused for the remainder of the day.

SUSPEND RULES—Indefinitely Postpone Bills on General File

Mr. President: We move that the rules be suspended and that all bills remaining on General File, except bills reported out by the Budget Committee, at 9:00 a.m. on May 27, 1955, be indefinitely postponed. (Signed) Robert Perry, K. W. Peterson, O. H. Person, Robert C. Brower, Amos Morrison, Mervin V. Bedford, D. J. Cole, Karl E. Vogel, H. K. Diers, Arthur W. Swanson, O. H. Liebers, A. A. Fenske, Norman A. Otto, Sam Klaver, John Aufenkamp, Charles F. Tvrdik, John Adams, Sr.

Consideration of the above motion laid over until Wednesday, May 18, 1955.

LEGISLATIVE BILL 385. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-ninth Day were adopted.

Advanced to E and R for review.

Members Excused

Mr. McGinley was excused for one hour.

Mr. Vogel was excused at 12:15 p.m. for the remainder of the day.

Mr. Cramer was excused for the remainder of the day.

LEGISLATIVE BILL 285. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eightieth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 549. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 398. Laid over.

LEGISLATIVE BILL 513. Laid over.

LEGISLATIVE BILL 80. Read and considered.

Standing Committee amendments 1, 2, 3, and 4, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Mr. Burney moved that Standing Committee amendment 5, found in the Legislative Journal for the Eighty-fourth Day, be rejected. The motion lost with 6 ayes, 14 nays and 23 not voting.

Standing Committee amendment 5 was adopted with 17 ayes, 6 nays and 20 not voting.

Standing Committee amendments 6 and 7, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Mr. Tvrđik moved that LB 80 be advanced to E and R for review.

Mr. Perry moved the previous question.

Adjournment

At 1:01 p.m., Mr. J. Adams called attention to the fact that the hour of adjournment had arrived and the Chair declared the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 16, 1955

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Ninety-second Day was approved.

Approved by the Governor

May 14, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 13, 1955, he approved LB 375, 128 and 394.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Communications

Letter from L. K. Emry, Chairman, The Federation of Railroad Shop Crafts, Lincoln, Nebraska, opposing LB 554. Referred to Committee on Judiciary.

Letter from Terrell Hauser, Chairman, Legislative Committee, Omaha Association of Credit Men, Omaha, Nebraska, favoring LB 345. Referred to Committee on Judiciary.

STANDING COMMITTEE REPORTS
Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on May 13, 1955 at 11:00 a.m.

LB 473	LB 544	LB 366	LB 518
LB 545	LB 267	LB 486	LB 476

LEGISLATIVE BILL 328. Replaced on Select File as amended.

E and R amendment to LB 328:

In Enrollment and Review Committee amendment 1, line 9, strike the figures "15" and in lieu thereof insert "14" and in line 10 of said amendment strike "though" and in lieu thereof insert "plant".

LEGISLATIVE BILL 494. Correctly engrossed.

LEGISLATIVE BILL 546. Correctly engrossed.

LEGISLATIVE BILL 360. Correctly engrossed.

LEGISLATIVE BILL 320. Correctly enrolled.

LEGISLATIVE BILL 150. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Signed by the President

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

LB 320 LB 150

Visitor

President Warner introduced Judge E. B. Perry of Lincoln, father of Mr. Robert Perry, and former Legislator. Mr. Perry escorted his father to the rostrum where Judge Perry addressed the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 330. With emergency.

A bill for an act to amend sections 68-601, 68-602, 68-603, 68-604, 68-605, 68-608, 68-609, 68-610, 68-613, 68-615, 68-617, 68-618, 68-619,

and 68-620, Revised Statutes Supplement, 1953, relating to social security; to declare the policy of the State of Nebraska as prescribed; to define and redefine terms; to extend the policy to other employees, as prescribed; to provide for expenses as prescribed; to provide for referendum procedure by groups to be included under the provisions of this act; to provide an effective date for modification of the state agreement; to provide duties for the prescribed public officials; to provide additional remedies, as prescribed, for the collection or recovery of delinquent payments; to provide for notices in regard thereto; 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.	Diers	McGinley	Peterson
Adams, T.	Fenske	McHenry	Pizer
Aufenkamp	Foote	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Cole	Lee	Perry	Tvrdik
Cramer	Liebers	Person	Vogel

Voting in the negative, 1:

Burney

Not voting, 2:

Anderson Bahensky

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 438. With emergency.

A bill for an act to amend section 83-134, Revised Statutes Supplement, 1953, relating to state institutions; to provide when a building at the penitentiary costing more than fifteen thousand dollars may be constructed under the conditions and in the manner 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.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrđik
Brower	Kotouc	Otto	Vogel
Burney	Lee	Perry	

Voting in the negative, 3:

Larkin	Purdy	Syas
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Not voting, 1:

Bahensky

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 appropriate the sum of sixteen thousand dollars to defray the expense of repairing the buildings and improvements located on Crystal Lake Recreation Grounds at Ayr, Nebraska, and for the purpose of maintaining a full-time caretaker of such grounds for the biennium ending June 30, 1957; and to declare an emergency.

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

Voting in the affirmative, 24:

Adams, J.	Cramer	Liebers	Perry
Adams, T.	Foote	McGinley	Ruhnke
Aufenkamp	Hoffmeister	McHenry	Shultz
Bixler	Hubka	Morrison	Swanson
Burney	Klaver	Moulton	Thompson
Cole	Larkin	Otto	Tvrđik

Voting in the negative, 17:

Anderson	Bridenbaugh	Fenske	Metzger
Beaver	Brower	Lee	Nelson
Bedford	Diers	Martin	Person

Peterson	Purdy	Syas	Vogel
Pizer			

Not voting, 2:

Bahensky	Kotouc
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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, J.	Cramer	McGinley	Ruhnke
Adams, T.	Foote	McHenry	Shultz
Aufenkamp	Hoffmeister	Morrison	Swanson
Bixler	Klaver	Moulton	Thompson
Burney	Larkin	Otto	Tvrdik
Cole	Liebers	Perry	

Voting in the negative, 18:

Anderson	Diers	Metzger	Pizer
Beaver	Fenske	Nelson	Purdy
Bedford	Kotouc	Person	Syas
Bridenbaugh	Lee	Peterson	Vogel
Brower	Martin		

Not voting, 2:

Bahensky	Hubka
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A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

LEGISLATIVE BILL 454. With emergency.

A bill for an act establishing a Parking Authority; to provide for its formation, termination, and members including ex officio members; to provide for the appointment, tenure of office, duties, compensation, and qualifications of certain of its members; to provide for powers and duties of the authority; to define terms; to permit it to borrow money as prescribed and limited; to provide for issuance of bonds and the procedure therefor; to prescribe a legislative finding and policy; to provide how this act shall be known or referred to; to declare that the provisions of this act

shall be complete and in addition to other provisions of the law of the State of Nebraska as prescribed; to provide duties and powers of certain public officials, bodies, or corporations as prescribed; 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, 35:

Adams, J.	Diers	Liebers	Peterson
Adams, T.	Fenske	McGinley	Pizer
Anderson	Foote	McHenry	Purdy
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Thompson
Bridenbaugh	Kotouc	Nelson	Tvrdik
Cole	Larkin	Otto	Vogel
Cramer	Lee	Perry	

Voting in the negative, 6:

Brower	Martin	Ruhnke	Syas
Burney	Person		

Not voting, 2:

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

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 307. Placed on Select File as amended.

E and R amendments to LB 307:

1. In the bill page 2, section 1, line 1, insert a comma at the end of the line; and in section 2, line 12, strike the period after "Against".

2. In the bill title line 3, strike "IV" and insert in lieu thereof "4"; and in line 11, insert a comma after "November".

LEGISLATIVE BILL 495. Placed on Select File as amended.

E and R amendments to LB 495:

1. In the Metzger General File Amendment, line 2, strike "the word 'ten'" and insert in lieu thereof "*ten two*".

2. In the bill page 2, section 1, line 4, after "trailer" insert "*, the registration fee to be charged shall be*"; and in line 6, strike "shall be charged" and show as stricken matter.

3. In the bill title line 5, strike "commercial" and in lieu thereof insert "the prescribed trailers; to increase the registration fee for cabin".

LEGISLATIVE BILL 230. Placed on Select File as amended.

E and R amendments to LB 230:

1. In the bill page 2, section 1, line 7 strike "*in the proceedings*" and in lieu thereof insert "*, in the proceedings in partition,*"; in line 8 after "*partition*" insert "*;*"; in line 9 insert "*the*" following "*or after*" and at the end of said line and in line 10 after "*and*"; and in line 17 strike "*or*" and insert "*for the*".

2. In the bill title page 1, line 8 insert "the" after "for" and in line 9, insert a comma after "referee".

LEGISLATIVE BILL 179. Placed on Select File as amended.

E and R amendments to LB 179:

1. In the bill page 2, section 1, lines 5 and 6, strike the quotation marks and show as stricken matter; section 2, line 3, strike "claim" and insert in lieu thereof "*, who claim claims*"; line 6, strike "*, when he*" and insert in lieu thereof "*, when he*"; line 13, strike "*, and if*" and insert in lieu thereof "*, and if .If*"; line 15, insert "*he*" after "*after,*"; line 20, strike "the same" and insert in lieu thereof "*the same such judgment*"; line 21 strike "*always*"; line 22, strike "*claimed to be invalid be*" and insert in lieu thereof "*, so claimed to be invalid, was*"; line 26 strike "*defendant*" and insert in lieu thereof "*defendants*"; section 4, line 3, page 3, strike "town" and insert in lieu thereof "*town township*"; insert "*the*" after "have" in line 4 and after "from" in line 9; in lines 13 and 14 strike "Nothing in this section contained shall" and insert in lieu thereof "*Nothing in The provisions of this section contained shall not*"; insert "*,*" in section 2, page 2, line 11, after "district", line 16 after "trict", page 3, section 3, line 8, after "village", section 4, line 3, after "council", line 5, after "remit", line 7, after "taxes", line 8, after "remitted", line 10, after "cil" and after "city" in line 11.

2. In the bill title line 6, strike "and" and insert in lieu thereof "to permit the joinder of defendants in the action and under the circumstances prescribed,".

LEGISLATIVE BILL 262. Placed on Select File as amended.

E and R amendment to LB 262:

1. In section 1, page 2 of the bill in line 4 after "violations" insert ";"; in lines 9, 14, 20, 24, 27 and 40 strike the period and in lieu thereof insert ". "; in lines 33, 36 and 38 strike the period and in lieu thereof insert ";"; in line 43 strike the period and in lieu thereof insert ". "; and "; in line 49 insert "," after "cases"; and in line 50 insert "the" after "to".

LEGISLATIVE BILL 472. Placed on Select File as amended.

E and R amendments to LB 472:

1. In the bill, page 2, section 1, line 3, after the period insert "(1)" and in the same line insert "," after "order"; in lines 6 and 7 strike ", and service" and in lieu thereof insert ", and service .Service"; in lines 8 and 14 insert "to be" after "deemed"; in line 11 insert "," after "decision" and in the same line strike "; and the" and insert "; and the . The"; in line 12 insert "," after "regulation"; in line 15 insert "(2)" after the period and in the same line after "of" insert "making an" and also in line 15 insert at the end of the line "*as referred to in subsection (1) of this section,*"; in line 19, insert "(a)" before "reporting" and strike "and" at end of same line and in lieu thereof insert "and , (b)"; in line 20 after "and" insert "(c)"; in line 21 after the period insert "(3)"; in line 22 after "order" insert ","; in line 23, after the comma insert "*as provided for by subsection (1) of this section,*" in line 31 strike "*provided in*" and in lieu thereof insert "*is provided for in subsection (5) of*"; in line 32, strike "Upon" and in lieu thereof insert "(4) Upon the"; in line 35 strike the comma after "taxed" and show it as stricken matter; in line 37 after "rehearing" insert ", referred to in subsection (3) of this section," in line 39 at the beginning of the sentence insert "(5)"; in line 40 strike "refuse" and in lieu thereof insert "refusing"; in line 44 insert "a" after "such" and in the same line and also in line 48 insert after "vacation" a ","; in line 52 after "record" insert ", as required by subsection (1) of this section"; in line 57 after "mailing of" insert "the".

2. In line 60 of section 1 at the beginning of the paragraph insert "(6)"; in line 61 after "petition" insert "*referred to in subsection (5) of this section*"; in line 67 after "attorney" insert "or attorneys".

3. In line 70 of section 1 of the bill, at the beginning of the paragraph insert "(7)"; in line 71 strike "the secretary thereof" and in lieu thereof insert "*as provided for in subsection (5) of this section, the secretary of the commission*"; in line 74 after "commission" insert ","; in line 79 after "court" insert "*of the proper county, as designated in subsection (5) of this section,*".

4. In line 86 of section 1 of the bill, at the beginning of the sentence insert "(8)" and in the same line after "appeal" insert ", provided for or referred to in subsections (5), (6), and (7) of this section,".

5. In line 90 of section 1, of the bill, at the beginning of the sentence insert "(9)"; in line 93 insert "as provided for in subsection (7) of this section" before the period at the end of the sentence.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Moulton introduced Mrs. Lauretta Dilger, Principal, Mrs. Opal Pellatz, Teacher, and twenty-three students from West Maple School, Omaha, Nebraska.

Mr. Burney introduced Ruth Moeller, Teacher, and forty-seven students from Thomas Jefferson High School, Council Bluffs, Iowa.

Mr. Cole introduced his sister, Mrs. Henry Yeager and her daughter, Sadie Ann, and his sister-in-law, Mrs. James Downing and her sons, Marty and Mickey.

UNANIMOUS CONSENT—Hold Executive Session

Mr. Larkin asked unanimous consent to hold an executive session of the Committee on Banking, Commerce and Insurance this afternoon at 1:30 p.m. No objections. So ordered.

Announcement

Mr. Burney announced that the photographer would be in the West Senate Lounge on Tuesday, May 17, 1955, at 1:30 p.m., to take photographs of the Members.

SELECT FILE

LEGISLATIVE BILL 349. Considered.

Mr. Hubka asked unanimous consent that the following amendments be adopted:

1. Amend section 1 of the bill, line 7 by inserting after the word "aside" the following: "and posted by a sign designating it as a parking lot", and lines 8 and 9 by striking "occupant" and inserting "tenant".

2. Amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

Approved by the Governor

May 16, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 14, 1955, he approved LB 497, 304, 426 and 445; on May 15, 1955, he approved LB 316, 428, 273, 455, 518, 476, 486, 366, 267, 544, 545 and 473.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

GENERAL FILE

LEGISLATIVE BILL 80. Pending.

The Perry motion, found in the Legislative Journal for the Ninety-second Day, to move the previous question, was adopted with 26 ayes, 2 nays and 15 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 376. Laid over until 2:00 p.m. this afternoon.

LEGISLATIVE BILL 204. Laid over until this afternoon.

LEGISLATIVE BILL 197. Laid over temporarily.

LEGISLATIVE BILL 523. Laid over temporarily.

LEGISLATIVE BILL 294. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Advanced to E and R for review.

UNANIMOUS CONSENT—Return Bill to General File

Mr. Aufenkamp asked unanimous consent to return LB 555 to General File for the following amendment:

1. Amend the Lee Amendment adopted May 10, 1955 by inserting after line 7 the following:

"Margaret Dalke	Personal	General	\$709.84"
c/o Denney and	Injury	Fund	
Denney, Fairbury,			
Nebraska			

No objections. So ordered.

LEGISLATIVE BILL 555. Considered.

The Aufenkamp amendment found in this Day's Journal was adopted.

Mr. Lee moved to amend LB 555, Section 1, by amending the Lee amendment adopted May 10, 1955, by striking the figures "\$261.26" and inserting in lieu thereof the figures "\$264.98".

The motion prevailed.

Advanced to E and R for review.

LEGISLATIVE BILL 292. Read and considered.

Standing Committee amendments 1, 2, and 3 found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Klaver moved the adoption of Standing Committee amendment 4.

Mr. Kotouc moved the previous question. The motion prevailed with 30 ayes, 0 nays and 13 not voting.

Standing Committee amendment 4 was not adopted with 7 ayes, 25 nays and 11 not voting.

Mr. Metzger offered the following amendment:

Amend Standing Committee Amendment 3, renumbered Section 1, as follows: Line 3 after the word "limits", insert the words "*in the same county* as such metropolitan city."

Bracketed.

Speaker Burney Presiding**STANDING COMMITTEE REPORTS****Enrollment and Review****LEGISLATIVE BILL 153.** Placed on Select File as amended.

E and R amendment to LB 153:

1. In the bill section 1, page 2, in line 9 strike "their" and in lieu thereof insert "his or its".

LEGISLATIVE BILL 485. Placed on Select File as amended.

E and R amendments to LB 485:

1. In Standing Committee Amendment 1, lines 12 and 13, strike "*whichever is less.*" and insert in lieu thereof "*five thousand dollars, whichever is less. the least; and*".

2. In the bill page 2, section 1, line 5, after the comma insert "*shall be*"; line 11, strike both quotation marks and show as stricken matter; lines 17 and 33, and 41 on page 3, strike the period and insert ". ;"; line 34, page 2, insert "(a)" after "issued"; line 38, page 3, insert "(b)" after "and"; and in line 51 after "Such" insert " ;".

3. In the bill title line 8 insert "to increase the limit of the amount of life insurance which may be issued on the life of any debtor as prescribed; to provide to whom the excess of such life insurance shall be paid as prescribed;" after the semicolon.

LEGISLATIVE BILL 548. Placed on Select File as amended.

E and R amendments to LB 548:

1. In the bill page 2, section 1, line 9, strike ", which" and insert in lieu thereof ", which . *Such*".

2. In the bill title line 6, insert a comma after "development" and in line 7 strike "which" and insert in lieu thereof "as prescribed; to require that such".

LEGISLATIVE BILL 549. Placed on Select File as amended.

E and R amendment to LB 549:

1. In the bill, page 2, section 1, line 1, strike the comma after "jail"; and in line 8, strike "The sentence to commence from" and insert in lieu thereof "Such sentence shall commence upon".

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:48 a.m., on a motion by Mr. Peterson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:03 p.m., President Warner presiding.

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

UNANIMOUS CONSENT—Return LB 303 to Select File

Mr. Cramer asked unanimous consent that LB 303 be returned to Select File and be bracketed on Select File. No objections. So ordered.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 242. Placed on Select File as amended.

E and R amendment to LB 242:

1. In the bill, section 1, line 10, strike "manner following" and in lieu thereof insert "manner following *manner*"; line 18, insert "," after "officer"; line 29, strike "such office" and in lieu thereof insert "*such the office hereinafter set forth in this affidavit*"; strike line 35, and in lieu thereof insert "office cf.above set forth in this affidavit."; lines 50 and 51, strike " , such amount to" and in lieu thereof insert " , such amount to . *The amounts so received by the county treasurer shall*"; and lines 53 and 54, strike "the candidate" and in lieu thereof insert "the such candidate candidates".

LEGISLATIVE BILL 38. Placed on Select File as amended:

E and R amendments to LB 38:

1. In Standing Committee Amendment 1, line 5, strike the period and in lieu thereof insert " , and

(11) Member shall mean a judge, as defined in subdivision (2) of this section, eligible to participate in the retirement system established under the provisions of this act."

2. In Standing Committee Amendment 2, in the newly inserted section 4, insert a comma in line 8 after "officer" and "system", and line 19 after "system"; line 12, strike "together with" and in lieu thereof insert "and"; lines 13 and 14, strike " , and for" and in lieu thereof insert " . For".

3. In Standing Committee Amendment 7, line 5, after "which" insert "shall".

4. In the bill, strike the quotation marks in section 1, lines 3, 5, 10, 13, 16, 24, 28, 30, and 34; and section 3 line 9.

5. In the bill, section 1, strike the period and in lieu thereof insert a semicolon in lines 4, 9, 12, 15, 23, 27, 29, 33, and 44.

6. In the bill, insert a comma in section 1, line 26 after "military service"; section 3, line 11 after "and", line 12 after "court", and line 23 after "fits"; section 8, line 10 after "judge" and line 11 after "effective"; section 9, line 15 after "disabled"; section 10, line 1 after "judge"; section 11, line 1 after both of the words "judge", line 9 after "beneficiary"; section 12, after "judge" in lines 1 and 13, after "act" in lines 2, 8, 14, and 29, line 7 after "payments", line 17

before "but", line 21 after "exists", and line 29 after "physician"; and section 14, line 3 after "act".

7. In the bill, section 1, line 26, strike "as defined herein" and in lieu thereof insert ", as defined in this section"; line 32, strike "; or if no person designated survives," and in lieu thereof insert ", or if no designated person survives".

8. In the bill, section 3, lines 8 and 9, strike "each judge's contribution" and in lieu thereof insert "the contributions of each judge"; lines 13 and 14, strike ", such payments to be made"; line 15, strike "; and upon" and in lieu thereof insert ". Upon the"; lines 17 and 18, strike "by appropriation in the amount biennially as" and in lieu thereof insert "biennially by an appropriation in such amount as may be"; line 24, strike "cost of" and in lieu thereof insert "expenses of the", and in the same line after "act" insert "as provided by sections 5 and 12 of this act".

9. In the bill, section 5, line 16, before the period insert "or the costs of the examinations referred to in section 12 of this act".

10. In the bill, section 7, line 3, strike "and whenever" and in lieu thereof insert ". Whenever".

11. In the bill, section 8, line 1, strike "age" and in lieu thereof insert "the age of"; line 3, strike ", and upon retiring" and in lieu thereof insert ". Upon retiring,"; line 8, after the semicolon, insert "and".

12. In the bill, section 9, line 17 strike "monthly"; line 18, strike "as" and in lieu thereof insert "each month as is", and in the same line before the period insert "of this act".

13. In the bill, section 10, lines 7 and 14, after "as" insert "such".

14. In the bill, section 12, line 16, strike "reexamination upon" and in lieu thereof insert "a re-examination, upon an".

15. In the bill, section 14, line 5, after "vacancy" insert "caused by such retirement the same"; and line 6, before the period insert "for any other reason".

16. In the bill title, lines 5 and 6, strike "create a retirement board to" and in lieu thereof insert "provide that the Board of Educational Lands and Funds shall"; and line 8, before the period insert "to define terms; to provide powers and duties for the prescribed public officials and the Board of Educational Lands and Funds; to provide for an executive officer and assistants and employees as prescribed; to provide for certain records and procedure; to provide the source of such fund; to provide for the payment of the expenses of the adminis-

tration of this act; to provide for the return of contributions to this fund by judges and the result thereof, as prescribed; to provide for the payment of annuities to judges as prescribed; and to provide that vacancies due to retirement of a judge under the provisions of this act shall be filled as prescribed".

LEGISLATIVE BILL 177. Placed on Select File as amended.

E and R amendments to LB 177:

1. In the bill page 2, section 1, line 7, strike "*, or being*" and insert in lieu thereof "*or, if*"; and in line 8, strike "*county*" and insert in lieu thereof "*state, to the county court of a county where part or all of such property is located*".

2. In the bill title line 7 after "*state*" insert "*as prescribed*".

LEGISLATIVE BILL 417. Placed on Select File as amended.

E and R amendment to LB 417:

1. In the bill title, line 5, insert a comma after "*delivering*"; and line 7, after "*money*" insert "*as prescribed*".

(Signed) Donald F. McGinley, Chairman

GENERAL FILE

LEGISLATIVE BILL 376. Considered.

Mr. Syas offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 1, section 2, line 6 by inserting after the word "*issuance*" the following:

"; Provided, that if a political subdivision has a law or regulation substantially equivalent to regulations issued by the department as provided by the provisions of this act and if the department is satisfied that the law or regulation of the political subdivision is properly enforced, then the department shall accept the certificate of the political subdivision in lieu of making an independent inspection and collection of a license fee."

Laid over.

Visitors

Mr. Metzger introduced Miss Maude Baldwin, Teacher, Art Thompson, Superintendent, and twenty students from Weeping Water High School, Weeping Water, Nebraska.

LEGISLATIVE BILL 204. Considered.

Mr. Shultz moved to reconsider the Foote amendment to LB 204, found in the Legislative Journal for the Eighty-fifth Day, May 4, 1955.

Mr. Perry moved the previous question. The motion prevailed with 34 ayes, 0 nays and 9 not voting.

The Shultz motion prevailed with 26 ayes, 10 nays and 7 not voting.

Mr. Shultz moved to reject the Foote amendment adopted on May 4, 1955, and found in the Legislative Journal for the Eighty-fifth Day. The motion prevailed.

Advanced to E and R for review with 26 ayes, 14 nays and 3 not voting.

Member Excused

Mr. Bridenbaugh was excused for the remainder of the afternoon.

LEGISLATIVE BILL 197. Laid over.

LEGISLATIVE BILL 523. Laid over.

UNANIMOUS CONSENT—Revert to Introduction of Bills

Mr. Larkin asked unanimous consent to revert to the introduction of bills. No objections. So ordered.

STATEMENT—Introduce Bill

The Committee on Banking, Commerce and Insurance voted unanimously to introduce a bill which would extend time when revenue bonds issued for interstate county bridges will mature.

(Signed) John J. Larkin, Jr., Chairman

Permission to introduce the bill granted with 36 ayes, 0 nays and 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 559. By Committee on Banking, Commerce and Insurance, John J. Larkin, Jr., 8th District, Chairman.

A bill for an act to amend sections 39-860 and 39-867, Reissue Revised Statutes of Nebraska, 1943, relating to interstate county bridges;

to extend the time when revenue bonds issued for interstate county bridges may mature; to extend internal references; to repeal the original sections; and to declare an emergency.

SUSPEND RULES—Place LB 559 on General File

Mr. President: I move that the rules be suspended and LB 559 be placed on General File. (Signed) John E. Beaver

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

GENERAL FILE

LEGISLATIVE BILL 129. Laid over.

LEGISLATIVE BILL 474. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Seventy-ninth Day was adopted.

Advanced to E and R for review.

Visitors

Mr. Metzger introduced Mrs. Agnes Hakel and Mrs. Elma Hay, Teachers, and thirty-four students from Louisville Public School, Louisville, Nebraska.

Members Excused

Messrs. Beaver, Burney and Shultz were excused for the remainder of the afternoon.

LEGISLATIVE BILL 376. Considered.

Advanced to E and R for review with 17 ayes, 16 nays and 10 not voting.

LEGISLATIVE BILL 398. Read.

Laid over until Wednesday, May 18, 1955.

LEGISLATIVE BILL 513. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 432. Replaced on Select File as amended.

E and R amendment to LB 432:

In the bill title line 5, insert "and" at the end of the line.

LEGISLATIVE BILL 387. Replaced on Select File as amended.

E and R amendments to LB 387:

1. In the Peterson Specific Amendment 1, line 1, (mimeographed copy lines 1 and 2) strike "Standing Committee amendment 1, section 3, line 29" and insert in lieu thereof "Vogel General File Amendment 1, inserting section 3, at the end of line 27 in the original amendment, line numbered 29 of the mimeographed amendment"; in line 2, (mimeographed copy numbered 3) strike "31" and insert in lieu thereof "29 of the original, being line numbered 31 on the mimeographed copy"; line 4, strike "line" and insert in lieu thereof "such line numbered"; in line 5 strike "(6)" and insert in lieu thereof "f" and in the same line strike the comma; lines 6 and 7 (mimeographed copy numbered 7), line 10, (mimeographed copy numbered lines 11 and 12) and lines 18 and 19 (mimeographed copy numbered 23 and 24) strike ", section of route, or" and insert in lieu thereof "of a route, section of a route, or a"; line 21, (mimeographed copy numbered 26) insert "a" after "give"; line 22, (mimeographed copy numbered 27) insert "," after "hearing"; and in line 26 (mimeographed copy numbered 33) strike "on" and insert in lieu thereof "upon".

2. In the bill title line 7, after the semicolon insert "to provide procedure where it is proposed to abandon or relinquish a portion of the state highway system;".

LEGISLATIVE BILL 454. Correctly enrolled.

LEGISLATIVE BILL 330. Correctly enrolled.

LEGISLATIVE BILL 438. Correctly enrolled.

LEGISLATIVE BILL 500. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 454

LB 330

LB 438

LB 500

Adjournment

At 4:19 p.m., on a motion by Mr. Metzger, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 17, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Ninety-third Day was approved as corrected.

RESOLUTIONS

LEGISLATIVE RESOLUTION 32. Re: Memorializing Congress to Pass Legislation for the Improvement of Wheat.

Introduced by Arnold Ruhnke, 22nd District; Donald F. McGinley, 39th District; A. A. Fenske, 43rd District.

WHEREAS, the United States wheat producers have lost much of their foreign markets for wheat, and

WHEREAS, Nebraska is one of the major quality wheat producing states, and

WHEREAS, much of this market is lost because of the poor quality of wheat offered for sale in foreign countries, and

WHEREAS, present grain standards have not been revised to reflect technological improvements in the handling and processing of wheat.

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

1. That the members of Congress and the Secretary of the United States Department of Agriculture be urged to provide the necessary legislation and regulations to achieve an improvement in the quality of product offered for sale in foreign markets by raising the standards, and lowering the tolerances for foreign material, damaged grain and mixed varieties, and to tighten inspection procedures in the case of export shipments to insure that wheat moved on a grade basis actually meets the official requirements for the grade assigned to it.

2. That copies of this resolution be transmitted by the Clerk of the Legislature to the Vice President of the United States as President 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 the Secretary of the United States Department of Agriculture.

LEGISLATIVE RESOLUTION 33. Re: Committee to Study Administrative Expenditures, Procedures, and Methods of Financing Public Welfare Service Programs and Public Financial Assistance Programs.

Introduced by Dwight W. Burney, 14th District.

WHEREAS, public welfare service programs and public financial assistance programs have been broadened and increased throughout the State of Nebraska, particularly during the past fifteen years, and

WHEREAS, proportionate costs of administration of county public welfare programs have increased in many areas, and

WHEREAS, it is desirable that there be a review of all administrative expenditures, administrative procedures and methods of financing for the purpose of achieving a higher degree of efficiency and economy.

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

1. That the Legislative Council appoint a committee for the purpose of reviewing and studying administrative expenditures, administrative procedures, and methods of financing public welfare service programs and public financial assistance programs.

2. That such committee be directed to make its report and recommendations to the next regular session of the Legislature.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 348.

A bill for an act relating to insurance; to require domestic and foreign insurers and assessment associations to deposit securities with the Department of Insurance as prescribed; to define terms; to describe the securities eligible for deposit; to specify the amount of securities which must be deposited; to prescribe conditions upon which securities may be withdrawn; to provide there shall be no liability upon the Director of Insurance for funds deposited with the Department of Insurance as prescribed; to provide for the designation of depositories for securities as prescribed; to provide duties and powers for the prescribed public officials; to provide for insurance as prescribed; to provide that unclaimed securities shall become the property of the State of Nebraska as prescribed; to prescribe and limit the beneficiaries of the deposited funds; and to repeal sections 44-317, 44-318, and 44-319, Reissue 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, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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.

SELECT FILE

LEGISLATIVE BILL 328. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 432. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 387. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 307. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 495. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 230. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Laid over.

LEGISLATIVE BILL 179. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 262. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 472. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 153. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 485. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 242. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Bedford asked unanimous consent that the following amendment be adopted: Amend Section 8, line 11, by striking "until the end of his present term".

Pending.

Laid over.

LEGISLATIVE BILL 177. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 417. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

Visitors

Speaker Burney escorted Chief Justice Robert G. Simmons and his guest, Mr. Jaipaul, to the rostrum. Judge Simmons introduced Mr. Jaipaul, who is Public Relations Officer of the Congress Party in India, to the Legislature. Mr. Jaipaul addressed the Legislature, stating that he

was in this country for four months to observe legislative bodies, parliamentary procedure, public relations and youth organizations.

Mr. Burney also introduced Clarence Pollock, Teacher, three adults, and twelve students from Powhattan, Kansas.

Member Excused

Mr. Moulton was excused at 10:00 a.m. for the remainder of the day.

Visitors

Mr. Lee introduced Ellen Therklesen, Principal, Delaine Richards, Teacher, and fifty students from Blair Junior High School, Blair, Nebraska.

Mr. Larkin introduced twenty-eight students from Saint Adalberts School, Omaha, Nebraska, and eight mothers.

Mr. Larkin also introduced Sister Illuminata, Sister Aloysius, and fourteen students from St. Francis School, Omaha, Nebraska, and seven sponsors.

Mr. Martin introduced Marion Williams, Teacher, five parents, and eighteen students from Stolley Park School, Hall County, Nebraska.

Mr. Lee introduced Sister Columcille, Sister Constantia, and twenty-five seniors from St. Patricks High School, Fremont, Nebraska.

Mr. Syas introduced Mrs. Lewis Doud, Teacher, twelve sponsors, and thirty-three students from District 22, Valley, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 187. Sections 1 through 9 read and considered.

Standing Committee amendment 3, found in the Legislative Journal for the Eighty-fifth Day, was not adopted with 15 ayes, 24 nays and 4 not voting.

Mr. Burney offered the following amendment, which was adopted with 23 ayes, 6 nays and 14 not voting:

1. Amend page 2 of the bill, section 1, by striking lines 18 to 20 and inserting "highways."

Standing Committee amendment 4, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Mr. Perry offered the following amendment:

Amend LB 187, Section 2, page 6, lines 82 and 83 by striking subparagraph 24 and renumbering the remaining subparagraphs accordingly.

Pending.

Standing Committee amendment 5, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day, was read.

Mr. Peterson offered the following amendment:

1. Amend Standing Committee Amendment 1, section 9, line 1 by striking "department" and inserting "State Highway Commission", and line 3 by striking "on May 3, 1955" and inserting "and referred to in the resolution filed with the Legislature on February 3, 1955".

Pending.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 17, 1955, at 9:00 a.m.

LB 454

LB 438

LB 320

LB 150

LB 500

LB 330

LEGISLATIVE BILL 407. Placed on Select File as amended.

E and R amendments to LB 407:

1. In Standing Committee Amendment 1, section 1, insert "," after "signs", line numbered 5, after "highways" line numbered 11, after the words "erected" and "stop" line numbered 12, after both of the words "feet" in line numbered 24, after the words "and" and "stopped" in line numbered 25, after "vehicles" in line numbered 28, after "section" in line numbered 29, after "independently" in line numbered 33, after "stop" in line numbered 37, and after "60-340" in line numbered 41; in lines numbered 6 and 7, strike ", and the power is hereby further" and insert in lieu thereof ", and the . The power is also hereby further"; at the end of line numbered 13 strike the comma and show as stricken matter; in line numbered 17 strike "a" after "or" and show as stricken matter; in line numbered 22 after "cargo," insert "shall"; line numbered 23 strike "shall" and show as stricken matter; line numbered 37 after "in" insert "subsection (2) of"; and in Standing Committee Amendment 1, page 2, section 2, line numbered 3, strike "(1)"; line numbered

5 strike "and" after "(1)" and in lieu thereof insert "or"; and in line numbered 19 after "such" insert "a".

2. Strike Shultz Unanimous Consent Amendment and in lieu thereof in Standing Committee Amendment 2, strike all of the Standing Committee Amendment 2 commencing with "2" after "subsection" in the third line thereof and in lieu thereof insert "(2) of section 39-724,".

3. In the bill page 2, renumbered section 3, at the end of line 7 insert ",".

LEGISLATIVE BILL 555. Placed on Select File as amended.

E and R amendment to LB 555:

1. In the bill, section 1, page 12, line 354, strike the comma after "City".

LEGISLATIVE BILL 220. Placed on Select File as amended.

E and R amendments to LB 220:

1. In the bill section 1, page 2, in line 7 strike "the" after "at" and show it as stricken matter; in lines 18 and 19 strike ", as the same become due," and show it as stricken matter and in line 19 after "authority" insert "*as the same become due*"; and in line 25 after "payments" and line 27 after "reserve" insert ",".

2. In section 2, pages 2 and 3, in line 3 after the period insert "(1)"; in line 4 after "projects" insert "," in line 6 strike "(1)" and in lieu thereof insert "{1} (a)"; in line 8 strike "(2)" and in lieu thereof insert "{2} (b)"; in line 11 strike "(3)" and in lieu thereof insert "{3} (c)"; in line 16 strike "(4)" and in lieu thereof insert "{4} (d)"; in line 27 strike the semicolon and in lieu thereof insert ";"; in line 28 strike "(5)" and in lieu thereof insert "{5} (e)"; in line 29 at the beginning of the line insert "(2)" and in the same line and also in line 35 strike "this section or" and in lieu thereof insert "subsection (1) of this section or subsections (1) or (2) of", and also in line 29 insert "," at the end of the line; in line 32 after "to" insert "(a)" in line 33 strike "or" at the beginning of the line and in lieu thereof insert "or , (b)" and also in line 33 strike "or" after "thereof" and in lieu thereof insert ", or (c)".

3. In the bill title page 1, line 5 strike "of" and in lieu thereof insert "in regard to"; in line 6 after "for" insert "the" and also in line 6 after "funds" insert "as prescribed".

LEGISLATIVE BILL 95. Placed on Select File as amended.

E and R amendments to LB 95:

1. In Standing Committee Amendment 2, line 4, strike "*The summons*" and in lieu thereof insert "(2) *The summons, referred to in subsection (1) of this section,*"; line 5, strike "*date of issuance*" and in lieu thereof insert "*the date of the issuance thereof*"; and line 10, after "*until*" insert "*the*".

2. In Standing Committee Amendment 3, before the period insert "and in lieu thereof insert 'or any person deputized by the judge to do so.'"

3. In Standing Committee Amendment 4, in the newly inserted section 3, strike the comma and show as stricken matter in line 5 after "record" and "peace" and line 11 after "peace"; line 17, strike the stricken period; line 22, strike "*date of*" and in lieu thereof insert "*the date of its*"; line 28, insert "*the*" before "*further*"; and line 30, strike "*provided*" and in lieu thereof insert "*is provided for*".

4. In Standing Committee Amendment 4, in newly inserted section 4, line 3, before "When" insert "(1)"; line 6, after "that" insert "*the*"; line 7, strike "believe," after "to" and the comma before "that" and show as stricken matter; line 13, strike "that" and in lieu thereof insert "*requiring that*"; line 14, reinsert the stricken word "to"; line 17, strike "*The summons*" and in lieu thereof insert "(2) *The summons, referred to in subsection (1) of this section,*"; line 18, strike "*date of issuance*" and in lieu thereof insert "*the date of the issuance thereof*"; and line 23, after "*until*" insert "*the*".

5. In Standing Committee Amendment 4, in the newly inserted section 5, line 3, before "When" insert "(1)"; line 6, after "that" insert "*the*"; line 7, strike "believe," after "to" and the comma before "that" and show as stricken matter; lines 16 and 17, strike "*The summons*" and in lieu thereof insert "(2) *The summons, referred to in subsection (1) of this section,*"; lines 17 and 18, strike "*date of issuance*" and in lieu thereof insert "*the date of the issuance thereof*"; and line 23, after "*until*" insert "*the*".

6. In the bill, section 1, line 3, before "When" insert "(1)"; line 6, strike "plaintiff has a" and in lieu thereof insert "*the plaintiff has a*"; line 9, strike the parenthesis and in lieu thereof insert "(", "; line 10, strike the parenthesis and in lieu thereof insert ")", "; line 12, strike the comma before "*requiring*"; and line 13, strike the comma after "corporation" and show as stricken matter.

7. In the bill title, line 9, after "until" insert "*the*"; and line 11, before the semicolon, insert "*as prescribed*".

LEGISLATIVE BILL 247. Placed on Select File as amended.

E and R amendments to LB 247:

1. Strike original sections 1 and 2 of this bill and substitute sections 1 and 2 as shown in the Standing Committee Amendment, except as the same is hereinafter amended.

2. In Standing Committee Amendment, in the newly inserted section 1, line 7, insert a comma after "bridges", as in the statutes; lines 10 and 11, strike "~~;~~ *Provided, when . When*" and in lieu thereof insert "~~;~~ *Provided, when . When*"; lines 18 and 19, strike "~~;~~ *provided, further, the The*" and in lieu thereof insert "~~;~~ *provided, further, the . The*"; insert "~~;~~" in line 19 after "sum" and line 20 after "foot".

3. In Standing Committee Amendment, in the newly inserted section 2, line 1, strike "Section" and in lieu thereof insert "Sec."

4. In the bill title, line 5, strike "over" and in lieu thereof insert "in regard to public"; and line 6, before the semicolon insert "and the approaches thereto, as prescribed, being constructed and repaired by the county; to provide that all public bridges within such a city, exceeding sixty feet in length, and the approaches thereto, over any stream crossing a state or federal highway shall be constructed and kept in repair by the Department of Roads and Irrigation".

LEGISLATIVE BILL 542. Placed on Select File as amended.

E and R amendments to LB 542:

1. In the bill, section 1, lines 4 and 5, strike the quotation marks and show the same as stricken matter.

2. In the bill title, line 4, strike the quotation marks.

LEGISLATIVE BILL 285. Placed on Select File as amended.

E and R amendments to LB 285:

1. In Standing Committee Amendment 1, line numbered 7, insert "~~;~~" after "surplus" and in line numbered 9, after "counties".

2. In the bill page 2, section 1, insert "~~;~~" after "rations" in line 4, and after "state" in line 5; at the end of line 24, add the word "so".

LEGISLATIVE BILL 222. Placed on Select File as amended.

E and R amendment to LB 222:

1. Insert a comma in the bill, section 1, line 2, after "tax", and in the bill title, line 3, after "cigarettes".

LEGISLATIVE BILL 553. Placed on Select File as amended.

E and R amendments to LB 553:

1. In the bill page 2, section 1, line 6, strike "given" and insert in lieu thereof "given furnished"; insert "," after "therein" in line 7, after the words "warrants" and "old" in line 10; and in line 9, after "all" insert "such".

2. In the bill title line 6, insert "as prescribed" after "destroyed".

LEGISLATIVE BILL 444. Placed on Select File as amended.

E and R amendments to LB 444:

1. In the standing committee amendment first line strike "three" and in lieu thereof insert "four".

2. In the bill section 1, page 2 in line 10 after "provide" and also in line 11 after "that" insert "," and in line 11 and also in line 13 strike "fines" and in lieu thereof insert "fines fine"; and in line 12 strike "that" and show it as stricken matter.

3. In the bill title, line 2, insert "section" after "amend".

LEGISLATIVE BILL 108. Correctly re-engrossed.

LEGISLATIVE BILL 543. Correctly engrossed.

LEGISLATIVE BILL 328. Correctly engrossed.

LEGISLATIVE BILL 432. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:52 a.m., on a motion by Mr. Kotouc, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:01 p.m., President Warner presiding.

The roll was called and all members were present except Mr. Moulton, who was excused, and Mr. Pizer, who was excused until 2:30 p.m.

GENERAL FILE

LEGISLATIVE BILL 187. Consideration of the Peterson amendment, found in this day's Legislative Journal.

Mr. Kotouc moved the previous question. The motion prevailed with 26 ayes, 4 nays and 13 not voting.

Mr. Thompson requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Tvrdik moved that the Call be raised. The motion prevailed.

The Peterson amendment, found in this day's Legislative Journal, was adopted with 22 ayes, 14 nays and 7 not voting.

Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day, was adopted as amended with 20 ayes, 19 nays and 5 not voting, with the Lieutenant Governor, as presiding officer, voting "aye".

Mr. Thompson moved to amend the Highway Advisory Commission map to include Highway Number 57.

Mr. Lee moved to amend the Thompson motion to include Highway 93.

Mr. Hubka moved that all amendments to the Highway Commission map be tabled, including the Thompson and Lee motions. The motion prevailed.

Visitors

Mr. Lee introduced Ray Weckmuller and Lyle Skor, Teachers, and fifty-five students from Blair Junior High School, Blair, Nebraska.

Mrs. Foote moved to recommit LB 187. The motion lost with 13 ayes, 27 nays and 3 not voting.

Mr. Otto moved to reconsider the adoption of the Peterson amendment to LB 187. The motion prevailed with 23 ayes, 16 nays and 4 not voting.

Mr. Otto moved that the Peterson amendment to LB 187 be rejected. The motion prevailed with 25 ayes, 16 nays and 2 not voting.

Mr. Syas moved to reconsider the adoption of Standing Committee amendment 1 to LB 187. The motion lost with 14 ayes, 21 nays and 8 not voting.

Mr. Burney offered the following amendment, which was adopted:

Amend Standing Committee Amendment 1, Section 9, line 11, by striking "may" and inserting "shall".

Mr. Perry asked unanimous consent to consider his amendment to LB 187, Section 2, found in this day's Legislative Journal. No objections. So ordered.

The Perry amendment to Section 2 was adopted.

Standing Committee amendment 6, found in the Legislative Journal for the Eighty-fifth Day, was laid over.

Sections 10 through 15 read and considered.

Standing Committee amendments 7 and 8, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Member Excused

Mr. Brower was excused for the remainder of the afternoon.

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) George Syas
The motion lost.

GENERAL FILE

LEGISLATIVE BILL 187. Standing Committee amendment 2, found in the Legislative Journal for the Eighty-fifth Day, was adopted with 14 ayes, 0 nays and 29 not voting.

Adjournment

At 4:16 p.m., on a motion by Mr. Larkin, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 18, 1955

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 Ninety-fourth Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 348. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 348

RESOLUTIONS

LEGISLATIVE RESOLUTION 34. Re: Committee to Continue Study of the Tax Laws.

Introduced by Otto H. Liebers, 18th District; Charles F. Tvrdik, 7th District; Karl E. Vogel, 9th District.

WHEREAS, the Sixty-fifth Session of the Nebraska State Legislature, 1953, directed the Legislative Council to make a study of the tax laws of the State of Nebraska, and

WHEREAS, a study of the tax laws was made by the Legislative Council to this session of the Legislature, and

WHEREAS, there was insufficient time to complete the study.

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

That the study of the tax laws be continued by a committee appointed by the Legislative Council and that such committee make its report to the next regular session of the Legislature. The report shall contain its recommendations and necessary bills to be introduced to carry out the recommendations of such report.

UNANIMOUS CONSENT—Add Co-introducers

Mr. Liebers asked unanimous consent to add the names of the following Members as co-introducers of LR 34: Otto Kotouc, 1st District; O. H. Person, 17th District; Monroe Bixler, 41st District; Robert C. Brower, 26th District; Joseph D. Martin, 30th District.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 501.

Mr. Peterson asked unanimous consent that his amendment, found in the Legislative Journal for the Ninetieth Day, be adopted. No objections. So ordered.

Mr. Peterson moved to advance LB 501 to E and R for engrossment.

Mr. Swanson asked unanimous consent that LB 501 be laid over for three days.

Mr. Peterson objected.

Mr. Swanson moved that LB 501 be laid over for three days.

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Morrison moved that the Call be raised. The motion prevailed.

The Swanson motion lost with 19 ayes, 20 nays and 4 not voting.

The Peterson motion prevailed, and LB 501 was advanced to E and R for engrossment with 23 ayes, 11 nays and 9 not voting.

LEGISLATIVE BILL 230. Advanced to E and R for engrossment.

LEGISLATIVE BILL 38. Mr. Brower objected to the Bedford amendment found in the Legislative Journal for the Ninety-fourth Day.

Laid over.

LEGISLATIVE BILL 548. E and R amendments found in the Legislative Journal for the Ninety-third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 549. E and R amendment found in the Legislative Journal for the Ninety-third Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 407. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 555. E and R amendment found in the Legislative Journal for the Ninety-fourth Day was adopted.

Mr. Aufenkamp asked unanimous consent that the following amendment be adopted:

1. Amend the Aufenkamp Amendment adopted May 16, 1955 by inserting after line 6, the following:

"Thomas R. Pansing, % State Capitol, Lincoln, Nebraska	Salary of Director of Insurance, as provided by Legislative Bill 394, from May 13, 1955 to June 30, 1955"	General Fund	202.34
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No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 220. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Laid over until Wednesday, May 25, 1955.

LEGISLATIVE BILL 95. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 247. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 542. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 285. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 222. 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 553. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 444. E and R amendments found in the Legislative Journal for the Ninety-fourth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Change Order of Bills

Mr. President: I move that LB 362 and 519 be considered on General File on Monday, May 23, 1955. (Signed) Monroe Bixler

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

MOTION—Indefinitely Postpone Bills

Mr. Perry moved the adoption of his motion, found in the Legislative Journal for the Ninety-second Day, to suspend the rules and indefinitely postpone all bills remaining on General File at 9:00 a.m. on May 27, 1955, except bills reported out by the Budget Committee.

Mr. Fenske requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

The Perry motion lost with 22 ayes, 16 nays and 5 not voting.

Visitors

Mr. Larkin introduced Sister Lilia and Sister Infanta, Teachers, and twenty-five students from St. Anthony's School, Omaha, Nebraska.

Mr. Beaver introduced Dorothy Doffin, Teacher, eight sponsors, and twelve students from District 66, Wisner, Nebraska.

Mr. Lee introduced Ernest Behrens and George Bluma, Teachers, twenty sponsors, and fourteen students from St. Paul's Lutheran School, Arlington, Nebraska.

Mr. Moulton introduced Mrs. Dorothy Sorensen and Mrs. Lucille Linville, Teachers, five sponsors, and twenty-eight students from District 67, Douglas County, Nebraska.

Mr. Lee introduced his wife, Mrs. Earl J. Lee, their daughter-in-law, Mrs. Robert Lee, and her children, Becky and Christy.

Mr. Person introduced Rev. and Mrs. E. H. Boelling, and Mr. and Mrs. Leland Schroeder, and twelve students from Emmanuel Lutheran Church and School, Rising City, Nebraska.

Mr. Vogel introduced Sister Mary Loman, Principal, and Sisters Muriel, Harietta and Etheine, Teachers, and ninety-four students from St. Cecelia School, Omaha, Nebraska.

UNANIMOUS CONSENT—Change Committee Hearing Date

Mr. Perry asked unanimous consent that the hearing of the Rules Committee, set for Thursday, May 19, 1955, be held at a future date. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 187. Sections 16 through 50 read and considered.

Mr. Vogel offered the following amendments, which were adopted:

1. Amend section 18 of the bill, lines 3 and 4 by striking "departmental purposes" and inserting "state purposes or projects involving federal funds".

2. Amend section 19 of the bill by striking lines 4 to 8.

Standing Committee amendment 9, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Mr. Burney offered the following amendment, which was adopted:

Amend Standing Committee amendment 9, Section 27, by striking "the department" in line 16, by striking lines 17 to 20, and by striking line 21 to the period.

Standing Committee amendment 10, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Members Excused

Mr. Hubka was excused for the remainder of the day.

Mr. Perry was excused for Thursday, May 19, 1955.

Standing Committee amendment 11, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend Standing Committee amendment 10, line 11, by striking the comma after the word "facility".

Mr. Burney moved that Standing Committee amendment 12 be stricken. The motion prevailed.

Mr. Burney moved that Standing Committee amendment 13 be stricken. The motion prevailed with 21 ayes, 0 nays and 22 not voting.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 187, Section 37, line 4 by striking "; *Provided,*", by striking lines 5 to 7, and by striking "funds" in line 8.

Member Excused

Mr. T. Adams was excused for the remainder of the morning.

Mr. Aufenkamp offered the following amendments, which were adopted:

1. Amend page 26 of the bill, section 48, line 2 by striking the word "and" after the word "reconstruction"; and by inserting "maintenance or repair" after the word "improvement".
2. Amend page 26 of the bill, section 49, line 2 by striking the word "and" after the word "reconstruction," and by inserting "maintenance or repair" after the word "improvement".
3. Amend page 26 of the bill, section 50, line 5 by striking the word "and" after the word "improvement," and by inserting "or repair" after the word "maintenance".

SELECT FILE

LEGISLATIVE BILL 38. Advanced to E and R for engrossment.

Member Excused

Mr. Bixler was excused for this afternoon.

Approved by the Governor

May 18, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 18, 1955, he approved LB 150, 320, 330, 438, 500 and 454.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 505. Replaced on Select File as amended.

E and R amendment to LB 505:

1. In the bill, section 1, line 8, strike the comma after "state" and show as stricken matter; and in section 2, line 6, strike the word "shall" at the beginning of the line and show as stricken matter.

LEGISLATIVE BILL 556. Placed on Select File as amended.**E and R amendments to LB 556:**

1. In the bill page 2, section 1, at the end of line 6, insert "*the*"; in section 3, line 1, after the period insert "(1)"; in the same line after "*either*" insert "(a)"; line 2, after "*or*" insert "(b)"; line 4, after the period insert "(2) *As used in this act, unless the context otherwise requires, the term officer or peace officer shall mean a peace officer referred to in subdivision (b) of subsection (1) of this section if the employees of the Department of Roads and Irrigation are designated as peace officers under the provisions of subsection (1) of this section.* (3)"; in line 4, after "*officers*" insert "*, if so designated by the Governor under the provisions of subsection (1) of this section,*"; line 6, strike "*, and the*" and in lieu thereof insert "*. Such*"; line 9 after "*maintenance*" insert "*;*"; section 4, page 3, lines 1 and 2, strike "*mentioned in section 3 of this act*"; section 5, lines 1 and 2, strike "*officers mentioned in section 3 of this act are peace officers, when on duty,*" and insert in lieu thereof "*peace officers are on duty as such, they*"; line 4, after "*superintendent*" insert "*, selected as provided by section 4 of this act,*"; line 5, after "*office*" insert "*;*"; line 6, strike the comma; section 6, lines 1 and 2, strike "*officers mentioned in section 3 of this act*" and insert in lieu thereof "*peace officers*"; section 7, line 5, strike "*may*" and insert in lieu thereof "*shall*"; line 10, strike "*, and such*" and in lieu thereof insert "*. Such*"; and in lines 14 and 15, strike "*and upon the giving by such person of*" and insert in lieu thereof "*upon such person giving*"; section 7, page 4, line 21, strike "*taken immediately*" and insert in lieu thereof "*immediately taken*"; insert "*,*" after "*meanor*" line 25, after "*station*" line 3 and after "*officers*" line 4 of section 8, and in section 9, line 1, after "*person*"; in section 9, lines 2 and 3, strike "*mentioned above in section 3 of this act*"; line 4, strike "*said officers*" and insert in lieu thereof "*such officers*"; and in the same line strike the comma.

2. In the bill title line 4, at the end of the line insert "*the*"; line 8, after "*or*" insert "*the*"; line 10, after "*tions*;" insert "*to define terms*"; lines 12 and 13, strike "*uniform, and badge*" and insert in lieu thereof "*uniforms, and badges*"; and in line 15 after the semicolon insert "*to make certain acts unlawful*";.

LEGISLATIVE BILL 474. Placed on Select File.

LEGISLATIVE BILL 392. Correctly engrossed.

LEGISLATIVE BILL 417. Correctly engrossed.

LEGISLATIVE BILL 177. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:50 a.m., on a motion by Mr. Person, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:02 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Bixler, Hubka, and Perry, who were excused, Mrs. Foote and Messrs. Bridenbaugh, Diers, Fenske, Liebers, McHenry, Peterson, Pizer, and Shultz, who were excused until 2:45 p.m.

Invitation

Invitation from Leo Kniesel, President, Cuming County Feeder Association, to the Members to attend the annual Feed Lot tour of Cuming County on June 2, 1955, and the banquet in the evening.

GENERAL FILE

LEGISLATIVE BILL 187. Remainder of bill read and considered.

Mr. Aufenkamp offered the following amendments, which were adopted:

Amend page 27 of the bill, section 51, line 3 by striking the word "and" after the word "reconstruction," and by inserting "maintenance or repair" after the word "improvement", and line 13 by striking the period and inserting in lieu thereof the following:

"; *Provided*, that the above requirements shall not apply to contracts for repair and maintenance where the estimate of the engineer for such repair and maintenance is less than twenty-five hundred dollars, or of an emergency nature."

Amend page 27 of the bill, section 52, line 2 by striking the word "and" after the word "reconstruction," and by inserting "maintenance or repair" after the word "improvement".

Mr. Burney offered the following amendment, which was adopted with 17 ayes, 9 nays and 17 not voting:

Amend Standing Committee amendment 14 by reinstating the word "not" in line 10 of section 53 and by reinstating line 11.

Standing Committee amendment 14, found in the Legislative Journal for the Eighty-fifth Day, was adopted as amended.

Mr. Aufenkamp offered the following amendments, which were adopted:

Amend page 27 of the bill, section 53, line 2 by striking the word "and" after the word "reconstruction," and line 3 by inserting "maintenance or repair" after "ment".

Amend page 28 of the bill, section 54, line 4 by striking the word "or" after "tion," and by inserting ", maintenance or repair" after the word "improvement".

Standing Committee amendments 15, 16, 17 and 18, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Ruhnke offered the following amendments, which were adopted:

1. Amend section 32 by striking lines 1 to 5 and inserting the following:

"Sec. 32. No person shall construct, use, or permit to be used on property owned or occupied by such person any private entrance or exit, approach road, facility, thing, or appurtenance upon or connected to a highway right-of-way without first obtaining a written permit from the department; *Provided*, the owner or occupier of property shall not be required to obtain a permit to use or permit to be used in its existing condition any such private entrance or exit, approach road, facility, thing, or appurtenance existing at the time of the effective date of this act unless the department determines that the safety and general welfare of the public will be better served by such owner or occupier being required to apply for a permit and the department gives written notice to such owner or occupier that application for a permit must be filed with the department within thirty days from receipt of such notice."

2. Amend section 33, line 2, by inserting after the word "construction" the following: "or use".

3. Amend section 34, line 9, of the bill by striking the words "person from constructing or maintaining" and by inserting in their place the following: "owner or occupier of property from constructing, using or permitting to be used"; line 12 by adding after the word "department" the following: "when a permit is required"; lines 13 and 14 by striking the words "for such construction or maintenance issued to any person by the department" and in their place inserting the words "issued by the department to a person for such construction or use or right to permit such use"; and line 16 by striking the word "maintenance" and inserting in its place the following "uses".

4. Amend section 35, line 1 of the bill by striking the words "or maintain" and in their place inserting the following: "use or permit

to be used on property owned or occupied by such person"; line 4 of the bill by inserting after the word "department" the following: "when a permit is required"; line 4, by inserting a comma after the word "construct"; and line 5 by striking the words "or maintain" and inserting in their place the following: "use, or permit to be used".

Mr. Burney moved that Standing Committee amendment 6 be stricken. The motion prevailed.

Mr. Perry offered the following amendment, which was adopted:

Amend Section 21 of LB 187 by inserting in line 3 after the word "acquire" the following: "by any lawful means except condemnation or eminent domain".

Mr. Lee offered the following amendment, which was adopted:

Amend Section 22, line 8, by striking the word "provide" and inserting in lieu thereof the words "make allowances".

Mr. Burney offered the following amendment, which was adopted:

Amend the title of LB 187, line 5, by striking the words "system of".

Advanced to E and R for review with 38 ayes, 0 nays and 5 not voting.

Explanation of Vote

Mr. President: In explanation of my vote on LB 187, I want it definitely understood that I have done so with no intention whatsoever to codify the road laws but to assist in rewriting the road laws, believing this to be the intention of the Senate. (Signed) John Adams, Sr.

Visitors

President Warner introduced Paul G. Hinz, Principal, Miss Pretzer and Miss Frohloff, Teachers, and twenty-nine students from the Zion Lutheran School, Pierce, Nebraska.

Mr. Aufenkamp introduced Rosina Gross, Teacher, five sponsors, and twenty-six students from Syracuse, Nebraska.

LEGISLATIVE BILL 188. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Eighty-fifth Day was read.

Mr. Lee moved to strike the Standing Committee amendment from the bill.

The motion prevailed with 18 ayes, 11 nays and 14 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 189. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 190. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 191. Read and considered.

Mr. Burney moved to amend LB 191, in the title, line 2, by inserting the words "as prescribed" after the word "re-enact".

The motion prevailed.

Advanced to E and R for review.

MOTION—Consider LB 365

Mr. President: I move that we take up LB 365 at this time on General File. (Signed) Dwight W. Burney

The motion prevailed with 23 ayes, 0 nays and 20 not voting.

LEGISLATIVE BILL 365. Read and considered.

Advanced to E and R for review.

Adjournment

At 3:58 p.m., on a motion by Mr. Brower, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 19, 1955

Pursuant to adjournment, the Legislature met at 9:05 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the Ninety-fifth Day was approved as corrected.

Invitation

Invitation from James J. Diesing, Executive Director, Nebraska Oil and Gas Producers Committee, to the Members, their ladies, and the staff and employees of the Legislature and the Legislative Council to attend the Shrimp Hour from 5 to 7, in the Lincoln Room, Cornhusker Hotel, this evening.

RESOLUTIONS

LEGISLATIVE RESOLUTION 29.

LR 29 was adopted with 37 ayes, 0 nays and 6 not voting.

LEGISLATIVE RESOLUTION 32.

LR 32 was adopted with 31 ayes, 0 nays and 12 not voting.

LEGISLATIVE RESOLUTION 33.

LR 33 was adopted with 39 ayes, 1 nay and 3 not voting.

Member Excused

Mr. Kotouc was excused for Friday, May 20, 1955.

MOTION—Postage

Mr. President: I move that each Member of the Legislature and the Lieutenant Governor be allowed \$100.00 in postage stamps to take care of the Members' correspondence during the balance of their terms after adjournment sine die. (Signed) Hal Bridenbaugh

The motion prevailed with 37 ayes, 3 nays and 3 not voting.

STANDING COMMITTEE REPORTS
Enrollment and Review**Presented to the Governor**

Presented to the Governor for approval on May 19, 1955 at 9:10 a.m.
LB 348

LEGISLATIVE BILL 259. Correctly engrossed.

LEGISLATIVE BILL 307. Correctly engrossed.

LEGISLATIVE BILL 495. Correctly engrossed.

LEGISLATIVE BILL 547. Placed on Select File as amended.

E and R amendments to LB 547:

1. In the bill page 3, section 1, line 35, after "executed" insert "and delivered", and in the same line after "Governor" insert a comma; and in line 36 after "Nebraska" strike "and" and in lieu thereof insert ", and also executed by".

2. In the bill title, line 3, after the semicolon insert "to provide for a transfer and conveyance of the real estate described for the purposes and to the person prescribed;" and in the same line strike "of a deed" and in lieu thereof insert "and delivery of a deed of such real estate".

(Signed) Donald F. McGinley, Chairman

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 494.

A bill for an act to amend section 26-103, Reissue Revised Statutes of Nebraska, 1943, relating to municipal courts in cities of the metropolitan and primary classes; to change the qualifications of a judge of the municipal court in such a city; and to repeal the original section.

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

Voting in the affirmative, 39:

Adams, T.	Cole	Liebers	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Diers	McHenry	Purdy
Bahensky	Fenske	Martin	Ruhnke
Beaver	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Person	

Voting in the negative, 1:

Adams, J.

Not voting, 3:

Kotouc	Perry	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 546.

A bill for an act to amend section 77-1605.01, Revised Statutes Supplement, 1953, relating to revenue and taxation; to increase the mill levy for the purpose of raising funds for the construction or improvement of county roads as prescribed; to provide for using the funds raised by such levy for independent or cooperative projects with the government of the United States, or any political or governmental subdivision as prescribed; to provide for use of other road funds as prescribed; and to repeal the original section, and also section 77-1605.02, Revised Statutes Supplement, 1953.

Whereupon the 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.	Bahensky	Brower	Diers
Adams, T.	Beaver	Burney	Fenske
Anderson	Bixler	Cole	Foote
Aufenkamp	Bridenbaugh	Cramer	Hoffmeister

Hubka	McGinley	Nelson	Shultz
Klaver	McHenry	Otto	Swanson
Kotouc	Martin	Peterson	Syas
Larkin	Metzger	Pizer	Thompson
Lee	Morrison	Purdy	Tvrdik
Liebers	Moulton	Ruhnke	Vogel

Voting in the negative, 2:

Bedford Person

Not voting, 1:

Perry

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 360. Laid over until Tuesday, May 24, 1955.

SELECT FILE

LEGISLATIVE BILL 505. E and R amendment found in the Legislative Journal for the Ninety-fifth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 556. E and R amendments found in the Legislative Journal for the Ninety-fifth Day were adopted.

Advanced to E and R for engrossment with 27 ayes, 1 nay and 15 not voting.

LEGISLATIVE BILL 474. Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 345. Considered.

Standing Committee amendment 4, found in the Legislative Journal for the Seventy-sixth Day, was adopted.

Advanced to E and R for review with 22 ayes, 18 nays and 3 not voting.

Visitors

Mr. Tvrdik introduced Miss Helen Bracken, Principal, Annette Hawley, Teacher, and thirty-two students from Vinton School, Omaha, Nebraska.

Mr. Lee introduced Mrs. Elizabeth Grant, Extension Agent, and twenty members of Dodge County Extension Clubs.

Mr. Ruhnke introduced Jack Shipman, O. C. Brickell and Homer Yeakle, Kiwanis sponsors, and twenty-five students from Fairbury, Nebraska.

Mr. J. Adams introduced Mrs. Nellie Nolte, Mrs. Ruth Kieny, Mrs. Helen Sundell and Mr. Robert Womacque, Teachers, Mr. Paul Gaer, Principal, and sixty-five students from Lake School, Omaha, Nebraska.

Mr. Moulton introduced Neil Lancaster, Teacher, seven sponsors, and thirty-three students from Mount View School, District 38, Nebraska.

Mr. Syas introduced Father Kenney, Sister Honor, Sister Daniel Mary, Sister Marie David, Sister Theresa Mary, one sponsor, and forty-four students from Holy Angels School, Omaha, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 260. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Pizer moved that LB 260 be indefinitely postponed.

Mr. Brower moved the previous question. The motion prevailed with 28 ayes, 7 nays and 8 not voting.

The Pizer motion to indefinitely postpone LB 260 lost.

Mr. Moulton moved that LB 260 be advanced to E and R for review.

Mr. Pizer offered the following amendment to LB 260:

Amend the bill by striking the enacting clause.

Mr. T. Adams requested a record vote.

Voting in the affirmative, 23:

Adams, T.
Anderson

Aufenkamp
Beaver

Bedford
Bixler

Bridenbaugh
Brower

Diers	Liebers	Nelson	Purdy
Fenske	McGinley	Otto	Syas
Hoffmeister	McHenry	Person	Thompson
Lee	Martin	Pizer	

Voting in the negative, 19:

Adams, J.	Foote	Metzger	Shultz
Bahensky	Hubka	Morrison	Swanson
Burney	Klaver	Moulton	Tvrdik
Cole	Kotouc	Peterson	Vogel
Cramer	Larkin	Ruhnke	

Not voting, 1:

Perry

The amendment was adopted.

Member Excused

Mr. Larkin was excused for the remainder of the day.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 153. Replaced on Select File as amended.

E and R amendment to LB 153:

1. In Enrollment and Review Committee Amendment 1, line 1, strike "section 1" and in lieu thereof insert ", section 2".

LEGISLATIVE BILL 216. Placed on Select File as amended.

E and R amendments to LB 216:

1. Insert a comma in Standing Committee Amendment 3, line 3 after "severing"; in Standing Committee Amendment 7, third line after "person", fourth line after "act", fifth line after "deduct", and the seventh line after "severance"; and in Standing Committee Amendment 10, line 9 after "month" and "thereof".

2. Strike Standing Committee Amendment 4, and in lieu thereof in the bill, section 5, lines 2 and 3, strike "who shall receipt the taxpayer therefor, and" and in lieu thereof insert "which shall make and deliver or mail a receipt therefor, as provided by section 15 of this act. It shall".

3. In Standing Committee Amendment 13, in the first line of the newly inserted matter, strike the figure "15" and in lieu thereof insert "14".

4. In Thompson General File Amendment, in the newly inserted matter, insert a comma after "amount" and "Agriculture".

5. In the bill, insert a comma in: section 1, line 1 after "act"; section 2, line 5 after "monthly"; section 3, line 1 after "Taxes" and line 2 after "act"; section 4, line 1 after "levied" and "act"; section 5, line 1 after "taxes", line 2 after "act", line 4 after the second word "received", lines 5 and 7 after "Treasurer", and line 9 after "Fund"; renumbered section 10, line 1 after "tax", line 2 after "act", and line 3 after "month"; and renumbered section 13, line 2 after "ports".

6. In the bill, section 1, line 10, strike "and" and in lieu thereof insert "or".

7. In the bill, section 2, line 3, strike the comma after "gas", and in the same line after "shall" insert "(1)"; line 5, strike "and shall" and in lieu thereof insert "(2)"; line 6, strike "shall" and in lieu thereof insert "(3)"; line 8, strike ", and" and in lieu thereof insert "or".

8. In the bill, section 3, line 3, strike "on" and in lieu thereof insert "of"; and line 4, after the first "of" insert "such".

9. In the bill, section 4, line 7, before "return" insert "report or".

10. In the bill, section 5, line 7, strike "of the fund shall be," and in lieu thereof insert "so placed in such fund shall be credited"; lines 8 and 12, strike "credited"; lines 10 and 11, strike "; and the balance of the fund shall be" and in lieu thereof insert ". The balance of the Severance Tax Fund shall be credited".

11. In the bill, section 6, line 5, strike "herein levied" and in lieu thereof insert ", levied under the provisions of this act".

12. In the bill, section 7, line 2, strike "hereunder" and in lieu thereof insert "under the provisions of this act"; lines 3 and 4, strike, commencing with "they" in line 3 and in lieu thereof insert "or not he is the owner of the land."

13. In the bill, renumbered section 13, line 1, after "make" insert "returns or".

14. In the bill, renumbered section 14, line 4, strike "the" after "filing" and in lieu thereof insert ", such district".

15. In the bill, renumbered section 15, line 1, strike "or cost" and in lieu thereof insert ", or cost,"; and line 3, after "same" insert ", as provided for by section 5 of this act,".

16. In the bill title, line 4, before the semicolon insert "as prescribed"; line 6, before "tax" insert "such"; and line 7, before "and" insert "to provide powers and duties for certain public officials and the

Department of Agriculture and Inspection; to provide for returns or reports as prescribed; to permit the bringing of court actions as prescribed; to make certain acts unlawful;”.

LEGISLATIVE BILL 385. Placed on Select File as amended.

E and R amendments to LB 385:

1. In the event LB 303 shall pass and be approved by the Governor, the Committee on Enrollment and Review is authorized to correlate section 3 of LB 385 with section 10 of said LB 303, and make changes in the title or other sections of LB 385 to effect such correlation by certificate without reporting such changes to the Legislature as amendments.

2. In the bill page 2, section 1, line 5, strike the quotation marks and show as stricken matter, also in lines 10, 12, 15, and on page 8, section 8, line 4, page 9, line 18; page 3, section 2, line 39, insert “,” after “Education”, line 41 after “and”, line 42, after “cation”, page 5, section 5, line 9, after the words “college” and “establish”, page 6, section 5, line 23, after the words “departments” and “classes”, line 24, after “Education”, page 7, section 7, line 5, after “instruction”, line 6, after “79-1437”, line 22, after “instructors”, line 24 after “school”, page 9, section 8, line 27, after the words “possession” and “period”, line 36, after “expense” and line 37, after “79-1440”; page 2, section 1, line 11, insert “and” after the stricken comma; line 15, at the end of the line, insert “.”; page 4, section 2, line 47, strike “, but” and insert in lieu thereof “. They”; line 49 after “of” insert “their”; line 52 after “periodically” insert “and”; line 56 after “upon” insert “a” and also at the end of line 57; in line 57 strike “or, in” and insert in lieu thereof “. In”; line 59 after “upon” insert “the”; section 3, line 8, after “education” insert “, who shall be”; page 5, section 4, line 18, strike “found” and in lieu thereof insert “located”; section 5, line 10, strike the comma; page 6, section 5, line 14 after “of” insert “the”; line 15, strike “upon, or who” and in lieu thereof insert “or”; section 6, line 8, insert after “provided” the word “for” (as in statutes).

3. In the bill section 7, line 13, strike “either source” and insert in lieu thereof “either such source or sources”; section 8, line 3, insert “(1)” after the period; line 12, strike “, and also” and insert in lieu thereof “and”; line 13, insert “(2)” after the period; page 9, lines 20 and 39, strike the commas and show as stricken matter; line 21 strike “The board” and insert in lieu thereof “(3) The Board State Board of Vocational Education”; line 34, insert “(4)” at the beginning of the line before “The” and in the same line strike “is” and insert in lieu thereof “is , provided for in subsection (2) of this section, shall be”; line 43 after “same” insert “, as provided in section 79-1445”; and on page 10,

section 9, line 9, strike "treasurer" and insert in lieu thereof "treasurer State Treasurer".

4. In the bill title line 13 after the semicolon insert "to provide duties for the prescribed public officials; to provide for assistants, instructors, and other personnel;".

LEGISLATIVE BILL 548. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

Mr. President: I move that we recess until 2:00 p.m. (Signed)
A. A. Fenske

The motion prevailed with 28 ayes, 0 nays and 15 not voting, and at 12:01 p.m., the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:01 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Larkin and Perry, who were excused.

Members Excused

The members of the Revenue Committee were excused to attend the Revenue Committee hearing.

GENERAL FILE

LEGISLATIVE BILL 219. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Seventy-eighth Day were adopted.

Mrs. Foote offered the following amendments, which were adopted:

1. Amend Standing Committee Amendment 1, section 2, line 11, by inserting "all real or personal property, including a site or sites on which to construct said facilities, necessary or convenient" after the word "acquisition".

2. Amend Standing Committee Amendment 2, line 2 by striking "meters" and inserting "facilities".

3. Amend section 3 of the bill by adding a new sentence at the end thereof to read as follows:

"If any city has installed or installs on-street parking meters, it may pledge all or any part of the revenues of such parking meters, not previously pledged, as security for the bonds herein authorized."

4. Amend section 5 of the bill, line 9, by inserting "and maintain" after the word "establish", lines 14 and 15 by striking "and to" and inserting ". The governing body may also".

5. Amend Standing Committee Amendment 3 by adding two new sections after section 8 to be known as sections 9 and 10, and to read as follows:

"Sec. 9. The provisions of this act and of any ordinance authorizing the issuance of bonds under the provisions of this act shall constitute a contract with the holders of such bonds, and any holder of a bond or bonds or any of the coupons of any bond or bonds of such municipality, issued under the provisions of this act, may either in law or in equity, by suit, action, mandamus or other proceedings, enforce and compel the performance of all duties required by the provisions of this act or by the ordinance authorizing the bonds, including the making and collection of sufficient charges and fees for service and use thereof, and the application of income and revenue thereof.

Sec. 10. Any city of the first class is authorized to use any or all of the revenues from on-street parking meters for the purpose set forth in section 2 of this act if such revenues have not been pledged for the payment of revenue bonds authorized herein."

6. Amend Standing Committee Amendment 3 by renumbering sections 9 and 10 as sections 11 and 12 respectively.

Advanced to E and R for review.

Member Excused

Mr. T. Adams was excused to attend the Revenue Committee hearing.

LEGISLATIVE BILL 398. Laid over.

LEGISLATIVE BILL 436. Laid over.

Mrs. Foote Presiding

LEGISLATIVE BILL 197. Read and considered.

Mr. Brower moved that the Standing Committee amendments found in the Legislative Journal for the Seventy-third Day be rejected. The motion prevailed.

Mr. Brower offered the following amendments, which were adopted:

1. Amend the bill by striking sections 1 and 2 and all amendments thereto and inserting in lieu thereof the following:

"Section 1. That on the death of either or any of the joint owners of real or personal property in joint tenancy, with right of survivorship, the surviving joint owner or owners shall be liable for the debts and obligations of the deceased under the following conditions:

(1) That unless a settlement is made with the surviving joint owner or owners, a creditor or personal representative of the deceased joint owner shall institute an action in a court of competent jurisdiction within three months after the death of the deceased joint owner against the surviving joint owner or owners;

(2) The surviving joint owner shall be liable to the creditors or personal representatives of the deceased joint owner only to an amount equal to the value of the amount contributed to the jointly owned property by the deceased joint owner, to pay lawful debts and obligations, but subject to all homestead and legal exemptions in such decedent's jointly owned property; and

(3) That in any action instituted by a creditor or personal representative of such deceased joint owner as specified in the subdivision (1) of this section, the person instituting such action shall allege and prove that there is not sufficient other property standing in the name of the deceased joint owner at the time of his death subject to the payment of said debts and obligations; *Provided*, that if no petition is filed in court to probate the deceased owner's estate within thirty days from the date of his death, there shall be a presumption of evidence as proof of the allegation that is necessary and required, by subdivision (1) of this section in plaintiff's petition, which presumption shall not be evidence in any other cause."

2. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 523. Laid over.

LEGISLATIVE BILL 129. Laid over.

LEGISLATIVE BILL 536. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 276. Laid over.

LEGISLATIVE BILL 554. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day, was read.

Unanimous consent was granted to insert the words "Section 1" before the word "line" in line 1 of the Standing Committee amendment.

Mr. Nelson moved that Standing Committee amendment 1 be not adopted.

The motion prevailed and the amendment was not adopted.

Mr. Nelson offered the following amendments:

1. Amend section 1 of the bill by striking "a passenger and mail train consists of" and inserting "*a railroad operates only one passenger and mail train each way daily on a particular road, and such train contains*", and line 12 by inserting "*carrying*" after "passenger".

2. Amend the title, line 4 by striking "consists of" and inserting "contains", and line 5 by inserting "*carrying*" after "passenger".

Pending.

LEGISLATIVE BILL 552. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 305. Laid over.

LEGISLATIVE BILL 339. Laid over.

LEGISLATIVE BILL 384. Laid over.

LEGISLATIVE BILL 541. Read and considered.

Standing Committee amendments 1, 2 and 3, found in the Legislative Journal for the Eighty-fifth Day, were read.

Standing Committee amendment 1 was adopted.

Mr. Klaver offered the following amendment to Amendment 2, which was adopted:

1. Amend Standing Committee Amendment 2, line 3 by inserting "structures of industries which are regulated by other state or federal agencies or " after "to".

Standing Committee amendment 2, as amended, was adopted.

Standing Committee amendment 3 was adopted.

Laid over.

LEGISLATIVE BILL 550. Read and considered.

Advanced to E and R for review.

The question of a quorum was raised. The roll was called and 24 members were present.

LEGISLATIVE BILL 551. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 335. Laid over.

LEGISLATIVE BILL 521. Laid over.

LEGISLATIVE BILL 558. Read and considered.

Advanced to E and R for review.

LEGISLATIVE BILL 559. Read and considered.

Advanced to E and R for review.

Adjournment

At 4:03 p.m., on a motion by Mr. Thompson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 20, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Kotouc and Larkin, who were excused.

The Journal for the Ninety-sixth Day was approved as corrected.

Message from the Governor

May 18, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated Varro E. Tyler of Nebraska City, Nebraska, to the Court of Industrial Relations, for a term beginning June 9, 1955, and ending June 9, 1961.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

Referred to the Committee on Committees.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 494. Correctly enrolled.

LEGISLATIVE BILL 546. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 494
LB 546

LR 29

LR 32

LR 33

RESOLUTIONS

LEGISLATIVE RESOLUTION 35. Re: Committee to Study County Government and Make Recommendations Concerning Reorganization.

Introduced by John Aufenkamp, 2nd District.

WHEREAS, conditions have changed in the county government set up, and

WHEREAS, some officers have more work than they can do and others have little work to do, and

WHEREAS, the functions of the county board may be revised, and

WHEREAS, some offices may be merged, and

WHEREAS, a reorganization may be more efficient and economical.

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

1. That the Legislative Council appoint a committee to study county government and see if a reorganization will make the functions of the county officers more efficient and economical. The committee to report to the next regular session of the Legislature with its recommendations.

Visitors

Mr. Aufenkamp introduced B. A. Eddy, three parents, one student teacher, and twenty-seven pupils from the Campus School, Peru, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 108.

A bill for an act relating to aid for the disabled; to provide aid for the disabled, as prescribed; to provide for administration of the

aid for the disabled; to define who shall be eligible to receive aid, and their rights thereto; to provide for reimbursement as prescribed; to provide for appeal procedure; to make certain acts unlawful; to provide for violations; to provide penalties; and to provide that the provisions of sections 68-301 to 68-328, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto, shall be applicable to aid to the disabled.

Whereupon the 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Purdy
Anderson	Fenske	McHenry	Ruhnke
Aufenkamp	Foote	Martin	Shultz
Bahensky	Hoffmeister	Morrison	Swanson
Beaver	Hubka	Moulton	Syas
Brower	Klaver	Nelson	Thompson
Burney	Lee	Otto	Tvrđik

Voting in the negative, 9:

Bedford	Diers	Perry	Peterson
Bixler	Metzger	Person	Vogel
Bridenbaugh			

Not voting, 2:

Kotouc	Larkin
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 543.

A bill for an act to amend section 75-508, Reissue Revised Statutes of Nebraska, 1943, relating to the State Railway Commission; to authorize common carriers to render to the United States transportation services at free or reduced rates; to restate the provisions in regard to carrying freight free or at reduced rates; to eliminate the restriction in regard to railroads operated by steam only, as prescribed; to provide that no common carrier shall be subject to fine, penalty, or forfeiture of any kind for having heretofore failed to collect the lawfully established intrastate rate for any intrastate in Nebraska transportation service heretofore performed for the United States; 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.	Brower	Liebers	Person
Adams, T.	Cole	McGinley	Pizer
Anderson	Cramer	McHenry	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Fenske	Metzger	Swanson
Beaver	Foote	Morrison	Syas
Bedford	Hoffmeister	Nelson	Thompson
Bixler	Hubka	Otto	Tvrdik
Bridenbaugh	Lee	Perry	Vogel

Voting in the negative, 5:

Burney	Moulton	Peterson	Shultz
Klaver			

Not voting, 2:

Kotouc	Larkin
--------	--------

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 328.

A bill for an act to amend section 19-701, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, particular classes; to extend the power of eminent domain to cities of the primary, first, and second classes and villages to acquire a gas system, including a natural or bottled gas plant, gas distribution system, or gas pipelines 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, 40:

Adams, T.	Bixler	Diers	Lee
Anderson	Bridenbaugh	Fenske	Liebers
Aufenkamp	Brower	Foote	McGinley
Bahensky	Burney	Hoffmeister	McHenry
Beaver	Cole	Hubka	Martin
Bedford	Cramer	Klaver	Metzger

Morrison	Perry	Purdy	Syas
Moulton	Person	Ruhnke	Thompson
Nelson	Peterson	Shultz	Tvrdik
Otto	Pizer	Swanson	Vogel

Voting in the negative, 1:

Adams, J.

Not voting, 2:

Kotouc Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 432. With emergency.

A bill for an act to amend section 77-2510, Revised Statutes Supplement, 1953, relating to revenue and taxation; to provide that the sum of fifty thousand dollars heretofore appropriated shall be credited to the Tax Appraisal Board Revolving Fund and shall not revert to the General Fund until June 30, 1956, 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, 40:

Adams, J.	Burney	McGinley	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Moulton	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Hubka	Otto	Thompson
Bridenbaugh	Lee	Perry	Tvrdik
Brower	Liebers	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Klaver Kotouc 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.

SELECT FILE

LEGISLATIVE BILL 153. E and R amendment found in the Legislative Journal for the Ninety-sixth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 547. E and R amendments found in the Legislative Journal for the Ninety-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 216. E and R amendments found in the Legislative Journal for the Ninety-sixth Day were adopted.

Advanced to E and R for engrossment with 27 ayes, 8 nays and 8 not voting.

LEGISLATIVE BILL 385. E and R amendments found in the Legislative Journal for the Ninety-sixth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 303.

Mr. Cramer asked unanimous consent that the following amendments be adopted:

1. Amend the bill by adding 2 new sections immediately after section 10 to be known as sections 11 and 12 and to read as follows:

"Sec. 11. The State Board of Education is hereby empowered and directed to enter into an agreement on behalf of the State of Nebraska with the Secretary of United States Department of Health, Education, and Welfare to carry out the provisions of the federal Social Security Act, as amended, relating to the making of determinations of disability under title II of such act.

Sec. 12. The State Treasurer is hereby authorized and directed to act as custodian of the money paid by the federal government to the state to carry out the agreement referred to in section 11 of this act and shall disburse such money in accordance with the direction of the State Board of Education.

Federal Social Security Act, as amended, relating to the making of determination of disability now in effect but adequate provision does not exist in this state for implementing the determination of disability which denies disabled persons the benefit of the law, therefor, this act is necessary for the immediate preservation of the public peace, health and safety and an emergency exists within the meaning of the Constitution; therefor this act shall be in full force and effect from and after its passage and approval."

2. Amend the bill by renumbering section 11 as section 13.

3. Amend the bill by adding a new section immediately after renumbered section 13 to be known as section 14, and to read as follows:

"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."

4. Amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

Visitors

Mrs. Foote introduced Harold Bergt, Teacher, and thirty-three students from Zion Lutheran School, Hastings, Nebraska.

Mr. Tvrdik introduced Mrs. Taylor, Principal, Josephine Valasik and Mrs. Pollick, Teachers, and thirty-five students from Edward Rosewater School, Omaha, Nebraska.

Mr. Tvrdik also introduced Mrs. Evelyn Brown and Avery Noll, Teachers, and seventy-two students from Washington School, Omaha, Nebraska.

Mr. Bahensky introduced his wife and his daughter, Loretta.

Mr. Lee introduced Father Flynn, Sister Adolphus and Sister Felix, five sponsors, and thirty students from St. Patrick's Grade School, Fremont, Nebraska.

UNANIMOUS CONSENT—Revert to Resolutions

Mr. Bixler asked unanimous consent to revert to the introduction of resolutions. No objections. So ordered.

RESOLUTIONS**Statement—Revenue Committee**

As result of evidence forwarded from the office of the Attorney General and given as testimony at the hearing of LB 557, the Revenue Committee is presenting for consideration by the Legislature a resolution providing for appointment of an investigating committee.

It was felt by the members of the Revenue Committee that in fairness to everyone concerned that an investigating committee be appointed to provide hearing to gather evidence and give anyone the opportunity to defend their position in any accusation of irregularities in legislative matters.

(Signed) Monroe Bixler, Chairman

LEGISLATIVE RESOLUTION 36. Re: Appointment of Committee to Investigate Improper Practices of Members Affecting Legislation and Legislative Procedures.

Introduced by Committee on Revenue, Monroe Bixler, 41st District, Chairman.

WHEREAS, at the hearing before the Committee on Revenue held May 19, 1955, sworn statements were given tending to indicate improper practices by a member of the Legislature affecting certain proposed legislation, and

WHEREAS, these practices, if true, would be contrary to the representative legislative procedure in the best interest of the people of the State of Nebraska.

AND WHEREAS, in fairness to the member of the Legislature mentioned at the hearing and the remaining members of the Legislature, an investigating committee should be appointed.

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

1. That a committee of five members be appointed to make an investigation of such improper practices of members affecting legislation and legislative procedures, to afford a full hearing to any member who might be involved in alleged improper practices, and to report the findings from such investigations to this Legislature by June 10, 1955.

2. That the committee be authorized to subpoena and swear witnesses and to employ counsel.

GENERAL FILE**LEGISLATIVE BILL 398.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fourth Day were adopted.

Mr. Ruhnke offered the following amendments:

1. Amend the bill by striking sections 6, 7, and 8, and by renumbering sections 9 to 11 as sections 6 to 8 respectively.
2. Amend renumbered section 6 of the bill, lines 5 and 6 by reinstating the stricken matter and by striking the new matter.
3. Amend renumbered section 8 of the bill, line 2 by striking "79-426.13, 79-426.14," and line 4 by striking "79-426.12,".
4. Amend the title to conform.

Pending.

STANDING COMMITTEE REPORTS
Enrollment and Review**LEGISLATIVE BILL 230.** Replaced on Select File as amended.

E and R amendment to LB 230:

1. In Enrollment and Review Amendment 1, lines 6 and 7, strike all the matter after "*and*" and in lieu thereof in the bill section 1, line 17, after the word "*for*" in the original bill ("*or*" in the printed bill), insert the word "*the*".

LEGISLATIVE BILL 387. Replaced on Select File as amended.

E and R amendment to LB 387:

1. In present subdivision (f), formerly (6) in Peterson Unanimous Consent Amendment, of subsection "(1)" of section 3 of LB 387, strike the letters and parentheses as hereinafter set forth, where they occur in such subdivision (f), but not the matter contained in such subdivisions of such subdivision (f), to-wit: "(a)", "(b)", "(c)", "(d)", and "(e)".

LEGISLATIVE BILL 38. Replaced on Select File as amended.

E and R amendments to LB 38:

1. In Enrollment and Review Amendment 16, line 4, insert a semicolon before "to define".

2. In the bill, section 12, line 26, insert a comma after "re-examination".

LEGISLATIVE BILL 396. Placed on Select File as amended.

E and R amendments to LB 396:

1. In the bill insert a comma, section 1, line 8 after "boring"; section 2, line 2 after "collected" and "act"; in line 4 after "writing"; in line 12 after "sale" and after "is"; in line 13 after "act"; in section 3, line 1 after "tax" and in line 7 after "excepting" and in line 8 after "interest"; in section 4, line 1 after "tax" and in line 2 after "act"; in line 8 after "payable"; in section 5, line 3 after "him" and in line 4 after "act"; in line 14 after "paid"; in section 6, line 1 after "tax" and in line 2 after "act"; in line 10 after "thereof"; and in section 8, line 9, after "disposed of" and in line 10 after "act".

2. In the bill, page 2, section 1, in line 8 strike the period and in lieu thereof insert a semicolon; in line 12 strike the period and in lieu thereof insert "; and".

3. In section 4, line 7 strike "and" and in lieu thereof insert "or".

4. In section 5, line 15 strike the comma after "therein"; and in line 18 strike "to" and in lieu thereof insert "at the office of".

5. In section 6, in line 7 after "shall" insert "(1)"; in line 8 strike "and affix" and in lieu thereof insert ", (2) affix the" in line 9 strike "and shall show" and in lieu thereof insert ", and (3) show,".

6. In section 7, lines 7 and 8 strike "by him placed in the temporary school fund" and in lieu thereof insert "placed by him in the Temporary School Fund".

7. In the bill title, page 1, line 2 insert "a" after "provide for"; in lines 3 and 4 strike "lease and other writing" and in lieu thereof insert "leases and other writings as prescribed"; in line 5 after "and" insert "the" and in line 7 after "Accounts" insert "and other public officials and the responsibilities of the register of deeds or county clerks; to define terms; to provide certain procedure; to make such tax a lien as prescribed; to provide for suits to enforce such liens or to collect such tax".

LEGISLATIVE BILL 381. Placed on Select File as amended.

E and R amendments to LB 381:

1. In General File Amendment 2 strike "without contract" and insert "or for materials for the prescribed purposes, without the same being let by contract to the lowest and best bidder".

2. In the bill section 1, line 8, strike the comma and in lieu thereof insert "or ,"; in line 13 strike "expenses" and in lieu thereof insert "expenses expense"; in line 18 after "erect" insert ","; and in line 21 strike "and" and in lieu thereof insert "and ,".

3. In the last Bahensky amendment strike all of said amendment after "Section 1" in the second line thereof.

LEGISLATIVE BILL 242. Correctly engrossed.

LEGISLATIVE BILL 222. Correctly engrossed.

LEGISLATIVE BILL 549. Correctly engrossed.

LEGISLATIVE BILL 542. Correctly engrossed.

LEGISLATIVE BILL 285. Correctly engrossed.

LEGISLATIVE BILL 553. Correctly engrossed.

LEGISLATIVE BILL 472. Correctly engrossed.

LEGISLATIVE BILL 505. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

NOTICE OF COMMITTEE HEARINGS **Committee on Committees**

In the absence of Otto Kotouc, and as Vice-Chairman of the Committee on Committees, the Public Hearing on Governor Anderson's nomination of Varro E. Tyler of Nebraska City to the Court of Industrial Relations is hereby set for Wednesday at 1:30 p.m., on May 25th, in the West Senate Lounge. (Signed) Charles F. Tvrdik

Members Excused

Messrs. Martin and Shultz were excused for this afternoon.

Mr. Hubka was excused for this afternoon and Monday, May 23, 1955.

RECESS

Mr. President: I move that we recess until 2:00 p.m. (Signed) A. A. Fenske

The motion prevailed with 20 ayes, 19 nays and 4 not voting.

AFTER RECESS

The Legislature reconvened at 2:02 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. Anderson, Hubka, Kotouc, Larkin, Martin, and Shultz, who were excused.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 108. Correctly enrolled.

LEGISLATIVE BILL 543. Correctly enrolled.

LEGISLATIVE BILL 328. Correctly enrolled.

LEGISLATIVE BILL 432. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 108

LB 543

LB 328

LB 432

GENERAL FILE

LEGISLATIVE BILL 398. Considered.

The Ruhnke amendment found in this day's Legislative Journal was adopted with 19 ayes, 13 nays and 11 not voting.

Advanced to E and R for review.

LEGISLATIVE BILL 436. Laid over.

LEGISLATIVE BILL 523. Laid over.

LEGISLATIVE BILL 129. Read and considered.

Mr. T. Adams Presiding

Standing Committee amendments found in the Legislative Journal for the Seventy-eighth Day were read.

Laid over temporarily.

LEGISLATIVE BILL 276. Read.

Laid over temporarily.

LEGISLATIVE BILL 554. Considered.

The Nelson amendments found in the Legislative Journal for the Ninety-sixth Day were adopted.

Mr. Tvrdik moved to indefinitely postpone LB 554.

Member Excused

Mr. Klaver was excused for the remainder of the day.

The Tvrdik motion to indefinitely postpone LB 554 lost with 11 ayes, 17 nays and 15 not voting.

Advanced to E and R for review with 21 ayes, 8 nays and 14 not voting.

Visitors

Mr. Swanson introduced Mrs. Fern Anderson, Teacher, five sponsors, and twenty students from Lexington-Morton School, Lexington, Nebraska.

Mr. Lee introduced Pastor Edward T. Chindvall of Elim Lutheran Church, in Dodge County, Nebraska, and his confirmation class of six students, and eight parents as sponsors.

GENERAL FILE

LEGISLATIVE BILL 276. Considered.

Mr. McGinley offered the following amendment, which was adopted:

Strike Section 3 from LB 276 and amend the title accordingly.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 20, 1955 at 2:20 p.m.

LB 546

LB 494

(Signed) Donald F. McGinley, Chairman

Adjournment

Mr. President: I move that we adjourn until 10:00 a.m., Monday, May 23, 1955. (Signed) William Moulton

Mr. Peterson moved to amend the Moulton motion to read 9:30. The motion prevailed.

The Moulton motion as amended prevailed with 22 ayes, 0 nays and 21 not voting, and at 4:00 p.m., the Legislature adjourned until 9:30 a.m., Monday, May 23, 1955.

Hugo F. Srb
Clerk of the Legislature

NINETY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 23, 1955

Pursuant to adjournment, the Legislature met at 9:31 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hubka who was excused, and Mr. Perry who was excused until 11:30 a.m.

The Journal for the Ninety-seventh Day was approved as corrected.

Approved by the Governor

May 23, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 22, 1955, he approved LB 348, 546 and 494.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 21, 1955 at 11:00 a.m.

LB 543

LB 432

LB 328

LB 108

(Signed) Donald F. McGinley, Chairman

Budget**LEGISLATIVE BILL 9.** Placed on General File as amended.

Standing Committee amendment to LB 9:

1. Amend section 1 of the bill, line 16 by striking "\$128,576.00" and inserting "\$138,726.00", line 20 by striking "10,168.00" and inserting "11,953.00", line 21 by striking "9,768.00" and inserting "10,974.00", line 22 by striking "8,160.00" and inserting "9,180.00", line 23 by striking "9,168.00" and inserting "10,379.00", and line 28 by striking "529,760.00" and inserting "569,380.00".

LEGISLATIVE BILL 10. Replaced by substitute bill attached and placed on General File, and the substitute bill printed if authorized by the Legislature.

(Signed) Hal Bridenbaugh, Chairman

SUSPEND RULES—LB 9 and LB 10

Mr. President: I move that the rules regarding five days' notice of public hearing on bills referred to committees be suspended and that the reports of the Budget Committee on LB 9 and LB 10 be received and the bills placed on General File as amended. (Signed) Hal Bridenbaugh, Chairman, Committee on Budget

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

MOTION—Print Substitute LB 10

Mr. President: I move that LB 10 as amended by Substitute LB 10 be printed. (Signed) Hal Bridenbaugh, Chairman, Committee on Budget

The motion prevailed.

RESOLUTIONS**LEGISLATIVE RESOLUTION 34.**

LR 34 was adopted with 32 ayes, 0 nays and 11 not voting.

LEGISLATIVE RESOLUTION 36.

Mr. Bixler moved that the rules be suspended and LR 36 be adopted. The motion prevailed with 38 ayes, 1 nay and 4 not voting.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 190. Placed on Select File as amended.

E and R amendments to LB 190:

1. In the bill line 9, section 1, strike “, and” and in lieu thereof insert “. They shall be”; and in line 11 strike “, and” and in lieu thereof insert “. Such pamphlets”.

2. In the bill title, line 5 after “to” insert “the” and in line 6 after “highways” insert “as prescribed”.

LEGISLATIVE BILL 189. Placed on Select File as amended.

E and R amendments to LB 189:

1. In the bill section 2, page 2, line 1 insert a comma after “Engineer” and after “Irrigation” in line 2; in line 8 strike “and employ” and in lieu thereof insert “; (5) Employ”; in line 9 strike the comma after “employees” and also in line 11 after “office”; in line 12 strike “, and there” and in lieu thereof insert “and” and also strike “shall” in the same line; in line 14 strike “(5)” and in lieu thereof insert “(6)”.

2. In section 3, line 1, insert “biennially” after “shall”; in line 2 strike “, biennially”; in line 3 insert “a” after “required,”; in line 4 after “department” insert a comma; in line 5 strike “, which” and in lieu thereof insert “. Such biennial”; in line 8 after “copies” insert “thereof”; in line 9 strike “, and” and in lieu thereof insert “. It shall”; and in line 10 strike “provision of”.

3. In the bill title, line 4 strike “of” and in lieu thereof insert “in regard to”.

LEGISLATIVE BILL 204. Placed on Select File as amended.

E and R amendments to LB 204:

1. In the bill section 1, line 15, after “to” insert “the”; section 2, line 2, after the comma insert “as amended by section 4, Legislative Bill 40, Sixty-seventh Session, Nebraska State Legislature, 1955,” page 3, section 3, line 8, strike the comma and show as stricken matter; line 11, strike “as to (1)” and insert in lieu thereof “(1) as to (1)”; lines 11 and 12, strike “of the acquisition of” and insert in lieu thereof “of where the acquisition of”; line 12, after “fuel” insert “,”; line 13 after “purposes,” insert “was acquired,”; line 18 after “(2)” insert “of”; line 24 after “(4)” insert “as to”; page 4, section 3, line 28, insert

"fuel," after "vehicle", also after "refund" insert "*of the tax thereon*" and in the same line after "claimed" insert ","; line 33, after "fund" insert "tax" (as in the statutes); line 34 after "allow such" insert "a"; and in line 42, strike "above referred to" and insert in lieu thereof "*, above referred to in subdivision (3) of this section*".

2. In the bill, page 4, renumbered section 4, line 3, after "1953," insert "as amended by section 4, Legislative Bill 40, Sixty-seventh Session, Nebraska State Legislature, 1955,".

3. In the bill title line 4, strike "66-453" and insert in lieu thereof "66-452"; in line 5, after the comma insert "as amended by section 4, Legislative Bill 40, Sixty-seventh Session, Nebraska State Legislature, 1955,"; and in line 8, after "purposes" insert "as prescribed".

LEGISLATIVE BILL 485. Correctly engrossed.

LEGISLATIVE BILL 153. Correctly engrossed.

LEGISLATIVE BILL 444. Correctly engrossed.

LEGISLATIVE BILL 179. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Burney introduced his brother, Mr. Q. A. Burney, from Independence, Kansas.

COMMITTEE APPOINTED—LR 36

President Warner appointed the following members to serve on the Committee to Investigate Improper Practices of Members Affecting Legislation and Legislative Procedures in connection with the adoption of LR 36: Brower, Chairman; Person, Aufenkamp, Anderson, Moulton.

Invitation

Mr. Liebers, in behalf of himself and his family, extended an invitation to the Members, their wives and husband, and all those connected with the Legislature and the Legislative Council, to an ice cream social on Wednesday afternoon, May 25, 1955.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 392. Introduced by Otto H. Liebers, 18th District; George Hoffmeister, 37th District; Donald F. McGinley, 39th District.

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

to Article IV, section 25, of the Constitution of Nebraska, relating to the executive; to remove the provision that salaries of certain officers cannot be raised or lowered oftener than once in eight years; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1956, there shall be submitted to the electors of the State of Nebraska, for approval, the following amendment to Article IV, section 25, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 25. The officers provided for in this article shall receive such salaries as may be provided by law. Such officers, or such other officers as may be provided for by law, shall not receive for their own use any fees, costs, or interest upon public money in their hands. All fees that may hereafter be payable by law for services performed, or received by an officer provided for in this article, by virtue of his office shall be paid forthwith into the state treasury."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to remove the provision that salaries of certain officers cannot be raised or lowered oftener than once in eight years.

☐ For

☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

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

Voting in the affirmative, 40:

Adams, J.	Bahensky	Bridenbaugh	Cramer
Adams, T.	Beaver	Brower	Diers
Anderson	Bedford	Burney	Fenske
Aufenkamp	Bixler	Cole	Foote

Hoffmeister	McGinley	Nelson	Shultz
Klaver	McHenry	Otto	Swanson
Kotouc	Martin	Person	Syas
Larkin	Metzger	Peterson	Thompson
Lee	Morrison	Pizer	Tvrdik
Liebers	Moulton	Ruhnke	Vogel

Voting in the negative, 1:

Purdy

Not voting, 2:

Hubka Perry

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 417.

A bill for an act to amend section 28-1212, Revised Statutes Supplement, 1953, relating to crimes and punishments; to change the penalties for issuing, drawing, uttering, or delivering, with intent to defraud, a check, draft, assignment of funds, or order for the payment of money as prescribed; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, T.	Cole	Lee	Pizer
Anderson	Cramer	Liebers	Purdy
Aufenkamp	Diers	McGinley	Ruhnke
Bahensky	Fenske	Martin	Shultz
Beaver	Foote	Metzger	Swanson
Bedford	Hoffmeister	Morrison	Syas
Bixler	Klaver	Moulton	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Peterson	Vogel
Burney			

Voting in the negative, 3:

McHenry Nelson Person

Not voting, 3:

Adams, J. Hubka Perry

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 38-201, Reissue Revised Statutes of Nebraska, 1943, relating to guardian and ward; to provide for the appointment of a guardian of the estate of a mentally ill or incompetent person who is a nonresident of the state and is possessed of property in a county of this state as prescribed; to provide for the manner of giving notice of the appointment of a guardian for a mentally ill or incompetent 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, 41:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Klaver	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Person	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Hubka Perry

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 230. E and R amendment found in the Legislative Journal for the Ninety-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 387. E and R amendment found in the Legislative Journal for the Ninety-seventh Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendments found in the Legislative Journal for the Ninety-seventh Day were adopted.

Advanced to E and R for engrossment with 27 ayes, 6 nays and 10 not voting.

LEGISLATIVE BILL 396. E and R amendments found in the Legislative Journal for the Ninety-seventh Day were read.

Laid over.

LEGISLATIVE BILL 381. E and R amendments found in the Legislative Journal for the Ninety-seventh Day were adopted.

Mr. Tvrdik offered the following amendment, which was adopted by unanimous consent:

1. Amend section 1 of the bill by inserting “, except in counties having a population of two hundred thousand inhabitants, or more”, in line 1 after “county”, in line 11 after “board”, and in line 15 after “board”.

Advanced to E and R for engrossment with 27 ayes, 5 nays and 11 not voting.

GENERAL FILE

LEGISLATIVE BILL 362. Read and considered.

Mr. Anderson offered the following amendments:

Amend LB 362 by striking the standing committee amendments, Sections 1 to 3 inclusive, and substitute in lieu thereof the following:

“Section 1. Beginning January 1, 1956, in addition to the license fees provided in Section 60-331, every commercial truck and truck-tractor licensed under the laws of the State of Nebraska to transport fifteen or more tons shall, in addition to the fees provided in section 60-331, pay a highway use tax for each and every mile operated annually over the highways of this state in excess of a mileage equal to the quotient produced by dividing the license fee paid by the rate of tax per mile applicable to each vehicle hereinafter stated, the following amounts per mile:

<i>Licensed Weight to Be Carried in Tons</i>	<i>Tax per Truck Mile in Cents</i>
15	3.3
16	3.4

17	4.2
18	4.4
19	4.7
20	4.9
21	5.1
22	5.4
23	5.6
24	5.9
25	6.1

Vehicles carrying bulk cargo only or live stock and which operate substantially empty 50 per cent of the time shall pay a highway use tax at a rate equal to two-thirds of the tax per mile provided in this section on the total mileage of such vehicle in Nebraska annually in excess of a mileage equal to the quotient produced by dividing the license fee paid by the rate of tax per mile applicable to such vehicle.

Sec. 2. No vehicle not registered in the State of Nebraska which if registered in this state would be required to register under the provisions of section 60-331 to transport a load of fifteen tons or more shall be operated over the highways of this state outside the limits of any city or village without (1) registering the vehicle in the manner as prescribed by the laws of the State of Nebraska for a resident vehicle and pay the fees as prescribed by section 60-331 and the highway use tax as provided in section 1 of this act or (2) secure a permit from the Department of Roads and Irrigation to transport property not to exceed the amount so specified and pay a highway use tax for each and every mile traveled within the state in the amounts provided in section 1 of this act.

Sec. 3. Beginning January 1, 1956, in addition to the license fees provided in section 60-329, every vehicle registered under the provisions of subdivisions (1) (2) and (3) of section 60-329, shall pay a highway use tax of two cents for each and every mile operated annually over the highways of this state in excess of a mileage equal to the quotient produced by dividing the Nebraska license fee paid by two cents.

Sec. 4. No vehicle not registered in the State of Nebraska which if registered in this state would be required to be licensed under the provisions of subdivisions (1), (2), and (3) of section 60-329, thereof shall be operated over the highways of this state outside the limits of any city or village without (1) registering said vehicle in the manner as prescribed by the laws of this state for a resident vehicle and pay the fees provided by section 60-329 and the highway use tax as provided in section 3 of this act or (2) secure a permit from the Department of Roads and Irrigation to operate said vehicle over the highways of this

state and pay a highway use tax for each and every mile operated over said highways in the amount of two cents per mile.

Sec. 5. *The owner or lessee of every motor vehicle subject to taxation under the provisions of this act shall keep an accurate record of the miles traveled by each of such vehicles in Nebraska and shall report the mileage made by each vehicle in each calendar month on or before the fifteenth day of the following month to the Department of Roads and Irrigation, on forms to be prescribed by the department. The department is authorized and directed to promulgate rules and regulations for the keeping of the records, the making of the reports, and is authorized to require any additional information necessary for the use of the department in enforcing the provisions of this act. The department is authorized to make such inspection and audits of the taxpayers records as may be necessary in its judgment to insure accurate mileage statements. The Department is authorized and directed to use the Nebraska ports of entry so far as practicable for the issuance of permits and to enforce this Act.*

Sec. 6. *In each monthly statement the taxpayer shall state the amount of the tax, if any, due under the provisions of this act and shall remit the amount thereof with the statement to the department. Such statement and the amount of tax shall be subject to review and audit by the department and if any additional tax is found due, the same shall be paid after ten days written notice by United States mail to the taxpayer.*

Sec. 7. *The department is further authorized and directed to promulgate rules and regulations for the issuance of the permits authorized by this act and is authorized to require payment in advance of the tax which may become due under any permit or in lieu of payment to require reasonably adequate security therefor.*

Sec. 8. *Failure to pay the tax prescribed by the provisions of this act when due on account of the operation of any vehicle for which a permit has been issued, shall cancel such permit and all rights to operate such vehicle thereunder shall terminate on the date of such default.*

Sec. 9. *The owner or lessee of any vehicle operated without the permit referred to in this act and for which a permit is required shall pay a penalty of twenty-five dollars for each day such vehicle is operated without such permit, in addition to the tax prescribed in this act.*

Sec. 10. *The owner or lessee of any vehicle licensed in Nebraska shall pay a penalty of twenty-five dollars for each day such owner or lessee is in default of payment of the tax prescribed by this act on each vehicle for the operation of which the tax is due, and the owner or*

lessee of all vehicles subject to this act shall pay a penalty of twenty-five dollars for each day such owner or lessee is in default of the reports required by this act, in addition to the tax due on such vehicles.

All such penalties shall be collected by the Department of Roads and Irrigation, remitted to the State Treasurer and credited to funds as provided by Article VII, section 5, of the Constitution of the State of Nebraska.

Sec. 11. The owner or lessee of any vehicle subject to the tax prescribed by this act shall give notice in writing to the Department of Roads and Irrigation at the time of payment of the tax demanded by the department of any over assessment of such tax. Such notice shall specify and identify the vehicles on account of which such demand is made and as to each set forth the mileage and other details claimed by the owner or lessee to be correct and the amount of tax claimed to be due and the amount of overpayment as to each vehicle. The department shall determine such claim and refund any over-payment within sixty days. If the owner or lessee be dissatisfied with the decision, or if not decided within sixty days, the owner, or lessee may institute an action against the department within sixty days thereafter in the district court of Lancaster County, Nebraska, to recover his claim. In such action the plaintiff shall have the burden of proving the correctness of his claim. The disputed tax involved shall be held by the department until the action is finally determined.

Sec. 12. Revenues collected under the provisions of this act by the Department of Roads and Irrigation shall be remitted to the State Treasurer and shall be allocated and distributed in the same manner that the revenue from the gasoline tax is allocated and distributed.

Sec. 13. That section 60-305.02, Revised Statutes Supplement, 1953, be amended to read as follows:

60-305.02. Trucks Except as provided in section 4 of this act, trucks or buses, from states other than Nebraska, entering Nebraska for the purpose of doing either an interstate or an intrastate business, shall be required 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 when operating in such foreign state, unless the state or states, in which such trucks or buses are domiciled, grant reciprocity comparable to that extended by the laws of Nebraska.

Sec. 14. That section 60-305.03, Revised Statutes Supplement, 1953, be amended to read as follows:

60-305.03. In Except as provided in sections 1 to 12 of this act, in

case a foreign state or territory is not reciprocal as to license fees on commercial trucks or buses, the owners of such nonresident vehicles from those states or territories will be required to pay the same license fees as are charged residents of this state in such foreign state or territory. In case no fees are charged in Nebraska on trucks or buses other than license fees, and the reciprocity law of any other foreign state or territory does not act to exempt Nebraska trucks or buses operating in that state from payment of all fees whatsoever, the owners of such foreign trucks or buses shall be required to pay a fee in an amount equal to the fee of whatever character, other than license fee, is charged by such other state to foreign trucks or buses; *provided*, that the owners of 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 an owner of a foreign motor vehicle exceed the total fees required to be paid on like vehicles by residents of this state. The Department of Roads and Irrigation shall remit all such fees collected to the State Treasurer, who shall place such money in the Highway Cash Fund.

Sec. 15. That original sections 60-305.02 and 60-305.03, Revised Statutes Supplement, 1953, are repealed.

Mr. Burney asked unanimous consent to defer consideration of the Anderson amendments and consider LB 436 on General File at this time. No objections. So ordered.

LEGISLATIVE BILL 436. Considered.

Mr. Metzger moved that the Standing Committee amendments found in the Legislative Journal for the Eighty-fifth Day be rejected. The motion prevailed.

Mr. Burney offered the following amendments:

1. Amend section 1 of the bill, line 3 by inserting "half" after "one".

2. Amend section 2 of the bill, line 7 by inserting "and" after the semicolon, and by striking lines 8 to 15 and inserting "(2) The remainder of the tax shall be transferred to the Department of Roads and Irrigation to be used for matching funds furnished by the federal government for construction and improvement of a system of interstate federal aid highways."

3. Amend the bill by striking sections 3 and 4.

4. Amend the title to conform.

Laid over.

LEGISLATIVE BILL 519. Laid over.

LEGISLATIVE BILL 523. Read and considered.

Mr. Bridenbaugh moved that LB 523 be indefinitely postponed. The motion prevailed.

LEGISLATIVE BILL 129. Read and considered.

Messrs. Tvrdik and Klaver offered the following amendment, which was adopted:

1. Amend Standing Committee Amendment 1 by striking the period at the end thereof and inserting "*, or within thirty days after the effective date of this act, whichever is the later.*"

Standing Committee amendment 1, found in the Legislative Journal for the Seventy-eighth Day, was adopted as amended.

Standing Committee amendment 2, found in the Legislative Journal for the Seventy-eighth Day, was adopted.

Messrs. Tvrdik and Klaver offered the following amendments, which were adopted:

1. Amend section 2 of the bill, line 5 by striking "levied after the effective date of this act,".

2. Amend section 2 of the bill, line 18 by striking "the same", by striking lines 19 and 20 and inserting the following:

"pay the same from funds in his possession belonging to the taxing districts to the extent that such taxing districts profited from the overpayment of taxes by the claimant; Provided, that if the collecting officer does not have sufficient funds in his possession belonging to such taxing districts, or if the governing body of such taxing district or districts shall certify to him that the payment of such refunds at that time would seriously interfere with their governmental functions, then the collecting officer shall register the claim as against such taxing district or districts and issue the claimant a receipt for such registration, which receipt may be applied to the payment of any tax falling due after the next annual levy is made on behalf of such taxing district, at which time such registration certificate shall be charged against funds accruing to such taxing district or districts. For the purposes of this act the words "taxing district" shall include the State of Nebraska or any political subdivision thereof, and as to the State of Nebraska the words "governing body" shall mean the Governor."

Mr. Tvrdik offered the following amendment, which was adopted:

Amend LB 129 by adding a new section 4—the emergency clause— and amend the title to conform.

Advanced to E and R for review.

RECESS

At 11:56 a.m., on a motion by Mr. Peterson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:06 p.m., President Warner presiding.

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

Visitors

President Warner introduced Representative George E. May, Aberdeen, South Dakota, a Member of the South Dakota House of Representatives. Mr. May addressed the Legislature briefly.

Mr. Perry introduced Sister Mary Thoma and Sister Ilene Therese, and forty-eight students from Sacred Heart School, Lincoln, Nebraska.

Communications

Mr. Tvrdik asked unanimous consent that the following resolution be made a part of the Legislative Journal. No objections. So ordered.

RESOLUTION

WHEREAS the Congress of the United States has established an Interstate System of Highways, and

WHEREAS the 1954 Federal Aid Highway Act makes available the sum of \$2,400,000 for each of the fiscal years 1956 and 1957 for the improvement of this system in the State of Nebraska commencing July 1, 1955, and

WHEREAS the sum of \$1,600,000 of State funds is required to match the available Federal Aid Interstate monies for each of the fiscal years 1956 and 1957 commencing July 1, 1955, and

WHEREAS Federal legislation now under consideration by the Congress contemplates the acceleration of the construction of the Interstate System by increasing Federal Aid contributions thereto, and

WHEREAS Federal legislation now under consideration will require matching State funds in an amount of \$1,600,000 annually, or more, for the fiscal years 1956 to 1960, inclusive, and

WHEREAS the economy of the State will be appreciably affected by the construction of an Interstate highway system in this State,

NOW, THEREFORE, be it resolved and recommended by the Nebraska State Highway Commission in regular session this 23rd day of May, 1955, as follows:

- (1) That the fundamental concepts of the Interstate system are endorsed and approved as being necessary and expedient in the interests of National defense and the overall economy of the State of Nebraska;
- (2) Current revenues are urgently needed to provide for the critical needs on the State highway system and especially in rural areas to provide an adequate network of State Highways to serve our economic needs;
- (3) Consideration should be given by the Legislature to making available additional revenue for the development of the Interstate System of Highways, without retarding the presently accelerated program of improvement of the State Highway System;
- (4) In the event that additional revenues are provided, such revenues should be specifically designated for improvement of the Interstate System of Highways in the State of Nebraska, and become available immediately upon the adoption of any such legislation.

Passed and adopted the 23rd day of May, 1955.

(Signed) Arthur L. Coad
Chairman

ATTEST:

(Signed) L. N. Ress
Secretary

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 365. Placed on Select File as amended.

E and R amendments to LB 365:

1. In the bill page 2, section 1, line 4, strike the comma and show as stricken matter, also on page 4, section 4, line 11, after "misdemeanor" and line 13 after "dollars"; page 2, section 1, line 5, insert "," after "land" and line 18 after "land", and on page 3, section 4, line 6, after "maintaining".

2. In the bill page 3, section 4, line 3, insert "(1)" after "person"; lines 6 and 7, strike "or any person" and insert in lieu thereof "or any

person (2)"; line 8 strike "any person" and insert in lieu thereof "any person (3)"; and page 4, section 4, line 14, after "jail" insert "for".

LEGISLATIVE BILL 230. Correctly engrossed.

LEGISLATIVE BILL 38. Correctly engrossed.

LEGISLATIVE BILL 474. Correctly engrossed.

LEGISLATIVE BILL 387. Correctly engrossed.

LEGISLATIVE BILL 247. Correctly engrossed.

LEGISLATIVE BILL 392. Correctly enrolled.

LEGISLATIVE BILL 177. Correctly enrolled.

LEGISLATIVE BILL 417. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 392
LB 177

LB 417

LR 34

LR 36

GENERAL FILE

LEGISLATIVE BILL 436. Considered.

Mr. Metzger moved to reconsider action on Standing Committee amendment 1. The motion prevailed with 32 ayes, 0 nays and 11 not voting.

Mr. Metzger moved to reconsider action on his amendment found in the Legislative Journal for the Ninety-first Day. The motion prevailed with 33 ayes, 0 nays and 10 not voting.

Mr. Lee moved to reject the Metzger amendment to Standing Committee amendment 1 found in the Legislative Journal for the Ninety-first Day. The motion prevailed.

Mr. Metzger moved that Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day, be rejected. The motion prevailed.

The Burney amendment, found in this day's Legislative Journal, was adopted with 27 ayes, 6 nays and 10 not voting.

Mr. Burney offered the following amendment, which was adopted:

Amend LB 436 by adding the emergency clause and amending the title to conform.

Laid over.

UNANIMOUS CONSENT—Consider LB 362, LB 519

Mr. Peterson asked unanimous consent that LB 362 and LB 519 be held on General File and considered immediately after LB 436 tomorrow. No objections. So ordered.

LEGISLATIVE BILL 305. Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fifth Day were read.

Mr. Cramer offered the following amendment to LB 305:

1. Amend renumbered section 4, line 11 by inserting "*or Class III school district*" after the word "villages".

Mr. Thompson offered the following amendments to LB 305:

1. Amend the bill, section 4, line 18 by inserting immediately after the word "public" the following: "or, that they reside in a Class I district and own not less than eighty acres of land in an adjoining Class II, III, IV, or V district to which they wish to transfer additional land".

2. Amend the title to conform.

The Standing Committee amendments, and the Cramer and Thompson amendments were adopted.

Advanced to E and R for review.

Member Excused

Mr. T. Adams was excused for the remainder of the afternoon.

UNANIMOUS CONSENT—Bracket Bill on Final Reading

Mr. McGinley asked unanimous consent to bracket LB 179 on Final Reading until LB 129 is considered. No objections. So ordered.

MOTION—Consider LB 414 on General File

Mr. Bridenbaugh moved that LB 414 be considered next on General File. The motion prevailed.

LEGISLATIVE BILL 414. Read and considered.

Laid over.

Mr. Kotouc Presiding**LEGISLATIVE BILL 339.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Eighty-fifth Day were adopted.

Advanced to E and R for review.

UNANIMOUS CONSENT—Executive Session

Mr. Brower asked unanimous consent that the Committee Appointed to Investigate Improper Practices of Members Affecting Legislation be permitted to hold an executive session at 4:15 p.m. today in the East Senate Lounge and that they be permitted to use the East Senate Lounge for their hearings. No objections. So ordered.

UNANIMOUS CONSENT—Bracket LB 247

Mr. McGinley asked unanimous consent that LB 247 be bracketed in the Enrollment and Review Committee. No objections. So ordered.

Member Excused

Mr. J. Adams was excused for the remainder of the day.

UNANIMOUS CONSENT—Consider LB 274

Mr. Bridenbaugh asked unanimous consent to consider LB 274 on General File at this time.

Mr. Larkin objected, and asked that LB 274 be laid over until tomorrow.

Mr. Bridenbaugh objected.

GENERAL FILE**LEGISLATIVE BILL 274.** Read and considered.

Standing Committee amendments found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Larkin offered the following amendment, which was adopted:

1. Amend section 4 of the bill by striking lines 1 to 4 and insert-

ing "All state officers, head of departments, and all boards, commissions, and state institutions shall have authority to make this act effective after July 1, 1955."

Mr. Larkin moved that LB 274 be advanced to E and R for review.

Mr. Lee moved that LB 274 be indefinitely postponed.

Mr. Syas asked unanimous consent that LB 274 be laid over until tomorrow.

Mr. Lee objected.

Mr. Syas moved that LB 274 be laid over until tomorrow. The motion lost with 18 ayes, 19 nays and 6 not voting.

MOTION—Adjourn

Mr. President: I move that we adjourn. (Signed) John J. Larkin, Jr.

The motion lost with 16 ayes, 21 nays and 6 not voting.

STANDING COMMITTEE REPORTS **Enrollment and Review**

LEGISLATIVE BILL 95. Replaced on Select File as amended.

E and R amendment to LB 95:

1. In line 2 of standing committee amendment 6 to the title insert a comma before "25-1011".

LEGISLATIVE BILL 197. Placed on Select File as amended.

E and R amendment to LB 197:

1. In the Brower General File Amendment 1, line 3, strike "That on" and insert in lieu thereof "Upon"; line 6 (mimeographed copy numbered 5) after "deceased" insert "joint owner or owners"; line 7, (mimeographed copy numbered 6) strike "that unless" and insert in lieu thereof "Unless"; lines 9 and 10 (mimeographed copy numbered 9) insert a comma after "jurisdiction", line 10 of original after "owner", line 19 (mimeographed copy numbered 20) after "owner" and line 24 (mimeographed copy numbered 26) after "estate"; in line 11 after "owners" insert "setting for such claim"; line 18 (mimeographed copy numbered 19) strike "That in" and insert in lieu thereof "In"; and in line 19, (mimeographed copy numbered 21) strike "the" after "in".

LEGISLATIVE BILL 559. Placed on Select File as amended.

E and R amendments to LB 559:

1. In the bill section 1, line 12, after "power" insert a comma underscored; in line 27, strike the comma after "Nebraska" and show it as stricken matter.

2. In section 2, line 21 insert a comma underscored after "tolls" and also in line 27 after "repairing".

LEGISLATIVE BILL 191. Placed on Select File as amended.

E and R amendments to LB 191:

1. In the bill section 2, line 6 after "In" insert "(1)"; in line 9 strike "or more"; in line 10 strike "in" after "per cent," and in lieu thereof insert "(2)"; in line 14 strike "in" after "per cent," and in lieu thereof insert "(3)"; in line 15 after "therein" insert a comma; in line 18 strike "in" and in lieu thereof insert "(4)"; in line 19 after "per cent" insert a comma; in lines 25 and 26 strike ", and the sum of money so allocated" and in lieu thereof insert ". The money, so allocated to them,"; in line 30 strike the semicolon; and in lines 31 and 32 strike "; and the remainder of such fees so collected" and in lieu thereof insert ". The remainder, of such motor vehicle registration fees so collected,".

2. In the Burney amendment to the bill title, line 2, before and after "as prescribed" insert a comma.

(Signed) Donald F. McGinley, Chairman

ANNOUNCEMENT—Birthday

Mr. Peterson announced that today is Mr. Thompson's birthday. Mr. Swanson led the Members in singing "Happy Birthday" to Mr. Thompson.

GENERAL FILE

LEGISLATIVE BILL 274. Consideration of the Lee motion to indefinitely postpone.

The Lee motion prevailed with 23 ayes, 15 nays and 5 not voting, and LB 274 was indefinitely postponed.

Adjournment

At 4:20 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

NINETY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 24, 1955

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. Cramer, Larkin and Ruhnke, who were excused until 9:20 a.m.

The Journal for the Ninety-eighth Day was approved as corrected.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 259. With emergency.

A bill for an act to amend sections 79-1036, 79-1049, and 79-1056, Revised Statutes Supplement, 1953, relating to retirement systems in Class V school districts; to provide that meetings of the trustees of the retirement system shall be held annually and at such other times as may be deemed necessary; to eliminate the provisions for refunds to the general fund of the district in cases of severance of employment by members of the retirement system; to provide for a reduction as of December 31, 1954 of contributions by members and by the district from five to three per cent, as prescribed, of salary not in excess of six thousand dollars and of service credits from one and one half to nine-tenths of one per cent, as prescribed, of the salary of members who may become eligible to the benefits of old age and survivors insurance under the provisions of section 218 (d) (3) of the Social Security Act as amended by Public Law 761, 83rd Congress; to provide for a similar proportionate reduction of contributions and benefits for employees

eligible to social security who have elected, under the provisions of section 79-1041, not to become members of the retirement system and to continue under pre-existing systems; to include in any agreement for social security, services performed by employees in positions not covered by an existing retirement system but otherwise eligible to the benefits of old age and survivors insurance as prescribed; to provide other rules and requirements in regard to contributions and payments 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, 40:

Adams, J.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Lee	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Cramer	Larkin	Ruhnke
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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 307. Introduced by Hal Bridenbaugh, 13th District; Robert Perry, 20th District; Donald F. McGinley, 39th District.

A bill for an act for submission to the electors of an amendment to Article VIII, section 4, of the Constitution of Nebraska, relating to revenue; to authorize the Legislature to absolve real properties of tax and assessment charges unpaid for any period equal to or greater than the period fixed by law authorizing the taking of title to real property by prescription; to provide for the submission of the proposed

amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1956, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article VIII, section 4, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 4. Except as to tax and assessment charges against real property remaining delinquent and unpaid for a period of time as long or longer than that provided by law to authorize the taking of title to real property by prescription, the Legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation, or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment authorizing the Legislature to absolve real property of tax and assessment charges unpaid for a period of time as long or longer than that provided for taking title to real property by prescription.

☐ For

☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

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

Voting in the affirmative, 38:

Adams, J.	Beaver	Brower	Fenske
Adams, T.	Bedford	Burney	Foote
Anderson	Bixler	Cole	Hoffmeister
Aufenkamp	Bridenbaugh	Diers	Hubka

Klaver	Martin	Perry	Swanson
Kotouc	Metzger	Person	Syas
Lee	Morrison	Peterson	Thompson
Liebers	Moulton	Pizer	Tvrdik
McGinley	Nelson	Shultz	Vogel
McHenry	Otto		

Voting in the negative, 1:

Purdy

Not voting, 4:

Bahensky	Cramer	Larkin	Ruhnke
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A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I would have voted "Yes" on LB 259 and LB 307 had I been present when they were taken up on final reading today.
(Signed) Glenn Cramer

LEGISLATIVE BILL 495.

A bill for an act to amend section 60-332, Revised Statutes Supplement, 1953, relating to motor vehicles; to change the manner of determining the registration fee of the prescribed trailers; to increase the registration fee for cabin trailers; 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.	Cole	Lee	Perry
Adams, T.	Cramer	Liebers	Person
Anderson	Diers	McGinley	Peterson
Aufenkamp	Fenske	McHenry	Ruhnke
Beaver	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Swanson
Bixler	Hubka	Morrison	Syas
Bridenbaugh	Klaver	Moulton	Thompson
Brower	Kotouc	Nelson	Tvrdik
Burney	Larkin	Otto	Vogel

Voting in the negative, 2:

Pizer Purdy

Not voting, 1:

Bahensky

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 360.

A bill for an act to amend sections 12-512.02 and 12-512.03, Reissue Revised Statutes of Nebraska, 1943, relating to cemeteries; to provide that every cemetery association, after the effective date of this act, organized under the provisions of Chapter 12, article 5, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, shall provide an initial minimum perpetual care and maintenance guarantee fund; to provide for the withdrawal thereof upon certain conditions; to provide for allocation of funds to the perpetual care fund from sales of lots on contract; to require trustees, if selected in lieu of an incorporated trust company, to be residents of the county in which the cemetery is located as prescribed; to make certain acts unlawful; 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, 38:

Adams, J.	Burney	Larkin	Pizer
Adams, T.	Cole	Liebers	Purdy
Anderson	Cramer	McGinley	Ruhnke
Aufenkamp	Diers	McHenry	Shultz
Bahensky	Fenske	Moulton	Swanson
Beaver	Foote	Nelson	Syas
Bedford	Hoffmeister	Otto	Thompson
Bixler	Hubka	Perry	Tvrdek
Bridenbaugh	Klaver	Person	Vogel
Brower	Kotouc		

Voting in the negative, 5:

Lee	Metzger	Morrison	Peterson
Martin			

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 548. With emergency.

A bill for an act to amend section 72-908, Reissue Revised Statutes of Nebraska, 1943, relating to school lands; to authorize the Board of Educational Lands and Funds to enter into unit or cooperative agreements for the exploration, development, and operation of school lands under oil and gas leases as prescribed; to require that such agreements shall provide for allocation of production on a proportionate or other agreed equitable basis; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 43:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Burney	Lee	Person	

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.

SELECT FILE

LEGISLATIVE BILL 396. E and R amendments found in the Legislative Journal for the Ninety-seventh Day were adopted.

Laid over.

LEGISLATIVE BILL 190. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 189. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 204. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 365. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendment found in the Legislative Journal for the Ninety-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 197. E and R amendment found in the Legislative Journal for the Ninety-eighth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 396.

Mr. Brower asked unanimous consent that the following amendment be adopted:

1. Amend section 7 of the bill, line 7 by striking "and by him placed", and inserting ". The State Treasurer shall place ten per cent of such fund in the General Fund and the balance".

No objections. So ordered.

Mr. Brower moved that LB 396 be advanced to E and R for engrossment. The motion lost with 20 ayes, 22 nays and 1 not voting.

LEGISLATIVE BILL 559. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment with 38 ayes, 0 nays and 5 not voting.

LEGISLATIVE BILL 191. E and R amendments found in the Legislative Journal for the Ninety-eighth Day were adopted.

Advanced to E and R for engrossment.

MOTION—Indefinitely Postpone LB 396

Mr. President: I move that LB 396 be indefinitely postponed.
(Signed) Donald F. McGinley

The motion prevailed with 23 ayes, 20 nays and 0 not voting.

MOTION—Budget Bills

Mr. President: I move that the Budget Committee Chairman give a list of bills affecting the Budget bill to the Chairman of the Enrollment and Review Committee for the purpose of instructing that committee to work on these bills now on E and R for Review and E and R for Engrossment so that said bills will be pushed to final reading ahead of all other non-budget bills. (Signed) George Syas

The motion prevailed with 25 ayes, 4 nays and 14 not voting.

UNANIMOUS CONSENT—Return LB 466 to General File

Mr. Moulton asked unanimous consent that LB 466 be returned to General File for the following specific amendment:

1. Amend Standing Committee Amendment 9, by striking line 13 and inserting "*time sales differential; (8) a description*".

No objections. So ordered.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 536. Placed on Select File as amended.

E and R amendments to LB 536:

1. In standing committee amendment 1, line 3, insert "(2)" before "Appeals" and in the same line after "board" insert ", as provided for in subsection (1) of this section," ; and in line 5 insert "the" before "entry".

2. In the bill section 2, line 3, after the period insert "(1)"; in line 9 after "road" insert a comma underscored and also in line 10 after "petition".

3. In section 3, line 5, insert a comma underscored after "and".
4. In the bill title line 6 after the semicolon insert "to provide for appeals as prescribed;".

LEGISLATIVE BILL 552. Placed on Select File as amended.

E and R amendments to LB 552:

1. In the bill page 2, section 2, line 2, after "1943," and page 3, section 3, line 2, after "1943," insert "as amended by section 3, Legislative Bill 361, Sixty-seventh Session, Nebraska State Legislature, 1955,"; page 2, section 2, at the end of line 4, insert "two hundred thousand dollars thereof transferred to the Governor for a Governor's Mansion to be expended upon the approval of the State Building Commission, and after said amount has been transferred, the balance shall be"; line 12, strike "construction" and in lieu thereof insert "*the construction*,".

2. In the bill title line 3, after "1943," insert "as amended by section 3, Legislative Bill 361, Sixty-seventh Session, Nebraska State Legislature, 1955,".

LEGISLATIVE BILL 95. Correctly engrossed.

LEGISLATIVE BILL 547. Correctly engrossed.

Presented to the Governor

Presented to the Governor for approval on May 24, 1955 at 8:50 a.m.

LB 417

LB 177

LB 392

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Swanson introduced Mr. Ed Gillette, Cheyenne, Wyoming, a former Member of the Nebraska Legislature, State Treasurer, and now with the Department of the Interior. Mr. Gillette addressed the Legislature briefly.

Mr. Morrison introduced Mr. and Mrs. Everett Dennis, Scottsbluff, Nebraska.

Mr. Aufenkamp introduced Mrs. H. H. Severs, Leader, Mrs. Ernest Staack, Assistant Leader, Mrs. Wesley Strong, and eleven Girl Scouts from Troop No. 2, Syracuse, Nebraska.

GENERAL FILE**LEGISLATIVE BILL 466.** Considered.

The Moulton amendment, found in this day's Legislative Journal, was adopted.

Advanced to E and R for review.

LEGISLATIVE BILL 414. Considered.

Mr. J. Adams offered the following amendments, which were adopted with 31 ayes, 9 nays and 3 not voting:

1. Amend section 1 of the bill, line 4 by inserting after the word "Capitol" the following:

"except that no part of such appropriation shall be used for improvements or alterations outside of such building".

2. Amend the title of the bill to conform.

Mr. Person moved that LB 414 be indefinitely postponed.

Mr. T. Adams requested a record vote.

Voting in the affirmative, 34:

Adams, J.	Cole	Liebers	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Nelson	Thompson
Bixler	Kotouc	Perry	Tvrdek
Bridenbaugh	Larkin	Person	Vogel
Brower	Lee		

Voting in the negative, 5:

Adams, T.	McGinley	Otto	Shultz
Foote			

Not voting, 4:

Burney	Klaver	Moulton	Syas
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The motion prevailed, and LB 414 was indefinitely postponed.

LEGISLATIVE BILL 436. Considered.

Mr. Burney offered the following amendment, which was adopted:

Amend the Burney amendment 1 to LB 436, found in the Legislative Journal for the Ninety-eighth Day, by striking the figure "3" and inserting "5" in lieu thereof.

Mr. Bahensky offered the following amendment, which was adopted with 33 ayes, 7 nays and 3 not voting:

1. Amend section 1 of the bill, line 8 by inserting "a tax of one and one-half cents per gallon upon all special fuels to be paid and collected in the same manner as special fuel taxes in" before the word "Chapter".

Mr. Person moved to indefinitely postpone LB 436.

The motion prevailed with 24 ayes, 17 nays and 2 not voting.

Visitors

Mr. Hubka introduced Mrs. Raymond Bratt, Mrs. Ray Elwood and Mrs. John Boughtin, Leaders, and twelve Girl Scouts from Troop 42, East School, Beatrice, Nebraska.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 550. Placed on Select File as amended.

E and R amendments to LB 550:

1. In the bill page 2, section 1, line 3, after "prisoner" insert "," also after "Pardons" in line 4, after "time" line 11, after "arrest" line 12 and at the end of line 14; line 5 after "shall" insert "(1)"; line 7 strike "and shall" and insert in lieu thereof "(2) and shall"; line 9, strike "*he shall*" and insert in lieu thereof "(3)"; and in lines 13 and 14 strike "*Restoration of the forfeited time being subject to*" and insert in lieu thereof "*A restoration of time forfeited, under the provisions of subdivision (3) of this section, may be allowed as set forth in*".

2. In the bill title line 5, after "violation" insert "as prescribed".

LEGISLATIVE BILL 294. Placed on Select File as amended.

E and R amendments to LB 294:

1. Insert "," in: section 1, line 15 after "commission", line 17 after "appoint", line 31 after "office", and line 35 after "member"; section 3, line 9 after "efficiency", line 11 after "suspended", and line 12 after "position"; section 4, line 12 after "direction", line 21 after "reduction", line 29 after "suspension", line 34 after "mimeo-

graphed", line 54 after "positions", lines 63 and 78 after "commissioner", line 66 after "documents", lines 84 and 86 after "rule", line 84 after "approved", line 92 after "examination", line 96 after "formulate", line 101 after "force"; section 5, line 4 after "injury", line 12 after "positions", and line 16 after "position"; section 6, lines 6, 14, and 29 after "demoted"; lines 16, 20, 34, and 60 after "demotion", line 25 after "pension", line 28 after "position", line 33 after "motion", line 36 after "tion", line 38 after "grade", line 55 after "certify"; section 7, line 14 after "commission", line 15 after "appoint", lines 16 and 20 after "position" and line 19 after "appointing".

2. Strike the period and in lieu thereof insert ". ." in: section 4, lines 36, 41, 49, 76, 89, 93, 95, 99, and 111; and also section 7, line 10, (to correct original bill as in the statutes).

3. In the bill, section 1, line 3, before "There" insert "(1)"; line 19, before "The" insert "(2)"; strike "such commission" and in lieu thereof insert "~~such the civil service commission~~ , *referred to in subsection (1) of this section,*" lines 19, 29 and 30, and 46, respectively; line 22, strike the comma after "city" and show as stricken matter; line 29, before "Any" insert "(3)"; line 36, strike the stricken comma after "provided"; line 42, strike "~~and provided further, that such~~" and in lieu thereof insert "~~that such~~ . *Such an*"; line 44, strike the comma after "cause" and show as stricken matter; line 46, before "The" insert "(4)"; line 54, before "by" insert "*, made under the provisions of subsection (1) of this section,*".

4. In the bill, strike ", towns and municipalities" and show as stricken matter in: section 2, line 4 and section 7, line 23; and strike ", towns or municipalities" and show as stricken matter in section 3, lines 5 and 6, section 4, lines 16 and 19, respectively, and section 5, lines 6 and 7.

5. In the bill section 2, line 5, strike the comma after "department" and show as stricken matter; line 6, after "fire" insert "*or police*"; line 7, strike "*as provided by*" and in lieu thereof insert "*by included under the provisions of subsection (1) of*".

6. In the bill, section 3, line 11, strike the comma after "in" and show as stricken matter.

7. In the bill, section 4, line 3, before "Immediately" insert "(1)", and at the end of the same line insert "*civil service*"; line 6, after "members" insert "*as*"; line 8, strike "It" and in lieu thereof insert "*It (2) The civil service commission*"; line 23, before "It" insert "(3)"; line 25, strike "(1)" and in lieu thereof insert "*(1) (a)*"; line 37, strike "(2)" and in lieu thereof insert "*(2) (b)*"; line 42, strike "(3)" and in lieu thereof insert "*(3) (c)*"; line 50, strike "(4)" and in lieu thereof insert "*(4) (d)*"; line 77, strike "(5)" and in lieu thereof insert "*(5)*".

(e)"; line 90, strike "(6)" and in lieu thereof insert "(6) (f)"; line 94, strike "(7)" and in lieu thereof insert "(7) (g)"; line 96, strike "(8)" and in lieu thereof insert "(8) (h)"; line 100, before "Provide" insert "(i)"; line 103, strike "removal" and in lieu thereof insert "removal removals"; line 112, strike "(9)" and in lieu thereof insert "(9) (j)"; line 120, strike the period and in lieu thereof insert ". ; and"; line 121, strike "(10)" and in lieu thereof insert "(10) (k)".

8. In the bill, section 6, line 37, after "and" insert "the".

9. In the bill, section 7, line 12, strike "person" and in lieu thereof insert "persons" as in the statutes; and line 28, strike "constitution of this state; and" and in lieu thereof insert "Constitution of this state , as set forth in subsection (1) of section 19-1801 ; and".

10. In the bill title, line 8, before the semicolon insert "as prescribed".

(Signed) Donald F. McGinley, Chairman

RECESS

At 12:05 p.m., on a motion by Mr. Tvrdik, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:01 p.m., President Warner presiding.

The roll was called and all members were present.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 556. Replaced on Select File as amended.

E and R amendments to LB 556:

1. In the bill section 1, line 1, after "1." insert "That section 39-603.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:".

2. In the bill section 2, line 1, after "2." insert "That section 39-603.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:".

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—LB 179

Mr. McGinley asked unanimous consent that LB 179 be placed on the Final Reading file. No objections. So ordered.

GENERAL FILE**LEGISLATIVE BILL 362.** Considered.

The Anderson amendments, found in the Legislative Journal for the Ninety-eighth Day, were adopted.

Mr. Peterson moved that LB 362 be indefinitely postponed.

Mr. Anderson requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Burney moved that the Call be raised. The motion prevailed.

The Peterson motion prevailed with 22 ayes, 21 nays and 0 not voting, and LB 362 was indefinitely postponed.

LEGISLATIVE BILL 519. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day was adopted.

Mr. Morrison moved to indefinitely postpone LB 519.

The motion lost with 21 ayes, 22 nays and 0 not voting.

MOTION—Suspend Rules; Waive Hearing

Mr. President: Because of the fact that Rule 6, Section 3, declares a public hearing on all bills, and because Rule 6, Section 4 only allows a standing committee to combine and to correlate the provisions of different bills, and because there was no bill introduced to increase truck license fees, and no bills to combine or correlate, and because there was no public hearing held on the new subject matter in LB 519, I move that the rules be suspended and that a public hearing be waived on the new subject matter in LB 519. (Signed) K. W. Peterson

Mr. Metzger asked that the Chair rule on whether the Standing Committee amendments to LB 519 were in order.

The Chair ruled that the Standing Committee amendments to LB 519 were in order.

Mr. Peterson appealed from the decision of the Chair.

The decision of the Chair was sustained with 29 ayes, 7 nays and 7 not voting.

STANDING COMMITTEE REPORTS**Enrollment and Review****LEGISLATIVE BILL 466.** Placed on Select File as amended.

E and R amendments to LB 466:

1. In Standing Committee Amendment 1, line 1, strike the figure "16" and in lieu thereof insert "17", and in the first line of the newly inserted matter, before "*Finance*" insert "(17)".

2. In Standing Committee Amendment 2, line 1, strike "after line 13, add a new subsection 8" and in lieu thereof insert "section 3, add 2 new subsections, 8 and 9, after line 31", and in the newly inserted matter, in the first line before "*Finance*" insert "(8)", in the third line, strike the period after "*repossessed*" and in lieu thereof insert "; and", and in the fourth line before "*Broker*" insert "(9)".

3. In Standing Committee Amendment 3, strike lines 1 to 3, commencing with "a new", and in lieu thereof insert "; and (8) *finance company's license or broker's license, ten dollars*".

4. In Standing Committee Amendments 4 and 5, respectively, after the page number insert "section 5".

5. Strike Standing Committee Amendment 6, as this is the same amendment as Standing Committee Amendment 4.

6. Strike Standing Committee Amendment 9, and the Lee General File Amendment, and the new Moulton Unanimous Consent Amendment and in lieu thereof in the bill, after renumbered section 6, insert a new section as follows:

"Sec. 7. That section 60-617, Revised Statutes Supplement, 1953, be amended to read as follows:

60-617. Every retail motor vehicle sale, except between a manufacturer and a dealer or distributor, or between a dealer and an enfranchised dealer, shall be evidenced by an instrument in writing which shall contain all the agreements of the parties and shall be signed by the buyer and seller or a duly acknowledged agent of the seller. Prior to or concurrent with any *such* motor vehicle sale, the seller shall deliver to the buyer one instrument which shall contain the following information: (1) Name of seller; (2) name of buyer; (3) year of model and motor number; (4) cash sale price; (5) cash paid down by the buyer; (6) amount credited to the buyer for any trade-in and a description of the vehicle; (7) amount of *finance time sales differential* charge; (8) amount charged for insurance and a description of the insurance coverage; (9) amount of any other charge specifying its purpose; and (10) net balance due from the buyer and terms of payment. A copy of all such instruments shall be retained in the file of the dealer."

7. Strike Standing Committee Amendment 11 and in lieu thereof in section 2, line 12, strike the comma and insert "; *which shall also have a sign displayed, in letters not less than six inches in height,*".

8. In the bill, section 1, line 32, after "make" insert "*an*"; line 33, after "treasurer" insert "of the county", as in the statutes; line 40, after "all" insert "*the*"; line 49, strike "this state" and show as stricken matter; line 51, after "agent" insert ","; line 77, after "visions" insert "of subsection (1) or (2)"; line 80, after "provisions" insert "of subsections (1) and (2)".

9. In the bill, section 2, lines 16 and 17, strike "excepting, however," and in lieu thereof insert "excepting, however, *except*"; line 31, in the matter reinserted by Standing Committee Amendment 14, strike "(4) used" and in lieu thereof insert "~~(4)~~ (5) used *Used*", and at the end of such reinserted matter after "vehicles" insert ","; line 34, strike "(5)" and in lieu thereof insert "(6)"; line 47, strike "(6)" and in lieu thereof insert "(7)"; line 54, strike "(7)" and in lieu thereof insert "(8)"; line 57, strike "(8)" and in lieu thereof insert "(9)"; line 59, strike "(9)" and in lieu thereof insert "(10)"; line 64, strike "(10)" and in lieu thereof insert "(11)"; line 69, strike "(11)" and in lieu thereof insert "(12)"; line 75, strike "(12)" and in lieu thereof insert "(13)"; line 78, strike "(13)" and in lieu thereof insert "(14)"; line 84, strike "(14)" and in lieu thereof insert "(15)"; line 87, strike "(15)" and in lieu thereof insert "(16)"; line 66, before "to" insert "*motor vehicles*"; line 86, strike "and" and show as stricken matter; line 89, strike the period and in lieu thereof insert ". ; and".

10. In the bill, section 3, strike the period and in lieu thereof insert ". ;" in lines 4, 19, 22, 25, 28, and 31, and also in the matter reinserted by Standing Committee Amendment 16, in lines 9 and 14.

11. In the bill, strike section 4, since the changes therein have been done away with by amendments, and renumber sections 5 to 7 as sections 4 to 6, respectively, and in line 1 of section 8 and also in line 2 of the bill title, strike "60-606".

12. In renumbered section 4, line 4, insert "," after "maintenance"; line 16, strike "; and" and in lieu thereof insert ",".

13. In renumbered section 5, line 14, after "*shall*" insert "*thereupon*".

14. In renumbered section 6, line 8, after "have" insert "*the*"; line 9, before "revoke" insert "*to*".

15. In section 8, line 3, strike "and 60-601" and in lieu thereof insert ", 60-601, and 60-617".

16. In the bill title, line 4, strike "and 60-601" and in lieu thereof insert ", 60-601, and 60-617"; line 6, after the semicolon insert "to change the fee for additional dealer number plates; to change the requirements in regard to the use of in transit placards or cards;

to change the provisions in regard to those required to make an instrument in writing in regard to every motor vehicle sale as prescribed;"; line 9, after "for" insert "requirements in the event of a".

LEGISLATIVE BILL 551. Placed on Select File as amended.

E and R amendments to LB 551:

1. In Standing Committee Amendment 1, line 3, insert "," after the words "shall" and "month"; and in line 6 after "him," insert "and".

2. In the bill page 2, section 1, line 13, strike "the" at the end of the line and insert in lieu thereof "~~the~~ a"; section 2, line 8, strike "date of" and in lieu thereof insert "*the date of the*"; and at the end of line 12 strike "less" and in lieu thereof insert "~~less thereof~~".

3. In the bill title line 6, after the semicolon insert "to provide for monthly reports by the warden as prescribed; to provide for his recommendations therein as prescribed;".

4. In the bill section 2, line 12, insert "*the*" before "*restoration*".

LEGISLATIVE BILL 554. Placed on Select File as amended.

E and R amendments to LB 554:

1. In the bill section 1, insert a comma underscored after "mail" in line 7, after "brakeman" in line 10, and also after "conductor" in line 16; and in line 9 strike the comma after "crew" and show it as stricken matter.

2. In the bill title line 7 after "flagman" insert "under the conditions prescribed".

LEGISLATIVE BILL 259. Correctly enrolled.

LEGISLATIVE BILL 307. Correctly enrolled.

LEGISLATIVE BILL 495. Correctly enrolled.

LEGISLATIVE BILL 360. Correctly enrolled.

LEGISLATIVE BILL 548. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Member Excused

Mr. McGinley was excused for Wednesday, May 25, 1955.

President Signs

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

LB 259
LB 307

LB 495

LB 360

LB 548

Adjournment

At 4:02 p.m., on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDREDTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 25, 1955

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. McGinley, who was excused.

The Journal for the Ninety-ninth Day was approved.

STANDING COMMITTEE REPORTS Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 25, 1955 at 8:30 a.m.

LB 259
LB 307

LB 360

LB 495

LB 548

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 35.

LR 35 was adopted with 34 ayes, 1 nay and 8 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 242.

A bill for an act to amend section 32-535, Revised Statutes Sup-

plement, 1953, relating to election; to harmonize the provisions relating to the amount of the filing fee of candidates for the office of county judge; 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.	Cole	Lee	Person
Adams, T.	Cramer	Liebers	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdek
Brower	Larkin	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

McGinley Purdy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 222.

A bill for an act relating to revenue and taxation; to provide that the tax on cigarettes, as provided by the provisions of section 77-2602, Reissue Revised Statutes of Nebraska, 1943, shall be collected from the person, firm, or corporation to whom cigarettes are sold along with the selling price thereof.

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

Voting in the affirmative, 34:

Adams, J.	Bedford	Cole	Klaver
Anderson	Bixler	Cramer	Kotouc
Aufenkamp	Bridenbaugh	Diers	Larkin
Bahensky	Brower	Hoffmeister	Lee
Beaver	Burney	Hubka	Liebers

McHenry	Nelson	Pizer	Syas
Martin	Otto	Shultz	Tvrđik
Metzger	Perry	Swanson	Vogel
Moulton	Person		

Voting in the negative, 8:

Adams, T.	Foote	Peterson	Ruhnke
Fenske	Morrison	Purdy	Thompson

Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 549. With emergency.

A bill for an act relating to crimes and punishments; to provide that when an inmate of any jail, or correctional or penal institution, shall assault, threaten, imprison, or detain any person for the purpose of compelling or inducing the performance of any act by such person, or by any other person, shall be guilty of a felony; 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, 42:

Adams, J.	Cole	Liebers	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrđik
Brower	Larkin	Person	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

McGinley

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 542.

A bill for an act to amend section 29-2901, Revised Statutes Supplement, 1953, relating to criminal procedure; to redefine the term sexual psychopath, 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.	Cole	Liebers	Peterson
Adams, T.	Cramer	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Burney	Lee		

Voting in the negative, 0.

Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 285.

A bill for an act to amend section 77-722, Reissue Revised Statutes of Nebraska, 1943, and section 77-706, Revised Statutes Supplement, 1953, relating to taxation; to provide a new formula for determination of intangible property tax of domestic, domesticated, and foreign corporations; 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, J.	Aufenkamp	Bixler	Burney
Adams, T.	Bahensky	Bridenbaugh	Cole
Anderson	Beaver	Brower	Cramer

Diers	Lee	Perry	Swanson
Fenske	Liebers	Person	Syas
Hoffmeister	McHenry	Peterson	Thompson
Klaver	Metzger	Pizer	Tvrdik
Kotouc	Moulton	Shultz	Vogel
Larkin	Nelson		

Voting in the negative, 4:

Bedford	Martin	Morrison	Otto
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Not voting, 5:

Foote	McGinley	Purdy	Ruhnke
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 553.

A bill for an act to amend section 84-308, Reissue Revised Statutes of Nebraska, 1943, relating to the Auditor of Public Accounts; to provide that vouchers, receipts, and canceled warrants more than five years old may be destroyed 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, 38:

Adams, J.	Cole	Lee	Perry
Adams, T.	Cramer	Liebers	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Shultz
Bahensky	Foote	Metzger	Swanson
Beaver	Hoffmeister	Morrison	Syas
Bedford	Hubka	Moulton	Thompson
Bixler	Klaver	Nelson	Tvrdik
Bridenbaugh	Kotouc	Otto	Vogel
Burney	Larkin		

Voting in the negative, 4:

Brower	Person	Purdy	Ruhnke
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Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 472.

A bill for an act to amend section 53-1,116, Reissue Revised Statutes of Nebraska, 1943, relating to liquors; to provide for appeals from the Liquor Control Commission, as prescribed; and to repeal the original section.

MOTION—Return Bill to Select File for Specific Amendment

Mr. President: I move to return LB 472 to Select File for the following specific amendment: To strike the enacting clause. (Signed) Dwight W. Burney

Mr. Perry raised a point of order.

The Chair ruled that the motion was in order.

The motion lost with 2 ayes, 35 nays and 6 not voting.

The bill was re-read at the request of Mr. Metzger.

Whereupon the 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.	Cramer	Liebers	Peterson
Adams, T.	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Cole	Lee	Person	Vogel

Voting in the negative, 4:

Beaver	Burney	Morrison	Purdy
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Not voting, 3:

Anderson	Hoffmeister	McGinley
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 505.

A bill for an act to amend sections 2-304, 2-503, 2-603, 2-703, 2-804, 3-105, 48-166, 51-106, 75-110, 79-1435, 81-117, 81-153, 81-530, 81-806, 81-822, 81-846, 82-102, 83-112, and 84-702, Reissue Revised Statutes of Nebraska, 1943, and sections 48-606, 51-403, 55-148, and 81-106, Revised Statutes Supplement, 1953, relating to state government; to provide that reports, required to be made by the various departments, officers, boards, and commissions prescribed, shall be based on the fiscal 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, 41:

Adams, J.	Cole	Lee	Peterson
Adams, T.	Cramer	Liebers	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Larkin	Person	Vogel
Burney			

Voting in the negative, 1:

McHenry

Not voting, 1:

McGinley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Peterson introduced S. V. Holloway, B. W. Wagner and Leo Clinch, Burwell, Nebraska.

SELECT FILE

LEGISLATIVE BILL 536. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 552. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 550. E and R amendments found in the Legislative Journal for the Ninety-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 Ninety-ninth Day were adopted.

Mr. Lee asked unanimous consent that LB 294 be returned to General File for the following specific amendment:

1. Amend section 1 of the bill, line 3 by striking "is hereby" and inserting "is hereby *may be*", lines 4 and 5 by striking the new matter, line 7 by inserting after the comma the words "*by a vote of the governing body of such city*".

No objections. So ordered.

LEGISLATIVE BILL 556. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 466. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 551. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 554. E and R amendments found in the Legislative Journal for the Ninety-ninth Day were adopted.

Mr. Syas moved that LB 554 be indefinitely postponed.

Mr. Syas asked unanimous consent that consideration of his motion be laid over until this afternoon. No objections. So ordered.

LEGISLATIVE BILL 220.

Mrs. Foote asked unanimous consent that the following amendment be adopted:

1. Amend section 3 of the bill, line 4 by striking "shall" and inserting "may".

No objections. So ordered.

Advanced to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 294. Consideration of the Lee amendment found in this day's Legislative Journal.

Mr. Hubka offered the following amendment, which was adopted:

Amend the Lee amendment to LB 294 by striking "*governing body*" and inserting "*electors*" in lieu thereof.

The Lee amendment was adopted as amended.

Mr. Martin offered the following amendment, which was adopted:

Amend the title of LB 294 to conform to the bill.

Advanced to E and R for review.

Visitors

Mr. Swanson introduced Mr. C. E. Allen, formerly of Cozad, Nebraska, and now residing in Portland, Oregon. Mr. Allen, a former member of the Nebraska Legislature, addressed the members.

LEGISLATIVE BILL 519. Considered.

Standing Committee amendment 1, found in the Legislative Journal for the Sixty-second Day, was read.

Mr. Bixler moved to reject the above amendment. The motion prevailed with 20 ayes, 4 nays and 19 not voting.

Mr. Syas offered the following amendment, which was adopted:

1. Amend original section 4 of the bill, lines 29 to 45, by striking the new matter.

Member Excused

Mr. Brower was excused for the remainder of the morning.

Mr. Bixler offered the following amendment, which was adopted with 15 ayes, 3 nays and 25 not voting:

Amend Section 6, line 8 of the bill, by striking the words "*and commercial trailers*".

Standing Committee amendment 2, found in the Legislative Journal for the Sixty-second Day, was read.

Mr. Bixler requested a division of the question.

The first half of Standing Committee amendment 2, through the words "*eight dollars*" was adopted with 20 ayes, 6 nays and 17 not voting.

The second half of Standing Committee amendment 2, after the words "*eight dollars*" was rejected.

Mr. Fenske offered the following amendments:

1. Amend LB 519 by striking that part of Standing Committee amendment 4, found in the Legislative Journal for the Eighty-fifth Day, which inserts Sec. 15.

2. Strike section 12 of the original bill and renumber the sections and amend the title to conform.

Mr. Pizer requested a division of the question.

The Fenske amendment 1 was adopted with 23 ayes, 7 nays and 13 not voting.

The Fenske amendment 2 was rejected with 8 ayes, 29 nays and 6 not voting.

Standing Committee amendments 3 and 4, found in the Legislative Journal for the Sixty-second Day, were rejected.

Standing Committee amendment 5, found in the Legislative Journal for the Sixty-second Day, was rejected with 21 ayes, 2 nays and 20 not voting.

Standing Committee amendment 6, found in the Legislative Journal for the Sixty-second Day, was rejected.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 555. Replaced on Select File as amended.

E and R amendment to LB 555:

1. In Enrollment and Review Amendment 1, strike lines 1 and 2.

LEGISLATIVE BILL 80. Placed on Select File as amended.

E and R amendments to LB 80:

1. Strike the period in: Standing Committee Amendment 1 after "District"; and Standing Committee Amendment 2 after "Congress".

2. In Standing Committee Amendment 3, line 1, insert "now section 11," before "Page"; and line 2, strike "twice." and in lieu thereof insert "twice".

3. In Standing Committee Amendment 4, in the newly inserted section 7, first and second lines strike "Reissue Revised Statutes of Nebraska, 1943" and in lieu thereof insert "Revised Statutes Supplement, 1953"; in the fourth line, strike "33-505" and in lieu thereof insert "32-505"; in the sixth line, strike "May, 1957" and in lieu thereof insert "*May August* , 1954 1958"; and in the tenth line, strike "and for" and in lieu thereof insert ", and for the election of".

4. Strike Standing Committee Amendment 5 and in lieu thereof in the bill, strike all of section 11, since all stricken matter was re-inserted and all new matter was stricken by Standing Committee Amendment 5.

5. Strike Standing Committee Amendment 6, and in lieu thereof insert "Renumber sections 7 to 10 as sections 8 to 11, respectively."

6. In the bill, insert "," in: section 2, line 4 after "shall" and "possible"; section 6, line 8 after "ination", line 10 after "candidate", line 42 after "Candidates", line 43 after "section", and line 52 after "offices"; renumbered section 8, line 12 after "shall" and "thereof"; section 13, line 3 after "vacant", line 4 after "32-1038"; section 14, lines 6, 8, and 12 after "Vacancies", line 7 after "peace", line 9 after "judge", line 13 after "cities"; section 15, line 3 after "occurs"; and section 16, line 3 after "Appointments" and line 4 after "32-1042".

7. In the bill, section 1, line 3, strike "on" and in lieu thereof insert ", on *the*"; and lines 8 and 9, strike the quotation marks and show as stricken matter.

8. In the bill, section 2, strike lines 9 and 10, commencing with "words" in line 9, and in lieu thereof insert "*words name of the political party* , (Name of political party) ."; and line 11, strike "19" and in lieu thereof insert ", , 19".

9. In the bill, section 3, line 17, after "official" insert ", *referred to in subsection (1) of this section.*".

10. In the bill, section 6, line 9, after "filled" insert "and"; line 28, strike the semicolon and in lieu thereof insert ": ,", to correct as in

the statutes; lines 45 and 46, strike the quotation marks and show as stricken matter; line 56, strike "the" before "judge" and in lieu thereof insert "the a".

11. In the bill, renumbered section 10, line 2, before "be" insert "as amended by section 1, Legislative Bill 242, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 10, strike "manner following" and in lieu thereof insert "following manner"; line 18, insert a comma after "officer"; line 30, strike "such office" and in lieu thereof insert "the office hereinafter set forth in this affidavit"; line 43, strike "county" before "judges" and in lieu thereof insert "county judge"; strike lines 49 and 50 to and including "superintendent" in line 50, and in lieu thereof insert "and all candidates for the office offices of county judge and county superintendent"; line 52, strike ", such amount to" and in lieu thereof insert ". The amounts so received by the county treasurer from such candidates shall"; lines 55 and 56, strike "the candidate" and in lieu thereof insert "such candidates".

12. In the bill, renumbered section 11, line 44, strike "whenever" and in lieu thereof insert "whenever when (a)"; line 46, strike "or when" and in lieu thereof insert ", or when (b)"; line 47, strike "or" and in lieu thereof insert ", or (c)".

13. In the bill, section 12, line 34, strike "he" and in lieu thereof insert "he the Secretary of State".

14. In the bill, section 13, line 6, strike "(1) The" and in lieu thereof insert "The (1) The"; line 8, strike "the" and show as stricken matter; line 16, strike "a" and show as stricken matter.

15. In the bill, section 14, line 9, strike "the" before "county" and show as stricken matter.

16. In the bill section 15, line 18 after "for" insert "such".

17. In the bill, section 18, line 2, strike "32-504,"; line 3, strike the second "and"; line 4, strike "32-535, 32-537, 32-538" and in lieu thereof insert "32-504, 32-505, 32-537"; and line 5, before "are" insert "and section 32-535, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 242, Sixty-seventh Session, Nebraska State Legislature, 1955,".

18. In the bill title, line 2, strike "32-504,"; line 4, strike "and"; line 5, strike "32-535, 32-537, 32-538" and in lieu thereof insert "32-504, 32-505, 32-537"; line 6, before "relating" insert "and section 32-535, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 242, Sixty-seventh Session, Nebraska State Legislature, 1955,"; and line 16, after the semicolon insert "to provide when a petition shall be filed with the county clerk in regard to an election

about township supervisors as, and for the purposes, prescribed; to change the date of the primary elections as prescribed; to change the time for filings as prescribed; to make changes as to publications as prescribed;".

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:56 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. Anderson, McGinley and Moulton, who were excused.

Members Excused

Mr. Hubka was excused from 3:15 p.m. for the remainder of the day.

Mr. McHenry was excused from 3:30 p.m. for the remainder of the day.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 556. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. William Gillies, Teacher, and twenty-six students from Irving Junior High School, Lincoln, Nebraska, visited the Legislature.

Mr. Tvrdik introduced Mrs. Huff, Teacher, two sponsors, and thirty-five students from Castelar School, Omaha, Nebraska.

SELECT FILE

LEGISLATIVE BILL 554. Consideration of the Syas motion to indefinitely postpone.

The Syas motion lost with 10 ayes, 25 nays and 8 not voting.

Advanced to E and R for engrossment.

GENERAL FILE**LEGISLATIVE BILL 519.** Considered.

Standing Committee amendment 3, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Mr. Peterson offered the following amendment:

Amend Standing Committee amendment 4 of the Revenue Committee by striking therefrom all of Section 16.

Pending.

Ease

Mr. Liebers provided ice cream from his dairy and cake for members and employees of the Legislature, and the Legislature was at ease from 3:00 p.m. to 3:45 p.m.

Speaker Burney Presiding

LEGISLATIVE BILL 519. Consideration of the Peterson amendment to Standing Committee amendment 4.

Mr. Kotouc moved the previous question. The motion prevailed with 30 ayes, 0 nays and 13 not voting.

The Peterson amendment lost with 13 ayes, 20 nays and 10 not voting.

Standing Committee amendment 4, found in the Legislative Journal for the Eighty-fifth Day, was adopted as amended with 18 ayes, 16 nays and 9 not voting.

Mr. Bixler offered the following amendment, which was adopted:

Amend Revenue Committee amendment 5 to LB 519 by striking "60-330,".

Standing Committee amendment 5 as amended, and Standing Committee amendment 6, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Peterson asked unanimous consent that LB 519 be laid over until tomorrow. No objections. So ordered.

LEGISLATIVE BILL 384. Read and considered.

Standing Committee amendment 1, found in the Legislative Journal for the Eighty-fifth Day, was adopted.

Standing Committee amendments 2 and 3 were read.

Mr. Lee offered the following amendment, which was adopted:

Amend Standing Committee amendment 2 to LB 384, line 10, by striking the words "eligible to be".

Standing Committee amendment 2, as amended, and Standing Committee amendment 3 were adopted.

Standing Committee amendments 4 and 5 were adopted.

Mr. Person moved that LB 384 be indefinitely postponed.

Pending.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 294. Replaced on Select File as amended.

E and R amendments to LB 294:

1. In the Lee Specific Amendment 1, line 3, after "matter" insert "commencing with 'having',".

2. In the bill title, line 5, strike "and villages"; line 11, before "to define" insert "to make it optional, by a vote of the electors of any city in the State of Nebraska, except as otherwise provided, to have a civil service commission under the conditions prescribed;".

3. Strike Standing Committee Amendment 1, to section 7, because it is inconsistent with Lee Specific Amendment 1.

LEGISLATIVE BILL 276. Placed on Select File as amended.

E and R amendments to LB 276:

1. In the bill section 1, strike the comma after "whole" in line 13.

2. In section 4, strike "4" and insert "3", in line 1.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 4:55 p.m., on a motion by Mr. McHenry, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 26, 1955

Pursuant to adjournment, the Legislature met at 9:02 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 Larkin, who were excused, and Mr. Metzger, who was excused until 9:45 a.m.

The Journal for the One Hundredth Day was approved.

MOTION—Flowers

Mr. President: I move that the Legislature send flowers to the funeral of Mr. Larkin's sister-in-law. (Signed) Charles F. Tvrdik

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 558. Placed on Select File as amended.

E and R amendments to LB 558:

1. In the bill section 1, line 6 strike “, and” and in lieu thereof insert “, and . *They*”; in line 14 after “*rendered*” insert “*in regard thereto,* ”; in line 18 after “*Treasurer*” insert a comma underscored, and also after “*Fund*” in the same line; and in line 19 strike “*the same*” and in lieu thereof insert “*such receipts*”.

2. In the bill title line 5 after “make” insert “inspection reports and” in line 8 after “agencies” insert “as prescribed”; and in line 12 after the semicolon insert “to provide duties for such commission in regard thereto;”.

LEGISLATIVE BILL 219. Placed on Select File as amended.**E and R amendments to LB 219:**

1. In Standing Committee Amendment 1, in the newly inserted section 1, line 4, insert a comma after "buses", and in the same line after "remove" insert "or reduce"; and in the newly inserted section 2, insert a comma in line 2 after "lease", line 10 after "chase", line 13 after "purchase", line 15 after "given", line 16 after "days", and line 20 after "publication"; line 3, strike "said" and in lieu thereof insert "such"; line 11, after "law" strike the comma; line 15, strike "weekly" and in lieu thereof insert "once each week"; line 17, strike "has" and in lieu thereof insert "or applications have"; line 18, strike ", or" and in lieu thereof insert "or," and in the same line before "have" insert "the same".

2. In the Foote General File Amendment 1, line 2, insert a comma before "all" and in amendment 5, in the newly inserted section 9, line 6 (7, mimeograph), insert a comma after "mandamus", and line 9 (10, mimeograph), before "use" insert "the".

3. In the bill, section 3, line 15, after "city" insert "of the first class".

4. In the bill, section 4, line 2, after "city" insert "of the first class"; and line 5, insert a comma after "cations".

5. In the bill, section 5, lines 1 and 2, and 5, strike "municipality" and in lieu thereof insert "city of the first class"; and line 11, strike "an".

6. In the bill title, line 2, after "confer" insert "the", and at the end of the same line after "cities" insert "of the first class"; line 4, before "operate" insert "or"; lines 4 and 5, strike ", and make rules and regulations governing"; line 6, after "facilities" insert "as prescribed"; line 12, strike "pledge" and in lieu thereof insert "the pledging"; line 13, strike the quotation marks; strike lines 15 to 20, commencing after the semicolon in line 15 to and including the semicolon in line 20, and in lieu thereof insert "to provide a limitation on the business conducted in such facilities; to provide for a notice to enable private ownership to provide such facilities, as prescribed, before such a city may proceed with the same; to provide for elections, as prescribed, in regard thereto; to permit such a city to make rules and regulations in regard thereto; to grant powers to and prescribe duties for such a city and its governing body; to permit the leasing of such facility; to limit the use of condemnation as prescribed; to provide that this act is supplementary and confers new powers upon a city

of the first class as prescribed; to provide for the use of certain revenues; to provide certain rights of holders of bonds issued;”.

LEGISLATIVE BILL 188. Placed on Select File as amended.

E and R amendments to LB 188:

1. In the bill page 2, section 1, line 2, insert “(1)” after “to”; line 3, strike “to” and insert in lieu thereof “(2)”; section 2, line 1, after the period insert “(1)” and in the same line after “shall” insert “(a)”; line 5, strike “, nor shall any such signs” and insert in lieu thereof “nor (b)”; line 8, strike “Permits” and insert in lieu thereof “(2) Permits,”; and in the same line after “issued” insert “under the requirements of subsection (1) of this section,”; lines 9 and 10, strike the quotation marks; line 12, strike “, and” and insert in lieu thereof “. It”; page 3, section 2, line 22, after “meaning” insert “of subsection (1) or (2)”; and in lines 22 and 23, strike “; and nothing in sections 2 and” and insert in lieu thereof “. Nothing in subsections (1) and (2) of this section or in section”.

2. In the bill page 3, section 3, lines 1 and 2, insert a comma after the words “company”, “corporation”, and “act” and in section 4, lines 2, 3, and 9, after the words “cities”, “inhabitants” and “maintained”, respectively.

3. In the bill page 3, section 3, line 2, after “provisions of” insert “subsections (1) and (2) of”; section 4, line 1, after the period insert “(1)”; lines 8 and 9, strike “by it”; line 9, after “promulgated” insert “by it”; lines 14 and 15 strike “Neither the department nor the city or village affected” and insert in lieu thereof “(2) Neither the Department of Roads and Irrigation nor any city or village referred to in subsection (1) of this section”; line 17, strike “municipality” and insert in lieu thereof “a city or village”; section 5, line 2, strike “such warning sign” and insert in lieu thereof “warning sign, referred to in subsection (1) of section 4 of this act,”; and on page 4, section 5, line 8, at the end of the line after “such” insert “a”.

4. In the bill title line 4, after “highways” strike the comma and insert in lieu thereof “; to provide”; line 5, strike “highways,” and insert in lieu thereof “public roads or highways as prescribed; to provide”; and in line 5, after “signs” insert “as prescribed; to prohibit the closing of portions of state highways in cities or villages, as prescribed”.

LEGISLATIVE BILL 505. Correctly enrolled.

LEGISLATIVE BILL 472. Correctly enrolled.

LEGISLATIVE BILL 553. Correctly enrolled.

LEGISLATIVE BILL 285. Correctly enrolled.

LEGISLATIVE BILL 542. Correctly enrolled.

LEGISLATIVE BILL 549. Correctly enrolled.

LEGISLATIVE BILL 222. Correctly enrolled.

LEGISLATIVE BILL 242. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 505

LB 285

LB 549

LB 242

LB 472

LB 542

LB 222

LR 35

LB 553

Visitors

Mr. Perry introduced Thomas Douglas, Teacher, and thirty-two students from Irving Junior High School, Lincoln, Nebraska.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the appointment of Mr. Varro E. Tyler of Nebraska City, Nebraska to the Court of Industrial Relations for a term beginning June 9, 1955, and ending June 9, 1961, and recommends that it be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr., Chairman

Motion to adopt the report prevailed.

Vote on Mr. Tyler

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. Tyler confirmed.

RESOLUTIONS

LEGISLATIVE RESOLUTION 37. Re: Proclamation of October 15 as Poetry Day.

Introduced by Kathleen A. Foote, 31st District; Harry L. Pizer, 38th District.

WHEREAS, one of the glories of a nation is its poetry, and

WHEREAS, the greatest songs to which armies have marched to victory, the mighty blue prints of powerful republics and the sublime prophecies of man's achievements in the realm of science and in the fields of peace have been foreshadowed by the songs of poets, and

WHEREAS, it has become the custom in Nebraska and thirty-seven other states to designate a certain day as Poetry Day, and

WHEREAS, by designating a certain day as Poetry Day it may head a way to man's peace of mind and world harmony.

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

1. That October 15th of each year be proclaimed by the Governor of the State of Nebraska as Poetry Day.

2. That in order to encourage and influence noble sentiments expressed in a rhythmic, memorable form and desiring to encourage this form of literary expression for the glory of our state, we recommend that all schools, libraries, and public institutions invite poets whose work displays qualities of excellence, of beauty and of patriotism to feature their work before schools, educational and civic groups, and radio listeners, thereby stressing the importance of the revival of the study of great poetry in all educational institutions, and the institution of a system of awards to encourage the young in the creation of great poetry.

LEGISLATIVE RESOLUTION 38. Re: Committee to Study Meat Inspection in the Poultry Industry.

Introduced by O. H. Person, 17th District; George Syas, 4th District.

WHEREAS, Nebraska has no compulsory meat inspection in the poultry industry, and

WHEREAS, the relationship between public health and public consumption of commercially slaughtered poultry should require some manner or form of inspection, and

WHEREAS, the absence of laws and regulations covering the slaughtering of poultry could allow the processing of diseased birds as well as processing same under very unsanitary conditions.

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

1. That the Legislative Council appoint a committee of seven members to conduct a full and complete study and investigation on the following matters:

(a) The relationship between the public health and the public consumption of commercially slaughtered and processed poultry sold or otherwise handled in any manner;

(b) The efficacy of present laws, or regulations promulgated pursuant thereto, designed to safeguard the public from diseases, ailments or discomforts which might result from consumption of unwholesome poultry or poultry which has been slaughtered, processed, packaged or shipped under unsanitary conditions;

(c) The nature, extent and degree of the current enforcement of such laws or regulations; and

(d) The necessity, if any, for additional laws, regulations and expenditures to safeguard the public against the consumption of unsafe and unsanitary poultry, consistent with the constitutional power of the state government.

2. The committee shall report its findings, together with such recommendations as it may deem feasible, to the next regular session of the Legislature.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 485.

A bill for an act to amend section 44-1603, Reissue Revised Statutes of Nebraska, 1943, relating to insurance; to revise the provisions governing the issuance of group life insurance policies issued to creditors in order to make creditor group life insurance available to debtors, including farmers, who do not repay their debts in installments; to increase the limit of the amount of life insurance which may be issued on the life of any debtor as prescribed; to provide to whom the excess of such life insurance shall be 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, 30:

Adams, J.	Diers	McGinley	Person
Anderson	Fenske	McHenry	Peterson
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Tvrdik
Burney	Lee	Otto	Vogel
Cole	Liebers		

Voting in the negative, 8:

Bridenbaugh	Cramer	Perry	Ruhnke
Brower	Hubka	Pizer	Thompson

Not voting, 5:

Adams, T.	Larkin	Metzger	Syas
Aufenkamp			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: Had I been present, I would have voted for LB 485.
(Signed) John Aufenkamp

LEGISLATIVE BILL 153. With emergency. Introduced by Otto H. Liebers, 18th District; Robert C. Brower, 26th District; O. H. Person, 17th District; Monroe Bixler, 41st District; Joseph D. Martin, 30th District.

A bill for an act for submission to the electors of amendment of Article IV, section 28, of the Constitution of Nebraska, relating to revenue and taxation; to permit the Legislature to provide for appointment of a Tax Commissioner or a Tax Commission; to provide for the jurisdiction and powers of such Tax Commissioner or Tax Commission; to provide for the submission of the proposed amendment to the electors at the general election in November, 1956; to provide the manner of submission and form of ballot; to provide the effective date thereof; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1956, there shall be submitted to the electors of the State of Nebraska, for approval,

the following amendment to Article IV, section 28, of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 28. The Legislature may provide for the appointment of a Tax Commissioner or a Tax Commission, which commissioner or commission shall have such jurisdiction over the administration of the revenue laws of the state, and shall possess such powers to review and equalize assessments of property for taxation, as may be provided by law."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to permit the Legislature to provide for the appointment of a Tax Commissioner or Tax Commission, and defining his or its jurisdiction and powers.

☐ For

☐ Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

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.

Whereupon the President stated: "All provisions of 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	Liebers	Pizer
Anderson	Diers	McGinley	Purdy
Aufenkamp	Fenske	McHenry	Ruhnke
Bahensky	Foote	Martin	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Otto	Syas
Bridenbaugh	Klaver	Perry	Thompson
Brower	Kotouc	Person	Tvrđik
Cole	Lee	Peterson	Vogel

Voting in the negative, 3:

Beaver	Burney	Moulton
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Not voting, 4:

Adams, T.	Larkin	Metzger	Nelson
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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 444.

A bill for an act to amend section 18-206, Reissue Revised Statutes of Nebraska, 1943, relating to police magistrates; to provide that fines and costs may be worked out at the rate of three dollars per day; 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.	Cole	Liebers	Peterson
Anderson	Cramer	McGinley	Pizer
Aufenkamp	Diers	McHenry	Purdy
Bahensky	Fenske	Martin	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik
Burney	Lee	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Adams, T.	Larkin	Metzger
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 230.

A bill for an act to amend section 25-21,108, Reissue Revised Statutes of Nebraska, 1943, relating to civil procedure; to provide for the payment of fees to attorneys of record in partition proceedings; to provide the method by which the court shall determine and award fees to attorneys of record in such proceedings to be taxed as costs; to provide for the allowance of fees of the referee, to be charged as costs; and to repeal the original section.

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

Voting in the affirmative, 26:

Adams, J.	Diers	Martin	Pizer
Anderson	Hoffmeister	Metzger	Shultz
Aufenkamp	Klaver	Moulton	Swanson
Bahensky	Kotouc	Nelson	Syas
Bixler	Lee	Otto	Tvrdik
Brower	Liebers	Perry	Vogel
Cole	McHenry		

Voting in the negative, 13:

Beaver	Cramer	Morrison	Purdy
Bedford	Foote	Person	Ruhnke
Bridenbaugh	McGinley	Peterson	Thompson
Burney			

Not voting, 4:

Adams, T.	Fenske	Hubka	Larkin
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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 relating to the Chief Justice and Judges of the Supreme Court and judges of the district courts; to provide for a retirement system and retirement fund for the Chief Justice and Judges of the Supreme Court and the judges of the district courts; to provide that the Board of Educational Lands and Funds shall administer such fund; to prescribe court fees to be taxed as costs in certain cases and the disposition thereof; to define terms; to provide powers and duties for the prescribed public officials and the Board of Educational Lands and Funds; to provide for an executive officer and assistants and employees as prescribed; to provide for certain records and procedure; to provide the source of such fund; to provide for the payment of the expenses of the administration of this act; to provide for the return of contributions to this fund by judges and the result thereof, as prescribed; to provide for the payment of annuities to judges as prescribed; and to provide that vacancies due to retirement of a judge under the provisions of this act shall be filled 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, 28:

Adams, J.	Cole	Lee	Perry
Anderson	Fenske	Liebers	Pizer
Aufenkamp	Foote	McGinley	Purdy
Bahensky	Hoffmeister	Martin	Shultz
Beaver	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Thompson
Brower	Kotouc	Otto	Vogel

Voting in the negative, 13:

Bedford	Diers	Nelson	Ruhnke
Bridenbaugh	McHenry	Person	Syas
Burney	Metzger	Peterson	Tvrdik
Cramer			

Not voting, 2:

Adams, T. Larkin

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 474.

A bill for an act to amend section 79-4,102, Revised Statutes Supplement, 1953, relating to schools; to increase the rate for high school tuition; to harmonize the provisions with previous 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, 36:

Adams, J.	Cole	Lee	Person
Anderson	Cramer	Liebers	Peterson
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Ruhnke
Beaver	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Otto	Thompson
Brower	Kotouc	Perry	Tvrdik

Voting in the negative, 2:

Morrison Purdy

Not voting, 5:

Adams, T. Larkin Nelson Vogel
Burney

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 387.

A bill for an act to amend sections 39-1101, 39-1107, and 39-1110, Revised Statutes Supplement, 1953, relating to State Highway Commission; to eliminate the State Engineer as secretary; to provide that the State Engineer shall be an ex officio nonvoting member of the commission; to provide for the employment of a secretary; to provide additional duties for the commission; to provide that data and information of the Department of Roads and Irrigation shall be available to the commission; to provide procedure where it is proposed to abandon or relinquish a portion of the state highway system; 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.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Pizer
Aufenkamp	Diers	Martin	Purdy
Bahensky	Fenske	Metzger	Ruhnke
Beaver	Foote	Morrison	Shultz
Bedford	Hoffmeister	Moulton	Swanson
Bixler	Hubka	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Lee	Perry	Tvrdik
Burney	Liebers	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, T. Klaver Larkin Vogel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Syas introduced Mrs. Giles, Principal, Mr. Rees, Mrs. Lot-speich, Mrs. Denker, and sixty-eight students from Belvedere School, Omaha, Nebraska.

Mr. Syas also introduced Miss Thompon, Mr. Ciser, Mr. Kelley, teachers, and forty-one students from Florence School, Omaha, Nebraska.

Mr. Bahensky introduced Mrs. Leonard Lautenschlager, President, and eight members of the Jolly Wives Extension Clubs of Merrick and Howard Counties, along with one driver.

UNANIMOUS CONSENT—Return LB 303 to Select File

Mr. Cramer asked unanimous consent to return LB 303 to Select File for the following specific amendment:

1. Strike all of new section 12 as set forth in the Cramer Unanimous Consent Amendment 1 of May 20th, 1955, commencing with the word "*Federal*" in the 6th line thereof.

No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 303.**

Mr. Cramer asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Return LB 190 to Select File

Mr. Burney asked unanimous consent to return LB 190 to Select File for the following amendment:

1. Amend section 1 of the bill, by striking ", not" in line 5, all of line 6, and by striking "39-633," in line 7.

No objections. So ordered.

LEGISLATIVE BILL 190.

Mr. Burney asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 555. E and R amendment found in the Legislative Journal for the One Hundredth Day was adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 80. E and R amendments found in the Legislative Journal for the One Hundredth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 294. E and R amendments found in the Legislative Journal for the One Hundredth Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 276. E and R amendments found in the Legislative Journal for the One Hundredth Day were adopted.

Advanced to E and R for engrossment.

Visitors

Mr. Tvrdik introduced Miss Nelson, Principal, Mrs. Irwin, Teacher, and forty students from South Lincoln School, Omaha, Nebraska.

UNANIMOUS CONSENT—Return Bill to General File

Mr. Lee asked unanimous consent to return LB 115 to General File for the following specific amendment:

1. Amend section 1 of the bill by striking the Martin and Hubka amendments adopted February 23, 1955; line 22 by striking "two" and inserting "*three*"; and line 31 by inserting "*and all future installments*" after "amount".

No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 115. Considered.

The Lee amendment found in this Day's Journal was adopted with 16 ayes, 10 nays and 17 not voting.

Mr. Lee moved to advance the bill to E and R for review.

Mr. Martin moved to indefinitely postpone LB 115.

Member Excused

Mr. Bahensky was excused for the remainder of the morning.

The Martin motion was lost with 15 ayes, 18 nays and 10 not voting.

Mr. Hubka offered the following amendment: Amend the Lee amendment to LB 115 by striking "*three*" and inserting "*five*" in lieu thereof.

The amendment was adopted with 15 ayes, 14 nays and 15 not voting, the Lieutenant Governor, as presiding officer, voting "aye".

Advanced to E and R for review with 28 ayes, 3 nays and 12 not voting.

LEGISLATIVE BILL 384. Consideration of the Person motion to indefinitely postpone.

Mr. Kotouc moved the previous question. The motion prevailed with 29 ayes, 3 nays and 11 not voting.

The motion to indefinitely postpone the bill lost with 4 ayes, 26 nays and 13 not voting.

Mr. Liebers offered the following amendment, which was adopted:

Amend LB 384, page 3, section 2, line 11, by adding after the word "*wholly*" the following words "*or partly*".

Mr. Thompson offered the following amendment, which was adopted:

Strike the words "*a majority*" and insert in lieu thereof the words "*fifty-five per cent*" in line 3, section 7.

Advanced to E and R for review.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 349. Replaced on Select File as amended.

E and R amendments to LB 349:

1. In the bill strike lines 3 to 11 inclusive, to but not including the word "and" in line 11 of section 1, and strike all amendments thereto and in lieu thereof insert:

"28-589. (1) Any person or persons who shall enter or go upon any enclosure or cultivated lands, owned or occupied by another, and shall refuse, upon the request of the owner or occupant thereof, to go

immediately therefrom, shall for each such refusal be deemed guilty of a misdemeanor, as set forth in subsection (3) of this section.

(2) Any person or persons who shall enter or go upon any land or enclosure, designated and posted as set forth in this subdivision of this section, and, who without the consent of the owner or tenant thereof, shall park a motor vehicle thereon shall be deemed guilty of a misdemeanor, as set forth in subsection (3) of this section, and such a motor vehicle shall be removed by a law enforcement officer; Provided, that such land or enclosure shall have been (a) set aside by the owner or tenant thereof for the parking of motor vehicles and (b) so designated as a parking lot by a posted sign.

(3) Any person or persons who shall violate any of the provisions of subsection (1) or (2) of this section shall be deemed guilty of a misdemeanor".

2. In the bill title after the word "unlawful" in line 4, strike the balance of the title and in lieu thereof insert:

"for a person or persons to enter or go upon any land or enclosure, posted and set aside for the parking of motor vehicles as prescribed, and park a motor vehicle thereon without the consent of the owner or tenant thereof; to provide penalties; to permit the removal by a law enforcement officer of a motor vehicle so parked; to restate certain provisions as prescribed; and to repeal the original section."

LEGISLATIVE BILL 345. Placed on Select File as amended.

E and R amendments to LB 345:

1. In the standing committee amendments 1 to 4, strike all stricken matter, remove all underscoring and make the word "Section" in sections 2, 3, and 4 read "Sec." in the first line of each of such section.

2. In the standing committee amendment 1, in new section 1, line 7 strike "the" after "whom" and in lieu thereof insert "such"; in line 9 after "thereof" insert a comma.

3. In standing committee amendment 2, in new section 2, line 2, after "lubricant" insert "; referred to in section 1 of this act," and also in line 7 after "crop" and new section 3, line 4 after "lubricant"; and in line 10 of said new section 2 strike "the" after "whom" and in lieu thereof insert "such".

4. In standing committee amendment 3, in new section 3, line 5 strike "the" after "price of" and in lieu thereof insert "such"; in line 6 strike "sold" and in lieu thereof insert "so sold to such person" and in the same line strike "the" after "to whom" and in lieu thereof insert

"such"; in line 8 after "person" insert "so"; in line 10 strike "the" after "that" and in lieu thereof insert "such"; in line 13 after "mentioned" insert "in this section" and in the same line strike "the" after "portion of" and in lieu thereof insert "such"; in line 18 strike "the" after "entitled to" and in lieu thereof insert "such"; in line 19 strike "the" after "writing of" and in lieu thereof insert "such"; in line 22 strike "The" and in lieu thereof insert "Such"; and in line 24 strike "PROVIDED," and in lieu thereof insert "Provided,".

5. In standing committee amendment 4, in new section 4, line 1, insert a comma after "lien" and also after "act".

6. In the bill title line 2 insert "all" after "upon"; in line 3 strike "motor fuel" and in lieu thereof insert "gasoline, diesel fuel, tractor fuel, oil, grease, or other petroleum products"; and in line 4 strike the period and in lieu thereof insert "as prescribed; to provide the procedure for asserting such a lien; to provide for sales or delivery of such crops under the conditions prescribed; to provide for notices; to provide for foreclosure of such liens; and to provide for exceptions to such lien attaching as prescribed.".

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:50 a.m., on a motion by Mr. Kotouc, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:35 p.m., President Warner presiding.

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

Communications

Letters from Representatives Phil Weaver, R. D. Harrison, and A. L. Miller, Washington, D. C. regarding Legislative Resolution 32.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 204. Correctly engrossed.

LEGISLATIVE BILL 559. Correctly engrossed.

LEGISLATIVE BILL 555. Correctly engrossed.

LEGISLATIVE BILL 303. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Perry introduced Thomas Douglas, Teacher, and thirty-one students from Irving Junior High School, Lincoln, Nebraska.

GENERAL FILE**LEGISLATIVE BILL 537.** Considered.

Mrs. Foote offered the following amendments, which were adopted:

1. Amend section 1 of the bill, lines 17 to 20, by striking the new matter and inserting in lieu thereof the following:

"Should there be five or more of said installments delinquent and unpaid, the mayor and city council may, by resolution, declare all future installments to be immediately due and delinquent. The resolution shall set forth the description of the property and its record title owners upon which future installments immediately become due. A copy of such resolution shall be published once in a legal newspaper having a general circulation in the city, and thereafter the city may proceed to enforce and collect the delinquent amount and all future installments."

2. Amend the title to conform.

Advanced to E and R for review.

LEGISLATIVE BILL 519. Considered.

Mr. Syas moved to reconsider the Syas amendment to original section 4 of LB 519, found in the Legislative Journal for the One Hundredth Day. The motion prevailed with 24 ayes, 0 nays and 19 not voting.

Mr. Syas moved that his amendment to original section 4 of LB 519, found in the Legislative Journal for the One Hundredth Day, be rejected. The motion prevailed.

Mr. Syas offered the following amendment, which was adopted:

Amend original section 4 of the bill, line 37, by inserting "*in interstate commerce*" after the word "operated".

Mr. Peterson offered the following amendment, which was adopted with 21 ayes, 15 nays and 7 not voting:

Amend Revenue Standing Committee Amendment 4, section 16, line 10 by striking "twenty dollars" and inserting "*seventeen* dollars

and fifty cents", line 11 by striking "thirty-two dollars and fifty" and inserting "twenty-eight dollars and seventy-five", line 12 by striking "forty" and inserting "thirty-five", line 13 by striking "fifty-two dollars and fifty" and inserting "forty-six dollars and twenty-five", line 14 by striking "eighty dollars" and inserting "seventy-two dollars and fifty cents", line 15 by striking "one hundred" and inserting "ninety", line 16 by striking "seventeen dollars and fifty" and inserting "six dollars and twenty-five", line 17 by striking "forty-five dollars" and inserting "thirty-two dollars and fifty cents", line 18 by striking "eighty" and inserting "sixty-five", line 20 by striking "forty-five" and inserting "ten", line 21 by striking "eighty" and inserting "forty", line 22 by striking "three hundred fifteen" and inserting "two hundred seventy", line 23 by striking "four hundred twenty" and inserting "three hundred twenty seven", line 24 by striking "sixty" and inserting "five", line 25 by striking "five hundred" and inserting "four hundred forty", line 26 by striking "four hundred ten five hundred forty" and inserting "four hundred ten seventy-five", line 27 by striking "eighty" and inserting "ten", line 28 by striking "six hundred twenty" and inserting "five hundred forty-five", line 29 by striking "five hundred six hundred sixty" and inserting "five hundred eighty", line 30 by striking "seven hundred" and inserting "six hundred fifteen", line 31 by striking "seven hundred forty" and inserting "six hundred fifty", line 32 by striking "seven hundred eighty" and inserting "six hundred eighty-five", line 33 by striking "eight" and inserting "seven", line 34 by striking "eight hundred sixty" and inserting "seven hundred fifty-five", line 35 by striking "nine hundred" and inserting "seven hundred ninety", line 36 by striking "nine hundred forty" and inserting "eight hundred twenty-five", line 37 by striking "nine hundred eighty" and inserting "eight hundred sixty", and lines 38 and 39 by striking "one thousand twenty" and inserting "eight hundred ninety-five".

Advanced to E and R for review with 27 ayes, 9 nays and 7 not voting.

MOTION—Reconsider LB 436

Mr. President: I move that we reconsider LB 436. (Signed) Monroe Bixler

The motion lost with 16 ayes, 20 nays and 7 not voting.

MOTION—Report on LB 187

Mr. President: I move that the Chairman of the Committee on Enrollment and Review report to the Legislature on June 1st as to whether the Committee map or any map is correctly incorporated in LB 187. (Signed) Earl J. Lee

Mr. Vogel moved the previous question. The motion prevailed with 26 ayes, 0 nays and 17 not voting.

The Chair made the following ruling:

It is the Chair's ruling that the Lee motion is not in order; that it is not the function of the Enrollment and Review Chairman to exercise the prerogatives of the presiding officer.

As presiding officer, it is my position that the record is clear and complete. The Clerk will read a statement of my position in this matter.

You may appeal from that decision if you wish.

Statement

- Page 1330 Standing Committee Amendment 1 read.
- Page 1331 Peterson amendment offered.
- Page 1336 Peterson amendment adopted 22-14-7.
- Page 1336 Standing Committee amendment 1 as amended adopted 20-19-5.
- Page 1336 Otto moved to reconsider adoption of Peterson amendment. No one raised a point of order that Otto's motion should have been to reconsider the adoption of Standing Committee Amendment No. 1, as amended.
- Page 1336 The question was put on the motion to reconsider.
- Page 1336 The motion to reconsider prevailed 23-16-4.
- Page 1336 Otto moved to reject the Peterson amendment. Here again no one rose to a point of order.
- Page 1336 The motion prevailed 25-16-2. This completed action. Standing Committee Amendment No. 1 stood as adopted in its original form (without the Peterson amendment).
- Page 1336 Syas moved to reconsider adoption of Standing Committee Amendment 1. This motion lost.
- Page 1336 Thereafter a Burney amendment to Standing Committee amendment 1 was adopted.
- Page 1338 The Journal for the preceding day was approved. The Legislature's intent was clear. Its action was complete. Having failed at the time to raise a point of order with respect to possible errors in parliamentary procedure, it is now too late to raise such a question.

Mr. Perry appealed from the decision of the Chair.

The President stated: "The question is, 'Shall the Chair be sustained?'"

The Chair was not sustained with 14 ayes, 21 nays and 8 not voting.

The Lee motion prevailed with 28 ayes, 1 nay and 14 not voting.

STANDING COMMITTEE REPORTS**Revenue**

LEGISLATIVE BILL 557. Indefinitely postponed.

(Signed) Monroe Bixler, Chairman

Enrollment and Review

LEGISLATIVE BILL 501. Replaced on Select File as amended.

E and R amendments to LB 501:

1. Strike Peterson Unanimous Consent Amendment, dated May 11, 1955, adopted May 18, 1955, and in lieu thereof in Enrollment and Review Committee Amendment 7, line 3, after the word "*that*" insert "*nothing in this act shall permit*", and in line 4 of such Enrollment and Review Amendment 7, strike "*shall not*" and in lieu thereof insert "*to*" and amend the title to conform.

2. In Enrollment and Review Amendment 1, line 9, which inserts " , " in line 38 of section 1, strike the comma so that the insertion will be " , ", to avoid double commas.

3. In the Standing Committee Amendment 3, in the newly inserted section 3, now renumbered as section 4, line numbered 8, strike "*sub-section (c)*" and in lieu thereof insert "*subdivision (3)*".

LEGISLATIVE BILL 216. Replaced on Select File as amended.

E and R amendments to LB 216:

1. In the bill section 2, line 4, strike the word "the" before the matter stricken by standing committee amendment 2, lines 6 and 7 to avoid two words "the" together.

2. In the Thompson general file amendment of May 11, 1955, line 2 strike "Director of Agriculture" and in lieu thereof insert "director" but leave the comma inserted by Enrollment and Review amendment 4 therein and now after the word "director" inserted by this amendment.

(Signed) Donald F. McGinley, Chairman

Visitors

Mr. Perry introduced Tom Douglas, Teacher, and thirty-one students from Irving Junior High School, Lincoln, Nebraska.

GENERAL FILE

LEGISLATIVE BILL 541. Considered.

Advanced to E and R for review.

LEGISLATIVE BILL 335.

Mr. Tvrdik asked unanimous consent to withdraw LB 335. No objections. So ordered.

MOTION—Suspend Rules; Consider Bills on Select File

Mr. McGinley moved that the rules be suspended and that the following bills be considered on Select File at this time: LB 558, 219, 188, 349, 345, 501 and 216. The motion prevailed with 34 ayes, 1 nay and 8 not voting.

Member Excused

Mr. McHenry was excused for the remainder of the afternoon.

SELECT FILE

LEGISLATIVE BILL 558. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 219. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 188. E and R amendments found in this Day's Journal were adopted.

Mr. Ruhnke offered the following amendment, which was adopted by unanimous consent:

Amend page 3 of the bill, section 4 by striking lines one through nineteen and inserting in lieu thereof the following:

"Sec. 4. The Department of Roads and Irrigation shall have exclusive jurisdiction regarding the erection and maintenance of all warning signs, stop signs, or other safety devices placed on or adjacent to roads on the state highway system in cities and villages having a population of less than twenty-five thousand inhabitants; *Provided*, in cities having a population greater than twenty-five hundred inhabitants, no

such signs or safety devices shall be erected, until after due notice and consultation by the department with the proper city officials. Neither the department nor the city or village affected shall, except in emergencies, close any portion of a state highway located in such municipality without prior notice to the officials of the department and the proper officials of the city or village."

Advanced to E and R for engrossment.

LEGISLATIVE BILL 349. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 345. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 501. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment with 30 ayes, 5 nays and 8 not voting.

LEGISLATIVE BILL 216. E and R amendments found in this Day's Journal were adopted.

Advanced to E and R for engrossment with 21 ayes, 14 nays and 8 not voting.

MOTION—Adjournment

Mr. President: I move that when we adjourn this afternoon, we reconvene at 2:00 p.m. on Wednesday, June 1, 1955. (Signed) A. A. Fenske

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

MOTION—Employees

Mr. President: I move that the Clerk of the Legislature be authorized to release all help until Wednesday, June 1st, except that needed to perform the necessary duties of the Legislature in the interim. (Signed) A. A. Fenske

The motion prevailed.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 387. Correctly enrolled.

LEGISLATIVE BILL 474. Correctly enrolled.

LEGISLATIVE BILL 38. Correctly enrolled.

LEGISLATIVE BILL 230. Correctly enrolled.

LEGISLATIVE BILL 444. Correctly enrolled.

LEGISLATIVE BILL 153. Correctly enrolled.

LEGISLATIVE BILL 485. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 387

LB 38

LB 444

LB 485

LB 474

LB 230

LB 153

GENERAL FILE

LEGISLATIVE BILL 292. Considered.

Mr. Metzger asked unanimous consent to withdraw his amendment found in the Legislative Journal for the Ninety-third Day. No objections. So ordered.

Mr. Tvrdik offered the following amendment, which was adopted with 18 ayes, 7 nays and 18 not voting:

1. Amend the bill by adding a new section to be numbered section 2 and to read as follows:

“Sec. 2. Without limiting the applicability of sections 14-366 to 14-372, Reissue Revised Statutes of Nebraska, 1943, the city council is authorized to levy special taxes and assessments on properties benefited by parks and playgrounds acquired either by purchase or condemnation without regard to whether the benefited property is within or without the corporate limits of such city when an improvement district is created by the city council and approved by a majority of the property owners in the district as provided in this section. Each property owner may cast one vote at an election to be held to determine whether such improvement district shall be created for each five thousand dollars of

assessed valuation, or fraction thereof, of real estate and improvements in the proposed district as determined by the official records of the county assessor for the previous calendar year. When such a district is created by the city council and approved by a majority of the property owners, the special taxes shall be levied proportionately to the assessed valuation of the district. Notice of the election shall be given and the election shall be held in the same manner as other special elections are held in such city."

Messrs. Tvrdik and Klaver offered the following amendments, which were adopted with 22 ayes, 0 nays and 21 not voting:

1. Amend the bill by adding two new sections after renumbered section 1 to be known as sections 2 and 3, and to read as follows:

"Sec. 2. That section 14-366, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-366. The city council may purchase or acquire by the exercise of the power of eminent domain private property or public property which is not at the time devoted to a specific public use, for the following purposes and uses: (1) For streets, alleys, avenues, parks, *recreational areas*, parkways, playgrounds, boulevards, sewers, public squares, market places, and for other needed public uses or purposes authorized by this act, and for adding to, enlarging, widening or extending any of the foregoing; (2) for constructing or enlarging waterworks, gas plants, or other municipal utility purposes or enterprises authorized by this act. The power so to purchase or appropriate private property or public property, as in this act specified, for parks, parkways, boulevards, sewers, and for the purpose of constructing waterworks, gas works, light plants or other municipal enterprises authorized by this act, may be exercised by the council within the corporate limits of the city or within seventy-five miles thereof.

Sec. 3. That original section 14-366, Reissue Revised Statutes of Nebraska, 1943, is repealed."

Renumber sections accordingly.

2. Amend the title to conform.

Mr. Tvrdik moved that Standing Committee amendments 5 and 6, found in the Legislative Journal for the Seventy-seventh Day, be stricken. The motion prevailed.

Advanced to E and R for review.

Adjournment

At 4:10 p.m., on a motion by Mr. Kotouc, the Legislature adjourned until 2:00 p.m., Wednesday, June 1, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, June 1, 1955

Pursuant to adjournment, the Legislature met at 2:01 p.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Otto and Purdy, who were excused, Messrs. J. Adams and T. Adams, who were excused until 2:40 p.m., Messrs. Anderson and Aufenkamp, who were excused until 2:25 p.m., and Mr. Morrison, who was excused until 3:30 p.m.

The Journal for the One Hundred-First Day was approved as corrected.

Communications

Letters from U. S. Senators Carl T. Curtis and Roman L. Hruska and Speaker Sam Rayburn, Washington, D. C., acknowledging receipt of Legislative Resolution 32.

Letter from Russell A. Soucek, Attorney at Law, Seward, Nebraska, regarding LB 550 and LB 551.

Letter from L. K. Emry, Lincoln, Nebraska, relating to highways.

Visitors

Mr. Peterson introduced Mr. Lloyd Chandler and Don Chandler, Ansley, Nebraska.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on May 27, 1955 at 9:30 a.m.

LB 505	LB 542	LB 474	LB 230
LB 242	LB 285	LB 38	LB 485
LB 222	LB 472	LB 153	LB 387
LB 549	LB 553	LB 444	

- LEGISLATIVE BILL 550.** Correctly engrossed.
- LEGISLATIVE BILL 551.** Correctly engrossed.
- LEGISLATIVE BILL 554.** Correctly engrossed.
- LEGISLATIVE BILL 552.** Correctly engrossed.
- LEGISLATIVE BILL 536.** Correctly engrossed.
- LEGISLATIVE BILL 197.** Correctly engrossed.
- LEGISLATIVE BILL 407.** Correctly engrossed.
- LEGISLATIVE BILL 216.** Correctly engrossed.
- LEGISLATIVE BILL 501.** Correctly engrossed.
- LEGISLATIVE BILL 349.** Correctly engrossed.
- LEGISLATIVE BILL 220.** Correctly engrossed.
- LEGISLATIVE BILL 541.** Placed on Select File as amended.

E and R amendments to LB 541:

1. Strike Standing Committee Amendment 1, after the figure "11" in the third line thereof and in lieu thereof insert "; and in line 12 of said section 3, strike 'a height of five' and in lieu thereof insert 'four' .".

2. In the bill page 2, section 1, insert a comma after "exist" and "States", at the end of line 10 after "safety", in line 2, section 2, line 4 after "projected", line 6 after "cables", line 12 after "trict", line 13 after "corporation", section 3, line 1, after "firm", line 2 after "corporation", page 3, section 4, line 4, after "height", line 10 after "welfare", line 11 after "director" and also "investigation", line 20 after "study" and "determination", line 25 after "areas", section 5, line 1, after "person", page 4, section 6, line 7, after "power", section 7, line 13 after "firms" and also line 14, after "maintaining".

3. In the bill page 2, section 1, line 1, strike "and declared" and insert in lieu thereof ", declared, and found (1)"; line 2 strike "any" and insert in lieu thereof "the"; lines 4 and 5 strike ", and it is hereby recognized, declared and found" and insert in lieu thereof "(2)"; line 6 after "navigation" insert "(a)"; line 7 strike "and" and insert in lieu thereof ", (b)"; line 9 after ", and" insert "(c) endangers"; line 10

after "and" insert "(3)"; section 2, line 3, strike the comma after object and insert in lieu thereof "which is"; line 4 strike the comma after "erected"; section 3, line 2, strike "obtaining" and insert in lieu thereof "obtained".

4. In the bill page 3, section 4, line 1, strike "permit" and in lieu thereof insert "the permit, required by section 3 of this act,"; line 5, strike "and" after "structure" and insert in lieu thereof a comma; line 9, strike the comma after "construction"; line 18, strike "by regulation prescribe, otherwise" and insert in lieu thereof "prescribe by its rules and regulations, authorized by section 7 of this act. If he does not so determine,"; at the end of line 20 insert "(1)"; line 22, after "concerned," insert "(2)" and in the same line after "terrain," insert "(3)"; line 23 insert "(4)" after the comma; line 24, insert "(5)" after the comma; line 25, insert "(6)" after "zones,"; line 26 strike "and" and insert in lieu thereof ", and (7)"; line 27 strike ", and shall be reasonable and" and insert in lieu thereof ". He"; and at the end of line 15 after "permit" insert ", required by section 3 of this act,".

5. Page 4, section 5, line 3, in the bill after "hereunder" insert "under the terms of this act,"; line 9, strike ", except" and insert in lieu thereof "except,"; section 8, line 1, after "corporation" insert "(1)"; line 2 after the comma insert "(2)"; page 5, section 8, line 3, strike "or" and insert "(3)"; line 5, strike "or" and insert in lieu thereof "as authorized by section 7 of this act, (4)"; line 6 strike "or" and insert in lieu thereof ", or (5)"; line 8 after "and" insert "shall" and in the same line strike the word "shall"; line 11 after "both" insert "such a fine and imprisonment"; section 9, line 1, after "addition" insert "to the penalties provided for by section 8 of this act,"; line 5 strike the comma, and in the same line strike "In addition the" and insert in lieu thereof "The"; and in lines 6 and 7, strike "structure to stand" and insert in lieu thereof "same to stand or remain,".

6. In the bill title line 3 after the word "space" insert "as prescribed"; line 11, after "structures" insert "as prescribed; to make certain acts unlawful"; and in line 12, after "act" insert "to declare a nuisance and provide for the abatement thereof as prescribed; to provide for actions in court as prescribed; to provide for notices;".

LEGISLATIVE BILL 381. Replaced on Select File as amended.

E and R amendments to LB 381:

1. In Tvrdik Unanimous Consent Amendment 1, strike all of such amendment after the word "more" in line 2 thereof and in lieu thereof insert in such amendment 'more,' in line 3 after the second word 'county' and also in lines 11 and 15 of such section 1 after the word "board" in such lines 11 and 15."

2. In the bill section 1, line 17, after the first word "board" and before the comma, insert "*of such a county*"; line 19 and also line 22, strike "the" and in lieu thereof insert "*such*"; line 21, after the word "clerk" and before the word "and", which word "and" has been stricken, insert "*of such a county*".

3. In the bill title line 4, insert ", except in counties having a population of two hundred thousand inhabitants, or more," in accordance with Tvrdik Unanimous Consent Amendment of May 23, 1955.

LEGISLATIVE BILL 466. Replaced on Select File as amended.

E and R amendments to LB 466:

1. In Enrollment and Review Amendment 10, line 2, strike "4," and at the end of such Enrollment and Review Amendment add, before the period, "and in section 3, line 4, strike the period and in lieu thereof insert ". :".

2. In the bill, renumbered section 6, line 8, insert "," after "sentative".

3. In the bill title line 2, strike "60-110" and in lieu thereof insert "60-610".

LEGISLATIVE BILL 187. Placed on Select File as amended.

E and R amendments to LB 187:

1. In Standing Committee Amendment 1, in the newly inserted section 9, line 1, before "The" insert "(1)"; line 6, before "The" insert "(2)"; line 9, before "re-" insert "or"; line 13, after "right-of-way" insert a comma; line 23, after "park," and "reserve," insert "any"; line 24, after "institution" insert a comma.

2. In Standing Committee Amendment 8, line 2, strike the semi-colon and in lieu thereof insert a comma, and in the same line strike the comma after "Commission"; and line 3, before the period insert "after 'authority' ".

3. In Standing Committee Amendment 9, in the newly inserted section 27, insert a comma in line 1 after "department", line 6 after "alter" and "facilities", line 7 after "restrict", line 11 after "streets" and "highways", line 12 after "street", line 16 after "streets", line 25 after "egress", line 26 after "agreement", line 27 after "condemnation", and line 30 after "terms"; line 2, strike the comma after "Commission"; line 4, after "department" insert "(1)"; line 5, strike "and" and in lieu thereof insert ", (2)"; and line 7, after "and" insert "(3)".

4. In Standing Committee Amendment 10, in the newly inserted section 28, line 3, after "prove" insert a comma and line 12, strike the comma after "road".

5. In Standing Committee Amendment 11, in the newly inserted section 29, insert a comma in line 2 after "lots", line 3 after "road", line 7 after "highway", and line 8 after "funds"; and line 6, strike "if" and in lieu thereof insert ". If".

6. To clarify, and be certain as to, the intent of the Legislature by its amendments, strike all amendments to section 53 of the bill, lines 10 and 11.

7. In Standing Committee Amendment 15, in the newly inserted matter, insert a comma in the first line after "protection" and in the second line after "tools".

8. In Standing Committee Amendment 17, in the new matter inserted in line 14, insert a comma in the first line after "firm" and in the ninth line after "to"; in the new matter inserted in line 17, insert a comma before "upon" and after "department"; and lines 15 and 16, strike "before" and in lieu thereof insert "after".

9. In the Perry General File Amendment adopted May 17, 1955, lines 2 and 3, strike "and renumbering the remaining subparagraphs accordingly".

10. In the Vogel General File Amendment 1, line 3, insert a comma after "funds".

11. In the Aufenkamp General File Amendments 1 and 2, respectively, insert a comma before and after "maintenance"; in Aufenkamp amendment 3, insert a comma before "or"; in Aufenkamp General File Amendment to section 51, line 2 (3, mimeograph), insert a comma before and after "maintenance"; in Aufenkamp amendments to sections 52 and 53, insert a comma before and after "maintenance"; in Aufenkamp amendment to section 54, insert a comma after "maintenance".

12. In the Ruhnke General File Amendment 3, line 3 (4, mimeograph), insert a comma after "using"; line 8 (9 and 10, mimeograph), strike "or use" and in lieu thereof insert ", use,"; in Ruhnke amendment 4, line 2, insert a comma before and after "use"; and line 4 (5, mimeograph), insert a comma before "when".

13. In the Perry General File Amendment adopted May 18, 1955, insert a comma in line 2 before "by" and line 3 after "domain".

14. In the bill, insert a comma in section 1, line 31 after "organization"; section 2, line 40 after "street"; section 4, line 7 after "Acts"; section 6, line 8 after "government" and "agencies"; section 17, line 10

after "development"; section 20, line 21 after "materials"; line 23 after "along"; section 23, line 1 after "land" and line 8 after "occupied"; section 24, line 8 after "property" and line 9 after "section"; section 26, line 10 after "terest"; section 33, line 10 after "as" and "authority" and line 16 after "appurtenance"; section 39, lines 10, 18, and 27, after "links", line 34 after "ment", and line 38 after "structures"; section 41, line 5 after "time" and line 6 after "agreement"; section 43, line 6 after "services"; section 45, line 10 after "highway" and line 11 after "department"; section 46, line 3 after "necessary" and line 4 after "reasons"; section 50, line 5 after "bridges"; section 52, line 1 after "person" and line 4 after "ment"; section 55, line 8 after "construct" and line 9 after "accommodations"; section 56, line 13 after "funds" and line 14 after "products"; section 57, line 1 after "transfer" and line 2 after "prescribed"; section 58, line 10 after "funds"; section 61, line 2 after "cross", line 4 after "railways", and line 17 after "crossed"; and section 62, line 13 after "tinues".

15. In the bill, section 1, line 6, strike "The provision of" and in lieu thereof insert "Providing", and in the same line strike ", and its" and in lieu thereof insert "and the"; line 7, strike the comma after "control" and in lieu thereof insert "thereof"; line 8, strike ", and as" and in lieu thereof insert "and"; line 30, after "meet" insert "the"; line 40, strike "and"; lines 50 and 51, strike "stated above" and in lieu thereof insert "hereinbefore stated in this section".

16. In the bill, section 2, line 5, strike the comma after "route"; line 72, insert "the" after "for"; line 81, after the semicolon insert "(24) State highway purposes shall have the meaning set forth in subsection (2) of section 20 of this act;" ; line 92, insert "the" after "for"; and line 104, strike "description" and in lieu thereof insert "instrument".

17. In the bill, section 4, line 2, strike the parenthesis before "Public" and in lieu thereof insert a comma, and in the same line strike the parenthesis after "156"; line 3, strike the quotation marks; line 5, strike "purpose," and in lieu thereof insert "purposes,".

18. In the bill, section 5, line 1, strike "may" and in lieu thereof insert "shall".

19. In the bill, section 13, line 2, after "fragments" insert "of routes".

20. In the bill, section 14, line 23, strike "description of" and in lieu thereof insert "instrument describing"; lines 25 and 28, respectively, strike "description" and in lieu thereof insert "instrument".

21. In the bill, section 15, line 4, strike "description of" and in lieu thereof insert "instrument describing"; lines 4 and 5 and 10 and

11, respectively, strike "description" and in lieu thereof insert "instrument".

22. In the bill, section 17, line 2, strike the comma after "investigations" and in lieu thereof insert "and"; line 3, before "road" insert "(1)", and in the same line before "traffic" insert "(2)"; line 4, strike "financial conditions and" and in lieu thereof insert "(3) financial conditions, and (4)"; line 6, before "toll" insert "any"; line 13, before "political" insert "or".

23. In the bill, section 18, line 2, strike "and do research and" and in lieu thereof insert ", do research,".

24. In the bill, section 20, line 1, before "The" insert "(1)"; line 3, strike the comma after "property"; line 8, before "State" insert "(2)", and in the same line after "purposes" insert ", as referred to in subsection (1) of this section or otherwise in this act,"; line 10, strike "(1)" and insert "(a)"; line 14, strike "(2)" and insert "(b)"; line 16, strike "(3)" and insert "(c)"; line 18, strike "(4)" and insert "(d)"; line 20, strike "(5)" and insert "(e)"; line 22, strike "(6)" and insert "(f)"; line 26, strike "(7)" and insert "(g)"; line 28, strike "(8)" and insert "(h)"; line 32, strike "(9)" and insert "(i)"; line 35, strike "(10)" and insert "(j)"; line 37, strike "(11)" and insert "(k)"; and line 39, strike "(12)" and insert "(l)"; strike the period and in lieu thereof insert a semicolon in lines 13, 15, 17, 19, 21, 25, 27, 31, 34, and 36; and strike the period and in lieu thereof insert "; and" in line 38; line 15, strike "and" before "fills" and in lieu thereof insert a comma, and in the same line strike "and" after "changes" and in lieu thereof insert ", and the"; line 29, strike "in" and in lieu thereof insert "set forth in subsection (1) or (2) of"; line 41, before "The" insert "(3)", and in the same line after "property" insert ", authorized by subsection (1) of this section or elsewhere in this act"; and line 43, before the period insert "or as provided by section 23 of this act, as the case may be".

25. In the bill, section 21, line 4, strike ", if" and in lieu thereof insert "if,"; lines 7 and 8, strike "Among others, this would be the case" and in lieu thereof insert "Without limiting the same hereby, this may be done"; line 9, strike the comma after "owner" and in lieu thereof insert "or"; and line 11, strike ", and in other instances".

26. In the bill: section 22, line 3, strike "provided" and in lieu thereof insert "if"; section 25, line 6, strike "the" before "manner" and in lieu thereof insert "such"; section 26, line 5, strike "and such" and in lieu thereof insert ". Such", and line 9, strike "as" and in lieu thereof insert ", which".

27. In the bill, section 33, line 8, strike "as may be"; line 9, strike "; and any such permit" and in lieu thereof insert ". Such a permit so".

28. In the bill, section 34, line 8, before "to" insert "(1)"; line 12, strike the semicolon and in lieu thereof insert ", (2)"; and line 14, strike "; and" and in lieu thereof insert ", and (3)".

29. In the bill: section 35, line 13, insert "a" after "such"; section 36, line 7 before "toll" insert "any"; section 37, line 9, strike "such highways" and in lieu thereof insert "the state highway system".

30. In the bill, section 39, line 1, strike "Responsibility" and in lieu thereof insert "The responsibility", and in the same line after "for" insert "the"; strike the period and in lieu thereof insert a semicolon in lines 7, 16, 25, and 37; and strike the period and in lieu thereof insert "; and" in line 48; line 13, insert "the" after "and"; lines 15, 23, 26, and 42, insert "the" after "for"; line 27, strike "on" and in lieu thereof insert "of"; and line 38, strike "Maintenance" and in lieu thereof insert "The maintenance".

31. In the bill: section 43, line 6, strike "or" after "repairs" and in lieu thereof insert a comma; section 46, line 1, before "any" insert "(1)", line 2, strike "or when" and in lieu thereof insert "(2)", and line 5, strike "in case" and in lieu thereof insert "(3)"; and section 48, line 4, strike "advertising" and in lieu thereof insert "publication of a notice thereof", line 5, strike "for", and lines 11 and 12, strike "in which" and in lieu thereof insert "when".

32. In the bill: section 49, line 7, strike "federal-state" and in lieu thereof insert "federal and state"; section 52, line 2, insert "the" after "for", line 9 after "be" insert "confidential and only", and line 10 strike "only and shall be confidential"; and section 55, line 2, before "or" insert "employ", and line 10 strike the first "and" and in lieu thereof insert ", and buildings".

33. In the bill: section 58, line 4 strike the comma after "division"; section 61, line 4 strike the comma before "railways", line 7 strike "not only", and line 9 strike "but" and in lieu thereof insert "and"; section 62, line 4 strike the comma at the end of the line, line 5 before "any" insert "for", and line 11, after "such" insert "a".

34. In the bill title, line 2, after "highways;" insert "to state the necessity of this act and the intent and purposes thereof;"; line 4, strike "and the" and in lieu thereof insert a comma, and in the same line after "Engineer" insert ", State Highway Commission, other public officials, and others prescribed"; line 6, after "system" insert "and

changes therein from time to time", and in the same line before "of" insert "or other acquisition"; line 7 after "erty" insert "as prescribed"; and line 8, after the semicolon insert "to provide for certain notices and hearings; to limit the mileage of such highway system and the increases thereof; to provide an assent to federal aid as prescribed; to permit cooperation with the United States government and political or governmental subdivisions or public corporations as prescribed; to confer powers and duties upon political or governmental subdivisions and public corporations of the State of Nebraska as prescribed; to permit the transfer or exchange of property as prescribed; to permit controlled access to roads, streets, and highways and ingress and egress to same as prescribed;".

35. In the bill title, line 6, after "provide" insert "that the map prepared by such department, showing a proposed highway system in Nebraska, filed with the Clerk of the Legislature on May 3, 1955, is hereby adopted by the Legislature as the state highway system on the effective date of this act; to provide".

LEGISLATIVE BILL 339. Placed on Select File as amended.

E and R amendments to LB 339:

1. In the new section 1, inserted by standing committee amendment 1, line 18 insert a "," after "trailer" and after "livestock".

2. In the bill title line 2, strike 39-723.08 and in lieu thereof insert 39-723.07; and in lines 3, 4, and 5 strike "exempt vehicles loaded with livestock from being stopped for weighing while in transit" and in lieu thereof insert "change the provisions in regard to maximum loads and tolerances in regard to trucks, truck-tractors, semitrailers, and trailers carrying only a load of livestock as prescribed".

LEGISLATIVE BILL 292. Placed on Select File as amended.

E and R amendments to LB 292:

1. Regardless as to statements otherwise made in the amendments, place "Sec. 2." in the Tvrdik and Klaver General File Amendment 1 after renumbered "Section 1.", originally "Sec. 3."; then place "Sec. 2." in the Tvrdik General File Amendment 1 as the next section and renumber it as "Sec. 3." since two sections are called "Sec. 2." in such amendments and underscore all of the same commencing with "Without" in the third line of such new section, and make "Sec. 3." in the Tvrdik General File Amendment 1, "Sec. 4." and place it after such renumbered "Sec. 3." so contained in such Tvrdik General File Amendment; and also strike original section 4 of the bill.

2. In the Tvrdik and Klaver General File Amendment 1, line 11, after "widening" and line 17, after "plants" insert ","; line 14 strike "so to" and in lieu thereof insert "so to so"; line 15, (mimeographed copy line numbered 16) after "parks," insert "recreational areas,".

3. In the Tvrdik General File Amendment 1, line 6, (mimeographed copy line numbered 4) after "parks" insert ", recreational areas,"; and in line 20 insert "a" after "such".

4. In the bill, page 4, renumbered section 1, insert "," after "council" in line 1, after "class" and "regulate" in line 2, after "dwellings" line 5, after "security" line 7, page 5, renumbered section 1, line 12 after "dwellings", and in line 14 after "safe" and "and".

5. In the bill page 4, renumbered section 1, line 2 after "have" insert "the"; line 3 strike "(1)"; line 4 after the comma insert "(1)"; at the end of line 5 insert "in order"; line 7 after "and" and before "to" insert "as"; page 5, renumbered section 1, line 13, strike "constituting" and in lieu thereof insert "which constitute" and in the same line after "of" insert "the".

LEGISLATIVE BILL 115. Placed on Select File as amended.

E and R amendments to LB 115:

1. Strike all amendments to line 22 of section 1, of the bill and in line 22 strike "two" and insert "five".

2. In the bill page 2, section 1, line 6, insert "in such districts" after "lands"; line 7 strike "in such districts" and show as stricken matter and also in line 7 strike "to" after "benefits" and insert in lieu thereof ". The amounts thereof shall be"; at the end of line 9 insert "of the" (as in statutes).

3. In the bill title line 4, strike "for collection of delinquent" and insert in lieu thereof "when unpaid future"; and in line 5, after "improvements" insert "may be declared by a resolution of the mayor and city council to be immediately due and delinquent as prescribed; to provide procedure; to authorize such a city to proceed to enforce and collect the delinquent amounts and all future installments".

LEGISLATIVE BILL 537. Placed on Select File as amended.

E and R amendments to LB 537:

1. In the bill section 1, line 7 strike "after such levy" and show it as stricken matter; in line 8 after "four years" insert ", respectively, after the date of such levy"; in line 11 strike "the aforesaid" and in lieu thereof insert "the aforesaid such"; and in line 12 strike "; and after" and in lieu thereof insert "; and after . After".

2. In the Foote General File Amendment 1, line 2, after "matter" insert "and amendments thereto"; line 6 strike "its" and in lieu thereof insert "the" and in the same line after "owners" insert "thereof," and in line 7 after "installments" insert "would" and also in line 7 after "due" insert "*in accordance with such resolution*" (lines being numbered as on original amendment).

3. In the bill title line 4 after the semicolon insert "to provide when and how future installments, as prescribed, may be declared due and delinquent; to provide for publication of a notice as prescribed;" and in line 6, after "districts" insert ", including future installments so declared due and delinquent as prescribed".

(Signed) Donald F. McGinley, Chairman

Approved by the Governor

May 31, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 29, 1955, he approved LB 177, 392, 548, 495, 307, 259, 505, 242, 222, 549, 542, 285, 472, 553, 474, 38, 230, 444, 153, 485 and 387.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

May 27, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 26, 1955, he approved LB 108, 543, 328 and 432.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

May 31, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on May 31, 1955, he approved LB 360.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Message from the Governor

May 30, 1955

To the President, Speaker
and Members of the Legislature:

Legislative Bill 417 is returned to you without my signature.

This bill would reduce the criminal offense of drawing or uttering instruments for payment of money, with intent to defraud. Where the amount involved did not exceed \$35 the offense would be reduced to a misdemeanor.

One of the purposes of this type of law is the protection of our many citizens that must operate business enterprises by the use of checks, drafts, and assignments of funds, against the dishonest and criminally bent persons that undertake to intentionally defraud those who trust them in normal business practices.

Approximately 244 of the 727 Nebraska Penitentiary inmates are serving sentences for conviction of offenses of this nature. Of that number, 161 have had at least three previous convictions, indicating that this is one of the most flagrant crimes perpetrated in Nebraska. Under such circumstances our law designed to deter these offenses should not be relaxed as to the punishment, lest it encourage increased violations with the resulting hardships upon the innocent citizens of our state and obstruct and penalize business procedures.

I am informed by the Nebraska County Attorneys Association, whose members are charged with enforcement of laws prohibiting intentional fraud that the best protection of our citizens demands no reduction in the punishment such as would be provided by LB 417. This view is shared by a large number of leading merchants and business organizations. They report that many are non-resident criminals, sometimes termed "Professional check writers," who execute well planned

schemes of going from city to city, intentionally issuing fraudulent checks and drafts, and then fleeing the state before their crimes can be discovered, thus rendering apprehension and conviction most difficult and costly to Nebraska law—enforcing officials.

If we relax our criminal law so that intentional fraud that does not exceed \$35 is a mere misdemeanor, this floater type of professional criminal will be encouraged to enter Nebraska for the purpose of passing fraudulent checks, knowing that if they promptly leave the state their extradition will be most difficult, if not impossible. The tendency of this bill will be to more greatly victimize our Nebraska citizens, possibly making this state a haven for this type of intentional fraud.

Sincerely yours,

(Signed) Victor E. Anderson
GOVERNOR

RESOLUTIONS

LEGISLATIVE RESOLUTION 37.

LR 37 was adopted with 31 ayes, 0 nays and 12 not voting.

LEGISLATIVE RESOLUTION 38.

LR 38 was adopted with 33 ayes, 0 nays and 10 not voting.

UNANIMOUS CONSENT—Employ Court Reporter

Mr. Brower asked unanimous consent that the Special Committee to Investigate Improper Practices of Members Affecting Legislation and Legislative Procedures be authorized to employ a court reporter during its meetings. No objections. So ordered.

Announcement—Meeting of Special Committee

Mr. Brower announced that the Special Committee would hold its first meeting at 9:30 a.m. on Friday, June 3, 1955, in the Supreme Court Hearing Room. Members of the Legislature and representatives of the Press may attend the meetings, but they will not be open to the public.

Mr. Brower asked unanimous consent that the members of the Special Committee be permitted to take time out from the sessions for attendance at the hearings, and that they be given the opportunity to be called back during Final Readings, and be subject to Call of the Legislature if needed. No objections. So ordered.

Appreciation

Mr. Larkin expressed his appreciation and that of his family for the floral tribute sent to the funeral of his sister-in-law.

REPORT—Committee on Enrollment and Review

June 1, 1955

Mr. President and
Members of the Legislature:

Your Committee on Enrollment and Review reports as follows:

On May 28, 1955, the Legislature adopted the following motion:

"Mr. President: I move that the Chairman of the Committee on Enrollment and Review report to the Legislature on June 1st as to whether the Committee map or any map is correctly incorporated in LB 187. (Signed) Earl J. Lee"

To answer this question, I have consulted with the Legal Advisor of the Enrollment and Review Committee and the Attorney General's office. The clue to the answer, I believe, lies in the expression of legislative intent as contained in the bill received by the Enrollment and Review Committee. Even though there may be a question of technical correctness in the parliamentary mechanics by which the Highway Advisory Commission map was rejected, the record shows that the intent was expressed to reject the Commission map. Therefore, the Enrollment and Review Committee considers that it is working with the Committee map within LB 187.

I have been advised that our method of legislative procedure in enacting a law does not affect the validity of an act as it is finally passed.

An amendment to the title of LB 187 will be submitted by my Committee to state the legislative intent of adopting the Committee map.

Respectfully submitted,

(Signed) Donald F. McGinley,
Chairman of Enrollment and Review

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 95.

A bill for an act to amend sections 25-1010, 25-1011, 25-1056,

26-151, and 27-410, Revised Statutes Supplement, 1953, relating to garnishment; to restate the manner of obtaining service in proceedings in garnishment; to provide for issuance of summons instead of service of copy of order; to require the garnishee to hold property and credits of the defendant in his possession at time of service of the summons until the further order of the court; to require service of copy of the summons upon the defendant as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 40:

Adams, J.	Burney	Larkin	Person
Adams, T.	Cole	Lee	Peterson
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	McGinley	Ruhnke
Bahensky	Fenske	McHenry	Shultz
Beaver	Foote	Martin	Swanson
Bedford	Hoffmeister	Metzger	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrdik
Brower	Kotouc	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Morrison Otto Purdy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 547. With emergency.

A bill for an act relating to the Game, Forestation and Parks Commission; to provide for a transfer and conveyance of the real estate described for the purposes and to the person prescribed; to provide for the execution and delivery of a deed of such real estate to correct an erroneous description in a certain deed covering the real estate 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.	Adams, T.	Anderson	Aufenkamp
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Bahensky	Diers	Liebers	Peterson
Beaver	Fenske	McGinley	Pizer
Bedford	Foote	McHenry	Ruhnke
Bixler	Hoffmeister	Martin	Shultz
Bridenbaugh	Hubka	Metzger	Swanson
Brower	Klaver	Moulton	Syas
Burney	Kotouc	Nelson	Thompson
Cole	Larkin	Perry	Tvrđik
Cramer	Lee	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Morrison Otto Purdy

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 179. With emergency.

A bill for an act to amend sections 77-1734, 77-1735, 77-1736, and 77-1737, Reissue Revised Statutes of Nebraska, 1943, relating to taxation; to provide one method of procedure for the recovery of taxes, or any part thereof, that for any reason are invalid; to permit the joinder of defendants in the action and under the circumstances prescribed; to repeal the original sections and also sections 77-1728, 77-1729, 77-1730, 77-1731, 77-1732, and 77-1733, Reissue 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, 40:

Adams, J.	Burney	Larkin	Person
Adams, T.	Cole	Lee	Peterson
Anderson	Cramer	Liebers	Pizer
Aufenkamp	Diers	McGinley	Ruhnke
Bahensky	Fenske	McHenry	Shultz
Beaver	Foote	Martin	Swanson
Bedford	Hoffmeister	Metzger	Syas
Bixler	Hubka	Moulton	Thompson
Bridenbaugh	Klaver	Nelson	Tvrđik
Brower	Kotouc	Perry	Vogel

Voting in the negative, 0.

Not voting, 3:

Morrison Otto Purdy

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 521. Read and considered.

Mr. Bixler offered the following amendment, which was adopted with 19 ayes, 17 nays and 7 not voting:

1. Amend page 4 of the bill, section 6, line 2, by inserting after the words "effective date of this act" the following:

" , except lands which are leased on a profit-sharing basis," , line 3, by striking the new material after the words "valuation equal to" and by striking lines 4 and 5, and in lieu thereof insert the following:

"seventy-five per cent of the appraised value for tax purposes of similar lands in the county."

Mr. Bedford moved that LB 521 be indefinitely postponed. The motion prevailed with 23 ayes, 16 nays and 4 not voting.

LEGISLATIVE BILL 9. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Ninety-eighth Day was adopted.

Advanced to E and R for review.

Adjournment

At 4:16 p.m., on a motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, June 2, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Larkin, who was excused until 11:15 a.m.

The Journal for the One Hundred-Second Day was approved.

Communication

Letter from Paul Halpine, Secretary, Nebraska Motor Carriers' Association, Lincoln, Nebraska, concerning LB 362.

Invitation

Invitation from Nebraska Petroleum Industries Committee to the Members and their wives to dinner at the University Club this evening.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 276. Correctly engrossed.

LEGISLATIVE BILL 558. Correctly engrossed.

LEGISLATIVE BILL 80. Correctly engrossed.

LEGISLATIVE BILL 95. Correctly enrolled.

LEGISLATIVE BILL 547. Correctly enrolled.

LEGISLATIVE BILL 179. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 95
LB 547

LB 179

LR 37

LR 38

Member Excused

Mr. Hubka was excused for the remainder of the morning.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 556.

A bill for an act relating to motor vehicles; to redefine the authority of the Department of Roads and Irrigation to construct, maintain, and operate weighing stations for the weighing and inspection of buses, motor trucks, truck-tractors, and trailers; to authorize the Governor to designate either the Nebraska Safety Patrol or the employees of the Department of Roads and Irrigation as peace officers, to operate the weighing stations; to define terms; to provide for bonds and payment of premiums of such bonds of the employees designated as peace officers; to provide for the powers, uniforms, and badges of such peace officers; to provide for notice or summons for a violation of this act and hearing before a magistrate on the violation; to make certain acts unlawful; to provide for violations; to provide penalties; to amend sections 39-603.03 and 39-603.04, Reissue 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.	Burney	McGinley	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Cramer	Martin	Purdy
Aufenkamp	Diers	Metzger	Ruhnke
Bahensky	Fenske	Morrison	Shultz
Beaver	Foote	Moulton	Swanson
Bedford	Hoffmeister	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrđik
Brower	Liebers	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Hubka

Larkin

Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. T. Adams Presiding

MOTION—Reconsider Action on LB 362

Mr. President: I move that the Legislature reconsider its action in indefinitely postponing LB 362. (Signed) John Adams, Sr.

The motion prevailed with 22 ayes, 17 nays and 4 not voting.

SELECT FILE

LEGISLATIVE BILL 541. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Laid over.

LEGISLATIVE BILL 381. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 466. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Mr. Bixler moved that LB 187 be returned to General File for the purpose of adopting the Highway Commission map.

Mr. Kotouc moved the previous question. The motion prevailed with 36 ayes, 1 nay and 6 not voting.

The Bixler motion prevailed with 22 ayes, 16 nays and 5 not voting.

LEGISLATIVE BILL 339. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 292. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Laid over.

LEGISLATIVE BILL 537. E and R amendments found in the Legislative Journal for the One Hundred-Second Day were adopted.

Laid over.

Visitors

Mr. Moulton introduced Mrs. Robert S. Brown, Director, Mrs. Arnold Peterson and Mrs. Barton Kuhns, Teachers, and forty pre-school children from the vicinity of 54th and Charles Streets, Omaha, Nebraska. The group favored the Members with a song.

UNANIMOUS CONSENT—Revert to Resolutions

Mr. Anderson asked unanimous consent to revert to the introduction of resolutions. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 39. Re: Committee to Study Legislative Processes.

Introduced by Lester H. Anderson, 25th District; Robert C. Brower, 26th District; O. H. Person, 17th District.

WHEREAS, the sessions of the Nebraska Legislature are increasing in the number of legislative days each session, and

WHEREAS, there is the same rush at the end of the session to push bills of great importance which bills were heard by a standing committee early in the session, and

WHEREAS, there is confusion because certain bills must be passed by the Legislature before other bills can be disposed of.

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

That the Legislative Council appoint a committee to study the legislative process in view of improving the method of consideration of bills and report to the next regular session of the Legislature. The report to contain recommendations as to the following:

- (1) Introduction of bills after expiration of time limit, procedure, and vote requirements;
- (2) Correlation of bills before reference to standing committees;
- (3) Methods for reference of bills to standing committees;
- (4) Priority for hearings and action on certain classes of bills such as bills requiring raising of revenue and appropriations;
- (5) Time limitations for public hearing and making reports on bills by standing committees;
- (6) Bills requiring appropriations to be reported to general file shall be first referred by the standing committee to the budget committee for a report to the Legislature of the amount of appropriation required;
- (7) Changes in standing committees, their selection, powers, and duties;
- (8) Use of the rules committee or creation of a standing committee for the sifting, correlation, and expediting action upon all bills not acted upon within a reasonable time as designated by amendment to the rules;
- (9) Methods used and effects resulting on legislation by pressure groups, individuals, and registered lobbyists; and
- (10) Changes found to be necessary in the present legislative rules, the statutory law, or the Constitution for the purpose of curtailing the length of legislative sessions and improving the legislative procedures and appropriate bills or amendments to rules to be drafted for introduction in the Legislature.

GENERAL FILE

LEGISLATIVE BILL 187. Laid over.

LEGISLATIVE BILL 362. Considered.

Mr. Anderson offered the following amendments, which were adopted:

1. Amend Sections 2, 4, 5, 10 and 12 by striking "Department of Roads and Irrigation" wherever they appear in said sections and substituting therefor "Department of Agriculture and Inspection."

2. Amend Section 5 by striking the following words from the beginning of the second sentence to wit, "The department is authorized and directed to" and substitute the following: "The Department shall prior to January 1, 1956 and thereafter as it may find advisable."

3. Amend Section 7 by striking the words — "The Department is further authorized and directed to" at the beginning of the section and substitute therefor the words; "The department shall prior to January 1, 1956 and thereafter as it may find advisable."

4. Add a new section and number it 16, as follows:

"Sec. 16. Since an emergency exists and will exist if anticipated revenues are not collected in 1956 this Act shall be in full force and take effect from and after its passage and approval according to law, except that the tax provided in Sections 1 to 4 inclusive shall be effective beginning January 1, 1956."

5. Amend the Title by adding to the last line after the word "section" the following: "and to declare an emergency."

6. Amend the title to conform to the amendments adopted.

Mr. Perry asked unanimous consent to lay the bill over temporarily pending the drafting of an amendment. No objections. So ordered.

LEGISLATIVE BILL 187. Considered.

Mr. Bixler offered the following amendment, which was adopted with 23 ayes, 18 nays and 2 not voting:

1. Amend Standing Committee Amendment 1, section 9, line 1 by striking "department" and inserting "State Highway Commission", and line 3 by striking "on May 3, 1955" and inserting "and referred to in the resolution filed with the Legislature on February 3, 1955".

Mr. Pizer offered the following amendments, which were adopted:

1. Amend original section 63 of the bill, line 2 by striking the second word "and", and line 4 by inserting before "are" the following: "and Legislative Bill 1, Sixty-seventh Session, Nebraska State Legislature, 1955,".

2. Amend the title of the bill, line 10 by striking the second word "and", and line 11 by inserting after "1943" the following: ", and Legislative Bill 1, Sixty-seventh Session, Nebraska State Legislature, 1955".

Advanced to E and R for review, with 22 ayes, 14 nays and 7 not voting.

LEGISLATIVE BILL 362. Considered.

Mr. Perry offered the following amendment:

Amend Section 1 of amended LB 362, lines 14 to 24, as follows:

Strike 3.3 and insert in lieu thereof 1.6

Strike 3.4 and insert in lieu thereof 1.7

Strike 4.2 and insert in lieu thereof 2.1

Strike 4.4 and insert in lieu thereof 2.2

Strike 4.7 and insert in lieu thereof 2.3

Strike 4.9 and insert in lieu thereof 2.4

Strike 5.1 and insert in lieu thereof 2.6

Strike 5.4 and insert in lieu thereof 2.7

Strike 5.6 and insert in lieu thereof 2.8

Strike 5.9 and insert in lieu thereof 2.9

Strike 6.1 and insert in lieu thereof 3.1

Laid over until 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 129. Placed on Select File as amended.

E and R amendments to LB 129.

1. Strike the Tvrdik and Klaver General File Amendment 1, to Standing Committee Amendment 1, in regard to line 16 of section 2 of the bill and, in lieu thereof, in such standing committee amendment 1, last line after "illegal" insert "*or within thirty days after the effective dates of this act, whichever is the later*".

2. In Tvrdik and Klaver General File Amendment 2, to lines 18 to 20 of section 2 of the bill, line 12, of the original amendment (line 13

in mimeographed copy) strike "to" and in lieu thereof insert "upon"; in lines 16 and 18 of the original amendment strike the quotation marks; in line 17 of the original amendment strike ", and" and in lieu thereof insert "and," and in line 18 of the original amendment after "Nebraska" insert a ",".

3. In Standing Committee Amendment 1, line 6, strike ", then" and in lieu thereof insert " then,,"; and in line 7 after "act" insert a ",".

4. Since section 1 of this bill was also amended by section 2 of Legislative Bill 179 at this session of the Legislature, if Legislative Bill 179 passes and is approved by the Governor, the Committee on Enrollment and Review is authorized by certificate, without submitting the same to the Legislature as an amendment, to correlate section 1 of this bill with section 2, of Legislative Bill 179 and also amend the title and other sections of this bill to conform.

5. In the bill section 1, line 3 before "claim" insert "shall"; in line 6 after "reason" insert ","; in line 7 before the comma insert ", he may" in line 9 strike "he may," and show it as stricken matter; in line 12 after "district" insert ","; in line 13 strike "or" after "benefit," and show as stricken matter; in line 14 strike ", and if" and in lieu thereof insert ", and if . If"; in line 15 insert "he" after "thereafter,"; in line 16 after "district" insert ","; in line 17 after "trial" insert "of such a suit for such amount"; in line 21 after "therefor" insert ",", also in the same line insert "thereon," after "interest", and also in the same line strike "the same" and in lieu thereof insert "the same such judgment".

6. In section 2, line 4 after "assessment or" insert "any"; in line 9 after "shall" insert "," and also in line 10 after "order"; in line 11 after "same," insert "the same" and in line 18 strike "allow".

7. In the bill title line 4 insert "a" after "for" and in lines 4 and 5 strike "levied after the effective date of this act"; in line 6 strike "; and" and in lieu thereof insert "as prescribed; to define terms; to provide powers and duties for the prescribed public officials and county boards; to provide procedure; to provide for the issuance of registration certificates; to provide for the use of such certificates;"; and in line 7 after "section" insert "; and to declare an emergency".

LEGISLATIVE BILL 305. Placed on Select File as amended.

E and R amendments to LB 305:

1. In Standing Committee Amendments: amendment 5, line 1, strike "section 6" and in lieu thereof insert "renumbered section 7,

original section 6,"; amendment 7, line 1, strike "section 4" and in lieu thereof insert "original section 4, now renumbered section 5,"; and amendment 8, line 1, strike "section 5" and in lieu thereof insert "original section 5, now renumbered section 6,".

2. In Cramer General File Amendment 1, line 1, strike "renumbered section 4" and in lieu thereof insert "section 3".

3. In Thompson General File Amendment 1, line 1, before "line" insert "inserted by Standing Committee Amendment 1,".

4. In the bill, section 2, line 52, insert "," after "gible"; lines 56 and 64, respectively, strike "Superintendent of Public Instruction" and in lieu thereof insert "*Commissioner Superintendent of Public Instruction Education*".

5. In the bill, section 3, line 11, strike "or villages" and in lieu thereof insert "or , villages ,"; line 14, after "provided" insert "for "; and line 21, after "of" insert "*each of*".

6. In the bill, renumbered section 5, line 2, before "be" insert "as amended by section 1, Legislative Bill 248, Sixty-seventh Session, Nebraska State Legislature, 1955,"; insert "," in line 3 after "When" and "term" and line 18 after "*Education*"; lines 7 and 12, strike "sixty" and in lieu thereof insert "fifty-five"; and lines 29 and 30, strike "then the Superintendent of Public Instruction" and in lieu thereof insert "the Commissioner of Education".

7. In the bill, renumbered section 7, line 6, strike the comma after "board" and show as stricken matter; lines 14 and 15, strike "between the ages of five and" and in lieu thereof insert "between the ages of five and *from birth to*".

8. In the bill, renumbered section 8, line 2, before "be" insert "as amended by section 1, Legislative Bill 50, Sixty-seventh Session, Nebraska State Legislature, 1955,"; lines 35 and 36, strike "Superintendent of Public Instruction" and in lieu thereof insert "Commissioner of Education"; line 50, insert "," after "trict" and "section"; line 56, strike "neighboring" and in lieu thereof insert "a neighboring district or"; and line 58, strike the period and in lieu thereof insert " ; *provided further*, that the county superintendent shall not be required to dissolve and attach to neighboring districts any school district which borders another state and which has for five consecutive years contracted for the instruction of its pupils with a school district in an adjoining state; *and provided further*, that school districts contracting, as of January 1, 1955, for the instruction of pupils of the elementary grades with a state normal school shall not be dissolved because of contracting with this state normal school."

9. In the bill, renumbered section 9, lines 4 and 5, strike "there shall be made" and show as stricken matter; line 5, before "to" insert "*shall be made*"; insert "," in line 8 after "travel" and line 9 after "day"; and line 24, strike "of" and in lieu thereof insert "in".

10. In the bill, renumbered section 10, line 2, strike "and"; line 3, strike "79-420, 79-486,"; and line 4, before "and" insert "section 79-420, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 248, Sixty-seventh Session, Nebraska State Legislature, 1955, section 79-486, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 50, Sixty-seventh Session, Nebraska State Legislature, 1955,".

11. In the bill title, line 3, strike "and"; line 4, strike "79-420, 79-486" and in lieu thereof insert "79-403"; line 5, before "relating" insert "section 79-420, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 248, Sixty-seventh Session, Nebraska State Legislature, 1955, and section 79-486, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 50, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 7, after "district" insert "for the purpose prescribed", and in the same line after "the" insert "prescribed"; line 16, after "census" insert ", which enumeration shall not affect the manner of distribution or apportionment of school funds as prescribed"; and line 19, after the semicolon insert "to provide for inspections; to correct designations to conform to previous legislation; to provide to whom petitions shall be addressed and the board to act upon the same where a transfer involves lands in different counties as prescribed; to provide for appeals as prescribed; to permit the use of facsimile signatures and the designation of a person or persons to sign and validate warrants as prescribed,".

LEGISLATIVE BILL 381. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

RECESS

At 11:46 a.m., on a motion by Mr. Anderson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:00 p.m., Speaker Burney presiding.

The roll was called and all members were present except Messrs. Bridenbaugh, Diers, Fenske, Liebers, McHenry, Peterson, Pizer, Shultz and Vogel, who were excused until 2:30 p.m.

Visitors

Speaker Burney introduced three hundred 4-H Club members from all parts of the State and welcomed them to the Legislature. Miss Jerda Thompson, daughter of Mr. Don Thompson, acknowledged Speaker Burney's welcome and made a few announcements regarding the tour through the Capitol.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 556. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 556

GENERAL FILE

LEGISLATIVE BILL 362. Consideration of the Perry amendment, found in this day's Journal.

The Perry amendment was adopted with 26 ayes, 7 nays and 10 not voting.

Mr. Ruhnke offered the following amendment, which was adopted with 26 ayes, 8 nays and 9 not voting:

Amend Section 12 of the Anderson amendment by deleting all of said section after the word "allocated" in line 3, and inserting in lieu thereof "to the Department, and used by the Department for matching of available Federal funds for the building of State highways."

Mr. Anderson moved to advance LB 362 to E and R for review.

Mr. Peterson moved that LB 362 be indefinitely postponed.

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Beaver moved that the Call be raised. The motion prevailed with 32 ayes, 3 nays and 8 not voting.

The Peterson motion lost with 20 ayes, 20 nays and 3 not voting.

Mr. Pizer moved to reconsider action on the Ruhnke amendment.

Mr. Pizer requested a Call of the House.

A Call of the House was ordered and showed 43 members present.

Mr. Fenske moved that the Call be raised. The motion prevailed with 28 ayes, 6 nays and 9 not voting.

The Pizer motion prevailed with 22 ayes, 20 nays and 1 not voting.

Mr. Pizer moved that the Ruhnke amendment to LB 362, which was adopted today, be rejected.

The motion prevailed with 22 ayes, 19 nays and 2 not voting.

The Anderson motion prevailed with 21 ayes, 19 nays and 3 not voting, and LB 362 was advanced to E and R for review.

Member Excused

Mr. Bahensky was excused for the remainder of the afternoon.

SUSPEND RULES—Take Up Bills on Final Reading

Mr. President: I move to suspend the rules and take up bills on Final Reading—namely LB 204, 559, 555 and 303. (Signed) Charles F. Tyrdik

The motion prevailed with 29 ayes, 3 nays, and 11 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 204.

A bill for an act to amend sections 66-447 and 66-461, Reissue Revised Statutes of Nebraska, 1943, and section 66-452, Revised Statutes Supplement, 1953, as amended by section 4, Legislative Bill 40, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to motor vehicle fuels; to extend the provisions of the act providing for refund of tax on motor vehicle fuels to include industrial and nonhighway purposes as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 26:

Adams, J.	Diers	Metzger	Shultz
Adams, T.	Klaver	Moulton	Swanson
Aufenkamp	Kotouc	Otto	Syas
Beaver	Larkin	Perry	Thompson
Bixler	Lee	Peterson	Tvrdik
Burney	Liebers	Ruhnke	Vogel
Cramer	McGinley		

Voting in the negative, 15:

Anderson	Cole	McHenry	Person
Bedford	Fenske	Martin	Pizer
Bridenbaugh	Foote	Morrison	Purdy
Brower	Hubka	Nelson	

Not voting, 2:

Bahensky	Hoffmeister
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 559. With emergency.

A bill for an act to amend sections 39-860 and 39-867, Reissue Revised Statutes of Nebraska, 1943, relating to interstate county bridges; to extend the time when revenue bonds issued for interstate county bridges may mature; to extend internal references; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 42:

Adams, J.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Bahensky

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

Voting in the affirmative, 39:

Adams, J.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Beaver	Foote	Metzger	Ruhnke
Bedford	Hoffmeister	Morrison	Shultz
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Tvrdik
Burney	Larkin	Perry	Vogel
Cole	Liebers	Person	

Voting in the negative, 0.

Not voting, 4:

Adams, T.	Bahensky	Lee	Swanson
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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 303. With emergency.

A bill for an act pertaining to vocational rehabilitation of the

physically and mentally impaired; to establish a Division of Rehabilitation Services in the State Department of Education under the administration of the State Board of Education; to provide for a director of such division and his appointment, duties, and powers; to provide for cooperation with the federal government; to define terms; to provide powers and duties of certain public officials, boards, and agencies; to provide for the making of an agreement as prescribed; to provide which official shall act as custodian of the funds prescribed and the disbursement thereof; to provide for hearings as prescribed; to make certain acts unlawful; to provide for personnel; to provide for reports, budget estimates, and estimates of available funds as prescribed; to amend section 79-1422, Reissue Revised Statutes of Nebraska, 1943; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 38:

Adams, J.	Cramer	Liebers	Pizer
Adams, T.	Diers	McGinley	Purdy
Anderson	Fenske	McHenry	Ruhnke
Aufenkamp	Foote	Martin	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bedford	Hubka	Morrison	Syas
Bixler	Klaver	Moulton	Thompson
Bridenbaugh	Kotouc	Nelson	Tvrdik
Burney	Larkin	Otto	Vogel
Cole	Lee		

Voting in the negative, 4:

Brower	Perry	Person	Peterson
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Not voting, 1:

Bahensky

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. Hubka was excused for Friday, June 3, 1955.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 187. Replaced on Select File as amended.

E and R amendment to LB 187:

1. In Enrollment and Review Amendment 35 to the title, line 2, strike "such department" and in lieu thereof insert "the State Highway Commission"; and in line 4 of such amendment strike "on May 3, 1955" and in lieu thereof insert "and referred to in the resolution filed with the Legislature on February 3, 1955".

LEGISLATIVE BILL 384. Placed on Select File as amended.

E and R amendments to LB 384:

1. Strike the Lee General File Amendment to Standing Committee Amendment 2, and in lieu thereof in the original Standing Committee Amendment 2, line 14, strike "eligible to be" and show it as stricken matter; and in said Standing Committee Amendment 2, line 10 of the original strike "plans" and insert "plan" as in the statutes.

2. In the Standing Committee Amendment 1, new insertion, underscore the new matter and insert "," at the beginning and end thereof.

3. In the bill section 1, line 14 insert "water" after "surface".

4. In the bill section 3, line 3 after the period insert "(1)" and in the same line after "petition" insert ", referred to in section 31-802,"; in line 4 strike "(1)" and in lieu thereof insert "{1} (a)"; in line 5 strike "(2)" and in lieu thereof insert "{2} (b)"; in line 8 strike "(3)" and in lieu thereof insert "{2} (c)"; in line 15 strike "(4)" and in lieu thereof insert "{4} (d)"; in line 17 strike "(5)" and in lieu thereof insert "{5} (e)"; in line 18 strike "(6)" and in lieu thereof insert "{6} (f)"; in line 22 after "addresses" insert ","; in line 27 strike "(7)" and in lieu thereof insert "{7} (g)"; in line 29 strike "(8)" and in lieu thereof insert "{8} (h)"; and in line 32 insert "(2)" at the beginning of the line and in the same line after "petition" insert ", referred to in subsection (1) of this section and in section 31-802,".

5. In section 4, line 23 after "addresses" insert ",".

6. In section 5, line 12 strike "districts" and in lieu thereof insert "~~districts~~ district".

7. In section 7, line 7 strike "if" and in lieu thereof insert "it" as in statutes; in line 21 insert "," after "district" and also in line 22 after "31-832".

8. In renumbered section 11, line 2, after "31-812," insert "31-816,".
9. In the bill title line 9, strike "for" after "approval" and in lieu thereof insert "of the"; and in line 11, after the semicolon strike "and" and in lieu thereof insert "to harmonize the provisions thereof;".

LEGISLATIVE BILL 513. Placed on Select File as amended.

E and R amendments to LB 513:

1. In Standing Committee Amendment 1, in the new matter inserted in line 16, in the last line thereof strike the period.
2. In Standing Committee Amendment 2, line 35, before "In" insert "(2)"; line 45, after "by" insert "his"; line 53, before "Any" insert "(3)"; lines 53, 57, and 64, after "designation" insert ", permitted under the provisions of this act,"; line 57, before "Any" insert "(4)"; insert "," in line 57 after "policeman" and line 58 after "retirement"; and line 63, before "In" insert "(5)".
3. In Standing Committee Amendment 3, in newly inserted section 3, line 8, insert "," after "discharge"; line 10, before "event" insert "the"; after "A," in lines 15 and 17 insert "set forth in subsection (1) of section 15-1002,"; line 21, insert "," after "discharge"; line 22, strike "2" and in lieu thereof insert "(2)"; and line 25, after "B" insert ", set forth in subsection (1) of section 15-1002".
4. In Standing Committee Amendment 3, in newly inserted section 4, line 18 after "A," insert "set forth in subsection (1) of section 15-1002,"; and line 21, before the period insert ", set forth in subsection (1) of section 15-1002".
5. In Standing Committee Amendment 4, in the new matter inserted in line 11 of renumbered section 5, in the first line, before the semicolon insert "in this act", and in the same line strike "2" and in lieu thereof insert "(2)"; insert "," in the first line after "that" and in the third line after "election"; in the fifth line after "A" insert ", set forth in subsection (1) of section 15-1002,"; and in the last line of such insertion strike the period.
6. In Standing Committee Amendment 5, in newly inserted section 6, line 24, strike "2" and in lieu thereof insert "(2)"; line 28, after "in" insert "subsection (1) of"; line 32, before "shall" insert ", referred to in subsection (1) of this section,"; line 37, before "In" insert "(3)", and in the same line before "temporary" insert "the"; line 38, before "line" insert "the"; line 44, strike "foregoing" and show as stricken matter; line 46, after "ability" insert "contained in subsections (1) and (2) of this section", and in the same line after "by" insert "subsection (1), (2), or (3) of" ; and line 48, before the period insert "in this act".

7. In Standing Committee Amendment 6, line 3, insert "to" after "city" and line 4, insert "to" after "city".

8. In Standing Committee Amendment 7, in newly inserted section 8, line 7, after "equalize" insert "the"; insert "," in line 12 after "balance", line 13 after the first "year", line 36 after the second "made", line 38 after "security", and line 78 after "plants"; line 24, strike "therein"; line 26, strike "ad valorem taxes" and in lieu thereof insert "taxes upon the assessed value of all the taxable property situated therein, except intangible property"; line 42, strike "with" and in lieu thereof insert "within"; line 44, strike ", and" and in lieu thereof insert ";"; line 55, at the end of the line insert "and"; and line 105, strike "by".

9. In Standing Committee Amendment 8, line 3, strike "14-1005" and in lieu thereof insert "15-1005".

10. In the bill, insert "," in: section 1, line 8 after "person", line 10 after "department", and line 11 after "retire"; and renumbered section 7, line 11 after the second "policeman", line 13 after "retire", and line 17 after "salary".

11. In the bill: section 1, line 4 after "shall" insert "(1)", line 6 strike "and shall" and in lieu thereof insert "and shall , (2)", line 7 strike "and shall" and in lieu thereof insert ", and shall (3)"; section 2, line 3 after "15-1002." insert "(1)"; renumbered section 5, line 3 before "In" insert "(1)"; and renumbered section 7, line 6 strike "not exceeding" and in lieu thereof insert "to but not exceeding to exceed a salary of", and line 18 after "provided" insert "in this section,".

12. In the bill title, line 2, strike "15-1005" and in lieu thereof insert "15-1003, 15-1004, 15-1005, 15-1006"; line 4, before the semicolon insert "in cities of the primary class"; and line 7, after the semicolon insert "to provide options; to provide for designations of beneficiaries as prescribed; to provide when and by whom designations or elections may be made or changed as prescribed; to change certain procedure and requirements; to provide for a pension fund; to provide for the investment of the money in such fund; to authorize the levy of taxes as prescribed,".

(Signed) Donald F. McGinley, Chairman

Adjournment

At 4:32 p.m., on a motion by Mr. Fenske, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, June 3, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hubka, who was excused, and Messrs. Anderson, Aufenkamp, Brower, Moulton, and Person, who were excused until 11:15 a.m.

The Journal for the One Hundred-Third Day was approved as corrected.

Invitation

Invitation from Robert M. Howard, Secretary-Treasurer, Nebraska Stock Growers Association, to the Lieutenant Governor, Members of the Legislature, the Clerk, the Sergeant-at-Arms, and their wives, to attend their annual banquet on June 10, 1955 at the Cornhusker Hotel.

RESOLUTIONS

LEGISLATIVE RESOLUTION 40. Re: Encouragement of Tree Planting by Fifth Grade Children on Arbor Day.

Introduced by William A. Metzger, 3rd District; Robert Perry, 20th District; Earl J. Lee, 11th District.

WHEREAS, the fifth grade pupils in all public and parochial schools in Nebraska have been encouraged to plant and care for ornamental trees, and

WHEREAS, on Arbor Day of this year trees were made available for planting and each tree planted had an aluminum tag attached on which was placed the name of the pupil and the year of planting, and

WHEREAS, the United States Forestry Department has approved the planting of such ornamental trees and experience has proven that they will thrive in any part of Nebraska if given care when and after planting, and

WHEREAS, the trees are furnished to such pupils by civic groups and other organizations to stimulate affectionate interest in trees and their care, and to help beautify the State of Nebraska.

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

That the Legislature encourages the continuance of tree planting by school children of the fifth grade in all public and parochial schools in Nebraska on Arbor Day.

That such school children be commended for this worthwhile endeavor.

SELECT FILE

LEGISLATIVE BILL 541.

Mr. Moulton asked unanimous consent that the following amendment be adopted:

1. Amend Standing Committee Amendment 2, by striking Klaver amendment adopted May 19, 1955, and inserting in lieu thereof in line 3 the following: "structures hereafter erected under the authority of a license or permit issued by a federal agency or other state agency now having specific statutory jurisdiction over the air space, including authority to prohibit or regulate the height of structures for the promotion of safety in aviation nor to", after the word "to".

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115. Laid over.

LEGISLATIVE BILL 537. Laid over.

LEGISLATIVE BILL 129. E and R amendments found in the Legislative Journal for the One Hundred-Third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 305. E and R amendments found in the Legislative Journal for the One Hundred-Third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendment found in the Legislative Journal for the One Hundred-Third Day was adopted.

Laid over.

LEGISLATIVE BILL 384. E and R amendments found in the Legislative Journal for the One Hundred-Third Day were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 513. E and R amendments found in the Legislative Journal for the One Hundred-Third Day were adopted.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Correlation of LB 188 and LB 451

Mr. Martin asked unanimous consent that the Enrollment and Review Committee correlate the provisions of section 1 of LB 188 with the provisions of LB 451. No objections. So ordered.

UNANIMOUS CONSENT—Return LB 262 to Select File

Mr. Martin asked unanimous consent that LB 262 be returned to Select File for the following amendments:

1. Amend the amendment of Tom Adams adopted May 12, 1955, line 3 by striking "39-616" and inserting "*1 of Legislative Bill 188, Sixty-seventh Session, Nebraska State Legislature, 1955*".

2. Amend title to conform.

No objections. So ordered.

LEGISLATIVE BILL 262. Mr. Martin asked unanimous consent that his amendments, found in this day's Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 519. Placed on Select File as amended.

E and R amendments to LB 519:

1. Strike Standing Committee Amendment 2 of March 30, 1955, and in lieu thereof in original section 12, line 13, strike "eight ten" and in lieu thereof insert "eight".

2. In Standing Committee Amendment 4 of May 4, 1955, strike "16" after "Sec." and in lieu thereof insert "15"; and in Standing Committee Amendment 5, line 2, strike "17" and in lieu thereof insert "16".

3. In the Bixler General File Amendment of May 25, 1955, in the last line thereof, before the period, insert "and trailers".

4. In Standing Committee Amendment 1 of May 4, 1955, section 1, line 10, strike "ten cents for" and insert in lieu thereof "*such sum of ten cents for each*"; and in same amendment, Sec. 2. lines 6 and 7, strike "and shall, by said State Treasurer, be credited" and in lieu thereof insert "and *who shall, by said State Treasurer, be credited credit the same*"; line 8 strike "shall be allowed" and show as stricken matter; line 9 strike the period and insert in lieu thereof "*shall be allowed . (1)*"; line 13 after "cent," insert "(2)"; line 16 strike "sixty" and insert in lieu thereof "*sixty ten*"; strike line 17 beginning with "in", all of lines 18, 19, 20 and 21, and the word "and" in line 22, and insert in lieu thereof "*in any county in which the population of the cities and incorporated villages therein, as the same is ascertained from such census from time to time, is more than ten thousand and not more than sixty thousand persons, thirty per cent , and (3)*".

5. In the bill page 3, line 5 of renumbered section 4, after "make" insert "*an*"; line 18 strike the comma after "vehicle" and show as stricken matter and in the same line strike "of" and insert in lieu thereof "*of such motor vehicle is*"; line 32 strike "*in*" and insert in lieu thereof "*if*"; page 4, renumbered section 5, lines 6 and 8 after the word "all" insert "*the*"; renumbered section 6, line 3 after the period insert "(1)"; page 5, line 29, after the period insert "(2)"; line 30 after "*and*" insert "*subsection (1) of*"; line 37 after "*states*" insert "*, provinces, or countries*" and also after "*state*" in line 40; in line 43 after "*of*" insert "*subsections (1) and (2) of this section and with*"; renumbered section 7, line 2, after "1943," insert "as amended by section 1, Legislative Bill 293, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 5 strike the comma after "*dealers*"; page 6, line 6 after "*which*" insert "*plates*"; line 7 after "*played*" insert "(1)"; line 8 after "*height*" insert "and (2) also the words The Beef State suitably lettered so as to be attractive".

6. Page 6, renumbered section 8, line 4, strike "thos" and insert "those", as in the statutes; line 7, strike the quotation marks and show as stricken matter; line 20 after "for" insert "*which*"; line 23 after "height" insert "*and which shall be*"; line 25 strike "*as provided*" and insert in lieu thereof "*subject to a penalty or penalties as is provided for*"; renumbered section 9, lines 4 and 5, strike "the three succeeding classifications" and insert in lieu thereof "*the three succeeding classifications subdivisions (1), (2), or (3) of this section*"; page 7, lines 12 and 13, strike "thereof where owned and operated, shall carry on license plates" and insert in lieu thereof "*, thereof where they are owned and operated, which trucks shall carry on their license plates ,*"; line 14 strike "*L*." and insert in lieu thereof "*L* . . ."; lines 20 and 24, strike "shall carry on" and insert in lieu thereof "*which trucks shall carry on their*"; line 21 strike "*F* . ." and insert in lieu thereof "*F* . . . ; and"; line 25 strike the quotation marks.

7. In the bill page 7, renumbered section 10, line 8, strike "except that" and insert in lieu thereof "*; Provided, that the owners of*"; lines 9 and 10, strike "*, and*" and insert in lieu thereof "*; and provided further,*"; line 15 strike the quotation marks and show as stricken matter; page 8, renumbered section 12, line 8, strike "except those vehicles as described" and insert in lieu thereof "*as is otherwise provided*"; line 9 after the comma insert "*which plates shall be*"; line 14 after "any" insert "(1)"; page 9, line 16, strike "or" before "fictitious" and insert in lieu thereof "*or (2)*"; line 17, after the comma insert "(3)"; in renumbered section 13, line 10, strike "in" and in lieu thereof insert "*, in the*".

8. In the bill page 9, renumbered section 14, lines 16 and 17, strike "and to which there shall be added" and insert in lieu thereof "*and to which there . There shall be added to such weight*"; page 10, renumbered section 14, strike the period in lines 29, 33, 37 and 41, and in lieu thereof insert "*. ;*"; and in line 45 strike the period and in lieu thereof insert "*. ; and*"; page 11, renumbered section 16, line 2, strike "60-311,"; line 4 strike "and"; and in line 5 after "1953," insert "and section 60-311, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 293, Sixty-seventh Session, Nebraska State Legislature, 1955,".

9. In the bill title line 2, strike "60-301, 60-302, 60-311" and in lieu thereof insert "39-605, 60-301, 60-302"; line 4, strike "and sections" and insert in lieu thereof "sections 39-606,"; line 5 strike "and 60-329" and in lieu thereof insert "60-329, and 60-331"; line 6 after "1953," insert "and section 60-311, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 293, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 7 after "of" insert "a"; lines 11 and 12 strike "and commercial trailers" and insert in lieu

thereof "as prescribed; to provide for decal stickers and the furnishing and use thereof "; and in lines 16 and 17 strike "for passenger motor vehicles not for hire" and in lieu thereof insert "as prescribed; to change the distribution of motor vehicle registration fees as prescribed; to harmonize cross references and other provisions as prescribed".

10. In the bill insert "," in renumbered section 4, line 29, after "fee"; renumbered section 6, line 10, after "buses"; renumbered section 7, line 5, after "plates"; renumbered section 8, page 6, line 8, after "trucks"; line 20, after "paid ."; page 7, line 18, renumbered section 9, after "market"; renumbered section 10, line 9, after "dealers"; page 8, renumbered section 11, line 12, after "plate"; page 9, renumbered section 13, line 7, after the words "it" and "which", line 8 after "automobile", and line 11 after "motorcycle".

LEGISLATIVE BILL 466. Correctly engrossed.

LEGISLATIVE BILL 555. Correctly enrolled.

LEGISLATIVE BILL 559. Correctly enrolled.

LEGISLATIVE BILL 204. Correctly enrolled.

LEGISLATIVE BILL 303. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 555

LB 559

LB 204

LB 303

Mr. Cramer Presiding

GENERAL FILE

LEGISLATIVE BILL 10. Read.

Laid over.

Mr. Beaver Presiding

Visitors

Mr. Syas introduced Mrs. Lela Bryan, Mrs. Ida Turk, Mrs. Fern Priborsky, Mrs. Hazel Breuer, and fifty-four eighth grade students from Rose Hill School, Omaha, Nebraska

Mr. J. Adams introduced Ione W. Hanger, Teacher, Mrs. C. McDonald and Mrs. H. Farrell, parents, and thirty-six students from Long School, Omaha, Nebraska.

Speaker Burney Presiding

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and we consider the following bills on Final Reading at this time: LB 550, 551, 554, 552, 536, 197, 407, 216, 501, 349, and 220. (Signed) Charles F. Tvrdik

Mr. Beaver requested a Call of the House.

A Call of the House was ordered and showed 37 members present.

Mr. Lee moved that the Call be raised. The motion prevailed.

The Tvrdik motion lost with 20 ayes, 16 nays and 7 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 3, 1955, at 9:00 a.m.

LB 556

LB 547

LB 95

LB 179

LEGISLATIVE BILL 9. Placed on Select File as amended.

E and R amendment to LB 9:

1. In the bill page 2, line 4 after "sums" and line 5 after "necessary" in section 1, insert a comma.

LEGISLATIVE BILL 219. Correctly engrossed.

LEGISLATIVE BILL 345. Correctly engrossed.

LEGISLATIVE BILL 188. Replaced on Select File as amended.

E and R amendments to LB 188:

1. Strike all amendments to original section 4 of the bill.

2. In the original Enrollment and Review Amendment 3, line 13, strike "subsection (1) of".

3. In the title line 5, strike "regulation of safety devices and signs" and in lieu thereof insert "the jurisdiction of warning signs, stop signs, or other safety devices in cities and villages" which would

be followed by the new insertion set forth in original Enrollment and Review Amendment 4, lines 5 to 7, inclusive, commencing with the word "as" in line 5.

4. In accordance with Martin Unanimous Consent Amendment, in the bill section 1, line 8, strike "less than five days nor".

(Signed) Donald F. McGinley, Chairman

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and we consider the following bills on Final Reading: LB 550, 551, 554, 552, 536, 197, 407, 501, 349 and 220. (Signed) Robert Perry

The motion lost with 18 ayes, 8 nays and 17 not voting.

Adjournment

At 11:30 a.m., on a motion by Mr. Shultz, the Legislature adjourned until 9:30 a.m., Monday, June 6, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, June 6, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Otto, who was excused until 9:40 a.m., Mr. T. Adams, who was excused until 9:50 a.m., Mr. Thompson, who was excused until 10:10 a.m., and Mrs. Foote, who was excused until 10:15 a.m.

The Journal for the One Hundred-Fourth Day was approved as corrected.

Communications

Letter from Phil Weaver, U. S. Representative, Washington, D. C., acknowledging receipt of Legislative Resolution 32.

Explanation of Vote

Mr. President: Had I been present, I would have voted "yes" on LB 204, 559, 555 and 303. (Signed) LeRoy Bahensky

Members Excused

Mr. Beaver was excused for this afternoon and for Tuesday, June 7, 1955.

Mr. J. Adams, Sr. was excused for Tuesday, June 7, 1955.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 3, 1955, at 3:30 p.m.

LB 204

LB 303

LB 555

LB 559

(Signed) Donald F. McGinley, Chairman

RESOLUTIONS**LEGISLATIVE RESOLUTION 39.**

LR 39 was adopted with 33 ayes, 0 nays and 10 not voting.

LEGISLATIVE RESOLUTION 40.

LR 40 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 550.

A bill for an act to amend section 29-2628, Reissue Revised Statutes of Nebraska, 1943, relating to criminal procedure; to restate the penalties for parole violation as prescribed; to provide for restoration of good time credit earned by the prisoner before the declared delinquency; 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	Cole	Liebers	Perry
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Tvrdik
Brower	Larkin	Otto	Vogel
Burney	Lee		

Voting in the negative, 10:

Adams, J.	Hubka	Person	Purdy
Bedford	Martin	Peterson	Ruhnke
Cramer	Morrison		

Not voting, 3:

Adams, T.	Foote	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 551.

A bill for an act to amend sections 29-2632 and 29-2633, Reissue Revised Statutes of Nebraska, 1943, relating to criminal procedure; to provide a method of restoring good time earned by prisoners who have committed an infraction of the rules while confined in the Nebraska State Penitentiary; to provide for monthly reports by the warden as prescribed; to provide for his recommendations therein as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 32:

Adams, J.	Burney	Lee	Perry
Anderson	Cole	Liebers	Peterson
Aufenkamp	Diers	McGinley	Pizer
Bahensky	Fenske	McHenry	Shultz
Beaver	Hoffmeister	Metzger	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Tvrdik
Brower	Larkin	Otto	Vogel

Voting in the negative, 8:

Bedford	Hubka	Morrison	Purdy
Cramer	Martin	Person	Ruhnke

Not voting, 3:

Adams, T.	Foote	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 554.

A bill for an act to amend section 74-532, Reissue Revised Statutes of Nebraska, 1943, relating to railroads; to provide that when a passenger and mail train contains not more than two passenger carrying cars, such trains may be operated with a crew consisting of one engineer, one fireman, one conductor, and one brakeman or flagman under the conditions prescribed; and to repeal the original section.

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

Voting in the affirmative, 27:

Adams, J.	Bridenbaugh	Hoffmeister	Nelson
Anderson	Brower	Kotouc	Otto
Aufenkamp	Burney	Liebers	Perry
Bahensky	Cole	McGinley	Shultz
Beaver	Cramer	Martin	Swanson
Bedford	Diers	Metzger	Vogel
Bixler	Fenske	Morrison	

Voting in the negative, 11:

Adams, T.	McHenry	Peterson	Syas
Hubka	Moulton	Pizer	Tvrdek
Larkin	Person	Ruhnke	

Not voting, 5:

Foote	Lee	Purdy	Thompson
Klaver			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 552.

A bill for an act to amend section 72-1007, Reissue Revised Statutes of Nebraska, 1943, as amended by section 3, Legislative Bill 361, Sixty-seventh Session, Nebraska State Legislature, 1955, and section 72-1006, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 109, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to public lands and buildings; to provide that the Military Department share of the State Institutional and Military Department Building Fund may be used for equipping, repairing, and remodeling of armories; 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.	Bridenbaugh	Klaver	Morrison
Adams, T.	Brower	Kotouc	Moulton
Anderson	Burney	Larkin	Otto
Aufenkamp	Cole	Liebers	Perry
Bahensky	Cramer	McGinley	Person
Beaver	Diers	McHenry	Peterson
Bedford	Fenske	Martin	Pizer
Bixler	Hoffmeister	Metzger	Purdy

Ruhnke	Swanson	Tvrdik	Vogel
Shultz	Syas		

Voting in the negative, 0.

Not voting, 5:

Foote	Lee	Nelson	Thompson
Hubka			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 536.

A bill for an act to amend sections 39-109, 39-110, and 39-111, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to redefine the duties for the county board and the county surveyor when a petition is filed for establishment, vacation, or alteration of a public road; to provide for appeals as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bixler	Kotouc	Nelson	Syas
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Foote	Thompson
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 197.

A bill for an act relating to decedents' estates; to make the surviving joint owner or owners of jointly held real or personal

property liable for the debts and obligations of the deceased joint owner or owners within the limitations and under the conditions prescribed; to provide for the institution of an action as prescribed in regard thereto; to provide for allegations and proof; and to provide presumptions, as to such action only, 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, 31:

Adams, J.	Brower	Lee	Ruhnke
Adams, T.	Burney	McGinley	nultz
Anderson	Cole	Metzger	Swanson
Aufenkamp	Cramer	Morrison	Syas
Bahensky	Fenske	Otto	Thompson
Beaver	Hoffmeister	Perry	Tvrdik
Bedford	Klaver	Person	Vogel
Bridenbaugh	Kotouc	Peterson	

Voting in the negative, 9:

Bixler	Liebers	Martin	Pizer
Diers	McHenry	Nelson	Purdy
Hubka			

Not voting, 3:

Foote	Larkin	Moulton
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 407.

A bill for an act to amend section 39-724, Reissue Revised Statutes of Nebraska, 1943, and section 39-725, Revised Statutes Supplement, 1953, relating to highways; to increase the penalties for the failure to stop a motor vehicle carrying passengers for hire, school bus carrying any school child, or any vehicle engaged in the transportation of explosive substances or inflammable liquids, with or without a cargo, before crossing any track or tracks of a railroad as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 39:

Adams, J.	Cramer	Liebers	Peterson
Anderson	Diers	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Brower	Larkin	Perry	Vogel
Cole	Lee	Person	

Voting in the negative, 4:

Adams, T.	Burney	Morrison	Shultz
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Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 216.

A bill for an act relating to revenue and taxation; to levy an excise tax upon oils and natural gas severed from the soil of the State of Nebraska as prescribed; to establish the rates thereof; to provide for the allocation and distribution of such tax money; to establish procedure for the collection thereof; to define terms; to provide powers and duties for certain public officials and the Department of Agriculture and Inspection; to provide for returns or reports as prescribed; to permit the bringing of court actions as prescribed; to make certain acts unlawful; 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, 28:

Adams, J.	Brower	Klaver	Person
Adams, T.	Burney	Larkin	Peterson
Anderson	Cole	Lee	Ruhnke
Aufenkamp	Cramer	Martin	Swanson
Bahensky	Diers	Moulton	Syas
Beaver	Foote	Otto	Thompson
Bedford	Hubka	Perry	Tvrdik

Voting in the negative, 13:

Bixler	Kotouc	McHenry	Nelson
Bridenbaugh	Liebers	Metzger	Pizer
Fenske	McGinley	Morrison	Purdy
Hoffmeister			

Not voting, 2:

Shultz	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 501. With emergency.

A bill for an act to amend sections 70-604, 70-628.01, and 70-662, Reissue Revised Statutes of Nebraska, 1943, and section 70-614.01, Revised Statutes Supplement, 1953, relating to public power and irrigation districts; to provide that such districts that are interested by ownership, lease, or otherwise in the operation of electric power plants, distribution systems, or transmission lines as prescribed, in more than thirteen counties in this state, may combine, merge, sell, lease, or consolidate all or a part of their property with the property of another such district or districts; to provide that nothing herein shall permit the board of directors to delegate its duties to any other district; to change the requirements for the name of such a district; to change the qualifications of electors of such a district under the circumstances prescribed; to change certain provisions in regard to adding to, increasing, or enlarging the area or territory of such a district for the protection of another such district; to provide a validity clause; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 34:

Adams, J.	Burney	Liebers	Purdy
Adams, T.	Cramer	McGinley	Ruhnke
Aufenkamp	Diers	Metzger	Shultz
Bahensky	Fenske	Moulton	Swanson
Beaver	Foote	Nelson	Syas
Bedford	Klaver	Person	Thompson
Bixler	Kotouc	Peterson	Tvrdik
Bridenbaugh	Larkin	Pizer	Vogel
Brower	Lee		

Voting in the negative, 9:

Anderson	Hubka	Martin	Otto
Cole	McHenry	Morrison	Perry
Hoffmeister			

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 349.

A bill for an act to amend section 28-589, Reissue Revised Statutes of Nebraska, 1943, relating to crimes and punishments; to provide that it shall be unlawful for a person or persons to enter or go upon any land or enclosure, posted and set aside for the parking of motor vehicles as prescribed, and park a motor vehicle thereon without the consent of the owner or tenant thereof; to provide penalties; to permit the removal by a law enforcement officer of a motor vehicle so parked; to restate certain provisions as prescribed; and to repeal the original section.

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

Voting in the affirmative, 37:

Adams, J.	Cramer	Lee	Person
Adams, T.	Diers	Liebers	Pizer
Anderson	Fenske	McGinley	Purdy
Aufenkamp	Foote	McHenry	Shultz
Bahensky	Hoffmeister	Metzger	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Klaver	Nelson	Thompson
Bridenbaugh	Kotouc	Otto	Tvrdik
Burney	Larkin	Perry	Vogel
Cole			

Voting in the negative, 6:

Beaver	Martin	Peterson	Ruhnke
Brower	Morrison		

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 220.

A bill for an act to amend sections 19-1009 and 19-1010, Reissue Revised Statutes of Nebraska, 1943, relating to cities and villages, particular classes; to change the provisions in regard to housing project rentals; to provide for the disposition of surplus funds as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 42:

Adams, J.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Purdy
Aufenkamp	Foote	Metzger	Ruhnke
Beaver	Hoffmeister	Morrison	Shultz
Bedford	Hubka	Moulton	Swanson
Bixler	Klaver	Nelson	Syas
Bridenbaugh	Kotouc	Otto	Thompson
Brower	Larkin	Perry	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers		

Voting in the negative, 0.

Not voting, 1:

Bahensky

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Members Excused

Mr. Cramer was excused for the remainder of the morning.

Mr. Bahensky was excused for Tuesday, June 7, 1955.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that we suspend the rules and take up LB 276, 558 and 80 on Final Reading today. (Signed) LeRoy Bahensky

The motion lost with 28 ayes, 6 nays and 9 not voting.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 339. Correctly engrossed.

LEGISLATIVE BILL 292. Correctly engrossed.

LEGISLATIVE BILL 362. Placed on Select File as amended.

E and R amendments to LB 362:

1. Strike all the Standing Committee Amendments, and in lieu thereof, in the bill strike all of sections 1 to 15.

2. In Anderson General File Amendment 1, adopted May 24, 1955, in: newly inserted section 1, line 26 (24, mimeograph), strike "50" and in lieu thereof insert "fifty"; newly inserted section 2, insert "," in line 2 after "which" and "state", and line 6, strike "as"; newly inserted section 3, line 3, insert "," after "(1)" and "(2)"; newly inserted section 4, insert "," in line 2 after "which" and "state"; newly inserted section 10, line 1 before "The" insert "(1)", line 3 after "default" strike "of" and in lieu thereof insert "in the", insert "," in line 5 after "vehicles" and "act" and line 10 after "Treasurer", line 9, strike "All such penalties" and in lieu thereof insert "(2) All the penalties, referred to in subsection (1) of this section," and line 10 after "remitted" insert "by it"; newly inserted section 11, insert "," in line 2 after "act", line 5 after "vehicles", line 6 after "made", and line 13 after "department" and "thereafter", line 3 strike "Roads and Irrigation" and in lieu thereof insert "Agriculture and Inspection" and in the same line before "payment" insert "the", line 6 after "each" insert "vehicle" and in the same line before "mileage" insert "(1)", line 7 strike "and the" and in lieu thereof insert ", (2)", and line 8 strike "and the" and in lieu thereof insert ", and (3)"; newly inserted section 13, line 3 after "as" insert "otherwise", line 6 before "laws" insert "the" and line 8 before "requirements" insert "the"; and newly inserted section 14, line 3 after "as" insert "otherwise" and line 9 insert "," after "buses".

3. In Anderson General File Amendments adopted June 2, 1955, in: amendment 1 strike the period at the end of the newly inserted matter; amendments 2 and 3, in the newly inserted matter insert "," after "shall" and strike the period after "advisable" and in lieu thereof insert ","; strike amendment 4 and in lieu thereof in the bill, insert a new section to be known as section 16 and to read as follows: "Sec. 16. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."; strike amendment 5 and in lieu thereof in the bill title in the last line, strike ", and" and insert a semicolon and in the same line before the period insert "; and to declare an emergency."

4. Since sections 13 and 14 of Legislative Bill 362 and original sections 3 and 4 (now sections 5 and 6) of Legislative Bill 519 amend the same sections of the statutes, in the event that Legislative Bill 519 should pass and be approved by the Governor, the Committee on

Enrollment and Review is authorized and directed to correlate such sections in Legislative Bill 362 with such sections in Legislative Bill 519 and make such changes in the form of a certificate to Legislative Bill 362 without submitting the same to the Legislature as amendments and also make such changes in the title and the repeal clause to complete such correlation by such a certificate.

5. In the bill title, line 4, strike "ten" and in lieu thereof insert "fifteen"; lines 5 and 8, respectively, before the semicolon insert "as prescribed"; line 9, after the semicolon insert "to provide when such tax shall take effect; to provide for duties and powers of the prescribed public officials and departments; to provide for permits to be issued by the Department of Agriculture and Inspection as prescribed; to provide for the cancellation of permits; to provide for forms; to provide for the making of rules and regulations; to provide statements and reports as prescribed; to provide for the payment of the tax as prescribed and the disposition and allocation thereof; to provide for advance payments or security for such payments of such tax; to provide for notices; to authorize the bringing of actions in court as prescribed; to provide for holding the money collected as such tax involved in such action as prescribed; to make certain acts and the failure to comply with this act, as prescribed, unlawful;"; lines 9 and 10, strike "for operation without such permits".

LEGISLATIVE BILL 398. Placed on Select File as amended.

E and R amendments to LB 398:

1. In Standing Committee Amendment 1, in the newly inserted matter, in the eighth line, strike "by" and in lieu thereof insert ", by a"; and in the ninth line, after "members" insert ","; and in Standing Committee Amendment 2, strike the amendment, and in lieu thereof in the bill, section 2, line 8, strike "of" and in lieu thereof insert "or" as in the statutes.

2. In the bill: section 1, line 17 after "by" insert "the"; section 2, line 7 after "upon" insert "the".

3. In the bill, section 4, line 3, before "Each" insert "(1)"; line 7, after "change" insert ","; insert "," in line 13 after "committee" and "disapproval", line 23 after "which", line 24 after "action", line 38 after "shown", and line 39 after "may" and "discretion"; line 18, strike "as hereafter provided" and in lieu thereof insert ", as provided for in subsection (3) of this section"; line 19, strike "If a" and in lieu thereof insert "Such period of two years may be extended as stated in subsection (3) of this section. (2) If the"; lines 20 and 29, after "plan" insert ", referred to in subsection (1) of this section;"; line 22, strike "such county" and in lieu thereof insert "of such counties"; line 28,

before "If" insert "(3)"; line 29, strike "above" and in lieu thereof insert "therein"; line 31, strike "with a" and in lieu thereof insert "A"; line 32, strike "delivered" and in lieu thereof insert "shall be sent by the state committee"; line 33, strike ", and thereupon" and in lieu thereof insert "Thereupon"; line 35, strike "and if" and insert "If"; line 36, strike "then" and in lieu thereof insert ","; and line 41, strike "In addition to such comprehensive plan" and in lieu thereof insert "(4) In addition to the comprehensive plan referred to in subsections (1), (2), and (3) of this section,".

4. In the bill, section 5, line 2, before "be" insert "as amended by section 1, Legislative Bill 237, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 3, before "When" insert "(1)"; line 6, strike "that"; line 20, before "if" insert "when the greater portion of a Class I district to be included in a reorganization of school districts is nearer to the corporate limits of another city or village in which there is located a Class II, III, IV, V, or VI school district, such reorganization shall not be carried out unless fifty-five per cent of the voters of the Class I district voting as a separate unit approve the reorganization plan, and if fifty-five per cent of the voters of such district fail to approve the reorganization plan the district shall remain a Class I district.", and at the end of the same line insert ", to be"; insert "," in line 21 after "reorganization", line 27 after "election", line 45 after "districts", and line 46 after "counties"; line 28, strike "in" and in lieu thereof insert "for in subsection (1) of"; line 32, strike "In" and in lieu thereof insert "(2) In the", and in the same line after "for" insert "the"; line 34, strike "(1)" and insert "(a)" and in the same line strike "(2)" and insert "(b)"; line 35, strike "(3)" and insert "(c)"; line 37, strike "(4)" and insert "(d)"; line 38, strike "(5)" and insert "(e)", and in the same line before "disparities" insert "the"; line 39, strike "(6)" and insert "(f)"; line 41, strike "(7)" and insert "(g)"; line 43, strike "account of" and in lieu thereof insert "account of into consideration"; line 44, before "A" insert "(3)"; line 47, after "by" insert "the"; and line 51, strike "in" and in lieu thereof insert "for in subsection (1) of".

5. In the bill, renumbered section 6, line 34, after "reorganization" insert ", referred to in subsection (1) of this section,"; line 38, strike "herein required" and in lieu thereof insert "herein , required by the provisions of subsection (2) of this section,"; line 46, after "held" insert ",", and at the end of the same line insert "subsection (1) to (4) and (6) of"; and line 61, before "section" insert "subsection (1) of".

6. In the bill: renumbered section 7, line 11, after "by" insert "the"; and renumbered section 8, line 3, strike "and", line 4, strike ", 79-426.09," and the comma before "and" and line 5 before "are" insert "and section 79-426.09, Revised Statutes Supplement, 1953, as

amended by section 1, Legislative Bill 237, Sixty-seventh Session, Nebraska State Legislature, 1955,".

7. In the bill title, line 3, strike "79-426.13, 79-426.14,"; line 4, strike "and" and the comma at the end of the line; line 5, strike "79-426.09, 79-426.12," line 6, before "relating" insert "and section 79-426.09, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 237, Sixty-seventh Session, Nebraska State Legislature, 1955,"; line 12, after "for" insert "a"; and line 14, after the semicolon insert "to provide a change of procedure and requirements as prescribed; to provide duties and powers for the prescribed public officials and boards;".

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Return Bill to Select File

Mr. Lee asked unanimous consent to return LB 381 to Select File for the following specific amendments:

1. Amend Section 1, line 13, by striking the words "and best" and inserting in lieu thereof the word "responsible".
2. Amend the title to conform.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 381.

The Lee amendments, found in this Day's Legislative Journal, were adopted.

Advanced to E and R for engrossment.

Member Excused

Mr. McGinley was excused for the remainder of the morning.

UNANIMOUS CONSENT—Return Bill to Select File

Messrs. Klaver and Lee asked unanimous consent to return LB 129 to Select File for the following specific amendments:

1. Amend the bill by striking sections 1 and 3 and renumbering section 2 as section 1.
2. Amend renumbered section 1 of the bill by showing the same and all amendments thereto as old matter, and line 20 by inserting

after the punctuation the following: "The procedure for refund provided for in this section shall be in addition to refund procedures otherwise authorized by law."

3. Amend the title to conform.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 129.

The Klaver and Lee amendments, found in this Day's Legislative Journal, were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 115. Considered.

Mr. Lee offered the following amendments, which were adopted by unanimous consent:

1. Amend Section 1 of the Bill, lines 22 to 31, by striking the new matter and all amendments thereto and inserting in lieu thereof the following:

"Should there be three or more of said installments delinquent and unpaid on the same property the Mayor and City Council may by resolution declare all future installments on such delinquent property to be due on a future fixed date. The resolution shall set forth the description of the property and the names of its record title owners and shall provide that all future installments shall become delinquent upon the date fixed. A copy of such resolution shall be published one time each week for not less than twenty days in a legal newspaper of general circulation published in the city and after the fixed date such future installments shall be deemed to be delinquent and the City may proceed to enforce and collect the total amount due and all future installments."

2. Amend the title to conform.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 537. Laid over temporarily.

SUSPEND RULES—Take Up Bills on Final Reading

Mr. President: I move that we suspend the rules and take up for final reading the following bills: LB 276, 558 and 80. (Signed) O. H. Person

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 276. With emergency.

A bill for an act relating to taxation; to provide a method and manner of taxing powers of appointment for inheritance tax purposes; to provide that the exercise or nonexercise of a power of appointment shall not be subject to inheritance tax; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Cole	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Lee	Person	Vogel
Burney	Liebers	Peterson	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Cramer	Larkin	McGinley
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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 558. With emergency.

A bill for an act to amend section 88-202, Revised Statutes Supplement, 1953, relating to public grain warehouses; to authorize the Nebraska State Railway Commission to make inspection reports and the results of its inspections made of public grain warehouses available to the United States government, or any of its agencies as prescribed; to provide for fees for such services; to authorize the commission to enter into contracts and agreements for such purposes; to provide for the disposition of fees collected; to provide duties for such commission in regard thereto; 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.	Burney	Liebers	Peterson
Adams, T.	Cole	McHenry	Pizer
Anderson	Diers	Martin	Purdy
Aufenkamp	Fenske	Metzger	Ruhnke
Bahensky	Foote	Morrison	Shultz
Beaver	Hoffmeister	Moulton	Swanson
Bedford	Hubka	Nelson	Syas
Bixler	Klaver	Otto	Thompson
Bridenbaugh	Kotouc	Perry	Tvrdik
Brower	Lee	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Cramer	Larkin	McGinley
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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 80.

A bill for an act to amend sections 23-283, 32-4,104, 32-4,110, 32-518, 32-519, 32-711, 32-1037, 32-1041, and 32-1043, Reissue Revised Statutes of Nebraska, 1943, sections 32-420, 32-424, 32-504, 32-505, 32-537, and 32-1042, Revised Statutes Supplement, 1953, and section 32-535, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 242, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to elections; to clarify and make changes in provisions in regard to vacancies; to reduce the number of votes required for a write-in candidate that his name may be placed on the general election ballot; to provide the number of petition candidates for a nonpolitical office after a primary election; to clarify the manner of canvass and return as prescribed; to harmonize provisions with previous legislation; to change the form of primary ballot; to change times for declination; to provide when a petition shall be filed with the county clerk in regard to an election about township supervisors as, and for the purposes, prescribed; to change the date of the primary elections as prescribed; to change the time for filings as prescribed; to make changes as to publications as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 37:

Anderson	Fenske	McHenry	Peterson
Aufenkamp	Foote	Martin	Pizer
Bahensky	Hoffmeister	Metzger	Ruhnke
Beaver	Hubka	Morrison	Shultz
Bedford	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Burney	Lee	Perry	Tvrdik
Cole	Liebers	Person	Vogel
Diers			

Voting in the negative, 1:

Purdy

Not voting, 5:

Adams, J.	Bixler	Cramer	McGinley
Adams, T.			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Announcement—Honors to Members

Speaker Burney announced that Mr. Cole had been given the Good Neighbor Award by Ak-sar-ben in recognition of his donation to the local airport at Merriman.

Speaker Burney also announced that Mr. Liebers was to receive the Distinguished Service Award given by the Alumni Association of the University of Nebraska on June 13, 1955.

RECESS

At 12:01 p.m., on a motion by Mr. Peterson, the Legislature recessed until 2:00 p.m.

AFTER RECESS

The Legislature reconvened at 2:04 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. J. Adams, T. Adams, Anderson, Aufenkamp, Beaver, Brower, Klaver, Lee, Moulton and Person, who were excused.

SELECT FILE**LEGISLATIVE BILL 187.** Considered.

Mr. Burney offered the following amendment:

1. Amend Standing Committee Amendment 1, section 9 by inserting after the last line a new subsection to read as follows: "(3) Any highways presently maintained by the department and not designated as a part of the state highway system as provided by this act shall be maintained until July 1, 1956 by the department. After July 1, 1956 such highways shall be a part of the county road system and the title to the right-of-way of such roads shall after such date vest in the counties wherein the roads are located."

Mr. Peterson asked unanimous consent to lay over LB 187. No objections. So ordered.

LEGISLATIVE BILL 519. E and R amendments found in the Legislative Journal for the One Hundred-Fourth Day were adopted.

Mr. Bixler offered the following amendment:

1. Amend Standing Committee Amendment 4, section 16, line 45 by inserting after "draglines" the following: "*or owned and used exclusively to haul heavy farm equipment from one farm to another farm*".

Mr. Burney asked unanimous consent to lay over LB 519. No objections. So ordered.

LEGISLATIVE BILL 9. E and R amendment found in the Legislative Journal for the One Hundred-Fourth Day was adopted.

Mr. Bridenbaugh offered the following amendment, which was adopted by unanimous consent:

1. Amend section 1 of the bill, line 47 by striking "36,504.00" and inserting "38,034.00".

Advanced to E and R for engrossment.

LEGISLATIVE BILL 188. E and R amendments found in the Legislative Journal for the One Hundred-Fourth Day were adopted.

Advanced to E and R for engrossment.

GENERAL FILE**LEGISLATIVE BILL 10. Considered.**

Mr. Bridenbaugh offered the following Standing Committee amendments, which were adopted:

1. Amend section 1 of the bill, line 25 by striking "Department" and inserting "Division".

2. Amend section 7 of the bill by striking lines 18 to 21 and inserting "ment Building Fund, reappropriate the unexpended balance on hand as of June 30, 1955, of the \$200,000.00 transferred for the purpose of planning, constructing, landscaping, equipping, and furnishing a Governor's Mansion, including obligations incurred by the State Building Commission for such purposes, to be expended upon the approval of the State Building Commission.", and by inserting after line 21 the following:

"Appropriate from Licenses, Fees, and Cash Funds

(5) Sale of any property located on the site where Governor's Mansion is located, appropriate all receipts collected during the biennium to be used for planning, constructing, landscaping, equipping, and furnishing of a Governor's Mansion, no estimate."

3. Amend section 13 of the bill, line 31 by striking "500,000.00" and inserting "528,000.00".

4. Amend section 14 of the bill, line 15 by striking "225,000.00" and inserting "265,000.00", and line 20 by striking "\$170,000.00" and inserting "\$185,000.00".

5. Amend section 16 of the bill, line 6 by inserting ", and amendments thereof" after "1953".

6. Amend section 18 of the bill, line 122 by inserting "and industrial" after "agricultural", by striking lines 129 to 132 and inserting "appropriate all receipts collected during the biennium, estimated 145,000.00", by striking lines 139 to 142 and inserting "appropriate all receipts collected during the biennium, estimated \$18,000.00", and by inserting after line 168 the following:

"(21) Division of Nebraska Resources, appropriate the receipts collected from the sale of publications during the biennium, estimated

1,500.00

(22) Nebraska Wheat Development, Utilization, and Marketing Fund, appropriate all receipts

collected during the biennium for the purposes and uses as provided by Legislative Bill 518, Sixty-seventh Session, Nebraska State Legislature, 1955, no estimate."

7. Amend section 20 of the bill, line 58 by inserting ", masseurs" after the word "medical".

8. Amend section 23 of the bill, line 8 by striking "\$210,000.00" and inserting "\$230,000.00", line 47 by inserting "construction of buildings not to exceed \$500,000.00; operation of weighing stations;" before the word "appropriate".

9. Amend section 25 of the bill, line 1 by striking "DEPARTMENT" and inserting "DIVISION", striking lines 11 to 14 and inserting the following:

"(2) State financial participation in administrative costs of county child welfare services, county crippled children services, and county services to state institutions, appropriate \$ 265,000.00",

line 16 by striking "and" and inserting a comma, line 17 by inserting "and aid to the disabled including administrative costs, salaries, wages, and maintenance" before the word "reappropriate", line 19 by striking "11,547,000.00" and inserting "13,592,750.00", line 25 by striking "assitance" and inserting "assistance", and line 51 by striking "\$18,513,200.00" and inserting "\$20,320,200.00".

10. Amend section 28 of the bill by inserting after line 42 the following:

"(7) Judges Retirement System, administration expense, appropriate 5,000.00",

line 45 by striking "(7)" and inserting "(8)", line 59 by striking "(8)" and inserting "(9)", line 67 by striking "(9)" and inserting "(10)", line 78 by striking "(10)" and inserting "(11)", line 85 by striking "(11)" and inserting "(12)", and by inserting after line 91 the following:

"(13) Judges Retirement System, appropriate all receipts collected during the biennium as provided by Legislative Bill 38, Sixty-seventh Session, Nebraska State Legislature, 1955, no estimate."

11. Amend section 29 of the bill by inserting after line 17 the following:

"(2) Erecting, remodeling, repairing, and constructing cabins at Fort Robinson, as provided by Legislative Bill 544, Sixty-seventh Session, Nebraska State Legislature, 1955, reappropriate the unexpended balance on hand as of June 30, 1955.

(3) Expense of repairing the buildings and improvements located on Crystal Lake Recreation Grounds at Ayr, Nebraska, and for the purpose of maintaining a full-time caretaker as provided by Legislative Bill 500, Sixty-seventh Session, Nebraska State Legislature, 1955, reappropriate the unexpended balance on hand as of June 30, 1955."

line 20 by striking "(2)" and inserting "(4)", and line 30 by striking "(3)" and inserting "(5)".

12. Amend section 38 of the bill, line 52 by striking "611" and inserting "611A".

13. Amend section 41 of the bill by inserting after line 9 the following:

"(2) For acquiring an addition to the site of the College of Medicine, as provided by Legislative Bill 311, Sixty-seventh Session, Nebraska State Legislature, 1955, reappropriate the unexpended balance on hand as of June 30, 1955.

(3) College of Veterinary Medicine, appropriate

36,000.00",

line 12 by striking "(2)" and inserting "(4)", line 28 by striking "(3)" and inserting "(5)", line 37 by striking "(4)" and inserting "(6)", line 51 by striking "(5)" and inserting "(7)", line 59 by striking "(6)" and inserting "(8)", and line 68 by striking "(7)" and inserting "(9)".

14. Amend section 44 of the bill by inserting after line 6 the following:

"(2) For developing a museum at Fort Robinson, as provided by Legislative Bill 545, Sixty-seventh Session, Nebraska State Legislature, 1955, re-

appropriate the unexpended balance on hand as of June 30, 1955."

Mr. Bridenbaugh offered the following amendment, which was adopted:

1. Amend section 16 of Substitute Bill, line 8 by inserting after the word "taxation" the following:

"and to make an equity study to determine the proper highway use taxes for all motor vehicles".

Mr. Burney offered the following amendment, which was adopted:

1. Amend section 2 of the Substitute Bill, line 8 by inserting "including not to exceed \$10,000.00 for membership dues." before the word "reappropriate".

Member Excused

Mr. Metzger was excused for the remainder of the afternoon.

Mr. Bridenbaugh offered the following amendments, which were adopted:

1. Amend LB 10, Subsection (2) Sec. 4, line 12 by striking "18,000" and inserting "19,000".

2. Amend section 18 of the bill by inserting after Standing Committee Amendment 6, the following:

"(23) Severance Tax Administration Fund, from money collected during the biennium from taxes levied by the provisions of Legislative Bill 216, Sixty-seventh Session, Nebraska State Legislature, 1955, for administration expense, appropriate all receipts collected, no estimate."

Advanced to E and R for review.

STANDING COMMITTEE REPORTS **Enrollment and Review**

LEGISLATIVE BILL 551. Correctly enrolled.

LEGISLATIVE BILL 554. Correctly enrolled.

LEGISLATIVE BILL 552. Correctly enrolled.

LEGISLATIVE BILL 197. Correctly enrolled.

LEGISLATIVE BILL 536. Correctly enrolled.

LEGISLATIVE BILL 80. Correctly enrolled.

LEGISLATIVE BILL 558. Correctly enrolled.

LEGISLATIVE BILL 276. Correctly enrolled.

LEGISLATIVE BILL 220. Correctly enrolled.

LEGISLATIVE BILL 349. Correctly enrolled.

LEGISLATIVE BILL 501. Correctly enrolled.

LEGISLATIVE BILL 216. Correctly enrolled.

LEGISLATIVE BILL 407. Correctly enrolled.

LEGISLATIVE BILL 550. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 551	LB 536	LB 220	LB 407
LB 554	LB 80	LB 349	LB 550
LB 552	LB 558	LB 501	LR 39
LB 197	LB 276	LB 216	LR 40

Adjournment

At 3:50 p.m., on a motion by Mr. Ruhnke, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, June 7, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. J. Adams, Bahensky and Beaver, who were excused.

The Journal for the One Hundred-Fifth Day was approved.

ANNOUNCEMENT—Birthday

Mr. Lee announced that today is the birthday of Mr. A. C. Taylor, the Assistant Sergeant-at-Arms. Mr. Swanson led the Members in singing "Happy Birthday" to Mr. Taylor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 376. Placed on Select File as amended.

E and R amendments to LB 376:

1. In the Syas General File Amendment 1, of May 16, 1955, in regard to section 2, as set out in Standing Committee amendment 1, line 4, of such Syas Amendment, after "to" insert "the" and in the same line insert "," after "department"; and also in line 5 of the original amendment before and after "and"; in line 7 thereof, strike "then" and in the same line strike "shall" and in lieu thereof insert "may"; and in line 9 thereof, strike the period.

2. In the Metzger General File Amendment, dated May 11, 1955, strike the same after the figures "22"; also strike Anderson Amendment 2 of May 11, 1955, as to renumbering section 22; and in Standing Com-

mittee Amendment 3, strike "and restaurant" and in lieu thereof insert "hotel and restaurant,".

3. In the standing committee amendment 1, in the newly inserted matter, section 1, line 3, strike "," after "prepared"; and in line 4 insert "," after "premises".

4. In section 2, of such amendment 1, line 2, strike ","; in line 3 insert "," after "premises"; in line 9 strike "as may be" and in the same line strike "board" and in lieu thereof insert "department"; and in line 14 insert "," after "sell".

5. In section 3, of such amendment 1, line 1, insert "," after "Health"; and also in line 2, after "agents"; in line 4 strike "," after "prepared"; in line 5 strike "issued by" and in lieu thereof insert ", issued under"; in line 6 insert "," after "act"; in line 7, strike "by him placed" and in lieu thereof insert "placed by him".

6. In section 4, of such amendment 1, line 2, after "violating" insert "any of" and in the same line strike the comma after "act"; and in line 3, after "thereof" insert ",".

7. In section 13, in Standing Committee Amendment 5, line 3, after "Every" insert "(1)" and also in the same line insert a "," after "base-ment"; in line 6 after "grocery," insert "or" and in the same line strike "or" after "market" and in lieu thereof insert "or and (2)"; in line 8 after "sale" insert ","; and also in line 9 after "plumbed", in line 11 after "clerks", in line 15 after "confectionery"; and in line 16 after "mixed"; and in line 14 strike the quotation marks and show as stricken matter.

8. In section 14, in said Standing Committee Amendment 5, line 4, insert "," after "implements", also in line 5 after "sold", in line 6 after "trucks", in line 8 after "unhealthful", in line 12 after "81-2,121", in line 13 after "unhealthful"; in line 14, after "if" insert "(1)"; in line 15 after "distribution" insert ","; in line 18 strike "and if" and in lieu thereof insert "and if (2)"; in line 21 after "distributing" insert ","; in line 22 strike "and if" and in lieu thereof insert "and if (3)"; in line 23 strike "and" and in lieu thereof insert ", and"; in line 24 strike "and all" and show it as stricken matter; in line 27 strike "if" and in lieu thereof insert "if (4)"; and in line 28 after "clerks" insert ",".

9. In section 15, of said Standing Committee Amendment 5, line 6 insert "," after "wainscoted"; in line 7, strike ", and all" and in lieu thereof insert ", and all . All"; in line 11 after "basement" insert ","; and also in line 12 after "sale", and in line 14 after "wood".

10. In section 16, of said Standing Committee Amendment 5, line 3, insert "," after "basement", and in line 5 after "sale", in line 9 after

"selling", in line 11 after "brick", in line 16 after "water"; and in line 19 after "as" insert "otherwise".

11. In section 17, of said Standing Committee Amendment 5, line 4, after "clerks" insert ";", and also in line 8, after "employee", in line 10 after "basement", and in line 11, after "preparation".

12. In section 18, of said Standing Committee Amendment 5, line 5, insert ";", after "factory".

13. In section 19, of said Standing Committee Amendment 5, line 3, insert ";", after "permit", and also in line 5 after "cellar", and in line 12 after "pox"; in line 11 strike "epidemic," and show it as stricken matter, and in the same line strike the comma after "German measles".

14. In section 20, of said Standing Committee Amendment 5, line 6 insert ";", after "sale", and also in line 7 after "sale", in line 8 after "inspection", in line 10 after "sold", in line 12 after "sale", in line 14 after "improvements"; and in line 7, strike ", and if" and in lieu thereof insert "thereof , and if . If,".

15. In section 21, of said Standing Committee Amendment 5, line 1, strike "the" after "employ" and in lieu thereof insert ", for"; in line 3 strike "to be done by" and in lieu thereof insert ";"; and also in the same line insert "," after "city"; in line 4, insert ";", after "city-county"; in line 5, strike "by"; in line 7 strike "city, or county" and in lieu thereof insert "or sanitary inspector", and also in lines 9 and 10, and line 15; in line 13 strike "city or village" and in lieu thereof insert "or sanitary inspector".

16. In the bill, renumbered section 5, line 3, after "firm" insert ";", and also in line 4, after "agent", and in line 5 after "firm"; in lines 5 and 6 after "operate" strike "or use" and in lieu thereof insert "or , use "; in line 8 after "unless" insert "a"; in line 9 strike "so to do" and in lieu thereof insert "so to do so, upon a blank to be furnished by the department,"; in line 10 after "Health" insert ", which application blank shall include a request"; in line 11 strike "giving" and in lieu thereof insert "giving stating"; in line 12 after "Upon" insert "the"; in line 15 after "shall" insert ";", and also in line 16 after "time"; and also in line 16 strike "which" and in lieu thereof insert ", which tags"; in lines 16 and 17 strike ", and which shall" and in lieu thereof insert ", and which shall"; in line 20 strike "upon conviction thereof" and show it as stricken matter; in lines 21 and 22 strike "hereinafter provided" and in lieu thereof insert "hereinafter provided in section 4 of this act"; in line 22 after "tag" insert "thereon"; in lines 27, 28 and 29, strike the sentence starting with the word "Any" to and including the period in line 29, and show it as stricken matter.

17. In renumbered section 6, line 4, insert a comma after "hotel" as in statutes.

18. In renumbered section 7, line 4, strike "boarding house," and show it as stricken matter, and also in line 7; in line 17 after "certificate" insert "*of registration*"; and in line 18 strike the quotation marks and "unit" and in lieu thereof insert " " unit " ,"; also in the same line insert "," after "section".

19. In renumbered section 8, line 4, strike the comma and show it as stricken.

20. In renumbered section 9, line 6 strike "therein operated" and in lieu thereof insert "*operated therein operated*".

21. In renumbered section 12, line 4, after "furnish" insert ","; and in line 5 strike the semicolon and in lieu thereof insert "; ,".

22. In the Standing Committee Amendment 6, to the bill title, line 7, strike ", and" and in lieu thereof insert "and the"; in line 8, after "for" insert "the"; in line 10 after "provide" insert "powers of and"; in line 11 after "for" insert "the"; and in the same line after "fees;" insert "to make certain acts unlawful," in line 12 after "penalties;" insert "to provide for the acceptance of certificates of political subdivisions as prescribed; to provide for the withdrawal, suspension, or revocation of permits as prescribed; to change those required to secure a certificate of registration as prescribed; to clarify various provisions of this act; to define terms; to provide for the use, by the Department of Health, of other boards of health, health departments, and sanitary inspectors as prescribed and the payment for such assistance; to provide when the provisions of this act shall take effect;"; in line 16 after "to" insert "the"; in line 18 after "premises" insert "as prescribed"; and also in the same line strike "41-105" and in lieu thereof insert "41-106".

(Signed) Donald F. McGinley, Chairman

SUSPEND RULES—Take Up Bills on Final Reading

Mr. President: I move that we suspend the rules and take up the following bills on Final Reading: LB 466, 219 and 345. (Signed) Robert Perry

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 466.

A bill for an act to amend sections 60-605, 60-607, 60-610, and

60-611, Reissue Revised Statutes of Nebraska, 1943, and sections 60-320, 60-601, and 60-617, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for use of dealer license plates; to change the fee for additional dealer number plates; to change the requirements in regard to the use of in transit placards or cards; to change the provisions in regard to those required to make an instrument in writing in regard to every motor vehicle sale as prescribed; to redefine terms; to redefine classes of motor vehicle dealer's license; to provide for license fees; to provide for requirements in the event of a change of address; to include additional grounds for denial or revocation of licenses; and to repeal the original sections.

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

Voting in the affirmative, 23:

Adams, T.	Foote	McGinley	Shultz
Aufenkamp	Hubka	Moulton	Syas
Burney	Klaver	Nelson	Thompson
Cole	Kotouc	Perry	Tvrđik
Cramer	Larkin	Peterson	Vogel
Fenske	Lee	Ruhnke	

Voting in the negative, 16:

Bedford	Diers	Martin	Person
Bixler	Hoffmeister	Metzger	Pizer
Bridenbaugh	Liebers	Morrison	Purdy
Brower	McHenry	Otto	Swanson

Not voting, 4:

Adams, J.	Anderson	Bahensky	Beaver
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 219. With emergency.

A bill for an act relating to cities; to confer the power upon all cities of the first class in the State of Nebraska to own, purchase, construct, equip, lease, or operate off-street motor vehicle parking facilities as prescribed; to provide for acquisition of property for this purpose by grant, contract, purchase, or condemnation; to provide for the issuance of revenue bonds to pay for such purchase, construction, lease, or condemnation; to provide that revenue bonds are payable only from revenues of the system and not from taxes; to provide for

the pledging of revenue from on-street parking meters to the payment of the revenue bonds; to provide for plans and specifications by an independent firm of engineers; to provide a limitation on the business conducted in such facilities; to provide for a notice to enable private ownership to provide such facilities, as prescribed, before such a city may proceed with the same; to provide for elections, as prescribed, in regard thereto; to permit such a city to make rules and regulations in regard thereto; to grant powers to and prescribe duties for such a city and its governing body; to permit the leasing of such facility; to limit the use of condemnation as prescribed; to provide that this act is supplementary and confers new powers upon a city of the first class as prescribed; to provide for the use of certain revenues; to provide certain rights of holders of bonds issued; and to declare an emergency.

Whereupon the President stated: "All provisions of 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, T.	Diers	McHenry	Peterson
Aufenkamp	Fenske	Martin	Pizer
Bedford	Foote	Metzger	Purdy
Bixler	Hoffmeister	Morrison	Ruhnke
Bridenbaugh	Hubka	Moulton	Shultz
Brower	Klaver	Nelson	Swanson
Burney	Kotouc	Otto	Thompson
Cole	Liebers	Perry	Tvrdik
Cramer	McGinley	Person	Vogel

Voting in the negative, 2:

Larkin	Syas
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Not voting, 5:

Adams, J.	Bahensky	Beaver	Lee
Anderson			

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 345.

A bill for an act relating to liens; to create a lien upon all crops in favor of any person who furnished gasoline, diesel fuel, tractor fuel, oil, grease, or other petroleum products to be used in the production of such crops as prescribed; to provide the procedure for asserting

such a lien; to provide for sales or delivery of such crops under the conditions prescribed; to provide for notices; to provide for foreclosure of such liens; and to provide for exceptions to such lien attaching 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. Shultz requested a Call of the House.

A Call of the House was ordered and showed 39 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

Mr. Peterson requested a Call of the House, which prevailed with 29 ayes, 5 nays and 9 not voting.

A Call of the House was ordered and showed 39 members present.

Mr. Fenske moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 21:

Adams, T.	Diers	McGinley	Peterson
Anderson	Fenske	Moulton	Shultz
Bixler	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Burney	Lee	Person	Tvrdik
Cramer			

Voting in the negative, 18:

Aufenkamp	Hoffmeister	Metzger	Purdy
Bedford	Hubka	Morrison	Ruhnke
Bridenbaugh	Liebers	Perry	Swanson
Cole	McHenry	Pizer	Vogel
Foote	Martin		

Not voting, 4:

Adams, J.	Bahensky	Beaver	Klaver
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A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

Announcement

Speaker Burney announced that Mrs. Carl W. Deitemeyer, "Mrs. America of 1956", will visit the Legislature Monday, June 13, 1955.

SELECT FILE**LEGISLATIVE BILL 537.**

Mrs. Foote asked unanimous consent that the following amendments be adopted:

1. Amend section 1 of the bill by striking the new matter and all amendments thereto in lines 17 to 20 and inserting in lieu thereof the following:

"Should there be three or more of said installments delinquent and unpaid on the same property the Mayor and City Council may by resolution declare all future installments on such delinquent property to be due on a future fixed date. The resolution shall set forth the description of the property and the names of its record title owners and shall provide that all future installments shall become delinquent upon the date fixed. A copy of such resolution shall be published one time each week for not less than twenty days in a legal newspaper of general circulation published in the city and after the fixed date such future installments shall be deemed to be delinquent and the city may proceed to enforce and collect the total amount due and all future installments."

2. Amend the title to conform.

No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. Consideration of the Burney amendment found in the Legislative Journal for the One Hundred-Fifth Day.

Mr. Burney asked unanimous consent that his amendment be adopted. No objections. So ordered.

Laid over temporarily.

LEGISLATIVE BILL 519. Considered.

Mr. Bixler asked unanimous consent that his amendment, found in the Legislative Journal for the One Hundred-Fifth Day, be withdrawn. No objections. So ordered.

Mr. Bixler asked unanimous consent that the following amendment be adopted:

1. Amend Standing Committee Amendment 4, section 15, line 17 by inserting after "purposes" the following:

“; Provided, that trailers used exclusively by farm operators to transport heavy farm equipment from one farm to another farm shall pay a registration fee of twenty dollars”.

No objections. So ordered.

Mr. Burney asked unanimous consent that further consideration of LB 519 be held until LB 362 is considered on Select File.

Mr. Perry objected.

Mr. Burney moved that LB 362 be considered before LB 519 on Select File. The motion prevailed with 24 ayes, 6 nays and 13 not voting.

Speaker Burney Presiding

Mr. Cramer Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 7, 1955 at 9:30 a.m.

LB 558	LB 550	LB 349	LB 216
LB 554	LB 536	LB 276	LB 197
LB 552	LB 501	LB 220	LB 80
LB 551	LB 407		

LEGISLATIVE BILL 129. Replaced on Select File as amended.

E and R amendments to LB 129:

1. Strike all amendments to original section 1, since it is now stricken, renumber original “Sec. 2.” as “Section 1.” and the emergency clause section as “Sec. 2.”.

2. Place the new insertion in Klaver and Lee Unanimous Consent Amendment 2, of June 6, 1955, lines 3 to 5 of the original amendment, at the end of the new matter added to renumbered section 1, by the Klaver and Tvrdik Amendment 2 after “Governor.” in the last line of such Klaver and Tvrdik Amendment 2.

3. Strike Enrollment and Review Committee Amendment 4, in regard to correlation which is no longer involved, due to Klaver and Lee Amendments.

4. Strike the title, and all amendments thereto, after “FOR AN ACT” in the second line thereof and in lieu thereof insert “relating to

taxation; to provide for a refund when any taxes or assessments are determined by a court to be illegal as prescribed; to define terms; to provide powers and duties for the prescribed public officials and county boards; to provide procedure; to provide for the issuance of registration certificates; to provide for the use of such certificates; to provide that the procedure prescribed shall be in addition to refund procedures otherwise authorized by law; and to declare an emergency."

(Signed) Donald F. McGinley, Chairman

SELECT FILE

LEGISLATIVE BILL 362. E and R amendments found in the Legislative Journal for the One Hundred-Fifth Day were adopted.

Mr. Burney moved to reconsider Amendment 1 of the Anderson amendments to LB 362 offered and adopted on General File June 2, 1955.

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

Mr. Burney asked unanimous consent that the Anderson Amendment 1, found in the Legislative Journal for the One Hundred-Third Day, be stricken. No objections. So ordered.

Speaker Burney Presiding

Mr. Perry asked unanimous consent that the following amendment be adopted:

Amend LB 362, Section 3, line 4, by striking "two" before "cents" and inserting in lieu thereof "one"; and line 7, Section 3, by striking "two" and inserting "one".

No objections. So ordered.

Mr. Peterson moved that LB 362 be indefinitely postponed.

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Kotouc moved that the Call be raised. The motion prevailed.

The Peterson motion lost with 17 ayes, 22 nays and 4 not voting.

Advanced to E and R for engrossment with 18 ayes, 15 nays and 10 not voting.

LEGISLATIVE BILL 398. E and R amendments found in the Legislative Journal for the One Hundred-Fifth Day were adopted.

Advanced to E and R for engrossment.

Mr. McGinley Presiding

LEGISLATIVE BILL 187. Mr. Hubka asked unanimous consent that the following amendment be adopted:

1. Amend original section 39 of the bill, line 39 by inserting "except bridges," after "section," and by inserting after line 48 the following:

"(6) The department shall maintain and keep in repair all public bridges and the approaches thereto when located in cities of the first class and on connecting links which were constructed under the authority of the department and construction costs were paid in whole or in part with state or federal funds.",

and line 49 by striking "(6)" and inserting "(7)".

No objections. So ordered.

Advanced to E and R for engrossment with 24 ayes, 1 nay and 18 not voting.

LEGISLATIVE BILL 519. Considered.

Mr. Peterson moved that LB 519 be returned to General File for the following specific amendment:

1. Amend Revenue Committee Standing Committee Amendment 1, section 2, line 9 by inserting after the word "system" the following:

"; *Provided*, that fifty per cent of the forty per cent credited to the Highway Cash Fund shall be used for matching funds furnished by the federal government for an interstate highway system".

Mr. Peterson requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Peterson moved that the Call be raised. The motion prevailed.

The Peterson motion lost with 21 ayes, 16 nays and 6 not voting.

Advanced to E and R for engrossment.

Members Excused

Mr. Burney was excused for this afternoon and for Wednesday, June 8, 1955.

Mr. Hubka was excused for Wednesday, June 8, 1955.

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 384. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:37 a.m., on a motion by Mr. Morrison, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, June 8, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Beaver, Burney, Hubka and Ruhnke, who were excused, and Messrs. Bahensky and Otto, who were excused until 10:50 a.m.

The Journal for the One Hundred-Sixth Day was approved.

MOTION—Employees Excused

Mr. President: I move that the legislative employees who will not be needed this afternoon be free to attend the Statehouse Picnic at 3:00 p.m. today. (Signed) Tom Adams

The motion prevailed.

LEGISLATIVE EXPENSES, MAY, 1955

Account E-2 Members Salaries

Gross Amount.....\$ 3,099.87

Members Net Payments	\$ 3,014.75
W. H. Income Taxes.....	23.20
Deferred Payment O.A.S.I. Taxes.....	61.92

\$ 3,099.87

Account E-4 Employees Wages

	Time	Rate	Gross Wages
Verneal Spilker, Page.....	4 das.	@165/mo.	\$ 25.40
Eloise M. Galloway, Supervisor	12 das.	@275/mo.	132.00
Viola Gardiner, Stenographer.....	18 das.	@235/mo.	169.20
Ethel Pattison, Page	1 mo.	@165/mo.	165.00
Dianne Alexander, Page	1 mo.	@165/mo.	165.00
Lorraine Anderson, Docket Clerk.....	1 mo.	@250/mo.	250.00
Jacqueline Berkheim, Government Committee Clerk ...	1 mo.	@250/mo.	250.00
Ruby Marie Black, Stenographer	1 mo.	@235/mo.	235.00
Eunice Bradley, Supervisor	1 mo.	@275/mo.	275.00
William Burley, Page	1 mo.	@165/mo.	165.00
Donna Cleavenger, Office Assistant & Secretary.....	1 mo.	@250/mo.	250.00
John Dewey Curtis, Assistant Clerk, Bill Room	1 mo.	@195/mo.	195.00
Darlene Custer, Public Health & Misc. Subjs. Com. Clk...	1 mo.	@250/mo.	250.00

	Time	Rate	Gross Wages
Clarence M. Davis, Legal Advisor.....	1 mo.	@900/mo.	\$900.00
Marie R. Downs, Stenographer	20 das. 1½ hrs.	@235/mo.	189.77
Adelaide Eichelberger, Stenographer.....	1 mo.	@235/mo.	235.00
Jo Fisher, Chief Engrossing Clerk.....	1 mo.	@325/mo.	325.00
Ernest Fouts, Chief Legislative Custodian.....	1 mo.	@200/mo.	200.00
Dorothea M. Fuchs, Budget Committee Clerk.....	1 mo.	@250/mo.	250.00
Florence S. Graham, Assistant Journal Clerk	1 mo.	@260/mo.	260.00
Ramona T. Hansen, Proofreader.....	74½ hrs.	@1.40/hr.	104.30
E. C. Hansen, Chaplain.....	1 mo.	@140/mo.	140.00
Marjory A. Hines, Revenue Committee Clerk	1 mo.	@250/mo.	250.00
Carl Hoffman, Assistant Legislative Custodian	1 mo.	@185/mo.	185.00
Charles E. Keefer, Assistant Clerk, Bill Room.....	1 mo.	@195/mo.	195.00
Jane Kenner, Receptionist, Lieutenant Governor.....	1 mo.	@200/mo.	200.00
Darlene Kepler, Stencil Cutter and Mimeographer.....	1 mo.	@200/mo.	200.00
Shirley Dell Kling, Stenographer.....	1 mo. 7 hrs.	@235/mo.	243.23
Betty Jean Koch, Education Committee Clerk	1 mo.	@250/mo.	250.00
Carlene Kroese, Steno Typist.....	1 mo.	@235/mo.	235.00
Clara Jean Lewis, Page.....	1 mo.	@165/mo.	165.00
Marguerite Listiak, Stenographer.....	¾ mo.	@250/mo.	187.50
G. F. Martin, Chief Clerk, Bill Room.....	1 mo.	@240/mo.	240.00
F. R. Miller, Assistant Clerk, Bill Room.....	1 mo.	@195/mo.	195.00
Charles A. Mohrman, Assistant Clerk, Bill Room.....	1 mo.	@195/mo.	195.00
Barbara Nelson, Agriculture Committee Clerk.....	1 mo.	@250/mo.	250.00
Ruby Nelson, Postmistress.....	1 mo.	@180/mo.	180.00
LaVerne Obermeyer, Journal Clerk.....	1 mo.	@325/mo.	325.00

	Time	Rate	Gross Wages
Clyde Pinkerton, Assistant Clerk, Bill Room	1 mo.	@195/mo.	\$195.00
Elizabeth Reger, Proofreader	131 hrs.	@1.40/hr.	183.40
Ralph Reger, Page	19 das.	@165/mo.	125.40
Betty Remington, Labor & Public Welfare Com. Clerk . . .	1 mo.	@250/mo.	250.00
Melba Richling, Bookkeeper	1 mo.	@275/mo.	275.00
Francis Robinson, Assistant Clerk of Legislature	1 mo. & dif.	@600/mo.	610.18
George L. Santo, Sergeant-at-arms	1 mo.	@230/mo.	230.00
Edna S. Scott, Proofreader	105 hrs.	@1.40/hr.	147.00
Mary Smetter, Proofreader	102½ hrs.	@1.40/hr.	143.50
Ella Sue Steenson, Public Works Committee Clerk	1 mo.	@250/mo.	250.00
Ralph Stouffer, Assistant Legislative Custodian	1 mo.	@185/mo.	185.00
A. C. Taylor, Assistant Sergeant-at-arms	1 mo.	@190/mo.	190.00
Ruth Theobald, Banking, Commerce & Insurance Com. Clk.	1 mo.	@250/mo.	250.00
Richard C. Thoene, Misc. Appropriations & Claims Clk. .	1 mo.	@250/mo.	250.00
Charles Touzalin, Assistant Clerk, Bill Room	1 mo.	@195/mo.	195.00
Ruth B. Turner, Stenographer	1 mo. 19 hrs.	@235/mo.	257.33
Gertrude A. Tyler, Telephone Operator	1 mo.	@180/mo.	180.00
Shirley Walker, Stenographer	1 mo.	@235/mo.	235.00
Tillie Walker, Stenographer	93 hrs.	@1.25/hr.	116.25

TOTAL GROSS WAGES \$12,894.46

Net Amount Due Employees 11,069.50

W. H. Income Taxes 1,574.90

Deferred Payment O.A.S.I. Taxes 250.06

\$12,894.46

Account E-5 Incidental Expenses

Sound Engineering Co., Ltd., last half speaker system in chamber.....	\$1,718.00
Western Newspaper Union, forty reams 8½ x 11 mimeo bond	39.59
Schwarz Paper Company, 1 case drinking cups.. .. .	16.56
Journal Star Printing, 1700 daily journal 62nd to 81st day	1,445.56
The Rosewell Floral Company, flowers to Foote and Grant.. .. .	16.05
Lincoln Telephone and Telegraph Company	165.40
Baker Hardware Company, two 2½" casters	2.80
Nebraska Typewriter Company, ten quire stencils, two correcting fluid... ..	34.83
Western Newspaper Union, twenty reams 8½ x 11 mimeo bond	19.80
Orion E. Jerner, Postmaster, \$100 each Senator and Lt. Governor	4,400.00

\$7,858.59

Account 7 Salary of Lieutenant Governor

Lt. Governor, Net Salary	142.44
Deferred Payment O.A.S.I. Taxes	2.91

Gross Salary, Lt. Governor \$ 145.35

Account 8 Clerk's Salary, Other Wages & Office Expenses

Hugo F. Srb, Clerk of the Legislature, Net Salary	558.76
W. H. Income Taxes	61.60
Deferred Payment O.A.S.I. Taxes	12.66

Gross Salary, Clerk of Legislature \$ 633.02

GRAND TOTAL MAY EXPENSES\$24,631.29

STANDING COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 305. Replaced on Select File as amended.

E and R amendments to LB 305:

1. In original section 7, now section 8, line 63, strike the comma before "shall".
2. In renumbered section 5, line 26, insert "district or" before "districts" and in line 28 of said section strike "each" and in lieu thereof insert "such".

LEGISLATIVE BILL 187. Replaced on Select File as amended.

E and R amendments to LB 187:

1. In Hubka Unanimous Consent Amendment 1, adopted June 7, 1955, line 8, strike the period after "funds" and in lieu thereof insert "; and".
2. In Enrollment and Review Amendment 30, line 5, strike "and" after the inserted semicolon; and Enrollment and Review Amendment 35, line 6, after the semicolon insert "to provide for the maintenance of the prescribed highways until July 1, 1956 by such department and the disposition thereof after such date;".

LEGISLATIVE BILL 466. Correctly enrolled.

LEGISLATIVE BILL 219. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Return LB 294 to Select File

Mr. Martin asked unanimous consent that LB 294 be returned to Select File for the following specific amendment:

Amend Section 1 of the bill, line 3 by adding "is hereby" after the word "there" and line 7 by striking after the comma the words "by a vote of the electors of such city".

Mr. Lee objected.

Mr. Martin moved that LB 294 be returned to General File for the above specific amendment.

The motion lost with 15 ayes, 7 nays and 21 not voting.

Mr. Martin asked unanimous consent that LB 294 be returned to Select File for the following specific amendment:

Amend the Lee amendment to LB 294 as amended by the Hubka amendment, found in the Legislative Journal for the One Hundredth Day, by striking "electors" and inserting "governing body" in lieu thereof. No objections. So ordered.

Visitors

Mr. T. Adams introduced Mrs. Merle Karnopp and her son, Dennis, Lincoln, Nebraska.

SELECT FILE

LEGISLATIVE BILL 376. E and R amendments found in the Legislative Journal for the One Hundred-Sixth Day were adopted.

Mr. McHenry moved that LB 376 be advanced to E and R for engrossment. The motion lost with 6 ayes, 19 nays and 18 not voting.

LEGISLATIVE BILL 294.

Mr. Martin asked unanimous consent that his amendment to the Lee amendment as amended by the Hubka amendment, found in this day's Journal, be adopted. No objections. So ordered.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 129. E and R amendment found in the Legislative Journal for the One Hundred-Sixth Day was adopted.

Advanced to E and R for engrossment.

SUSPEND RULES—Consider Bills on Select File

Mr. President: I move that the rules be suspended and we consider LB 305 and LB 187 on Select File at this time. (Signed) Donald F. McGinley

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

SELECT FILE

LEGISLATIVE BILL 305. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for engrossment.

MOTION—Reconsider Action on LB 466

Mr. President: I move that we reconsider our action in the passage of LB 466. (Signed) Robert Perry

The motion prevailed with 27 ayes, 1 nay and 15 not voting.

MOTION—Return LB 466 to Select File

Mr. President: I move that LB 466 be returned to Select File for the following specific amendment:

Amend LB 466, Section 7, line 15, by striking "time sales differential" and inserting "interest at not to exceed legal rate". (Signed) Robert Perry

Mr. Moulton asked unanimous consent that consideration of the Perry motion be laid over until June 13, 1955. No objections. So ordered.

UNANIMOUS CONSENT—Return LB 247 to Select File

Mr. Martin asked unanimous consent that LB 247 be returned to Select File for the following specific amendment:

1. Amend section 1 of the bill, by striking Standing Committee amendment 1, and all amendments to such amendment.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 247.

Mr. Martin asked unanimous consent that his amendment, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for re-engrossment.

UNANIMOUS CONSENT—Return LB 519 to Select File

Mr. Bixler asked unanimous consent that LB 519 be returned to Select File for the purpose of withdrawing his amendment offered and adopted on June 7, 1955. No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 519.**

Mr. Bixler asked unanimous consent that his amendment, found in the Legislative Journal for the One Hundred-Sixth Day, be withdrawn. No objections. So ordered.

Advanced to E and R for engrossment.

UNANIMOUS CONSENT—Recall, Indefinitely Postpone LB 294

Mr. Martin asked unanimous consent that LB 294 be recalled from the Enrollment and Review Committee and that LB 294 be indefinitely postponed. No objections. So ordered.

UNANIMOUS CONSENT—Return Petitions

Mr. Pizer asked unanimous consent that the petitions in opposition to LB 260, now in the Clerk's office, be returned to him. No objections. So ordered.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 381. Correctly re-engrossed.

LEGISLATIVE BILL 9. Correctly engrossed.

LEGISLATIVE BILL 115. Correctly engrossed.

LEGISLATIVE BILL 385. Correctly engrossed.

LEGISLATIVE BILL 541. Replaced on Select File as amended.

E and R amendments to LB 541:

1. Strike in section 5, line 3, of the bill, "hereunder" and in lieu thereof insert the newly inserted matter in Enrollment and Review Amendment 5, line 2.

2. At the end of line 2 of said Enrollment and Review Amendment 5, insert "in section 6,".

3. In Enrollment and Review Amendment 6, line 4, to the title, insert a semicolon after the word "act".

4. In section 1 of the bill, line 4, reinsert the comma after "Nebraska".

5. In Standing Committee Amendment 2, line 2, strike the figure "6", after the word "to" and in lieu thereof insert "5, inclusive,".

6. In the Moulton Unanimous Consent Amendment 1, dated June 3, 1955, last line of original amendment, insert a comma after "aviation", before the word "nor".

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 219

RESOLUTIONS

LEGISLATIVE RESOLUTION 41. Re: Committee to Make Study of Structure of the Board of Control and Departments, Institutions and Services Under Its Charge.

Introduced by Donald F. McGinley, 39th District; Glenn Cramer, 27th District; George Syas, 4th District.

WHEREAS, the present constitutional structure of the Board of Control was adopted in 1912 to provide a system of services necessary at that time, and

WHEREAS, since 1912 additional state services have been placed under supervision of the Board of Control by statute, reflecting an enormous increase in the duties and responsibilities of the board in welfare and assistance programs, and in management of educational institutions and hospitals, and

WHEREAS, other states, once having had a similar Board of Control system, have changed the nature and duties of this supervisory body to meet demands of changing times, and

WHEREAS, there is some question of legal interpretation as to which institutions are under the Board of Control's constitutional or statutory responsibility; and there is a possibility of duplication of services being offered as between the board and other departments of state government; and there is a possibility that some state services might be more efficiently or economically carried on by departments outside the Board of Control,

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

That the Legislative Council appoint a committee to make a comprehensive study of the organizational structure of the Board of Control and the various departments, institutions, and services under its charge; to study the placement of these several institutions and services under the board for the greatest effective operation of these social services, and report to the next regular session of the Nebraska State Legislature.

The report to provide:

1. A recommendation for or against an amendment to the Constitution to change the structure of the Board of Control either by abolishment or substitution;

2. A recommendation for or against constitutional or statutory changes affecting the board's responsibilities and services, including transfers of some of the board's charges to other departments of the state government; and improvements in the methods and techniques of offering services to the people of Nebraska;

3. A statement on possible duplication of services offered by the board and other departments and agencies, and recommendations regarding same; and

4. Necessary bills to be introduced in the Legislature to carry out provisions of the report.

LEGISLATIVE RESOLUTION 42. Re: Committee to Study Highway Planning.

Introduced by Joseph D. Martin, 30th District; William A. Metzger, 3rd District; Amos Morrison, 42nd District.

WHEREAS, the people of the State of Nebraska and the Legislature should be currently and continuously informed at all times in regard to an interstate highway system, and

WHEREAS, the Legislature should be informed as to what states adjoining the State of Nebraska are planning as to a system of interstate highways, whether it be toll roads or a highway system as a part of a federal system built with the aid of federal money.

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

That in the interest of coordination in highway planning and of efficiency in the expenditures of public money for highway purposes, a committee be appointed by the Legislative Council to study and report to the next regular session of the Legislature, the report to consist of:

- (1) Development and progress of toll roads in other states that would have future effects on Nebraska traffic;
- (2) Routing of the proposed interstate federal highway in Nebraska and its potential alteration of the Nebraska highway building program;
- (3) Revenues necessary for the present and proposed improvements to the state highway system; and
- (4) Potential sources of revenue for a highway system.

LEGISLATIVE RESOLUTION 43. Re: Proposed Amendment to the Constitution of the United States.

Introduced by Earl J. Lee, 11th District; Joseph D. Martin, 30th District; Robert Perry, 20th District.

An Application to the Congress of the United States pursuant to Article V of the Constitution of the United States for a convention for proposing an amendment to the Constitution of the United States.

BE IT RESOLVED BY THE MEMBERS OF THE NEBRASKA LEGISLATURE IN SIXTY-SEVENTH SESSION ASSEMBLED:

That the Legislature of the State of Nebraska, pursuant to Article V of the Constitution of the United States, hereby makes application to the Congress of the United States to call a convention for proposing the following Article as an amendment to the Constitution of the United States in lieu of Article V:

"ARTICLE _____

Section 1. The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two thirds of the several States shall call a convention for proposing amendments; or the Legislature of any State, whenever two thirds of each house shall deem it necessary, may propose amendments to this Constitution by transmitting to the Secretary of State of the United States and to the Secretary of State of each of the several States a certified copy of the resolution proposing the amendment, which shall be deemed submitted to the several States for ratification when certified copies of resolutions of the Legislatures of any twelve of the several States by two thirds of each house shall have been so transmitted concurring in the proposal of such amendment; which, in any 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: Provided, that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

Section 2. The act of proposal, concurrence in a proposal, or ratification of an amendment, shall not be revocable.

Section 3. A proposal of an amendment by a State shall be inoperative unless it shall have been so concurred in within seven years from the date of the proposal. A proposed amendment shall be inoperative unless it shall have been so ratified within fifteen years from the date of its submission, or shorter period as may be prescribed in the resolution proposing the amendment.

Section 4. Controversies respecting the validity of an amendment shall be justiciable and shall be determined by the exercise of the judicial power of the United States."

RESOLVED FURTHER, that such amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three fourths of the several states;

RESOLVED FURTHER, that as the power of the sovereign states to propose amendments to the Constitution of the United States by convention under Article V has never been exercised and no precedent exists for the calling or holding of such convention, the State of Nebraska hereby declares the following basic principles with respect thereto: that the power of the sovereign states to amend the Constitution of the United States under Article V is absolute; that the power of the sovereign states to propose amendments to the Constitution by convention under Article V is absolute; that the power of the sovereign states extends over such convention and the scope and control thereof and that it is within their sovereign power to prescribe whether such convention shall be general or shall be limited to the proposal of a specified amendment or of amendments in a specified field; that the exercise by the sovereign states of their power to require the calling of such convention contemplates that the applications of the several states for such convention shall prescribe the scope thereof and the essential provisions for holding the same; that the scope of such convention and the provisions for holding the same are established in and by the applications therefor by the legislatures of the two thirds majority of the several states required by Article V to call the same, and that it is the duty of the Congress to call such convention in conformity therewith; that such convention is without power to transcend, and the delegates to such convention are without power to act except within, the limitations and provisions so prescribed;

RESOLVED FURTHER, that such convention shall be called and held in conformity with the following limitations and provisions, and that the Congress, in the call for such convention, hereby is requested to and shall prescribe:

(1) That such convention shall be held in the city of Philadelphia, in the state of Pennsylvania, on the first Monday of the first

December following transmission to the Senate and the House of Representatives of the Congress of the United States of applications for such convention by the legislatures of two thirds of the several states and, in honor of the nation's founders and for invocation, shall convene at Constitution Hall, at Independence Square, at the hour of 10:00 o'clock in the morning of such day, and thereupon adjourn to more commodious quarters within said city for session as the convention shall determine;

(2) That the several states shall have equal suffrage at such convention; that each of the several states shall be entitled to three delegates thereat and that each of such delegates shall be entitled to one vote; that the delegates to such convention from the several states shall be the highest officer of the senate and the highest officer of the house of representatives of their respective legislatures at the time of such convention, except that in states where the lieutenant governor is president of the senate, the president of the senate pro tem or other highest officer from the membership of the senate shall be such delegate from the senate and in states having a unicameral legislature the two highest officers of its legislature shall be such delegates, which two delegates in each of the several states shall jointly designate a citizen of such state at large who shall be the third delegate from such state to such convention; that in case of a vacancy in the office of any delegate during such convention, not otherwise filled pursuant to law or by legislative act or as herein provided, such vacancy shall be filled by the governor of such state from the senate or house of its legislature or the state at large, respectively, as the case may be; that during such vacancy and during the absence of a delegate from the floor of the convention the delegates present from such states shall be empowered to exercise the vote of the absent delegate or delegates from such state; that the legislature of any state may choose its delegates to such convention, other than hereinabove designated, in which case the delegates so chosen shall be certified to the convention by the secretary of state of such state and shall constitute the delegates of such state at such convention in lieu of the delegates otherwise hereinabove designated.

(3) That such convention shall be limited and restricted specifically to the consideration and proposal of such amendment to Article V, the choosing of officers and adoption of rules of procedure for the conduct of such convention and the maintenance of order thereat, the determination of any issue respecting the seating of delegates, adjournment from day to day and to a day certain and from place to place within said city as may be convenient, and adjournment sine die; and such convention shall not be held for any other purpose nor have any other power, and the delegates thereto shall have no power other than within the limitations herein prescribed;

(4) That a permanent record shall be made of the proceedings of such convention, which shall be certified by the secretary of the convention, the original of which shall be placed in the Library of Congress and printed copies of which shall be transmitted to the Senate and the House of Representatives of the Congress, to the secretary of state of the United States, and to each house of the legislature and to the secretary of state of each of the several states;

(5) That the powers of such convention shall be exercisable by the states, represented at such convention by duly constituted delegates thereat, by majority vote of the states present and voting on such proposal, and not otherwise;

RESOLVED FURTHER, that this application shall constitute a continuing application for such convention under Article V of the Constitution of the United States until the legislatures of two thirds of the several states shall have made like applications and such convention shall have been called and held in conformity therewith, unless the Congress itself propose such amendment within the time and the manner herein provided;

RESOLVED FURTHER, that proposal of such amendment by the Congress and its submission for ratification to the legislatures of the several states in the form of the article hereinabove specifically set forth, at any time prior to sixty days after the legislatures of two thirds of the several states shall have made application for such convention, shall render such convention unnecessary and the same shall not be held; otherwise such convention shall be called and held in conformity with such applications;

RESOLVED FURTHER, that as this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the Congress of the United States be officially noted and duly entered upon their respective records, and that the full context of this resolution be published in the official publication of both the Senate and the House of Representatives of the Congress; and

RESOLVED FURTHER, that certified copies of this resolution be transmitted forthwith to the Senate and the House of Representatives of the Congress of the United States, to each senator and representative in the Congress from this state, and to the secretary of state of the United States, and to each house of the legislature and to the secretary of state of each of the several states, attesting the adoption of this resolution by the legislature of this state.

SUSPEND RULES—Adopt Amendments

Mr. President: I move that we suspend the rules and adopt the E and R amendments to LB 541 found in this day's Legislative Journal. (Signed) Donald F. McGinley

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

Advanced to E and R for engrossment.

MOTION—Call Back Members of Special Investigating Committee

Mr. President: I move to call back the members of the Special Investigating Committee to take up consideration of LB 376. (Signed) John J. Larkin, Jr.

The motion prevailed with 15 ayes, 9 nays and 19 not voting.

SELECT FILE**LEGISLATIVE BILL 376.**

Mr. Anderson moved to advance LB 376 to E and R for engrossment.

Mr. Kotouc moved to indefinitely postpone LB 376.

The Kotouc motion prevailed with 18 ayes, 15 nays and 10 not voting, and LB 376 was indefinitely postponed.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 305. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

Adjournment

At 11:28 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned until 10:00 a.m., Thursday, June 9, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, June 9, 1955

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. Beaver and Burney, who were excused, and Messrs. Anderson, Aufenkamp, Brower, Moulton and Person, who were excused to attend the hearing of the Special Investigating Committee.

The Journal for the One Hundred-Seventh Day was approved as corrected.

Visitors

The Sergeant-at-Arms escorted Col. Hobb Turner and Lt. Lyle Cameron, Lincoln, Nebraska, and Lt. Cameron's parents, Mr. and Mrs. Rolland G. Cameron, and his brother, Robert Cameron, to the rostrum. Lt. Cameron, who was recently released after thirty-one months imprisonment in China, addressed the Legislature and related many of his interesting experiences and answered questions propounded by Members of the Legislature. Lt. Cameron expressed his appreciation for the efforts of his government and of the United Nations in helping to secure his release and the release of other American military and civilian personnel detained in Red China.

Mr. McGinley introduced Mr. Carl P. Jeffords, Seneca, Nebraska, a former Member of the Legislature. Mr. Jeffords addressed the Legislature briefly.

STANDING COMMITTEE REPORTS
Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 9, 1955 at 8:30 a.m.

LB 219

LEGISLATIVE BILL 513. Replaced on Select File as amended.

E and R amendments to LB 513:

1. In Standing Committee Amendment 1, line 4, insert “;” before the inserted word “*Provided*”.

2. In the last line of Standing Committee Amendment 3, in newly inserted section 4, strike the comma after “*policeman*”.

LEGISLATIVE BILL 541. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

SUSPEND RULES—Consider LB 513

Mr. President: I move that the rules be suspended and LB 513 be considered on Select File at this time. (Signed) Charles F. Tvrdik

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

SELECT FILE

LEGISLATIVE BILL 513. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 41.

LR 41 was adopted with 26 ayes, 0 nays and 17 not voting.

Members Excused

Messrs. Kotouc, Otto and Martin were excused for Friday, June 10, 1955.

Visitors

Mr. Cole introduced his son-in-law and daughter, Mr. and Mrs. Stanley Boltz from Merriman, and his niece, Mrs. Hap Sterns and her husband, from Nenzel, Nebraska.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 339.

A bill for an act to amend section 39-723.07, Revised Statutes Supplement, 1953, relating to highways; to change the provisions in regard to maximum loads and tolerances in regard to trucks, truck-tractors, semitrailers, and trailers carrying only a load of livestock 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, T.	Foote	Martin	Purdy
Bahensky	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Kotouc	Nelson	Swanson
Bridenbaugh	Larkin	Otto	Syas
Cole	Lee	Perry	Thompson
Cramer	Liebers	Peterson	Tvrdik
Diers	McGinley	Pizer	Vogel
Fenske	McHenry		

Voting in the negative, 0.

Not voting, 9:

Adams, J.	Beaver	Burney	Moulton
Anderson	Brower	Klaver	Person
Aufenkamp			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 292.

A bill for an act to amend section 14-366, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the metropolitan class; to extend the power of such cities over areas within three miles of the corporate limits as prescribed; to authorize the purchasing or the acquiring, by the exercise of the power of eminent domain, private or public property for recreational areas as prescribed; to permit the levying of special taxes and assessments for the purposes, upon the property, and in the method prescribed; to provide for improvement districts within or without such a city 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?'"

Mr. Tvrdik requested a Call of the House.

A Call of the House was ordered and showed 40 members present.

Mr. Tvrdik moved that the Call be raised. The motion prevailed.

Voting in the affirmative, 23:

Adams, J.	Diers	Liebers	Swanson
Adams, T.	Foote	McGinley	Syas
Aufenkamp	Hoffmeister	Moulton	Thompson
Bahensky	Klaver	Otto	Tvrdik
Bixler	Kotouc	Pizer	Vogel
Cramer	Larkin	Shultz	

Voting in the negative, 13:

Bridenbaugh	McHenry	Morrison	Person
Brower	Martin	Nelson	Peterson
Cole	Metzger	Perry	Ruhnke
Fenske			

Not voting, 7:

Anderson	Bedford	Hubka	Purdy
Beaver	Burney	Lee	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SUSPEND RULES—Take up Bill on Final Reading

Mr. President: I move that the rules be suspended and that LB 384 be taken up on Final Reading at this time. (Signed) Otto Kotouc, Sr.

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

LEGISLATIVE BILL 384. With emergency.

A bill for an act to amend sections 31-801, 31-802, 31-803, 31-804, 31-807, 31-808, 31-810, 31-812, 31-816, and 31-821, Revised Statutes Supplement, 1953, relating to watershed districts; to change the conditions for forming a watershed district; to modify the proceedings for establishing a watershed district; to provide for the election of directors of such a district; to reduce the number of votes required for approval of the formation of a watershed district; to modify plans for approval by landowners; to harmonize the provisions 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, 32:

Adams, J.	Diers	Liebers	Purdy
Adams, T.	Fenske	McGinley	Ruhnke
Bahensky	Foote	McHenry	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Otto	Syas
Bridenbaugh	Kotouc	Perry	Thompson
Cole	Larkin	Peterson	Tvrdik
Cramer	Lee	Pizer	Vogel

Voting in the negative, 3:

Martin	Metzger	Nelson
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Not voting, 8:

Anderson	Beaver	Burney	Moulton
Aufenkamp	Brower	Klaver	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. Hubka was excused for Friday, June 10, 1955.

Visitors

Mr. Martin introduced Judge Park Young and his son John from Central City, Nebraska.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 247. Replaced on Select File as amended.

E and R amendments to LB 247:

1. Strike all amendments to Legislative Bill 247 and, in lieu thereof, reinsert sections 1 and 2 of the original bill.

2. In section 1, line 13, strike "is fully paid" and show as stricken matter; and in line 14, after the word "same" insert "are fully paid".

LEGISLATIVE BILL 10. Placed on Select File as amended.

E and R amendments to LB 10:

1. In Bridenbaugh General File Amendment 1, to section 16, insert a comma before "and" in the newly inserted matter; in Burney General File Amendment 1, line 2, strike the period and in lieu thereof insert a comma after "dues" in the newly inserted matter; and in Bridenbaugh General File Amendment 2, to section 18, line 2, after the figure "6" insert "inserted after line 168 of section 18" and line 5, strike "by" and insert in lieu thereof "in accordance with".

2. In the bill: section 5, line 3, strike the semicolon; page 8, section 9, line 11 of original bill, insert "\$" before "4,200.00" and section 10, line 6 of original bill, strike "\$" before "390,000.00"; section 11, line 4 insert a comma after "costs"; and section 17, line 19, strike "and" and insert a comma.

3. In the bill: section 18, line 25, before "eradication" insert "and amendments thereto," line 45, after the comma insert "and"; section 19, line 16 after "associations" insert a comma; section 24, line 7 strike the comma after "officers"; section 26, line 11 strike "and"; and section 27, insert a comma in lines 14 and 26 after "maintenance" and line 34 after "Fund", and line 36 after "armories" strike the comma and insert "and".

4. In the bill: section 28, line 6 strike "expense" and insert "the expense of", line 7 strike the comma and insert "and", line 21 insert a comma after "Expense", line 22, strike "and" at the end of the line, line 24 strike "and" and insert ", and for", and line 81 after "and" insert "appropriate"; section 29, insert a comma in line 7 after "park", line 8 after "spectively", and line 21 after "preservation"; section 34, line 10 strike the comma after "Fund", line 20 strike "and"; section 38, line 4 before "salaries" insert "(a)", line 5 strike "including" and in lieu thereof insert "(b)", line 6, strike "including" and in lieu thereof insert "(c)", and line 66, before "then" insert "and".

5. In the bill: section 48, line 2 insert a comma after "funds" and line 8 strike the comma after "ment"; section 49, line 6 strike ", and" and in lieu thereof insert "or" and line 7 strike "as may be designated" and in lieu thereof insert a comma; and strike the quotation marks in section 51, lines 3, 5, 7, and 9 and section 53, lines 15 and 16.

LEGISLATIVE BILL 537. Correctly engrossed.

LEGISLATIVE BILL 129. Correctly engrossed.

LEGISLATIVE BILL 513. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Lay Over LR 43

Mr. J. Adams asked unanimous consent that consideration of LR 43 be laid over until Monday, June 13, 1955. No objections. So ordered.

SUSPEND RULES—Consider Bills on Select File

Mr. President: I move that the rules be suspended and we consider LB 247 and LB 10 on Select File at this time. (Signed) Donald F. McGinley

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

SELECT FILE

LEGISLATIVE BILL 247. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for re-engrossment.

LEGISLATIVE BILL 10. E and R amendments found in this day's Legislative Journal were adopted.

Ease

The Legislature was at ease from 11:38 a.m. until 11:51 a.m.

Adjournment

At 11:52 a.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, June 10, 1955

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Burney, Hubka, Kotouc, Martin and Otto, who were excused, and Mr. Bedford, who was excused until 9:30 a.m.

The Journal for the One Hundred-Eighth Day was approved as corrected.

Members Excused

Messrs. Tvrdik and Liebers were excused for Monday morning, June 13, 1955.

Mr. Perry was excused for Monday morning, June 13, 1955, until 10:00 a.m.

Mr. Beaver was excused for Monday, June 13, 1955.

Approved by the Governor

June 9, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body

that on June 8, 1955, he approved LB 303 and on June 9, 1955, he approved LB 95, 179, 547, 556, 555, 559 and 204.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

Invitation

Invitation from Clifford M. Hardin, Chancellor of the University of Nebraska, to the Members and their wives, to attend the Commencement exercises of the University on Monday morning, June 13, 1955.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 398. Correctly engrossed.

LEGISLATIVE BILL 247. Correctly engrossed.

LEGISLATIVE BILL 339. Correctly enrolled.

LEGISLATIVE BILL 292. Correctly enrolled.

LEGISLATIVE BILL 384. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 339

LB 292

LB 384

RESOLUTIONS

LEGISLATIVE RESOLUTION 44. Re: Committee to Study School Laws and Conditions of Schools in Nebraska.

Introduced by Kathleen A. Foote, 31st District; Glenn Cramer, 27th District; Don Thompson, 33rd District.

WHEREAS, studies of school laws and school conditions are being made by various civic and governmental groups and agencies, and

WHEREAS, schools being a foremost part of our government, everything that will improve their conditions should be considered.

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

That the Legislative Council appoint a committee to study the school laws and conditions of our schools and act as a coordinator of the various groups and agencies studying school laws and conditions and make a comprehensive report of such study to the next regular session of the Legislature, and if the report suggests changes in our laws, that necessary bills be drafted to make such changes.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and we consider the following bills on Final Reading at this time: LB 381, 9, 115, 385, 305. (Signed) Arnold Ruhnke

The motion lost with 13 ayes, 12 nays and 18 not voting.

UNANIMOUS CONSENT—Report of Special Investigating Committee

Mr. Brower asked unanimous consent that the time originally set for the report of the Special Investigating Committee be extended to Monday, June 13, 1955. No objections. So ordered.

Ease

The Legislature was at ease from 9:19 a.m. until 9:30 a.m.

Visitors

Mrs. Foote introduced her brother-in-law, James V. Potmesil, Jr. and his father, James V. Potmesil, Alliance, Nebraska.

MOTION—Adjourn

Mr. President: I move that we adjourn until 9:30 a.m., June 13, 1955. (Signed) L. M. Shultz

Mr. Liebers moved to amend the Shultz motion to read 2:00 p.m.

The Liebers motion lost with 10 ayes, 14 nays and 19 not voting.

The Shultz motion prevailed with 18 ayes, 0 nays and 25 not voting, and at 9:45 a.m., the Legislature adjourned until 9:30 a.m., June 13, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-TENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, June 13, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Beaver, Liebers, Perry, and Tvrdik, who were excused.

The Journal for the One Hundred-Ninth Day was approved.

STANDING COMMITTEE REPORTS Enrollment and Review

LEGISLATIVE BILL 519. Replaced on Select File as amended.

E and R amendments to LB 519:

1. In section 2 of Standing Committee Amendment 1, line 17, strike the comma after "per cent" and show as stricken matter.
2. In Enrollment and Review Amendment 6, line 18, strike "and 24,".
3. In renumbered section 9, line 24, strike "shall carry on" and in lieu thereof insert "*which trailers shall carry on their*".
4. Strike Enrollment and Review Amendment 7, lines 14 and 15, which applied to line 10 of renumbered section 13, and in lieu thereof insert "," at the end of line 9 of such renumbered section 13.
5. In renumbered section 6, line 43, strike "*this section and*".
6. In renumbered section 14, line 23, after "Patrol" insert "*or an employee of the Department of Roads and Irrigation as a peace officer, as the case may be*" and in the same line after "member" insert "*or peace officer*".

7. In renumbered section 5, line 3, after "Trucks" insert ", truck-tractors, semitrailers, trailers,".

LEGISLATIVE BILL 362. Replaced on Select File as amended.

E and R amendments to LB 362:

1. In newly inserted section 4, last line, strike "*two cents*" and in lieu thereof insert "*one cent*".

2. In newly inserted section 11, line 3, strike the amendment which changed "*Roads and Irrigation*" to "*Agriculture and Inspection*" and in Enrollment and Review Amendment 5, line 7, strike "*Agriculture and Inspection*" and in lieu thereof insert "*Roads and Irrigation*".

Presented to the Governor

Presented to the Governor for approval on June 10, 1955, at 1:15 p.m.

LB 384

LB 339

LB 292

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LR 41

Mr. Martin Presiding

Visitor

Speaker Burney escorted Mrs. Carl W. Dietemeyer, "Mrs. America of 1956" to the rostrum and introduced her to the Legislature. Mrs. Dietemeyer addressed the Legislature briefly.

Speaker Burney escorted Mrs. Dietemeyer from the Chamber.

Speaker Burney Presiding

SELECT COMMITTEE REPORTS

REPORT OF COMMITTEE TO INVESTIGATE IMPROPER PRACTICES OF MEMBERS AFFECTING LEGISLATION AND LEGISLATIVE PROCEDURE

Robert C. Brower, Chairman
O. H. Person, Vice Chairman
William Moulton
Lester H. Anderson
John Aufenkamp

General Explanation

Your Committee having the conduct of this investigation has had it under consideration since shortly after passage of LR 36. Your Committee at once employed Rush Clarke, an attorney of North Platte, Nebraska, who was familiar with the matter under investigation, to continue his investigation and report to this Committee.

After various oral reports we commenced formal hearings on June 3 and completed them June 9. We examined numerous witnesses, most of them summoned by subpoenas from Omaha, Nebraska, but a few summoned from Lincoln.

After securing special permission we likewise employed Dorsey D. Baird the Official Court Reporter of the United States District Court at Lincoln, Nebraska to take down the testimony and extend it verbatim. The report is long and voluminous and the evidence has not yet been completely transcribed. We ordered for the Legislature, in case they need them, four copies of the testimony.

The Committee held, at various times, several executive sessions and investigated and considered complaints and rumors to which its attention had been called. With the exceptions of the matters later taken up in public hearing the Committee felt that these complaints and rumors discussed in the executive sessions were either unsubstantiated or so unsubstantial that they did not merit the further attention of the Committee and accordingly these miscellaneous matters were dropped after careful investigation.

At the outset, as is usual with such investigations, we determined that the usual rules of evidence used in court were not completely applicable. However, in our decision and recommendations to the Legislature we have attempted to base them on the real, substantial evidence. Though in many investigations it is not the rule to allow full rights of cross examination, we decided that any person under investigation as developed from the evidence would have such rights. In this investigation we used no ex parte statements or affidavits but confined ourselves wholly to the evidence of witnesses brought before the Committee and in the presence of the person investigated.

The person investigated and to whom the report refers is Senator Klaver and we found no other evidence was brought to our attention of other members who came within the purview of the resolution authorizing the investigation. Senator Klaver was present with his attorney throughout the hearings and offered evidence in his own behalf. His attorney, Mr. Frederick H. Wagener, filed a statement after the Committee went into Executive Session which was read and considered by the Committee before making this report but the Committee's report alone is submitted to the Legislature.

The evidence will be grouped in three parts as follows:

(A) The evidence with respect to LB 8, commonly called the "trailer court bill"; (B) The evidence concerning the so-called "juke box bill" which was never introduced but which was ordered prepared by Senator Klaver; (C) Some miscellaneous unrelated matters. We will in this report group them in that manner.

(A)

The Evidence with Respect to LB 8, "Trailer Court Bill"

On February 11, 1955 one Frank Blazek, owner of the Tower Trailer Sales, Omaha, Nebraska, called Dan Katzman and Dan Katzman called Cliff Nelsen the then secretary-treasurer of the Nebraska Mobilhomes Association and said that a bill was being considered in the Legislature to license trailer courts. The same day a meeting was called and several interested persons called Senator Moulton of Omaha and asked about the pending bill and learned that it had been voted by the Committee to be reported to the Legislature.

A meeting was then called at the Tower Village Motor Court in Omaha and attended by a considerable group of trailer court operators and some manufacturers of trailers and other persons interested in the industry. Previous to that time Katzman had told Nelsen that if money were raised he would take charge of the fight against the bill. It was explained at the meeting that the bill was pending and that it had been voted out of committee and it was stated that it was necessary to do something quickly to defeat it. Several courses were suggested and ballots were taken on various courses and it was finally determined that \$2500.00 was to be raised to fight the bill. Cliff Nelsen stated that the \$2500.00 was to be used to kill the bill and if the bill was not killed the money would be returned. Mr. Katzman had made this statement to Mr. Nelsen and Mr. Nelsen was reporting to the group what Mr. Katzman said about the bill being killed or the money returned.

It was further reported, apparently by Cliff Nelsen, that it was too late to employ a lobbyist and that the money would have to be raised quickly; and the evidence shows that Mr. Nelsen refused to state to whom it would go.

At any rate, \$1800.00 was then raised in checks and cash, the checks being made out to the Nebraska Mobilhomes Association. This sum was later mailed by Cliff Nelsen and deposited in the National Bank of Commerce at Lincoln, Nebraska. At the same time Mr. Donald Hipple, one of the Association members in Lincoln, Nebraska, agreed to raise further funds and did raise further funds to the extent of

something over \$500.00. Mr. Nelsen added to that enough to make the balance of \$2500.00 and deposited the balance with the other money in the National Bank of Commerce to the credit of the Nebraska Mobilhomes Association. This was deposited on February 15, 1955.

Prior to this time as a result of the meeting on the Saturday before the members had been instructed to contact their Senators. Various members did contact several Senators in Omaha. Senator Vogel was contacted by telephone; Senator Moulton was contacted by a delegation calling upon him and Senator Syas was contacted by telephone. Dan Katzman, a member of the Association and a manufacturer of trailers, and who knew Senator Klaver's son, got in touch with Senator Klaver on Sunday morning, February 13, and arranged to meet him that same morning at his office. They did not go up to the office but Mr. Katzman waited in his car and when Senator Klaver returned from his office they talked over this bill, but the witnesses stated no money was mentioned either to be paid to Senator Klaver or to anyone and that, in fact, the raising of the money was not even mentioned. Mr. Katzman then arranged to go with Senator Klaver in Katzman's car to look at some trailer courts, particularly in Sarpy County. Senator Klaver states that this trip disclosed to him that a great many service men and their families were occupying these trailer courts and Senator Klaver stated that it convinced him that it was a bad bill. Later, on February 15, the same Dan Katzman went to Lincoln and met Senator Klaver and talked with him on the mezzanine floor at the Cornhusker Hotel. Both he and Senator Klaver testified that no money or other consideration changed hands and no promises were made at that time. Senator Klaver, according to his own testimony, did tell him that night that the following day he planned to ask the Government Committee to reconsider the advancement of this bill. Senator Klaver had been one of the senators who had voted in favor of its advancement, but he states that subsequent developments demonstrated to him that it was a bad bill. Apparently two of the introducers of the bill had felt the same. The minutes of the Government Committee Executive Meeting do disclose that Senator Klaver took the lead both in suggesting the reconsideration of the bill and arguing for its indefinite postponement.

At any rate, on February 16 the bill was first reconsidered and then indefinitely postponed by a vote of five for, none against, and four not voting. This reconsideration came at the close of the afternoon public hearing of the Government Committee on February 16.

On the same day, by arrangements made by telephone between Cliff Nelsen and Charles W. Miller, then vice-president of the Mobilhomes Association, and Dan Katzman at Omaha, Nelsen and Miller

went to the Omaha National Bank. There they cashed a check drawn against the account at the National Bank of Commerce, signed by Cliff Nelsen as Secretary-Treasurer, "to cash" for \$2500.00, Miller indorsing the check. They received twenty-five \$100.00 bills which at least one of them, and according to Miller, Cliff Nelsen, took with him to his office and thereafter delivered at his office to Dan Katzman on the same day. This money is now claimed by Dan Katzman to have been kept in his safe at his place of business until a later day, either towards the close of February or in March. Then Katzman, Nelsen and Miller claim to have reassembled at Mr. Nelsen's place of business and taken one of the \$100.00 bills, changed it, taken about \$40.00, in round numbers, for miscellaneous expense out of it and then signed a statement that this money was to be held by Dan Katzman, which statement is not in evidence. Katzman then, according to his testimony, took the statement to his safe deposit box at the Omaha National Bank where he states the money is still in an envelope, in currency, with the statement.

It is admitted by everyone that this transaction was never reported to anybody belonging to this Association, nor to any of the contributors, nor to anyone else up to the time the investigation started, but it is claimed that it is the same money; that it was retained because they thought it might be that the bill might be revived or reintroduced or that they might employ attorneys to contest its constitutionality in case a bill was passed. They also claimed that one of the their reasons for holding it was because it did not belong to the Association but some of the contributions had been made by others. This in spite of the fact that the contributions were all made by check to the Association and had been held in the treasury of the Association prior to that time.

In early May, Robert Donald Harpster was elected the new secretary-treasurer of this Association. The check book was delivered to him along with the bank accounts, etc. No explanation was ever given to him why the proceeds of this check were not actually spent, or what was done with them. He considered the money spent as did the other members of the Association, from all the evidence.

The Committee is not satisfied with the testimony of at least Mr. Nelsen and Mr. Katzman. Mr. Miller's testimony was largely concerning the first meeting when the check was cashed and the second meeting when the notation was signed. It is barely possible he may not have known what was going on. At any rate, this Committee believes that this sum of money was withdrawn for an unlawful purpose, either to be then spent or to be held for such purpose. The Committee, however, in fairness feels that there is a possibility that these three men or one of them intended after the bill was killed

to keep the proceeds. There is no direct evidence of a promise to pay Senator Klaver or that he received any money and we do not think suspicious circumstances alone would warrant us in inferring that it was held for his use, particularly when other equally suspicious motives might be inferred. We are not basing our recommendations, therefore, upon this matter but have fully explained it.

(B)

The Evidence with Respect to the So-Called "Juke Box Bill"

The other matter is in connection with a certain proposed bill drawn by Senator Klaver which was never introduced. It is numbered in the Legislative Bill Drafter's request book as #266.

The testimony shows that in the latter part of November and on a day not made certain, Senator Klaver came up to two men standing in front of a place where juke boxes were sold at 16th and Jones Streets in Omaha, Nebraska. These men were Bernard W. Luchman and Leonard F. Wieland. He stated to them that the "school people" or the "school boards" desired to raise money and asked them if they felt they could stand \$100.00 tax per box. They at once protested and argued that the tax would be prohibitive, but Senator Klaver stated then that he was thinking of introducing such a bill in the Legislature and expected to raise a million dollars by it. He gave each of them his card as a lawyer giving his address in the Patterson Building in Omaha.

These men became alarmed and called Mr. Howard Ellis, the Secretary of the Nebraska Automatic Phonograph Operators Association and after a number of consultations with others he got in touch with Mr. Schoal Freed who, though he had not been well acquainted with Senator Klaver for some years, had known him as a paper boy for some time in youth. Mr. Freed called Senator Klaver at his office and arranged for a meeting. Mr. Freed and Mr. Ellis went to Senator Klaver's office by appointment at an early date in December, the exact date of which meeting the Committee does not have. Mr. Freed testified that Senator Klaver then stated that it was his intention to file the bill and that he still wanted \$100.00 a machine. Mr. Freed said that in the conversation they asked Senator Klaver if he could act as their attorney and he said he could. Mr. Freed testified that Senator Klaver said he could not act after the Legislature met but he could act before that time. Mr. Freed is not clear about the exact amount Senator Klaver said he would charge, but he did say that he named his fee; that it was either \$2500.00 or \$2,000.00 and that there was talk about \$1,000.00 and \$1,500.00, but he did not know exactly what the different sums meant. In view of Mr. Witt's testimony later concerning payment,

this does not appear strange. Mr. Ellis stated that he rather thought there was talk about money but that he would not say whether he remembered that talk from the first conversation or from subsequent conversations or at the meeting had later on elsewhere. Schoal Freed testified that while in Senator Klaver's office he tried to call Jerome Witt, the president of the Nebraska Automatic Phonograph Operators Association but could not reach him by phone. He said he had no authority to hire anyone.

Shortly thereafter a meeting was called by the juke box operators, in December, at the Hill Hotel. Before that meeting Mr. Witt, the president of the Association, called Senator Klaver. Senator Klaver said he had an appointment at his office at 7: P.M. but eventually consented to come to the hotel. He came to the hotel around about half past six. There is some doubt about just whom he first met and by whom he was ushered into the cocktail lounge, but he went into the cocktail lounge with Mr. Witt. Mr. Witt and Senator Klaver testified. Mr. Witt testified quite clearly that he talked at considerable length during fifteen or twenty minutes about the unreasonableness of the proposed \$100.00 tax on juke boxes and he positively swore that Senator Klaver offered to represent them for \$2500.00 to be paid \$1,000.00 in cash and \$1,500.00 by way of advertising of juke boxes in the Public Ledger, a weekly newspaper owned by Senator Klaver; that he there drew small diagrams of the proposed advertising on a paper napkin along with the terms of the proposal which was subsequently lost. He said that Senator Klaver was still of a mind to introduce the bill and was still talking of \$100.00 per juke box. Mr. Witt testified that he reported at the meeting which was held about 7: P.M. at the Hill Hotel and after Senator Klaver's request, that he thought it was a shakedown and that he had "just met the best shakedown artist in the country." There is no testimony before this Committee that he did not make that assertion at the time and that he reported it to quite a gathering. Senator Klaver left the cocktail lounge and departed for his appointment at his office without talking to anybody about this matter but Mr. Witt.

Subsequently, at the quarterly meeting of the Nebraska Automatic Phonograph Operators Association at Norfolk, Nebraska in the latter part of December a considerable sum was started to be raised and was eventually raised in the amount of about \$4500.00 to fight the bill. Mr. Witt testified that they decided to employ a regular lobbyist and not Senator Klaver. At one point Mr. Witt stated it was necessary to hire a lobbyist to take Senator Klaver "off the hook." Mr. Witt had also testified that he had already agreed to call Senator Klaver up and let him know of their decision in the matter. He says he called him on December 31 and that he told him that he had employed another attorney and

lobbyist of Lincoln. Senator Klaver at that time stated that he would do everything he could for them and that he did not want to hurt their business.

In the meantime, with the money thus advanced, they got in touch through Homer Hawthorne, an acquaintance, with Max Towle an attorney and lobbyist at Lincoln. They agreed to pay him \$1,000.00 and gave him a check for that amount with the further agreement to pay some \$2,000.00 in case any bill was heard before any committee regarding juke boxes during the session. Max Towle testified that this was the agreement and that he had been so paid and expected to be so paid.

Senator Klaver came to Lincoln and on the first day of the Legislative session, on January 4, placed an order for a bill taxing juke boxes, which bill provides for a \$25.00 tax. This bill was delivered to Senator Klaver on January 7, 1955 but was held by Senator Klaver at his desk until later. Max Towle asked him about this bill. There is some dispute as to just when and under what circumstances, but he asked him about it and told him of being employed.

Mr. Towle's testimony is that one time during the Legislative session he went to Senator Klaver's desk on the Legislative floor and asked him to see the bill. Senator Klaver gave him the bill to read. He took it to the back of the Senate Chamber and started to read it but became busy and by mistake put it in his pocket, and took it to his office. Finally some of the juke box operators and, he thinks, Mr. Ellis, phoned him and told him that the operators were anxious to know whether any such bill had been drafted and whether it provided for \$100.00 tax or a lesser tax. Mr. Towle thereafter on going to Omaha put the bill in his pocket and delivered it to Mr. Ellis' office. In Mr. Ellis' absence Mr. Towle gave the bill to his stenographer and told her to give it to Mr. Ellis.

Senator Klaver denies that he sought employment when Mr. Freed and Mr. Ellis came to his office. He did at one point state that it is possible that in the discussion of the amount of tax either to be raised or put in the bill that they might have got the impression of something about money. Senator Klaver said his original meeting with the men at 16th and Jones Street was only to inquire about the feasibility of raising some money by a juke box tax which he hoped to run as high as \$1,000,000.00. We are inclined to think with his legislative experience that Senator Klaver is not so naive as to believe such a sum could have been raised. It is rather unusual to come to people under such circumstances and give them such cards.

There are some things about his testimony in regard to the meeting at his office with the juke box operators mentioned that are inconsistent with his statement delivered on the floor of the Senate. He

stated before the Senate that they talked about slot machines at that meeting. He stated in his testimony that the first time slot machines were mentioned was at the close of his conversation with Mr. Witt in the Hill Hotel. His testimony before the Senate indicated considerable of the conversation at the hotel also was about slot machines.

Mr. Witt's appearance is that of a substantial business man. His Association employs an attorney. Mr. Klaver stated that these juke box people had their own attorneys. The Committee doubts that Mr. Witt ever supposed that slot machines could be made legal by a Legislative Act in view of the prior publicity given to the constitutional prohibitions against such apparatus. We think Mr. Witt's testimony was substantially corroborated by Mr. Freed's and Mr. Ellis' testimony in regard to the prior conversation.

In view of all this, it is the considered opinion of this Committee that Senator Sam Klaver deliberately sought to secure profitable employment as an attorney and remunerative advertising as a publisher to defeat or prevent the introduction of this bill which he himself proposed or threatened to introduce.

The Committee believes that practices such as shown by the evidence in this matter have an extremely deteriorating effect upon the orderly procedure of the Legislature and inevitably shake, if they do not destroy, the confidence of the people in the integrity and honesty of all members of the legislative body and tend to bring the entire Legislature into disrepute and disgrace with the public. For that reason the Committee strongly condemns the actions of Senator Klaver discussed in this report. It is for that reason that we reluctantly are forced to make the conclusions later recommended.

(C)

Evidence Concerning Some Miscellaneous Unrelated Matters

There was some other evidence of letters that Senator Klaver had sent seeking advertising on Legislative stationery and political letters written on such stationery to old-age clients, but we consider these letters immaterial.

There is also some testimony that in his approach to Dr. Rogers regarding matters pending before him he implied that he might as a Senator exert some influence on Dr. Rogers' holding his job or getting a new one. After mature consideration this Committee feels that the approach to Dr. Rogers was at least unethical. The Committee disapproves of this procedure, but the basis of its action is more particularly that of the so-called "Juke Box Bill."

Conclusion

It is, therefore, our conclusion and recommendation to the Legislature that a resolution of censure and reprimand be passed reprimanding and censuring Senator Klaver for his actions reported in the matter of the so-called "Juke Box Bill."

A separate resolution proposed by the Committee accompanies the report.

The Committee requests leave for time to file a financial report of its proceedings as it has been impossible to report it within the time specified.

This report and the resolution accompanying it has been unanimously agreed to.

Respectfully submitted,

LEGISLATIVE COMMITTEE ON INVESTIGATION AUTHORIZED BY RESOLUTION #36.

(Signed) Robert C. Brower

Chairman

(Signed) O. H. Person

Vice Chairman

(Signed) William S. Moulton

Member

(Signed) Lester H. Anderson

Member

(Signed) John Aufenkamp

Member

RESOLUTIONS

LEGISLATIVE RESOLUTION 45. Re: Resolution of Censure.

Introduced by the Committee to Investigate Improper Practices of Members Affecting Legislation and Legislative Procedures by Resolution No. 36, Robert C. Brower, 26th District, Chairman.

WHEREAS, by Resolution No. 36 the Legislature authorized a special committee to make an investigation of improper practices by members affecting legislation and legislative procedure, and

WHEREAS, said committee after complete investigation has made its report concerning such practices to this Legislature and has recommended that Senator Sam Klaver be censured and reprimanded by the Legislature, and

WHEREAS, said conduct so reported tends to bring the Legislature and legislative processes into disrespect and disrepute and to shake the confidence of the people of the state in such procedures, and

WHEREAS, it is the sense of this Legislature that said reports should be approved and said censure and reprimand should be made.

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

That Senator Sam Klaver of the 6th District be and is hereby censured, reprimanded, and condemned for improper and unethical conduct; namely, that he sought profitable employment as an attorney and advertisements as a publisher, as compensation for acts to be performed in defeating legislation which he himself proposed and threatened to introduce at the present session of this Legislature.

LEGISLATIVE RESOLUTION 44.

LR 44 was adopted with 36 ayes, 1 nay and 6 not voting.

Visitors

Mr. Cole introduced Tom Hoffman, of Nenzel, Nebraska, the newly elected President of the Junior Stockgrowers Association of Nebraska.

Mr. Otto introduced Mr. Leonard DeBrie, a student at Colorado A & M at Fort Collins, Colorado.

MOTION—Flowers

Mr. President: I move that flowers be sent to the funeral of Mr. Swanson's sister-in-law. (Signed) Mervin V. Bedford

The motion prevailed.

Member Excused

Mr. McHenry was excused from 10:00 a.m. to 10:30 a.m., Tuesday, June 14, 1955.

SUSPEND RULES—Consider Bills on Select File

Mr. President: I move that the rules be suspended and we consider LB 519 and 362 on Select File at this time. (Signed) Otto Kotouc, Sr.

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

SELECT FILE

LEGISLATIVE BILL 519. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for engrossment.

LEGISLATIVE BILL 362. E and R amendments found in this day's Legislative Journal were adopted.

Advanced to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 46. Re: Committee to Study Salaries of Employees of State of Nebraska.

Introduced by Committee on Budget, Hal Bridenbaugh, 13th District, Chairman; William A. McHenry, 32nd District, Vice Chairman.

WHEREAS, there is no uniformity of operation and equality of compensation paid to employees of the State of Nebraska for comparable positions, work done, or responsibilities assumed, and

WHEREAS, greater efficiency could be obtained if salaries of employees both in constitutional and code offices were uniform.

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

That the Legislative Council assign to the Legislative Council Budget Committee the duty of making a study of salaries of the State of Nebraska employees for the purpose of obtaining greater efficiency, correcting abuses in salaries, and attempt to obtain uniformity of operation and equality of compensation paid throughout the state offices and all branches thereof, both constitutional and code offices, and report to the next regular session of the Legislature.

The report to contain:

(1) Comparative salary rates in the different state offices, both code and elective for positions requiring similar qualifications, experience, and responsibilities;

(2) A comparison of weekly hours of work required and daily hours of starting and finishing as now required and enforced by the various state departments, both code and elective;

(3) Comparison of vacation periods allowed by the various agencies, both code and elective, off-time privileges, and other advantages;

(4) Possible savings in operating costs in the different departments, both code and elective if modern mechanized equipment were installed;

(5) A comparison of present over-lapping services in the control of state administrative responsibilities;

(6) Abuses, if any, in the use of the state house cafeteria;

(7) Recommendations for making the working conditions more uniform; and

(8) Necessary bill to be introduced in the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 519. Correctly engrossed.

LEGISLATIVE BILL 362. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

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 39-810, Reissue Revised Statutes of Nebraska, 1943, relating to bridges; to increase the amount the county board, except in counties having a population of two hundred thousand inhabitants, or more, may expend to repair bridges and approaches and build culverts and make improvements on roads or for materials for the prescribed purposes, without the same being let by contract to the lowest responsible bidder; 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, T.	Burney	Klaver	Peterson
Anderson	Cole	Kotouc	Pizer
Aufenkamp	Cramer	McHenry	Ruhnke
Bahensky	Diers	Morrison	Shultz
Bedford	Fenske	Moulton	Swanson
Bixler	Foote	Nelson	Syas
Bridenbaugh	Hoffmeister	Otto	Thompson
Brower	Hubka	Person	

Voting in the negative, 6:

Larkin	Martin	Purdy	Vogel
Lee	Metzger		

Not voting, 6:

Adams, J.	Liebers	Perry	Tvrdik
Beaver	McGinley		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 9. With emergency.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government and payments to be made as provided by Chapter 68, article 6, Revised Statutes Supplement, 1953, for the biennium ending June 30, 1957; to provide for the payment thereof; and to declare an emergency.

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

Voting in the affirmative, 37:

Adams, J.	Cole	Larkin	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Vogel
Burney			

Voting in the negative, 0.

Not voting, 6:

Beaver	Liebers	Purdy	Tvrdik
Lee	Perry		

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 "aye" on LB 9. (Signed) Earl J. Lee

LEGISLATIVE BILL 115.

A bill for an act to amend section 16-622, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide when unpaid future installments of a special tax for improvements may be declared, by a resolution of the mayor and city council, to be due and delinquent as prescribed; to provide procedure; to authorize such a city to proceed to enforce and collect the total amount due and all future installments; 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.	Burney	Klaver	Person
Adams, T.	Cole	Kotouc	Pizer
Anderson	Cramer	Larkin	Shultz
Aufenkamp	Diers	Lee	Swanson
Bahensky	Fenske	McGinley	Syas
Bixler	Foote	Moulton	Thompson
Bridenbaugh	Hoffmeister	Nelson	Vogel
Brower	Hubka	Otto	

Voting in the negative, 8:

Bedford	Martin	Morrison	Purdy
McHenry	Metzger	Peterson	Ruhnke

Not voting, 4:

Beaver	Liebers	Perry	Tvrdik
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 385.

A bill for an act to amend sections 79-1419, 79-1439, 79-1443, and 79-1445, Reissue Revised Statutes of Nebraska, 1943, sections 79-1421, 79-1423, 79-1428, and 79-1429, Revised Statutes Supplement, 1953, and section 79-1422, Reissue Revised Statutes of Nebraska, 1943, as amended by section 10, Legislative Bill 303, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to vocational education; to provide what federal aid the State of Nebraska accepts; to designate the State Board of Education as the State Board of Vocational Education; to provide for officers and their duties; to provide powers and duties of the board, time and place for holding meetings, and reimbursement of expenses of the members; to provide duties for the prescribed public of-

ficials; to provide for assistants, instructors, and other personnel; and to repeal the original sections, and also sections 79-1424, 79-1430, 79-1431, 79-1432, 79-1433, and 79-1434, Reissue Revised Statutes of Nebraska, 1943, and also sections 79-1425, 79-1426, and 79-1427, Revised Statutes Supplement, 1953.

Whereupon the 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.	Cole	Lee	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Vogel
Burney	Larkin		

Voting in the negative, 0.

Not voting, 5:

Beaver	Perry	Purdy	Tvrdik
Liebers			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 305.

A bill for an act to amend sections 79-105, 79-450, and 79-458, Reissue Revised Statutes of Nebraska, 1943, sections 79-311, 79-402, 79-403, and 79-490, Revised Statutes Supplement, 1953, section 79-420, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 248, Sixty-seventh Session, Nebraska State Legislature, 1955, and section 79-486, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 50, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to schools; to provide another method of determining the inhabitants of a school district for the purpose prescribed; to provide when the prescribed superintendent of schools shall make the reports and assume the duties of the county superintendent; to provide that changes in boundaries affecting cities and villages may be made by the board of education; to change the conditions and notice required for distribution of assets when a depopulated district is annexed to adjoin-

ing territory; to eliminate the requirement of the president keeping record of warrants countersigned by him; to include children from birth in the school census, which enumeration shall not affect the manner of distribution or apportionment of school funds as prescribed; to provide conditions for reopening a school when the district has been contracting for instruction for two or more consecutive years, and the effect thereof; to provide for inspections; to correct designations to conform to previous legislation; to provide to whom petitions shall be addressed and the board to act upon the same where a transfer involves lands in different counties as prescribed; to provide for appeals as prescribed; to permit the use of facsimile signatures and the designation of a person or persons to sign and validate warrants as prescribed; to provide that a family shall be reimbursed for transportation on a per family basis; and to repeal the original sections and also sections 79-518.01, 79-518.02, and 79-518.03, Reissue Revised Statutes of Nebraska, 1943.

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

Voting in the affirmative, 37:

Adams, J.	Cole	Larkin	Person
Adams, T.	Cramer	Lee	Peterson
Anderson	Diers	McGinley	Pizer
Aufenkamp	Fenske	McHenry	Ruhnke
Bahensky	Foote	Martin	Shultz
Bedford	Hoffmeister	Metzger	Swanson
Bixler	Hubka	Morrison	Syas
Bridenbaugh	Klaver	Moulton	Thompson
Brower	Kotouc	Otto	Vogel
Burney			

Voting in the negative, 1:

Purdy

Not voting, 5:

Beaver	Nelson	Perry	Tvrdik
Liebers			

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and we consider the following bills on Final Reading at this time: LB 541, 537, 129, 513. (Signed) Otto Kotouc, Sr.

The motion prevailed with 34 ayes, 1 nay and 8 not voting.

LEGISLATIVE BILL 541. With emergency.

A bill for an act relating to aeronautics; to declare the right of transit through the air space as prescribed; to define terms; to regulate the erection and maintenance of structures which may constitute a hazard to air traffic; to regulate the height of structures, and the lighting and marking thereof; to provide that the Department of Aeronautics may adopt rules and regulations with reference thereto; to provide that the Department of Aeronautics may issue permits for the erection of structures as prescribed; to make certain acts unlawful; to provide penalties for the violation of the provisions of this act; to declare a nuisance and provide for the abatement thereof as prescribed; to provide for actions in court as prescribed; to provide for notices; and to declare an emergency.

Whereupon the President stated: "All provisions of 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.	Cramer	McGinley	Peterson
Adams, T.	Diers	McHenry	Pizer
Anderson	Fenske	Martin	Ruhnke
Aufenkamp	Foote	Metzger	Shultz
Bahensky	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Brower	Klaver	Nelson	Thompson
Burney	Kotouc	Otto	Vogel
Cole	Larkin	Person	

Voting in the negative, 0.

Not voting, 8:

Beaver	Bridenbaugh	Liebers	Purdy
Bixler	Lee	Perry	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 537.

A bill for an act to amend section 16-669, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to provide when and how future installments, as prescribed, may be declared due and delinquent; to provide for publication of the resolution required for such purpose as prescribed; to provide for collection of delinquent installments of a special tax for water and sewer districts,

including future installments so declared due and delinquent 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, 29:

Adams, J.	Cole	Kotouc	Person
Adams, T.	Cramer	Larkin	Pizer
Anderson	Diers	Lee	Shultz
Aufenkamp	Fenske	McGinley	Swanson
Bahensky	Footte	Moulton	Syas
Bixler	Hubka	Nelson	Thompson
Brower	Klaver	Otto	Vogel
Burney			

Voting in the negative, 7:

Bedford	McHenry	Metzger	Ruhnke
Hoffmeister	Martin	Morrison	

Not voting, 7:

Beaver	Liebers	Peterson	Tvrdik
Bridenbaugh	Perry	Purdy	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 129. With emergency.

A bill for an act relating to taxation; to provide for a refund when any taxes or assessments are determined by a court to be illegal as prescribed; to define terms; to provide powers and duties for the prescribed public officials and county boards; to provide procedure; to provide for the issuance of registration certificates; to provide for the use of such certificates; to provide that the procedure prescribed shall be in addition to refund procedures otherwise authorized by law; and to declare an emergency.

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

Voting in the affirmative, 37:

Adams, J.	Aufenkamp	Bixler	Burney
Adams, T.	Bahensky	Bridenbaugh	Cole
Anderson	Bedford	Brower	Cramer

Diers	Larkin	Nelson	Ruhnke
Fenske	Lee	Otto	Shultz
Foote	McGinley	Person	Swanson
Hoffmeister	McHenry	Peterson	Syas
Hubka	Morrison	Pizer	Thompson
Klaver	Moulton	Purdy	Vogel
Kotouc			

Voting in the negative, 2:

Martin	Metzger
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Not voting, 4:

Beaver	Liebers	Perry	Tvrdik
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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 513.

A bill for an act to amend sections 15-1001, 15-1002, 15-1003, 15-1004, 15-1005, 15-1006, and 15-1007, Reissue Revised Statutes of Nebraska, 1943, relating to pensions for firemen and policemen in cities of the primary class; to increase the amounts of retirement, disability, and death benefits and other allowances; to increase the amounts of contributions; to provide options; to provide for designations of beneficiaries as prescribed; to provide when and by whom designations or elections may be made or changed as prescribed; to change certain procedure and requirements; to provide for a pension fund; to provide for the investment of the money in such fund; to authorize the levy of taxes as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 39:

Adams, J.	Cole	Lee	Peterson
Adams, T.	Cramer	McGinley	Pizer
Anderson	Diers	McHenry	Purdy
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Bedford	Hoffmeister	Morrison	Swanson
Bixler	Hubka	Moulton	Syas
Bridenbaugh	Klaver	Nelson	Thompson
Brower	Kotouc	Otto	Vogel
Burney	Larkin	Person	

Voting in the negative, 0.

Not voting, 4:

Beaver

Liebers

Perry

Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Member Excused

Mr. Bahensky was excused for Tuesday, June 14, 1955.

SELECT FILE

LEGISLATIVE BILL 10.

Mr. Bridenbaugh offered the following amendments, which were adopted by unanimous consent:

1. Amend section 20 of Substitute Bill, line 22 by striking "177,000.00" and inserting "168,000.00", line 26 by inserting "; including \$9,000.00 for matching federal funds under Auditor Account No. 162F to make a survey of hospitals and treatment centers" after "infirm", and line 29 by striking "40,000.00" and inserting "49,000.00".

2. Amend section 18 of the Substitute Bill, line 164 by inserting "reappropriate the unexpended balance on hand as of June 30, 1955, in Auditor Account No. 122C, and then" before the word "appropriate".

Adjournment

At 12:10 p.m., on a motion by Mr. Larkin, the Legislature adjourned until 9:30 a.m., Tuesday, June 14, 1955.

Hugo F. Srb

Clerk of the Legislature

ONE HUNDRED-ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, June 14, 1955

Pursuant to adjournment, the Legislature met at 9:31 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bahensky and Beaver, who were excused.

The Journal for the One Hundred-Tenth Day was approved as corrected.

Approved by the Governor

June 13, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on June 11, 1955, he approved LB 558 and on June 13, 1955, he approved LB 80, 197, 216, 220, 276, 349, 407, 501, 536, 550, 551, 552 and 554.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 187. Replaced on Select File as amended.

E and R amendments to LB 187:

1. In Standing Committee Amendment 1, new section 9, strike

"(1)" in line 11, "(2)" in line 12, "(3)" in line 14, "(4)" in line 15, "(5)" in line 18, "(6)" in line 22, "(7)" in line 26, and "(8)" in line 27 and in lieu thereof, respectively insert "(a)", "(b)", "(c)", "(d)", "(e)", "(f)", "(g)", and "(h)".

2. In section 41, lines 6 and 7 strike "state highway fund" and in lieu thereof insert "State Highway Cash Fund".

3. In the bill section 34, line 1, strike the comma at the end of the line.

LEGISLATIVE BILL 513. Correctly enrolled.

LEGISLATIVE BILL 129. Correctly enrolled.

LEGISLATIVE BILL 537. Correctly enrolled.

LEGISLATIVE BILL 541. Correctly enrolled.

LEGISLATIVE BILL 305. Correctly enrolled.

LEGISLATIVE BILL 385. Correctly enrolled.

LEGISLATIVE BILL 115. Correctly enrolled.

LEGISLATIVE BILL 9. Correctly enrolled.

LEGISLATIVE BILL 381. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

SUSPEND RULES—LB 187

Mr. President: I move that the rules be suspended and the Enrollment and Review amendments to LB 187, found in this day's Legislative Journal, be adopted. (Signed) Donald F. McGinley

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

LB 187 was advanced to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 187. Correctly engrossed.

LEGISLATIVE BILL 188. Correctly engrossed.

LEGISLATIVE BILL 189. Correctly engrossed.

LEGISLATIVE BILL 190. Correctly engrossed.

LEGISLATIVE BILL 191. Correctly engrossed.

LEGISLATIVE BILL 262. Correctly engrossed.

LEGISLATIVE BILL 365. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 513	LB 541	LB 115	LB 381
LB 129	LB 305	LB 9	LR 44
LB 537	LB 385		

MOTION—Adopt Report of Special Investigating Committee

Mr. Brower moved that the report of the Special Investigating Committee, found in the Legislative Journal for the One Hundred-Tenth Day, be adopted. The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION 45. Considered.

Mr. J. Adams asked unanimous consent that Legislative Resolution 45 be laid over until this afternoon.

Mr. Brower objected.

Mr. McGinley offered the following amendment to LR 45:

Amend the last paragraph of LR 45 by striking the comma after the word "censured" and inserting the word "and" in lieu thereof and by striking ", and condemned" after the word "reprimanded".

The motion lost.

Legislative Resolution 45 was adopted with 37 ayes, 2 nays and 4 not voting.

LEGISLATIVE RESOLUTION 43.

Speaker Burney Presiding

Mr. Martin asked unanimous consent to withdraw his name as a co-introducer of LR 43. No objections. So ordered.

Member Excused

Mr. Thompson was excused for the remainder of the day.

Mr. Brower moved that LR 43 be referred to a Legislative Council committee for study.

The motion prevailed with 28 ayes, 0 nays and 15 not voting.

Message from the Governor

June 14, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated Dr. Maurice D. Frazer and Dr. W. W. Webster, both of Lincoln, Nebraska, to the State Board of Health, for a term beginning September 14, 1955, and ending September 14, 1958.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

Referred to the Committee on Committees.

SUSPEND RULES—Meeting of Committee on Committees

Mr. President: I move that the rules be suspended and the Committee on Committees be permitted to meet in the West Senate Lounge at 1:30 p.m., June 15, 1955, for the purpose of considering the following appointments of the Governor:

Dr. Maurice D. Frazer, Lincoln—to State Board of Health

Dr. W. W. Webster, Lincoln—to State Board of Health

(Signed) Otto Kotouc, Sr.
Chairman

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

Explanation of Vote

Mr. President: Had I not been excused, and had I been present, I would have voted for LB 9, 115, 385, 305, 541, 537, 129 and 513.
(Signed) Charles F. Tvrdik

Visitors

Mr. Larkin introduced his father and mother, Mr. and Mrs. John J. Larkin, Sr., Omaha, Nebraska.

BILLS ON FINAL READING**LEGISLATIVE BILL 466.**

Mr. Perry asked unanimous consent that his amendment, found in the Legislative Journal for the One Hundred-Seventh Day, be withdrawn. No objections. So ordered.

Mr. Perry asked unanimous consent that LB 466 be returned to Select File for the following specific amendments:

1. Amend Enrollment and Review amendment 6, section 7, subdivision (7) by striking the new matter and reinstating the old matter, and after the reinstated word "charge" by adding "*stating provisions for refund of such charges in event of prepayment*", and subdivision (8) by reinstating the stricken matter, by adding "*concise*" before "description", and by adding "*including expiration dates of policies*" after "coverage".

2. Amend the title to conform.

No objections. So ordered.

SELECT FILE**LEGISLATIVE BILL 466.**

Mr. Perry asked unanimous consent that his amendments, found in this day's Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for re-engrossment.

UNANIMOUS CONSENT—Print Attorney General's Opinions

Mr. Perry asked unanimous consent that the following Attorney General's opinions be made a part of the Legislative Journal. No objections. So ordered.

**STATE OF NEBRASKA
DEPARTMENT OF JUSTICE
LINCOLN**

June 13, 1955

Hon. Robert Perry
Hon. William A. Metzger
State Senators
Capitol Building
Lincoln, Nebraska

Gentlemen:

You have asked for an opinion on LB 466, which passed last Tuesday, June 7, 1955. It appears that the Legislature has voted to reconsider its action in the passage of this bill.

This bill relates to motor vehicle dealers, and one of the sections amended is section 60-617, R. S. Supp., 1953. Your questions relate to this section which was originally enacted in 1945 (Laws 1945, c. 143, sec. 9, p. 463) and which provided, prior to the passage of LB 466, that certain motor vehicle sales shall be evidenced by an instrument in writing containing information showing the cash sale price, the amount of finance charge, and other charges. As amended in LB 466, this section provides that the cash sale price shall be shown, but instead of showing the finance charge, the instrument of sale shall show the time sales differential.

You have asked what is the meaning of the term "time sales differential". This appears to be a term used to distinguish the price of a cash sale from that of a sale on time, or credit sale. The general rule is that an owner of property may offer to sell at a designated price for cash or at a higher price on credit. 55 Am. Jur., Usury, sec. 21, p. 338. The difference in the two prices is the time sales differential. See, *Hare v. General Contract Purchase Corp.*, 220 Ark. 601, 249 S. W. 2d 973.

You have also asked if the use of this term in LB 466 is constitutional. Your request for an opinion does not specifically state the basis for a constitutional question, but it is our understanding that you believe that bill as it now stands seeks to accomplish a dual purpose and that it has more than one object, and therefore conflicts with that part of Article III, section 14, Constitution of Nebraska, which provides that no bill shall contain more than one object.

In 1933, our Supreme Court held in the case of *Grand Island Finance Company v. Fowler*, 124 Neb. 514, 247 N. W. 429, that a dealer in automobiles may in good faith sell a car on time for a price in excess of the cash price without tainting the transaction with usury, though the difference in prices may exceed lawful interest for a loan. This is the general rule, as stated above.

However, in 1945, section 60-617 was enacted to provide that motor vehicle sales shall be evidenced by an instrument in writing which shall show the cash sale price, the amount of finance charge, and other charges. There has never been a court decision on this section, and the committee hearing on this bill as introduced in 1945 (LB 157, Session Laws, 1945, section 9) does not disclose the legislative intent. The argument has been advanced that the section shows a legislative intent that any price in excess of the cash price, if not a part of the insurance charge, is within the term "finance charge" and therefore the rule of the *Grand Island Finance Company* case was changed by the Legislature in 1945.

As we have pointed out, this section has not been reviewed by the courts. However, in 1950, in the case of *Underwriters Acceptance*

Corporation v. Dunkin, 152 Neb. 550, 41 N. W. 2d 855, our Supreme Court followed the rule of the Grand Island Finance Company on an automobile sales contract, without referring to section 60-617.

It is evident that use of the term "time sales differential" in LB 466 is an attempt to provide that the rule of the Grand Island Finance Company case is adopted and recognized by the Legislature, and to eliminate the argument that any charge, other than insurance charge, over and above the cash sales price of an automobile, is a finance charge, and controlled by the usury laws.

LB 466 relates generally to licensing of motor vehicle dealers. The bill, by eliminating the words "finance charge" in section 60-617, and using the words "time sales differential" has another purpose, if the intent of the Legislature is to change substantive law relating to motor vehicle sales and to financing of these sales. To the degree that this is the intent of the Legislature, LB 466, with the words "time sales differential" is unconstitutional, following the interpretation of the above cited constitutional provision as found in Van Horn v. State, 46 Neb. 62, 64 N. W. 365.

Very truly yours,

CLARENCE S. BECK
Attorney General

(Signed) Ralph D. Nelson
Assistant Attorney General

RDN:mk

**STATE OF NEBRASKA
DEPARTMENT OF JUSTICE
LINCOLN**

June 9, 1955

Hon. William Moulton
State Senator
Capitol Building
Lincoln, Nebraska

Dear Senator:

LB 466, which has been passed at this session, amended section 60-617, R. S. Supp., 1953. This section, which was originally enacted in 1945 (Laws 1945, c. 143, sec. 9, p. 463) provided, prior to the passage of LB 466, that certain motor vehicle sales shall be evidenced by an instrument in writing which shall contain all the agreements of the parties, and shall contain information showing the cash sale price, the

amount of finance charge, and other charges. As amended in LB 466, this section provides that the cash sale price shall be shown, but instead of showing the finance charge, the instrument shall show the times sales differential.

The Legislature has now reconsidered its action in the passage of LB 466, and a motion is pending to amend the bill by striking "times sales differential" and inserting "interest at not to exceed legal rate".

You have asked if adoption of this amendment will make this bill unconstitutional, since Article III, section 14, Constitution of Nebraska, provides that no bill shall contain more than one subject.

LB 466 relates to motor vehicle dealers, and it appears that the argument has been presented that this bill will have more than one object if this proposed amendment is adopted since the instrument evidencing a motor vehicle sale will show the amount of interest being paid by a buyer, with the amount of interest shown not to be in excess of a legal rate.

In our opinion, the adoption of this amendment will not make the bill unconstitutional, following the interpretation of the above cited constitutional provision as found in *Van Horn v. State*, 46 Neb. 62, 64 N. W. 365. The section in question has provided for ten years that the instrument of sale show the cash sale price, and the amount of finance charge. The legality of any finance charge is set forth in other sections of the Nebraska statutes. The amendment simply provides that the instrument show the cash sale price, and the amount of interest at not to exceed legal rate. The amount of interest is still not fixed by this amendment, but by those other sections of the Nebraska statutes setting forth legal rates. The amendment in question only provides that the interest rate be shown on the instrument of sale, and makes no substantive change in present law relating to legal rates of interest.

Very truly yours,

CLARENCE S. BECK
Attorney General

(Signed) Ralph D. Nelson
Assistant Attorney General

RDN:gmp

RESOLUTIONS

LEGISLATIVE RESOLUTION 47. Re: Memorial to Former Members of the Legislature Who Are Now Deceased.

Introduced by Earl J. Lee, 11th District; Charles F. Tvrdik, 7th District.

WHEREAS, we are born, we live, and we die, and

WHEREAS, as we meet today we find that the Almighty Father has taken into His charge many of our former members, who will not return from their glorious resting place, and

WHEREAS, those former members who are peaceably resting in that glorious abode above be assured that their efforts are being preserved and their memories are being cherished.

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

1. That we pause in our deliberations and stand in silent tribute to the memories of Benjamin F. Balder, Howard L. Britt, Mrs. C. E. Byers (Effie Marie), Tracy T. Frost, Felix L. Gallagher, Dwight Griswold, Franklin F. Haase, Don E. Hanna, William Hern, Alva M. Johnston, John J. McMahon, J. Lloyd McMaster, Philip Maurer, Carl E. Pratt, William G. Putney, Ernest C. Raasch, Harry B. Shallenbarger, Clarence A. Valder, Ralph Wilson, and August Wittler, 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 48. Re: Expression of Appreciation from the State of Nebraska to Dag Hammarskjold, Secretary-General of the United Nations.

Introduced by Earl J. Lee, 11th District; Dwight W. Burney, 14th District; Charles F. Tvrdik, 7th District.

WHEREAS, through the work and efforts of Dag Hammarskjold, Secretary-General of the United Nations, Lt. Col. E. L. Heller of Pennsylvania, Capt. H. E. Fischer of Iowa, 1st Lt. R. W. Parks of Nebraska, and 1st Lt. L. W. Cameron of Nebraska were released after many months of imprisonment in Red China, and

WHEREAS, there are other airmen and other American Nationalists presently being detained in Red China.

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

The members of the Legislature for themselves and the people of the State of Nebraska express deep appreciation for the work and efforts that Dag Hammerskjold, Secretary-General of the United Nations expended in securing the release of these four officers.

That Dag Hammerskjold be encouraged to continue his influence and effort toward securing the release of the remaining airmen and American Nationalists presently being detained in Red China.

That a copy of this resolution be properly engrossed and when certified by the President, Speaker, and Clerk of the Legislature and attested by all of the members of the Legislature, it be delivered to 1st Lt. L. W. Cameron to be presented by him to Dag Hammerskjold, Secretary-General of the United Nations.

SUSPEND RULES—Adopt Resolution

Mr. President: I move that the rules be suspended and LR 48 be adopted. (Signed) Earl J. Lee

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

UNANIMOUS CONSENT—Changes in Rules

Mr. Metzger, Chairman of the Rules Committee, asked unanimous consent that he be permitted to turn over suggested changes in the rules to the Legislative Council Committee to Study Legislative Processes appointed under the provisions of Legislative Resolution 39. No objections. So ordered.

Member Excused

Mr. J. Adams was excused for Wednesday and Thursday, June 15 and 16, 1955.

Adjournment

At 11:53 a.m., on a motion by Mr. Kotouc, the Legislature adjourned until 9:30 a.m., Wednesday, June 15, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, June 15, 1955

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Warner presiding.

Prayer was offered by the Chaplain.

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

The Journal for the One Hundred-Eleventh Day was approved.

Communication

Resolution from the Parents of Blind Children of Nebraska, submitted by Phyllis A. Schnell, Secretary-Treasurer, which was adopted at their annual meeting at the School for the Blind, Nebraska City, Nebraska, on April 7, 1955. Referred to the Legislative Council study committee authorized under LR 41.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 466. Correctly re-engrossed.

(Signed) Donald F. McGinley, Chairman

FINANCIAL REPORT OF THE SPECIAL INVESTIGATION COMMITTEE UNDER RESOLUTION #36

Mr. President:

Your Committee reports that in the recent investigation it incurred the following expenses for the services and expenses listed below in connection with said investigation, to wit:

Amount due to Rush C. Clarke, Attorney (Itemized statement by Mr. Clarke attached as Detail 1)...	\$1805.81
Amount due to Leslie D. Carter, Assistant to Mr. Clarke (Itemized statement by Mr. Carter attached as Detail 2) ...	404.35
Amount due to Dorsey D. Baird, Official Court Reporter (Itemized statement by Mr. Baird attached as Detail 3)....	1078.50
List of telephone calls made by Chairman Brower (Itemized list of phone calls attached as Detail 4).....	12.59
Extra pay for Eunice V. Bradley, clerk of the Committee (Extra pay authorized by Committee. See Committee minutes of June 10, 1955)	50.00
Witness and mileage fees (Itemized list of witness and mileage fees attached as Detail 5)	261.20
TOTAL	\$3612.45

The Committee, therefore, moves as follows:

1. That said report be accepted and placed on file.
2. That the items set forth in said report, totalling \$3612.45, be ordered paid and charged to Legislative expense.
3. That thereupon this Committee be discharged.

LEGISLATIVE COMMITTEE ON INVESTIGATION
AUTHORIZED BY RESOLUTION #36.

(Signed) Robert C. Brower, Chairman

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

Unanimous consent was granted that the itemized statements attached to the financial report be made a part of the Legislative records but not printed in the Journal.

President Signs

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

LR 45

LR 48

UNANIMOUS CONSENT—Proceed with Final Reading

Mr. Bridenbaugh asked unanimous consent to proceed with Final

Readings at this time. No objections. So ordered.

SUSPEND RULES—Consider Bills on Final Reading

Mr. President: I move that the rules be suspended and that we take up LB 519 and 362 on Final Reading. (Signed) Dwight W. Burney

The motion prevailed with 42 ayes, 0 nays and 1 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 519.

A bill for an act to amend sections 39-605, 60-301, 60-302, 60-311.02, 60-311.03, 60-311.04, 60-312, 60-323, and 60-325, Reissue Revised Statutes of Nebraska, 1943, sections 39-606, 60-305.02, 60-305.03, 60-329, and 60-331, Revised Statutes Supplement, 1953, and section 60-311, Reissue Revised Statutes of Nebraska, 1943, as amended by section 1, Legislative Bill 293, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to motor vehicles; to redefine terms; to change the form of a motor vehicle registration application; to provide for reciprocal agreements with other states; to provide when two number plates shall not be furnished; to provide for information to be displayed on number plates of trucks as prescribed; to provide for decal stickers and the furnishing and use thereof; to provide contents of certificate of registration; to provide that registration certificate containers shall not be furnished by the Department of Roads and Irrigation; to change the amount of registration fees as prescribed; to change the distribution of motor vehicle registration fees as prescribed; to harmonize cross references and other provisions as prescribed; to provide for transfer of registration from one spouse to the other and the fee therefor; 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, 26:

Adams, J.	Cramer	McHenry	Peterson
Anderson	Diers	Martin	Pizer
Bahensky	Fenske	Metzger	Ruhnke
Bixler	Foote	Moulton	Syas
Brower	Hubka	Otto	Tvrdik
Burney	Kotouc	Perry	Vogel
Cole	Lee		

Voting in the negative, 16:

Adams, T.	Hoffmeister	McGinley	Purdy
Aufenkamp	Klaver	Morrison	Shultz
Bedford	Larkin	Nelson	Swanson
Bridenbaugh	Liebers	Person	Thompson

Not voting, 1:

Beaver

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 362. With emergency.

A bill for an act relating to highways; to provide a highway use tax on commercial vehicles licensed under the laws of the State of Nebraska to transport fifteen or more tons, and buses weighing over twenty-eight thousand pounds as prescribed; to provide a similar highway use tax on vehicles of the same nature operated over the highways of the state but not licensed in the State of Nebraska as prescribed; to require permits for such operation; to provide when such tax shall take effect; to provide for duties and powers of the prescribed public officials and departments; to provide for permits to be issued by the Department of Roads and Irrigation as prescribed; to provide for the cancellation of permits; to provide for forms; to provide for the making of rules and regulations; to provide statements and reports as prescribed; to provide for the payment of the tax as prescribed and the disposition and allocation thereof; to provide for advance payments or security for such payments of such tax; to provide for notices; to authorize the bringing of actions in court as prescribed; to provide for holding the money collected as such tax involved in such action as prescribed; to make certain acts and the failure to comply with this act, as prescribed, unlawful; to provide penalties; to amend section 60-305.02, Revised Statutes Supplement, 1953, as amended by section 5, Legislative Bill 519, Sixty-seventh Session, Nebraska State Legislature, 1955, and section 60-305.03, Revised Statutes Supplement, 1953, as amended by section 6, Legislative Bill 519, Sixty-seventh Session, Nebraska State Legislature, 1955; 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, 16:

Adams, J.	Anderson	Bixler	Cole
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Hoffmeister	McHenry	Perry	Ruhnke
Kotouc	Metzger	Person	Thompson
Liebers	Morrison	Pizer	Tvrdik

Voting in the negative, 26:

Adams, T.	Cramer	Lee	Peterson
Aufenkamp	Diers	McGinley	Purdy
Bahensky	Fenske	Martin	Shultz
Bedford	Foote	Moulton	Swanson
Bridenbaugh	Hubka	Nelson	Syas
Brower	Klaver	Otto	Vogel
Burney	Larkin		

Not voting, 1:

Beaver

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, 16:

Adams, J.	Hoffmeister	Metzger	Pizer
Anderson	Kotouc	Morrison	Ruhnke
Bixler	Liebers	Perry	Thompson
Cole	McHenry	Person	Tvrdik

Voting in the negative, 26:

Adams, T.	Cramer	Lee	Peterson
Aufenkamp	Diers	McGinley	Purdy
Bahensky	Fenske	Martin	Shultz
Bedford	Foote	Moulton	Swanson
Bridenbaugh	Hubka	Nelson	Syas
Brower	Klaver	Otto	Vogel
Burney	Larkin		

Not voting, 1:

Beaver

A constitutional majority having failed to vote in the affirmative, the bill was declared failed of passage with the emergency clause stricken.

Members Excused

Messrs. Anderson and J. Adams were excused for the remainder of the day.

Explanation of Vote

Mr. President: It looks like LB 187 would pass. This would end state care on many miles of roads that are now state highways in the 28th District. LB 519 would increase fees and give us less service, therefore, I am voting "no" on both bills. (Signed) Frank Nelson

LEGISLATIVE BILL 398.

A bill for an act to amend sections 79-426.03, 79-426.04, 79-426.07, and 79-426.18, Reissue Revised Statutes of Nebraska, 1943, sections 79-426.08 and 79-426.15, Revised Statutes Supplement, 1953, and section 79-426.09, Revised Statutes Supplement, 1953, as amended by section 1, Legislative Bill 237, Sixty-seventh Session, Nebraska State Legislature, 1955, relating to schools; to harmonize the provisions with previous legislation; to provide for the selection of the State Committee for the Reorganization of School Districts; to change the powers and duties of the state committee; to change the powers and duties of the county committee; to provide for a school board or board of education when the new district involves territory in two or more counties; to provide a change of procedure and requirements as prescribed; to provide duties and powers for the prescribed public officials and boards; 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, 33:

Adams, T.	Hubka	Martin	Purdy
Bedford	Klaver	Metzger	Ruhnke
Bridenbaugh	Kotouc	Morrison	Shultz
Brower	Larkin	Moulton	Swanson
Burney	Lee	Otto	Syas
Cole	Liebers	Perry	Thompson
Cramer	McGinley	Person	Tvrdik
Diers	McHenry	Peterson	Vogel
Foote			

Voting in the negative, 6:

Aufenkamp	Fenske	Nelson	Pizer
Bahensky	Hoffmeister		

Not voting, 4:

Adams, J.	Anderson	Beaver	Bixler
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 247.

A bill for an act to amend section 16-613, Reissue Revised Statutes of Nebraska, 1943, relating to cities of the first class; to eliminate therefrom the references to a state highway over bridges exceeding sixty feet in length in such cities; 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.	Diers	McGinley	Peterson
Bahensky	Fenske	Martin	Pizer
Bedford	Foote	Metzger	Purdy
Bixler	Hoffmeister	Morrison	Ruhnke
Bridenbaugh	Hubka	Moulton	Shultz
Brower	Kotouc	Nelson	Swanson
Burney	Larkin	Otto	Syas
Cole	Lee	Perry	Thompson
Cramer	Liebers	Person	Tvrdek

Voting in the negative, 3:

Aufenkamp	Klaver	McHenry
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Not voting, 4:

Adams, J.	Anderson	Beaver	Vogel
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 10. Considered.

Mr. Bridenbaugh asked unanimous consent that the following amendment be adopted:

1. Amend section 23 of the Substitute Bill, line 63 by striking "71,270,000.00" and inserting "76,220,000.00".

No objections. So ordered.

Advanced to E and R for engrossment.

Member Excused

Mr. Swanson was excused for the remainder of the day.

UNANIMOUS CONSENT—Return LB 191 to Select File

Mr. Bixler asked unanimous consent that LB 191 be returned to Select File for the following specific amendments:

1. Amend section 2 of the bill, line 2 by striking “thirty” and inserting “forty”, line 10 by striking “fifty” and inserting “forty-five”, line 13 by striking “sixty” and inserting “ten”, by striking lines 14 to 18 and inserting “persons, thirty per cent, and (3) all other coun-”.

2. Amend title to conform.

No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 191. Mr. Bixler asked unanimous consent that his amendments, found in this day’s Legislative Journal, be adopted. No objections. So ordered.

Advanced to E and R for re-engrossment.

Visitors

Mr. Peterson introduced Charles B. Heinemann, Jr., Washington, D. C., who represents the Independent Truckers Association of Midwest.

Members Excused

Mr. Klaver was excused for the remainder of the day.

Mr. Ruhnke was excused for this afternoon.

RESOLUTIONS

LEGISLATIVE RESOLUTION 49. Re: Refund of Federal Gasoline Taxes When Used to Power Farm Equipment.

Introduced by Arnold Ruhnke, 22nd District; Kathleen A. Foote, 31st District.

WHEREAS, there is now pending in the Congress of the United States legislation to refund the federal taxes on gasoline used to power farm equipment, and

WHEREAS, the federal taxes on gasoline used to power farm equipment has nothing to do with highways, and

WHEREAS, forty-four states, one being our own state, refunds state taxes on gasoline used to power farm equipment.

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

1. That the members of the Congress from Nebraska be urged to support the legislation that will refund federal gasoline taxes when used to power farm equipment.

2. That copies of this resolution be suitably engrossed and transmitted by the Clerk of the Legislature to each member from Nebraska in the Congress of the United States.

LEGISLATIVE RESOLUTION 46.

LR 46 was adopted with 31 ayes, 0 nays and 12 not voting.

Member Excused

Mr. Hubka was excused for this afternoon.

Announcement

An evening of entertainment will be presented tonight at the Pinewood Bowl, by the inmates of the State Reformatory, to which the Members and their families are invited.

RECESS

At 11:50 a.m., on a motion by Mr. Fenske, the Legislature recessed until 3:00 p.m., with 23 voting aye, 1 voting nay and 19 not voting.

AFTER RECESS

The Legislature reconvened at 3:00 p.m., President Warner presiding.

The roll was called and all members were present except Messrs. J. Adams, Anderson, Beaver, Burney, Diers, Hubka, Klaver, Otto, Purdy, Ruhnke, and Swanson, who were excused, Mr. Bixler, who was excused until 3:15 p.m., and Mrs. Foote, who was excused until 3:20 p.m.

Members Excused

Mr. Hubka was excused for Thursday, June 16, 1955.

Mr. Ruhnke was excused until 2:00 p.m., Thursday, June 16, 1955.

Visitors

Mr. Thompson introduced Mr. Harold Sutton, McCook, Nebraska, President of the Nebraska Reclamation Association.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 519. Correctly enrolled.

LEGISLATIVE BILL 398. Correctly enrolled.

LEGISLATIVE BILL 247. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

President Signs

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

LB 519

LB 398

LB 247

LR 46

STANDING COMMITTEE REPORTS**Committee on Committees**

June 15, 1955

Mr. President: Your Committee on Committees wishes to report favorably on the appointments of Dr. Maurice D. Frazer, Lincoln, Nebraska and Dr. W. W. Webster, Lincoln, Nebraska to the State Board of Health for a term beginning September 14, 1955 and ending September 14, 1958, and recommends that these appointments be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr., Chairman

MOTION—Confirmation of Appointments

Mr. President: I move that the appointments as recommended by the Committee on Committees be confirmed and that each appointee be voted upon separately. (Signed) Otto Kotouc, Sr.

The motion prevailed with 27 ayes, 0 nays and 16 not voting.

Vote on Dr. Frazer

Voting in the affirmative, 29.

Voting in the negative, 0.

Not voting, 14.

Having received a majority of the votes of all members, the President declared the appointment of Dr. Frazer confirmed.

Vote on Dr. Webster

Voting in the affirmative, 28.

Voting in the negative, 0.

Not voting, 15.

Having received a majority of the votes of all members, the President declared the appointment of Dr. Webster confirmed.

RESOLUTIONS**LEGISLATIVE RESOLUTION 47.**

LR 47 was adopted with 30 ayes, 0 nays and 13 not voting.

The Members of the Legislature stood in silent tribute to the memory of the deceased members.

LEGISLATIVE RESOLUTION 42.

LR 42 was adopted with 27 ayes, 1 nay and 15 not voting.

STANDING COMMITTEE REPORTS**Enrollment and Review****LEGISLATIVE BILL 191.** Replaced on Select File as amended.

E and R amendments to LB 191:

1. In the bill, add a new section to read as follows:

"Sec. 3. That sections 1 and 2, Legislative Bill 519, Sixty-seventh Session, Nebraska State Legislature, 1955, are repealed."

2. In the bill title, strike lines 2 to 4 and amendments thereto, and in lieu thereof insert "FOR AN ACT relating to motor vehicles; to re-enact provisions of prior legislation, as prescribed; to provide for the collection and allocation of motor vehicle registration fees; and to repeal sections 1 and 2, Legislative Bill 519, Sixty-seventh Session, Nebraska State Legislature, 1955."

LEGISLATIVE BILL 10. Replaced on Select File as amended.

E and R amendments to LB 10:

1. In the new matter inserted by Bridenbaugh amendment 9 in section 25, line 17, insert a comma at the end thereof.
2. In the bill, section 16, line 7, before "\$10,000.00" insert "including".
3. In the bill, section 18, line 125, after "agricultural" insert "and industrial".
4. In the bill, section 28, line 52, before "Auditor" insert "Annuity Reserve Fund,".
5. In the bill, section 34, line 10, insert a comma after "Fund".
6. In the bill, section 47, line 27, after "1953" insert ", and amendments thereof" and line 56, after "agricultural" insert "and industrial".

(Signed) Donald F. McGinley, Chairman

SELECT FILE**SUSPEND RULES—Adopt Amendments**

Mr. President: I move that we suspend the rules and adopt the E and R amendments to LB 10, found in this Day's Legislative Journal.
(Signed) Donald F. McGinley

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

Mr. President: I move that we suspend the rules and adopt the E and R amendments to LB 191, found in this Day's Legislative Journal.
(Signed) Donald F. McGinley

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

Mr. McGinley moved to advance LB 191 to E and R for re-engrossment.

The motion prevailed.

Mr. Bridenbaugh moved to advance LB 10 to E and R for engrossment.

The motion prevailed.

STANDING COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 191. Correctly re-engrossed.

LEGISLATIVE BILL 10. Correctly engrossed.

(Signed) Donald F. McGinley, Chairman

UNANIMOUS CONSENT—Return LB 187 to Select File

Mr. Bridenbaugh asked unanimous consent that LB 187 be returned to Select File for the following specific amendment:

1. Amend the Bixler Amendment adopted June 2, 1955, line 4 by inserting after "1955" the following:

" , as corrected in such resolution".

Mr. Peterson objected.

Mr. Bridenbaugh moved that LB 187 be returned to Select File for the above amendment. The motion lost with 9 ayes, 18 nays and 16 not voting.

UNANIMOUS CONSENT—Withdraw LB 308

Mr. Aufenkamp asked unanimous consent that LB 308 be recalled from the Enrollment and Review Committee and that LB 308 be withdrawn. No objections. So ordered.

Member Excused

Mr. Aufenkamp was excused for Thursday afternoon, June 16, 1955.

Adjournment

Mr. President: I move that we adjourn until 2:00 p.m., Thursday, June 16, 1955. (Signed) Charles F. Tvrdik

The motion prevailed with 28 ayes, 0 nays and 15 not voting, and at 4:09 p.m., the Legislature adjourned until 2:00 p.m., Thursday, June 16, 1955.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, June 16, 1955

Pursuant to adjournment, the Legislature met at 2:02 p.m., President Warner presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. J. Adams, Aufenkamp and Diers, who were excused, and Mr. Otto, who was excused until 3:45 p.m.

The Journal for the One Hundred-Twelfth Day was approved as corrected.

Presentation of Resolution

Mr. Lee presented to Lt. Lyle Cameron a copy of Legislative Resolution 48, which was passed by the Nebraska Legislature on June 14, 1955. Lt. Cameron will deliver the resolution to Dag Hammarskjold, Secretary-General of the United Nations. Lt. Cameron expressed his appreciation to Mr. Lee and to the other Members of the Legislature.

Appreciation

Mr. Swanson, in behalf of himself and Mrs. Swanson, expressed appreciation to the Members for the floral tribute sent to the funeral of Mrs. Swanson's sister, Mrs. Paul Beebe.

Visitors

Mr. Ruhnke introduced his father-in-law, Mr. Louis Mahloch, Beatrice, Nebraska.

STANDING COMMITTEE REPORTS
Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 15, 1955 at 2:30 p.m.

LB 541	LB 385	LB 305	LB 115
LB 537	LB 381	LB 129	LB 9
LB 513			

Presented to the Governor for approval on June 16, 1955 at 1:45 p.m.

LB 247	LB 398	LB 519
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(Signed) Donald F. McGinley, Chairman

Speaker Burney Presiding

Speaker Signs

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

LR 42	LR 47
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Communications

Communication from Frank Marsh, Secretary of State, Lincoln, Nebraska, regarding discussion of employees and salaries paid.

Approved by the Governor

June 16, 1955

To the President, the Speaker
and Members of the Legislature

Gentlemen:

Governor Anderson has requested me to inform your Honorable Body that on June 15, 1955, he approved LB 219, 292, 339, 384, 9, 115, 129, 305, 381, 385, 513, 537 and 541.

Respectfully submitted,

(Signed) A. C. Eichberg
Administrative Assistant

MESSAGE FROM THE GOVERNOR

June 16, 1955

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

For the information and subject to the consideration of Your Honorable Body, I am pleased to advise that I have nominated Sidney A. Watkins of Omaha, Nebraska, for reappointment to the Douglas County Tax Appraisal Board for a term beginning July 3, 1955, and ending July 3, 1961; and that I have nominated Otto Weiss of Omaha, Nebraska for appointment to the Douglas County Tax Appraisal Board to fill the unexpired term of Lewis C. Sholes, such term beginning July 3, 1951, and ending July 3, 1957.

Respectfully submitted,

(Signed) Victor E. Anderson
Governor

SUSPEND RULES—Committee on Committees

Mr. President: I move that the rules be suspended and the Committee on Committees be permitted to meet immediately following adjournment today to consider the following appointments made by Governor Anderson: Sidney A. Watkins to the Douglas County Tax Appraisal Board; Otto Weiss to the Douglas County Tax Appraisal Board.

(Signed) Otto Kotouc, Sr., Chairman

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

RESOLUTIONS**LEGISLATIVE RESOLUTION 49.**

LR 49 was adopted with 31 ayes, 2 nays and 10 not voting.

LEGISLATIVE RESOLUTION 50. Re: The Consolidation and Reorganization of Public Power Districts in Nebraska.

Introduced by LeRoy Bahensky, 29th District; K. W. Peterson, 35th District.

WHEREAS, the Legislature of the State of Nebraska in 1933 by the passage of S.F. 310 provided for the creation of Public Power Districts under the concept of public power bringing electrical energy to the ultimate consumer at the lowest possible cost consistent with sound business management, and

WHEREAS, the organizational structure of wholesale generation and transmission districts has not kept pace with the growing electrical needs of Nebraska, and

WHEREAS, Hon. Victor Anderson, Governor of Nebraska, recently held a conference of the chief executive officers of the public power agencies in Nebraska emphasizing the need and responsibility to modernize and reorganize certain of these districts to furnish better credit rating and more sound business and representative management, and

WHEREAS, this Legislature has passed LB 501 which is permissive enabling legislation to facilitate the consolidation and reorganization of the Districts necessary to enable them to set up a sound business structure and a more workable, efficient and representative management.

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

That this Legislature urges prompt action by Consumers Public Power District, Loup River Public Power District and Platte Valley Public Power District to the end that an adequate credit rating be attained, efficient representative management be provided and adequate generation and transmission facilities be established to meet the ever mounting needs of the state.

BE IT FURTHER RESOLVED: That failure of these Districts to promptly and properly consolidate and reorganize may result in a crisis in the power supply problem in Nebraska, and necessitate the calling of a special session of the Legislature for the purpose of further considering the vital power problem in this state.

LEGISLATIVE RESOLUTION 51. Re: Expression of Appreciation to George L. Santo, Sergeant-at-Arms, for Aid to the Election Contest Committee and the Special Investigation Committee.

Introduced by William A. McHenry, 32nd District; Robert C. Brower, 26th District.

WHEREAS, George L. Santo, the sergeant-at-arms of the Legislature, aided the Election Contest Committee and the Special Investigation Committee in his usual efficient manner while conducting their hearings.

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

That the members of the Legislature express their appreciation to George L. Santo for the efficient manner in which he aided the Election Contest Committee and the Special Investigation Committee while conducting their hearings.

SUSPEND RULES—Take Up Bills on Final Reading

Mr. President: I move that the rules be suspended and that Bills on Final Reading listed under date of June 17, 1955, be taken up today: LB 187, 188, 189, 190, 262, and 365. (Signed) Charles F. Tvrdik

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

SUSPEND RULES—Take Up Bills on Final Reading

Mr. President: I move that the rules be suspended and that we consider LB 466, 191 and 10 on Final Reading on Friday, June 17, 1955, instead of on Monday, June 20, 1955. (Signed) Sam Klaver

The motion prevailed 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 187.

A bill for an act relating to highways; to state the necessity of this act and the intent and purposes thereof; to define terms; to provide powers and duties of the Department of Roads and Irrigation, State Engineer, State Highway Commission, other public officials, and others prescribed in connection with highways; to provide for establishing a state highway system and changes therein from time to time; to provide that the map prepared by the State Highway Commission, showing a proposed highway system in Nebraska, filed with the Clerk of the Legislature and referred to in the resolution filed with the Legislature on February 3, 1955, is hereby adopted by the Legislature as the state highway system on the effective date of this act; to provide for the maintenance of the prescribed highways until July 1, 1956 by such department and the disposition thereof after such date; to provide for condemnation or other acquisition of property as prescribed; to provide for construction and maintenance of the state highway system; to provide for certain notices and hearings; to limit the mileage of such highway system and the increases thereof; to provide an assent to federal aid as prescribed; to permit cooperation with the United States government and political or governmental subdivisions or public corporations as prescribed; to confer powers and duties upon political or governmental subdivisions and public corporations of the State of Nebraska as pre-

scribed; to permit the transfer or exchange of property as prescribed; to permit controlled access to roads, streets, and highways and ingress and egress to same as prescribed; and to repeal Chapter 39, article 6, Reissue Revised Statutes of Nebraska, 1943, and amendments thereof, sections 81-701 and 81-709, Reissue Revised Statutes of Nebraska, 1943, and Legislative Bill 1, Sixty-seventh Session, Nebraska State Legislature, 1955.

Whereupon the 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.	Foote	McHenry	Purdy
Anderson	Hoffmeister	Martin	Shultz
Bixler	Hubka	Metzger	Swanson
Brower	Kotouc	Morrison	Syas
Burney	Lee	Moulton	Thompson
Cole	Liebers	Peterson	Tvrdik
Cramer	McGinley	Pizer	Vogel
Fenske			

Voting in the negative, 8:

Bahensky	Bridenbaugh	Nelson	Person
Beaver	Klaver	Perry	Ruhnke

Not voting, 6:

Adams, J.	Bedford	Larkin	Otto
Aufenkamp	Diers		

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Speaker Burney introduced Mr. Jaques Van der Schueren, a Member of Parliament of Belgium. Mr. Van der Schueren, who represents the District of Verviers, Belgium, addressed the Legislature briefly.

LEGISLATIVE BILL 188.

A bill for an act relating to highways; to re-enact the provisions for careless operation of motor vehicles upon state highways; to provide for regulation of advertising signs along public roads or highways as prescribed; to provide for the jurisdiction of warning signs, stop signs

or other safety devices in cities and villages as prescribed; to prohibit the closing of portions of state highways in cities or villages, as prescribed; to provide for violation; 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, T.	Cramer	McGinley	Pizer
Anderson	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers	Peterson	

Voting in the negative, 1:

Perry

Not voting, 3:

Adams, J.	Aufenkamp	Diers
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 189.

A bill for an act relating to state administrative departments; to provide powers and duties of the State Engineer; and to re-enact the provisions in regard to the Department of Roads and Irrigation making reports 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, T.	Bridenbaugh	Foote	Lee
Anderson	Brower	Hoffmeister	Liebers
Bahensky	Burney	Hubka	McGinley
Beaver	Cole	Klaver	McHenry
Bedford	Cramer	Kotouc	Martin
Bixler	Fenske	Larkin	Metzger

Morrison	Perry	Purdy	Syas
Moulton	Person	Ruhnke	Thompson
Nelson	Peterson	Shultz	Tvrdik
Otto	Pizer	Swanson	Vogel

Voting in the negative, 0.

Not voting, 3:

Adams, J.	Aufenkamp	Diers
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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 relating to state administrative departments; to re-enact the provisions authorizing the Department of Roads and Irrigation to formulate rules and regulations in regard to the use and travel upon the state highways as prescribed; to provide for publication of such rules and regulations; and to designate such rules and regulations as official.

Whereupon the 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.	Cramer	McGinley	Peterson
Anderson	Fenske	McHenry	Pizer
Bahensky	Foote	Martin	Purdy
Beaver	Hoffmeister	Metzger	Ruhnke
Bedford	Hubka	Morrison	Shultz
Bixler	Klaver	Moulton	Swanson
Bridenbaugh	Kotouc	Nelson	Syas
Brower	Larkin	Otto	Thompson
Burney	Lee	Perry	Tvrdik
Cole	Liebers	Person	Vogel

Voting in the negative, 0.

Not voting, 3:

Adams, J.	Aufenkamp	Diers
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 262.

A bill for an act to amend section 39-7,128, Revised Statutes Sup-

plement, 1953, relating to motor vehicles; to change the point system dealing with traffic violations; to change or correct cross references to statutes; to include certain violations of city or village ordinances as prescribed; to include violations of section 1 of Legislative Bill 188, Sixty-seventh Session, Nebraska State Legislature, 1955, 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, T.	Cramer	McGinley	Pizer
Anderson	Fenske	McHenry	Purdy
Bahensky	Foote	Martin	Ruhnke
Beaver	Hoffmeister	Metzger	Shultz
Bedford	Hubka	Morrison	Swanson
Bixler	Klaver	Moulton	Syas
Bridenbaugh	Kotouc	Nelson	Thompson
Brower	Larkin	Otto	Tvrdik
Burney	Lee	Person	Vogel
Cole	Liebers	Peterson	

Voting in the negative, 0.

Not voting, 4:

Adams, J.	Aufenkamp	Diers	Perry
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 365. Laid over.

Adjournment.

At 4:06 p.m., on a motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

ONE HUNDRED-FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, June 17, 1955

Pursuant to adjournment, the Legislature met at 9:02 a.m., Speaker Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bahensky, Bridenbaugh, Diers, Fenske, Liebers, McHenry, Peterson, Pizer, Shultz and Vogel, who were excused until 9:10 a.m., and Messrs. J. Adams and Larkin, who were excused until 9:30 a.m.

The Journal for the One Hundred-Thirteenth Day was approved as corrected.

Communications

Letter from Clarence M. Davis, Legal Advisor for the Committee on Enrollment and Review, expressing his appreciation for assistance in his work.

Expression of appreciation from Gene and Laura Jean Larkin and the Cecetka Family for the floral tribute sent to the funeral of Mr. Larkin's sister-in-law.

STANDING COMMITTEE REPORTS Committee on Committees

June 17, 1955

Mr. President:

Your Committee on Committees wishes to report favorably on the reappointment of Sidney A. Watkins of Omaha, Nebraska to the Douglas County Tax Appraisal Board for a term beginning July 3,

1955 and ending July 3, 1961 and the appointment of Otto Weiss of Omaha, Nebraska to the Douglas County Tax Appraisal Board to fill the unexpired term of Lewis C. Sholes, which term began July 3, 1951 and ends July 3, 1957, and recommends that these appointments be confirmed by the Legislature.

(Signed) Otto Kotouc, Sr.
Chairman

MOTION—Confirmation of Appointments

Mr. President: I move that the report of the Committee on Committees be accepted and that the Legislature vote separately on each appointee. (Signed) Otto Kotouc, Sr.

The motion prevailed.

Vote on Mr. Watkins

Voting in the affirmative, 30.

Voting in the negative, 0.

Not voting, 13.

Having received a majority of the votes of all members, the Speaker declared the appointment of Mr. Watkins confirmed.

Vote on Mr. Weiss

Voting in the affirmative, 40.

Voting in the negative, 0.

Not voting, 3.

Having received a majority of the votes of all members, the Speaker declared the appointment of Mr. Weiss confirmed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 262. Correctly enrolled.

LEGISLATIVE BILL 190. Correctly enrolled.

LEGISLATIVE BILL 189. Correctly enrolled.

LEGISLATIVE BILL 188. Correctly enrolled.

LEGISLATIVE BILL 187. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 262	LB 189	LB 187	LR 49
LB 190	LB 188		

Visitors

Mr. Peterson introduced Mrs. Mary Goodwill of Rose, Nebraska.

RESOLUTIONS

LEGISLATIVE RESOLUTION 50.

LR 50 was adopted with 26 ayes, 8 nays and 9 not voting.

LEGISLATIVE RESOLUTION 51.

LR 51 was adopted with 40 ayes, 0 nays and 3 not voting.

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 39-119, 39-252, 39-253, and 39-254, Reissue Revised Statutes of Nebraska, 1943, relating to highways; to eliminate the provisions referring to the Department of Roads and Irrigation therefrom; to remove the provision for payment of damages for installation or removal of snow fences if done by the Department of Roads and Irrigation; 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.	Bixler	Foote	Liebers
Adams, T.	Brower	Hoffmeister	McGinley
Anderson	Burney	Hubka	McHenry
Aufenkamp	Cole	Klaver	Martin
Bahensky	Cramer	Kotouc	Metzger
Beaver	Diers	Larkin	Morrison
Bedford	Fenske	Lee	Nelson

Otto	Pizer	Shultz	Thompson
Perry	Purdy	Swanson	Tvrdik
Person	Ruhnke	Syas	Vogel
Peterson			

Voting in the negative, 0.

Not voting, 2:

Bridenbaugh Moulton

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 sections 60-605, 60-607, 60-610, and 60-611, Reissue Revised Statutes of Nebraska, 1943, and sections 60-320, 60-601, and 60-617, Revised Statutes Supplement, 1953, relating to motor vehicles; to provide for use of dealer license plates; to change the fee for additional dealer number plates; to change the requirements in regard to the use of in transit placards or cards; to change the provisions in regard to those required to make an instrument in writing in regard to every motor vehicle sale as prescribed; to redefine terms; to redefine classes of motor vehicle dealer's license; to provide for license fees; to provide for requirements in the event of a change of address; to include additional grounds for denial or revocation of licenses; 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.	Burney	Liebers	Person
Adams, T.	Cole	McGinley	Peterson
Anderson	Cramer	McHenry	Purdy
Aufenkamp	Diers	Martin	Ruhnke
Bahensky	Fenske	Metzger	Shultz
Beaver	Foote	Morrison	Swanson
Bedford	Hoffmeister	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel

Voting in the negative, 2:

Klaver Pizer

Not voting, 1:

Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mrs. Foote introduced her son, John Francis Foote.

LEGISLATIVE BILL 191.

A bill for an act relating to motor vehicles; to re-enact provisions of prior legislation, as prescribed; to provide for the collection and allocation of motor vehicle registration fees; and to repeal sections 1 and 2, Legislative Bill 519, Sixty-seventh Session, Nebraska State Legislature, 1955.

Whereupon the 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.	Cole	Liebers	Pizer
Adams, T.	Cramer	McGinley	Ruhnke
Anderson	Diers	McHenry	Shultz
Aufenkamp	Fenske	Martin	Swanson
Bahensky	Foote	Metzger	Syas
Beaver	Hoffmeister	Morrison	Thompson
Bedford	Hubka	Moulton	Tvrdik
Bixler	Klaver	Otto	Vogel
Bridenbaugh	Kotouc	Perry	
Brower	Larkin	Person	
Burney	Lee	Peterson	

Voting in the negative, 1:

Nelson

Not voting, 1:

Purdy

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 10. With emergency.

A bill for an act making appropriations for the state government

of the State of Nebraska for the biennium beginning July 1, 1955, and ending June 30, 1957; 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, 41:

Adams, J.	Cole	Liebers	Person
Adams, T.	Cramer	McGinley	Peterson
Anderson	Diers	McHenry	Pizer
Aufenkamp	Fenske	Martin	Ruhnke
Bahensky	Foote	Metzger	Shultz
Beaver	Hoffmeister	Morrison	Swanson
Bedford	Hubka	Moulton	Syas
Bixler	Kotouc	Nelson	Thompson
Bridenbaugh	Larkin	Otto	Tvrdik
Brower	Lee	Perry	Vogel
Burney			

Voting in the negative, 0.

Not voting, 2:

Klaver Purdy

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

Appreciation

Mr. J. Adams expressed his appreciation to Speaker Burney, Mr. Srb, and all other members and employees of the Legislature for their courtesy and assistance during this session.

Presentation of Gift

Mr. Martin, on behalf of the entire Legislature, paid tribute to the work of Mr. McGinley as Chairman of the Enrollment and Review Committee, and presented him with a piece of luggage in appreciation of his work.

Mr. McGinley thanked the Members for the gift.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 10. Correctly enrolled.

LEGISLATIVE BILL 365. Correctly enrolled.

LEGISLATIVE BILL 191. Correctly enrolled.

LEGISLATIVE BILL 466. Correctly enrolled.

(Signed) Donald F. McGinley, Chairman

Speaker Signs

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

LB 10
LB 365

LB 191
LB 466

LR 50

LR 51

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-seventh Session in the West Lounge, and that the Legislature express its appreciation for this service. (Signed) Lester H. Anderson

The motion prevailed.

MOTION—Express Appreciation to Broadcasting Stations

Mr. President: I move that this body express its thanks and appreciation to the radio and television stations for broadcasting news of the Legislature to the citizens of the State. (Signed) John E. Beaver

The motion prevailed.

MOTION—Express Appreciation to Press

Mr. President: I move that a standing vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State, the activities of this Session of the Legislature. (Signed) Joseph D. Martin

The motion prevailed.

MOTION—Express Appreciation to Officers and Employees

Mr. President: I move that we, the Members of the Sixty-seventh 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) William A. Metzger

The motion prevailed.

MOTION—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) Don Thompson

The motion prevailed.

MOTION—Mailing of Permanent Journal

Mr. President: I move that the Clerk of the Legislature be instructed to send each Member of the Legislature, and to each authorized member of the Press assigned to the Legislature for the Sixty-seventh Session, a copy of the permanent Legislative Journal of the Sixty-seventh 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-seventh 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 and letter files. (Signed) O. H. Person

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) Donald F. McGinley

The motion prevailed.

MOTION—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-seventh Session of the Legislature, and to employ such help as is necessary during the interim. (Signed) Monroe Bixler

The motion prevailed.

MOTION—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) Kathleen A. Foote

The motion prevailed.

MOTION—Print Rules

Mr. President: I move that the Clerk be authorized to have a revised copy of the Rules and Index printed, as needed. (Signed) Charles F. Tvrdik

The motion prevailed.

MOTION—Print Brochure

Mr. President: I move that the Clerk of the Legislature be directed to prepare the usual brochure showing a comparison of the bicameral and unicameral legislative systems and other pertinent data. (Signed) Earl J. Lee

The motion prevailed.

MOTION—Present Gavel

Mr. President: I move that Speaker Dwight W. Burney be presented with a gavel, an emblem of his serving as a fair and impartial presiding officer. (Signed) Arnold Ruhnke

The motion prevailed.

Appreciation

Speaker Burney expressed his appreciation for the gavel presented to him by the Legislature.

MOTION—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 previously used for such occasions, and present one to Lieutenant Governor Charles J. Warner and the other to Speaker Dwight W. Burney. (Signed) Glenn Cramer

The motion prevailed.

Appreciation

Mr. President: The elective officers and employees of the Sixty-seventh Session hereby express their appreciation for the privilege of serving this Legislature and for the courtesies extended to them by each and every member. (Signed) Hugo F. Srb, Clerk of the Legislature

MOTION—Appreciation

Mr. President: I move that a vote of thanks and appreciation be extended to the "2nd House" for their courtesy, counsel, and advice shown during this Sixty-seventh Legislative Session. (Signed) Lester H. Anderson

The motion prevailed.

Appreciation

Mrs. Foote expressed her appreciation for the helpful assistance and advice given to her by her fellow members during the session.

MOTION—Committee to Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn, and ask him if he has any further message for the Legislature. (Signed) Amos Morrison

The motion prevailed.

Committee Appointed

The Speaker appointed the following committee to escort the Governor into the Chamber: Morrison, Chairman; Thompson, Perry, Swanson and Hoffmeister.

The Committee returned with Acting Governor Charles J. Warner.

MOTION—Present Gavel

Mr. President: I move that Lieutenant Governor Charles J. Warner be presented with the gavel used during the Sixty-seventh Session of the Nebraska Legislature. (Signed) Tom Adams

The motion prevailed.

MOTION—Appreciation

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-seventh Session of the Legislature. (Signed) John Adams, Sr.

The motion prevailed unanimously.

The Acting Governor gave his farewell message to the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor

Presented to the Governor for approval on June 17, 1955, at 11:45 a.m.

LB 187	LB 190	LB 365	LB 466
LB 188	LB 262	LB 191	LB 10
LB 189			

(Signed) Donald F. McGinley, Chairman

Adjournment

Mr. President: I move that the Journal for the One Hundred-Fourteenth Day, as prepared by the Clerk, be approved and the Sixty-seventh Session of the Legislature, having finished all business before it, now (12:03 p.m.) adjourn sine die. (Signed) Harry L. Pizer

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

Hugo F. Srb
Clerk of the Legislature

CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Sixty-seventh Session of the Legislature of the State of Nebraska, convened and held in the city of Lincoln, State of Nebraska, January 4, 1955 to June 17, 1955.

(Signed) Hugo F. Srb
Clerk of the Legislature

November 1, 1955
Lincoln, Nebraska

LEGISLATIVE BILLS**Approved After Adjournment**

The following Legislative Bills were approved by the Governor after adjournment:

June 21, 1955

Legislative Bill 247
Legislative Bill 398

Legislative Bill 519

June 23, 1955

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