

THE
JOURNAL OF THE ASSEMBLY
OF THE
SPECIAL SESSION
OF THE
LEGISLATURE OF THE STATE OF NEVADA

1958

BEGUN ON MONDAY, THE THIRTIETH DAY OF JUNE, AND
ENDED ON TUESDAY, THE FIRST DAY OF JULY



CARSON CITY, NEVADA
STATE PRINTING OFFICE - - JACK MCCARTHY, STATE PRINTER
1958



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PERSONNEL OF THE NEVADA ASSEMBLY

Special Session, 1958

| <i>County</i> | <i>Name and party</i> | <i>Mailing address</i> |
|-----------------|---------------------------------|-------------------------------------|
| Churchill..... | Eric Palludan (D)..... | 498 S. Maine, Fallon |
| | Harold E. Fitz (D)..... | Stillwater Road, Fallon |
| Clark..... | William B. Byrne (D)..... | 255 Water St., Henderson |
| | M. J. Christensen (D)..... | 225 Fremont St., Las Vegas |
| | George Franklin, Jr. (D)..... | 120 S. Third St., Las Vegas |
| | Maude Frazier (D)..... | 1940 Ballard Dr., Las Vegas |
| | Tom Godbey (D)..... | 609 Avenue L., Boulder City |
| | Helen Herr (D)..... | 1332 S. 5th St., Las Vegas |
| | Harley H. Leavitt (D)..... | Mesquite |
| Douglas..... | James G. Ryan (D)..... | 212 W. Utah Ave., Las Vegas |
| | George Von Tobel (R)..... | 1325 S. 2d St., Las Vegas |
| | Henry W. Berrum (R)..... | Gardnerville |
| Elko..... | Gene Evans (D)..... | 610 W. Birch St., Elko |
| | Hugh D. McMullen (R)..... | 101 Court St., Elko |
| | Robert O. Vaughan (R)..... | Professional Bldg., Elko |
| | Roy Young (R)..... | Elko |
| Esmeralda..... | †Harvey Humphrey (D)..... | Silver Peak |
| Eureka..... | L. G. Carruthers (D)..... | Beowawe |
| Humboldt..... | F. C. Buckingham (D)..... | Paradise Valley |
| | Albert Pasquale (D)..... | Paradise Valley |
| Lander..... | William D. Swackhamer (D)..... | Battle Mountain |
| Lincoln..... | Nelson C. Bleak (R)..... | Pioche |
| | Murray Fullerton (D)..... | Pioche |
| Lyon..... | Bruce Barnum (D)..... | P. O. Box 272, Yerington |
| | John F. Gioni (D)..... | Smith Valley |
| Mineral..... | Charles A. Hendel (R)..... | P. O. Box 1245, Hawthorne |
| | Bruce M. Parks (D)..... | 361 Baker St., Hawthorne |
| Nye..... | LeRoy David (D)..... | Tonopah |
| | Robert Revert (D)..... | Beatty |
| Ormsby..... | Archie Pozzi, Jr. (R)..... | 3 Circle Drive, Carson City |
| | Richard L. Waters, Sr. (D)..... | Carson City |
| Pershing..... | Albert Olaeta (D)..... | P. O. Box 673, Lovelock |
| Storey..... | Michael R. Nevin (D)..... | Virginia City |
| Washoe..... | James C. Bailey (R)..... | P. O. Box 1511, Reno |
| | Chester S. Christensen (D)..... | 974 Pyramid Way, Sparks |
| | Don Crawford (D)..... | Vya, Nevada, via Cedarville, Calif. |
| | Frederick L. Hill (R)..... | P. O. Box 316, Reno |
| | Marvin B. Humphrey (R)..... | P. O. Box 1750, Reno |
| | Mrs. Mabel Isbell (R)..... | 1235 Sharon Way, Reno |
| | Howard F. McKissick (R)..... | Suite 200, Ryland Bldg., Reno |
| | Clifford Sanford (R)..... | 1775 Allen St., Reno |
| | Artie Valentine (D)..... | 1650 D St., Sparks |
| | †James E. Wood (R)..... | 2101 Phillips St., Reno |
| White Pine..... | Joe Collins (D)..... | Collins Hotel, Ely |
| | †Rita Collins (D)..... | 1100 Mill St., Ely |
| | Evan I. DeSpain (R)..... | 316 Ogden Ave., Ely |
| | Walter Duncan (D)..... | P. O. Box 541, McGill |

†Appointed to fill vacancy

JOURNAL

OF THE

Assembly of the State of Nevada

SPECIAL SESSION 1958

THE FIRST DAY

CARSON CITY (Monday), June 30, 1958.

Pursuant to the provisions of the Constitution and Statutes, the Special Session was called to order by Secretary of State John Koontz at 12 noon.

Prayer by the Chaplain, Reverend Fred A. Rinehart.

Roll called. Present: Messrs. Bailey, Barnum, Berrum, Bleak, Buckingham, Byrne, Carruthers, Christensen (Clark), Christensen (Washoe), Mrs. Collins, Messrs. Collins, Crawford, David, DeSpain, Duncan, Evans, Fitz, Miss Frazier, Messrs. Fullerton, Giomi, Godbey, Hendel, Miss Herr, Messrs. Hill, Humphrey (Esmeralda), Humphrey (Washoe), Mrs. Isbell, Messrs. Leavitt, McKissick, McMullen, Nevin, Olaeta, Palludan, Parks, Pasquale, Pozzi, Revert, Ryan, Sanford, Swackhamer, Valentine, Vaughan, Von Tobel, Waters, Wood and Young.

All present except Mr. Franklin, who was excused.

The Secretary of State appointed Messrs. Nevin, Waters, Giomi, Leavitt, Humphrey (Washoe), Wood and Young as a Temporary Committee on Legislative Functions to examine credentials.

The Secretary of State announced that if there were no objections, the Assembly would recess for 15 minutes while credentials are examined by the Temporary Committee on Legislative Functions.

Assembly in recess at 12:06 p. m.

ASSEMBLY IN SESSION

At 12:23 p. m.

The Secretary of State in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Secretary of State:

Your Committee on Legislative Functions has had the credentials of Mr. Harold I. Fitz, of Churchill County, Mrs. Rita Collins, of White Pine County, Mr. Harvey Humphrey, of Esmeralda County, and Mr. James E. Wood, of

Washoe County, under consideration, and begs leave to report that the said Mr. Harold I. Fitz, of Churchill County, Mrs. Rita Collins, of White Pine County, Mr. Harvey Humphrey, of Esmeralda County, and Mr. James E. Wood, of Washoe County, are duly appointed and qualified members of the Assembly of the 1958 Special Session of the Legislature of the State of Nevada.

MICHAEL R. NEVIN, *Chairman*.

Mr. Nevin moved the adoption of the report.

Motion carried.

The Secretary of State appointed Mr. Parks, Miss Frazier and Mr. Vaughan as a committee to escort Chief Justice Milton B. Badt, of the Supreme Court of the State of Nevada, to the rostrum to administer the oath of office to the new members of the Assembly.

Chief Justice Badt administered the oath of office to the new members of the Assembly.

Mr. Christensen (Clark) moved that the Chief Justice be given an unanimous vote of thanks for administering the oath.

Motion carried unanimously.

The appointed committee escorted Chief Justice Badt to the bar of the Assembly.

Roll called. Present: Messrs. Bailey, Barnum, Berrum, Bleak, Buckingham, Byrne, Carruthers, Christensen (Clark), Christensen (Washoe), Mrs. Collins, Messrs. Collins, Crawford, David, DeSpain, Duncan, Evans, Fitz, Miss Frazier, Messrs. Fullerton, Giomi, Godbey, Hendel, Miss Herr, Messrs. Hill, Humphrey (Esmeralda), Humphrey (Washoe), Mrs. Isbell, Messrs. Leavitt, McKissick, McMullen, Nevin, Olaeta, Palludan, Parks, Pasquale, Pozzi, Revert, Ryan, Sanford, Swackhamer, Valentine, Vaughan, Von Tobel, Waters, Wood and Young.

All present except Mr. Franklin, who was excused.

The Secretary of State announced that there will be no temporary organization of the Assembly, and that all nominations will be for permanent appointment.

The Secretary of State announced that nominations were in order for Speaker of the Assembly.

Mr. Waters nominated Mr. Swackhamer for Speaker.

Mr. Evans moved that nominations be closed.

Motion carried.

The Secretary of State declared Mr. Swackhamer to be Speaker of the Assembly.

The Secretary of State appointed Miss Herr and Mrs. Isbell to escort Mr. Swackhamer to the rostrum.

The appointed committee escorted the Secretary of State to the bar of the Assembly.

Remarks by Mr. Speaker.

Mr. Speaker declared that nominations were in order for Speaker pro tempore.

Mr. Barnum nominated Mr. Waters for Speaker pro tempore.

Miss Frazier moved that nominations be closed.

Motion carried.

Mr. Speaker declared Mr. Waters to be Speaker pro tempore of the Assembly.

Remarks by Mr. Speaker pro tempore.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Mr. Nevin nominated Mr. J. E. Springmeyer for Chief Clerk.

Mr. Byrne moved that nominations be closed.

Motion carried.

Mr. Speaker declared Mr. Springmeyer to be Chief Clerk of the Assembly.

Mr. Speaker appointed Messrs. Giomi, Palludan and Humphrey (Washoe) as a committee to notify the Senate that the Assembly was organized and ready for business.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 12:40 p. m.

ASSEMBLY IN SESSION

At 12:45 p. m.

Mr. Speaker in the Chair.

Quorum present.

A committee from the Senate composed of Senators Slattery, Lamb and Dodge reported that the Senate was organized and ready for business.

Mr. Speaker appointed Messrs. Christensen (Washoe), Duncan and Berrum as a committee to notify the Governor that the Assembly was organized and ready for business.

Mr. Christensen (Washoe) reported that his committee had notified the Governor that the Assembly was organized and ready for business.

Mr. Giomi reported that his committee had notified the Senate that the Assembly was organized and ready for business.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Barnum moved that Mr. Speaker assign space at the press table to the following persons: Jess Mason, KPTL, Carson City; Weld Arnold, Nevada Appeal, Carson City; William Dolan, Nevada Appeal, Carson City; Neal Van Sooy, Nevada Appeal, Carson City; Gordon Kent, KRAM, KSHO-TV, Las Vegas; Robert Mount, Nevada State Journal, Reno; Bryn Armstrong, Reno Evening Gazette, Reno; James Hulse, Nevada State Journal, Reno; William Friel, Reno Evening Gazette, Reno; Clark Bigler, United Press International, Reno; Edward A. Olsen, Associated Press, Reno; Stanley Hall, United Press International, Reno; Dwight Dyer, Associated Press, Reno; John Nulty, Reno Evening Gazette, Reno; Chester Sobsey, Las Vegas Review-Journal, Las Vegas; William Agler, KOH, Reno; Ed Oncken, Nevada Newsletter, Reno and Las Vegas; Myram Borders, United Press International, Reno; and Robert Smith, Nevada Appeal, Carson City.

Motion carried.

Mr. Nevin moved that the Standing Rules of the Assembly of the Forty-eighth Session, as revised by the Forty-eighth Session, be adopted by the Assembly of the Special Session of 1958.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 2:00 p. m.

Assembly in recess at 12:53 p. m.

ASSEMBLY IN SESSION

At 2:17 p. m.

Mr. Speaker in the Chair.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 1—Relating to the appointment of attachés.

Resolved by the Assembly of the State of Nevada, That the following-named persons be, and they hereby are, appointed as attachés of the Assembly for the 1958 Special Session of the Legislature of the State of Nevada:

Muriel H. Elges, Clara Mae Robinette, Briscoe C. Honea, James Colton Leonard, Ron Wilson Gallagher, Dean Whiteford Miller, Victoria C. Nash, Ferne Caffrey and Beatrice Marian Johnson.

Mr. Nevin moved the adoption of the resolution.

Resolution adopted.

Mr. Speaker announced that all attachés must sign official oaths of office.

Mr. Speaker announced that all members and attachés must sign withholding tax statements.

Mr. Speaker announced that attachés may not participate in the Public Employees Retirement System, since they are working less than 1,200 hours altogether during the span of the legislative session.

Mr. Speaker announced that parking stickers authorizing free parking may be obtained in the office of the Legislative Counsel Bureau.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, June 30, 1958.

To the Honorable, the Assembly:

I am herewith presenting to you my message outlining the reason for which the Special Session of the Nevada State Legislature was convened.

CHARLES H. RUSSELL,
Governor.

MESSAGE OF THE GOVERNOR TO THE
LEGISLATURE OF NEVADA
SPECIAL SESSION, 1958

STATE OF NEVADA
EXECUTIVE CHAMBER

CARSON CITY, June 30, 1958.

To the Honorable, the Senate and Assembly of the State of Nevada in Extraordinary Session:

The Constitution of the State, in Article V, Section 9, provides that the Governor may, on extraordinary occasions, convene the Legislature by proclamation.

I determined that such extraordinary condition exists to warrant the use of the authority and power conferred by the Constitution and, on June 17, 1958, issued my proclamation calling the Legislature into Special Session at 12 o'clock noon, June 30, 1958.

It now is my duty and honor to advise you of the condition which prompted the call and to define and limit the scope of your legislative endeavors. The Constitution, in Article V, Section 9, provides that, when a special session of the Legislature is convened the Governor shall state to both houses, when organized, the purpose for which they have been convened and the Legislature shall transact no legislative business except that for which they were especially convened, or such business as the Governor may call to the attention of the Legislature while it is in session.

On June 4 the President signed the Temporary Unemployment Compensation Act of 1958, now Public Law 85-441, under which the Secretary of Labor is authorized on behalf of the United States to enter into an agreement with a state, or with the agency administering the unemployment compensation law of such state, under which agreement such state agency, as agent of the United States, will make payments of temporary unemployment compensation under Public Law 85-441.

Realizing the fact of unemployment in the State of Nevada and the abnormal number of exhaustees (those who have used up their unemployment benefits), I am presenting a special bill for your consideration which will, if adopted, permit the State of Nevada to enter into an agreement with the Secretary of Labor, for the payment of temporary unemployment compensation as provided for in Public Law 85-441.

Following is the bill which I submit for your consideration :

AN ACT directing the employment security department of the State of Nevada to enter into an agreement with the Secretary of Labor to provide for temporary unemployment compensation payments under the provisions of the Temporary Unemployment Compensation Act of 1958 (Public Law 441, 85th Congress); defining certain words and terms; declaring the necessity of state legislation; providing for certain terms and conditions of the agreement and duties of the employment security department; and other matters properly relating thereto.

The people of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Definitions. As used in this act:

1. "Employment security department" means the employment security department of the State of Nevada.

2. "Temporary Unemployment Compensation Act of 1958" means the Temporary Unemployment Compensation Act of 1958, being Public Law 441, 85th Congress.

3. "Unemployment Compensation Law" means the Unemployment Compensation Law as contained in chapter 612 of NRS.

SEC. 2. Legislative Finding and Declaration of Necessity. The legislature finds as facts and determines that:

1. The Unemployment Compensation Law is designed to provide unemployment compensation benefits to unemployed individuals during limited periods of unemployment.

2. Unemployment has become a serious and widespread problem in Nevada, resulting in many individuals having exhausted their benefit entitlements under the Unemployment Compensation Law.

3. The Temporary Unemployment Compensation Act of 1958 authorizes the use of federal funds with which the State of Nevada may, under certain conditions, make payments as agents of the United States of temporary unemployment compensation to unemployed workers who meet the requirements (except where inconsistent with the provisions of the Temporary Unemployment Compensation Act of 1958) of the Unemployment Compensation Law, Title XV of the Social Security Act, Title IV of the Veterans Readjustment Assistance Act of 1952, or the unemployment compensation law of a state as defined in the Temporary Unemployment Compensation Act of 1958, and who have exhausted all rights to benefits to which such laws have entitled them.

4. There is an urgent necessity to provide state legislation to permit in the State of Nevada the temporary continuation of unemployment compensation benefits provided by the provisions of the Temporary Unemployment Compensation Act of 1958.

Sec. 3. Agreement with Secretary of Labor: Duties of Employment Security Department; Provisions of Agreement.

1. The employment security department, the state agency administering the Unemployment Compensation Law, by and through its executive director, is directed to enter into an agreement immediately with the Secretary of Labor, United States Department of Labor, pursuant to the provisions of section 102 of the Temporary Unemployment Compensation Act of 1958, under which agreement the employment security department will:

(a) As agent of the United States, make payments of temporary unemployment compensation to the individuals referred to in section 101 of the Temporary Unemployment Compensation Act of 1958 on the basis provided in the Temporary Unemployment Compensation Act of 1958; and

(b) Otherwise cooperate with the Secretary of Labor and with other state agencies in making payments of temporary unemployment compensation under the Temporary Unemployment Compensation Act of 1958.

2. The agreement shall provide:

(a) That the employment security department will pay temporary unemployment compensation for weeks of unemployment beginning on or after the date on which the agreement is entered into to individuals who, after December 28, 1957, have exhausted all rights under the unemployment compensation laws enumerated or named in subsection 3 of section 2 of this act. The date "December 28, 1957," is selected and requested by the State of Nevada in lieu of the date "June 30, 1957," as authorized by the provisions of subsection (b) of section 102 of the Temporary Unemployment Compensation Act of 1958.

(b) That temporary unemployment compensation shall not be paid for weeks of unemployment beginning on or after April 1, 1959.

(c) The terms and conditions upon which the agreement may be amended, suspended or terminated.

(d) Such other terms and conditions as may be required by the provisions of the Temporary Unemployment Compensation Act of 1958.

Sec. 4. Construction of Act. The provisions of this act shall be liberally construed to effect its objects and purposes.

Sec. 5. Effective Date. This act shall become effective upon its passage and approval.

This bill meets all the requirements for the State to enter into an agreement with the Secretary under the provisions of Public Law 85-441, and I specifically request that it be considered without substantial amendment. Public Law 85-441, Section 102(b) provides that a state may request in lieu of June 30, 1957, a later date for the inclusion of exhaustees for temporary unemployment benefits. I have recommended the date of December 28, 1957, in lieu of June 30, 1957, for it was then that the number of exhaustees started to materially increase.

It is my firm belief that Public Law 85-441 is a relief measure, advocated by the Federal Administration and passed by Congress, to extend temporary unemployment benefits due to above normal and continued unemployment.

As a relief measure I do not feel that repayment should be made an additional burden on the employers of this State after January 1, 1963.

If you enact the bill whereby Nevada will enter into an agreement with the Secretary of Labor for temporary unemployment compensation payments, I recommend to you that an appropriation by legislative act be made from the General Fund of the State of Nevada, such appropriated moneys to be held for payment to the Federal Government for the money advanced under Public Law 85-441. In this manner our State meets its obligation of affording needed relief without penalizing any particular group.

If in your wisdom you refuse to enact a bill appropriating moneys from the General Fund of the State you then must choose one of the following:

1. By not enacting additional legislation, except the recommended bill, to allow the provisions of Section 104 of Public Law 85-441 to become effective.

2. By enacting legislation directing the Governor or the Executive Director of the Employment Security Department of the State of Nevada to make a request to the Secretary of the Treasury, as of some date after April 1, 1959, to transfer funds from Nevada's account in the Unemployment Trust Fund of the amount paid in benefits only, to the General Treasury of the United States in order that a restoration of benefit payments may be accomplished. Administrative costs would have to be provided from some other source.

My recommendation is that you meet this obligation by a general fund appropriation.

I wish to reiterate that no legislation may be considered at this Special Session other than that enumerated above.

CHARLES H. RUSSELL,
Governor.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Barnum moved that the membership of the standing committees of the Assembly of the Forty-eighth Session be continued during the 1958 Special Session, and that the newly appointed members fill the committee assignments of the members that they replaced.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 3 p. m.

Assembly in recess at 2:33 p. m.

ASSEMBLY IN SESSION

At 3:11 p. m.

Mr. Speaker in the Chair.

Quorum present.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Labor:

Assembly Bill No. 1—An Act directing the Employment Security Department of the State of Nevada to enter into an agreement with the Secretary of Labor to provide for temporary unemployment compensation payments under the provisions of the Temporary Unemployment Compensation Act of 1958 (Public Law 441, 85th Congress); defining certain words and terms; declaring the necessity of state legislation; providing for certain terms and conditions of the agreement and duties of the Employment Security Department; and other matters properly relating thereto.

Mr. Ryan moved that the bill be referred to the Committee of the Whole.

Motion carried.

By the Committee on Labor:

Assembly Bill No. 2—An Act directing the Employment Security Department of the State of Nevada to request the Secretary of the Treasury of the United States to transfer a sum of money equal to the total amount used in payment of temporary unemployment compensation pursuant to the provisions of the Temporary Unemployment Compensation Act of 1958 (Public Law 441, 85th Congress) from Nevada's account in the Unemployment Trust Fund to the general funds of the Treasury of the United States in order to accomplish the restoration of funds provided for in section 104(a) of the Temporary Unemployment Compensation Act of 1958; creating the Temporary Unemployment Compensation Costs Restoration Fund in the State Treasury; authorizing and limiting the uses of moneys in such fund; making an appropriation for the Temporary Unemployment Compensation Costs Restoration Fund; providing for the termination of such funds and the reversion of moneys therein to the General Fund; defining certain words and terms and declaring the policy of the Legislature; and other matters properly relating thereto.

Mr. Ryan moved that the bill be referred to the Committee of the Whole.

Motion carried.

By the Committee on Labor:

Assembly Bill No. 3—An Act creating the Temporary Unemployment Compensation Repayment Fund in the State Treasury; authorizing and limiting the uses of moneys in such fund; granting the Executive Director of the Employment Security Department of the State of Nevada power to accept grants and refunds from the United States under certain conditions; making an appropriation for the Temporary Unemployment Compensation Repayment Fund; providing for the termination of the Temporary Unemployment Compensation Repayment Fund and the reversion of moneys therein to the General Fund; defining certain words and terms and declaring the policy of the Legislature; and other matters properly relating thereto.

Mr. Ryan moved that the bill be referred to the Committee of the Whole.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 1—Expressing sympathy of members of the Legislature to Assemblyman and Mrs. George Franklin, Jr., and family upon the death of their grandchildren, Barton Manning, Jr., and Christie Manning.

WHEREAS, The members of the Legislature of the State of Nevada have learned with profound shock and deep sorrow of the tragic death on June 29, 1958, at Las Vegas, Nevada, of Barton Manning, Jr., age 6, and Christie Manning, age 5, children of Mr. and Mrs. Barton Manning and grandchildren of Assemblyman and Mrs. George Franklin, Jr.; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the sincere condolences of the members of the 1958 Special Session of the Legislature of the State of Nevada are extended to Mr. and Mrs. Barton

Manning, Assemblyman and Mrs. George Franklin, Jr., and the other surviving relatives of the late Barton Manning, Jr., and Christie Manning; and be it further

Resolved, That copies of this resolution be duly certified by the Legislative Counsel of the State of Nevada and be transmitted forthwith to Mr. and Mrs. Barton Manning and to Assemblyman and Mrs. George Franklin, Jr.

Mr. Nevin moved the adoption of the resolution.

Resolution adopted unanimously.

Mr. Ryan moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing a discussion of temporary unemployment compensation payments by staff members of the Employment Security Department, including Mr. Harry A. Depaoli, Director, Mr. Randall B. Layman, Mr. G. A. Fletcher, Mr. John M. Griffin and Mrs. Ednamay Hillhouse, with Mr. Speaker as Chairman of the Committee of the Whole.

Motion carried.

IN COMMITTEE OF THE WHOLE

Mr. Speaker presiding.

The Committee of the Whole was addressed by Mr. Harry A. Depaoli, Director, Mr. Randall B. Layman, Mr. G. A. Fletcher, Mr. John M. Griffin and Mrs. Ednamay Hillhouse.

Mr. Crawford moved that statistics be held in abeyance until printed copies of Assembly Bills Nos. 1, 2 and 3 are available to the members at 2 p. m. on the next legislative day.

Motion lost.

Mr. Fitz moved that the Committee of the Whole do rise.

Motion lost.

On motion of Mr. Ryan, the committee did rise, and report back to the Assembly.

ASSEMBLY IN SESSION

At 5:42 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has heard Mr. Harry A. Depaoli, Director, Mr. Randall B. Layman, Mr. G. A. Fletcher, Mr. John M. Griffin and Mrs. Ednamay Hillhouse.

WILLIAM D. SWACKHAMER, *Chairman*.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 30, 1958.

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1.

LEOLA H. WOHLFEIL,
Secretary of the Senate.

Mr. Barnum moved that the Assembly adjourn until Tuesday, July 1, 1958, at 10 a. m.

Motion carried.

Assembly adjourned at 5:43 p. m.

Approved :

WILLIAM D. SWACKHAMER,
Speaker of the Assembly.

Attest: J. E. SPRINGMEYER,

Chief Clerk of the Assembly.

THE SECOND DAY

CARSON CITY (Tuesday), July 1, 1958.

Assembly called to order at 10:18 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Mr. Franklin, who was excused.

Prayer by the Chaplain, Monsignor H. J. M. Wientjes.

Pledge of allegiance to the flag.

Mr. Barnum moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

By Mr. Crawford:

Assembly Resolution No. 2—Directing Legislative Commission to consider ways and means to provide additional staff for Nevada School of Industry and to formulate plans for establishment of forestry camp in connection with the Nevada School of Industry.

WHEREAS, It appears that an emergency situation exists at the Nevada School of Industry due to apparent lack of adequate staff; and

WHEREAS, It appears that a forestry camp facility should be established to supplement the existing facilities of the Nevada School of Industry; and

WHEREAS, Mr. Charles A. Hendel is reportedly willing to offer 640 acres of timberland located in Mineral County, Nevada, for such a purpose; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the Legislative Commission be authorized and directed to consider ways and means to immediately provide funds to procure and maintain whatever staff the superintendent deems necessary to provide proper care and custody of the children under placement at such school; and be it

Further Resolved, That the Legislative Commission be authorized and directed to formulate plans for the establishment of a forestry camp program for the youth of the State of Nevada, giving due consideration to accepting the reported offer of Mr. Charles A. Hendel of 640 acres of timberland located in Mineral County, Nevada, for such purpose.

Mr. Crawford moved the adoption of the resolution.

Remarks by Messrs. Hendel, Evans and Crawford.

Resolution lost.

By Mr. Crawford:

Assembly Resolution No. 3—Directing Legislative Commission to conduct continuing investigation of administration of certain unemployment compensation funds.

Resolved by the Assembly of the State of Nevada, That the Legislative Commission be authorized and directed to conduct a continuing investigation of the administration of the Unemployment Compensation Fund, the Unemployment Compensation Administration Fund, the Employment Security Fund, and any moneys disbursed by the Employment Security Department in connection with temporary unemployment compensation benefits.

Mr. Crawford moved the adoption of the resolution.

Resolution lost.

Mr. Ryan moved that the Assembly recess for two minutes.
Motion carried.

Assembly in recess at 10:33 a. m.

ASSEMBLY IN SESSION

At 10:58 a. m.

Mr. Speaker in the Chair.

Quorum present.

Mr. Ryan moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bills Nos. 1, 2 and 3, with Mr. Speaker as Chairman of the Committee of the Whole.

Motion carried.

IN COMMITTEE OF THE WHOLE

Mr. Speaker presiding.

Assembly Bill No. 1 considered.

The Committee of the Whole was addressed by Mr. Barnum.

Mr. Parks moved that the Committee of the Whole report Assembly Bill No. 1 back to the Assembly with the recommendation that it do pass.

Motion carried.

Mr. Christensen (Clark) moved that the Committee of the Whole not report Assembly Bill No. 2 back to the Assembly until Assembly Bill No. 3 is discussed.

Motion carried.

Mr. Humphrey (Washoe) moved that the Committee of the Whole adopt proposed amendments.

Motion carried.

Mr. McKissick moved that the Committee of the Whole report Assembly Bill No. 3 back to the Assembly with the recommendation that it be amended, and pass as amended.

Motion carried.

Mr. Christensen (Clark) moved that the Committee of the Whole do not report Assembly Bill No. 2 back to the Assembly.

Motion carried.

On motion of Mr. Barnum, the committee did rise, and report back to the Assembly.

ASSEMBLY IN SESSION

At 12:07 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has considered Assembly Bills Nos. 1, 2 and 3.

WILLIAM D. SWACKHAMER, *Chairman.*

Mr. Speaker announced that if there were no objections, the Assembly would recess for two minutes.

Assembly in recess at 12:09 p. m.

ASSEMBLY IN SESSION

At 12:12 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Majority Committee of the Whole, to which was referred Assembly Bill No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WILLIAM D. SWACKHAMER, *Chairman.*

Mr. Speaker:

Your Minority Committee of the Whole, to which was referred Assembly Bill No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do not pass.

HAROLD E. FITZ,
CLIFFORD SANFORD,
ROBERT O. VAUGHAN,
HUGH D. McMULLEN,

ROY YOUNG,
HENRY W. BERRUM,
MABEL ISBELL,
ERIC PALLUDAN,

Minority Committee.

Mr. Speaker:

Your Committee of the Whole, to which was referred Assembly Bill No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

WILLIAM D. SWACKHAMER, *Chairman.*

SECOND READING AND AMENDMENT

Assembly Bill No. 1.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 3.

Bill read second time.

Mr. Humphrey (Washoe) moved the adoption of the following amendments:

AMENDMENT NO. 1

Amend Section 3, page 2, line 25, by striking out the period and adding after the word "Fund" the following: "; Investment of Moneys in Fund."

AMENDMENT NO. 2

Further amend Section 3, page 2, by inserting between lines 42 and 43 the following:

"3. Until required by the employment security department for the uses and purposes specified in this act, the moneys in the temporary unemployment compensation repayment fund shall be invested by the state board of finance in bonds, securities and loans authorized by NRS 355.140 and in the manner specified by the provisions of chapter 355 of NRS. All interest paid to the State of Nevada from such investments shall be deposited to the credit of the temporary unemployment compensation repayment fund."

AMENDMENT NO. 3

Amend the title of the bill by inserting after the semicolon and before the word "granting", in line 3, the following: "directing the state board of finance to invest the moneys in such fund;"

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 2 p. m.

Assembly in recess at 12:21 p. m.

ASSEMBLY IN SESSION

At 2:25 p. m.

Mr. Speaker in the Chair.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

By Messrs. Collins, Hendel and Crawford:

Assembly Concurrent Resolution No. 2—Congratulating the people of Alaska upon the passage of legislation admitting them to the Union and encouraging them to take the steps necessary to make Alaska the 49th state.

WHEREAS, The Territory of Alaska has long occupied a position similar to that of the Territory of Nevada in 1864, in that it holds an extremely important place in the family of states and in international affairs; and

WHEREAS, The Territory of Alaska has an estimated population of 214,000, and an area of 586,400 square miles, one-fifth as large as the United States, which will enable Alaska to become our largest state; and

WHEREAS, The Territory of Alaska is rich in strategic metals and precious minerals, rich in timber, and rich in fish and game; and

WHEREAS, The State of Nevada has long realized and declared that the Territory of Alaska with its great multiplicity and richness of mining, its general resources, and its strategic military position should not have to remain in the role of a political servant, but should be admitted as a state to our great Union; and

WHEREAS, The Territory of Alaska has been a part of our great nation since 1867 and during all times and all crises which have confronted our democracy she has played her part well and time and again proved herself to be capable of being a sister state; and

WHEREAS, The Legislature of the State of Nevada by Joint Resolution No. 13, 1949, and Joint Resolution No. 10, 1955, has twice memorialized Congress to extend full statehood to the Territory of Alaska; and

WHEREAS, The Congress of the United States on June 30, 1958, enacted legislation enabling the great Territory of Alaska to become the 49th state of our glorious Republic; and

WHEREAS, The Congressional Bill is now awaiting the signature of the President; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the Legislature of the State of Nevada extends its most sincere and hearty congratulations to the people of Alaska; and this Legislature further expresses its hope and encouragement to the people of Alaska that the necessary steps be immediately taken to enable the Territory of Alaska to take her rightful place in our great union of states so that her own bright star may shine from Old Glory; and be it further

Resolved, That a copy of this resolution, certified by the Legislative Counsel, be transmitted to the people of the Territory of Alaska through their honorable Governor.

Mr. Collins moved the adoption of the resolution.

Remarks by Mr. Hendel.

Resolution adopted unanimously.

Mr. Barnum moved that all rules be suspended, that Assembly Bills Nos. 3 and 1 be declared emergency measures under the Constitution, and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Bill read third time.

Roll call on Assembly Bill No. 3:

YEAS—46.

NAYS—None.

Absent—Franklin.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1.

Bill read third time.

Remarks by Messrs. Vaughan, Ryan, Crawford, Evans, Hendel, McMullen, Duncan, Fullerton and Bleak.

Roll call on Assembly Bill No. 1:

YEAS—38.

NAYS—Berrum, Fitz, Isbell, McMullen, Palludan, Sanford, Vaughan, Young—8.

Absent—Franklin.

Assembly Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Barnum moved that Assembly Standing Rule No. 14 be suspended for the balance of the Special Session.

Motion carried unanimously.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 3 p. m.

ASSEMBLY IN SESSION

At 4:34 p. m.

Mr. Speaker in the Chair.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, July 1, 1958.

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 4.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 2.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 1, 3.

LEOLA H. WOHLFEIL,
Secretary of the Senate.

INTRODUCTION AND FIRST READING

Senate Bill No. 4.

Mr. Barnum moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 4.

Bill read third time.

Roll call on Senate Bill No. 4:

YEAS—45.

NAYS—None.

Absent—David, Franklin—2.

Senate Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 1, 3; Senate Bill No. 4; Assembly Concurrent Resolutions Nos. 1, 2.

Mr. Speaker appointed Messrs. Buckingham, Byrne and Hendel as a committee to wait upon the Governor, and to inform him that the Assembly is ready to adjourn *sine die*.

Mr. Speaker appointed Messrs. Collins, Olaeta and Von Tobel as a committee to wait upon the Senate, and to inform that honorable body that the Assembly is ready to adjourn *sine die*.

Mr. Buckingham reported that his committee had informed the Governor that the Assembly is ready to adjourn *sine die*.

Mr. Collins reported that his committee had informed the Senate that the Assembly is ready to adjourn *sine die*.

A committee from the Senate, consisting of Senators Leutzinger, Crumley and Frank appeared before the bar of the Assembly and announced that the Senate is ready to adjourn *sine die*.

Mr. Waters moved that the 1958 Special Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried unanimously.

Mr. Speaker declared the Assembly adjourned *sine die*.

Assembly adjourned at 5:15 p. m.

Approved:

WILLIAM D. SWACKHAMER,
Speaker of the Assembly.

Attest: J. E. SPRINGMEYER,

Chief Clerk of the Assembly.