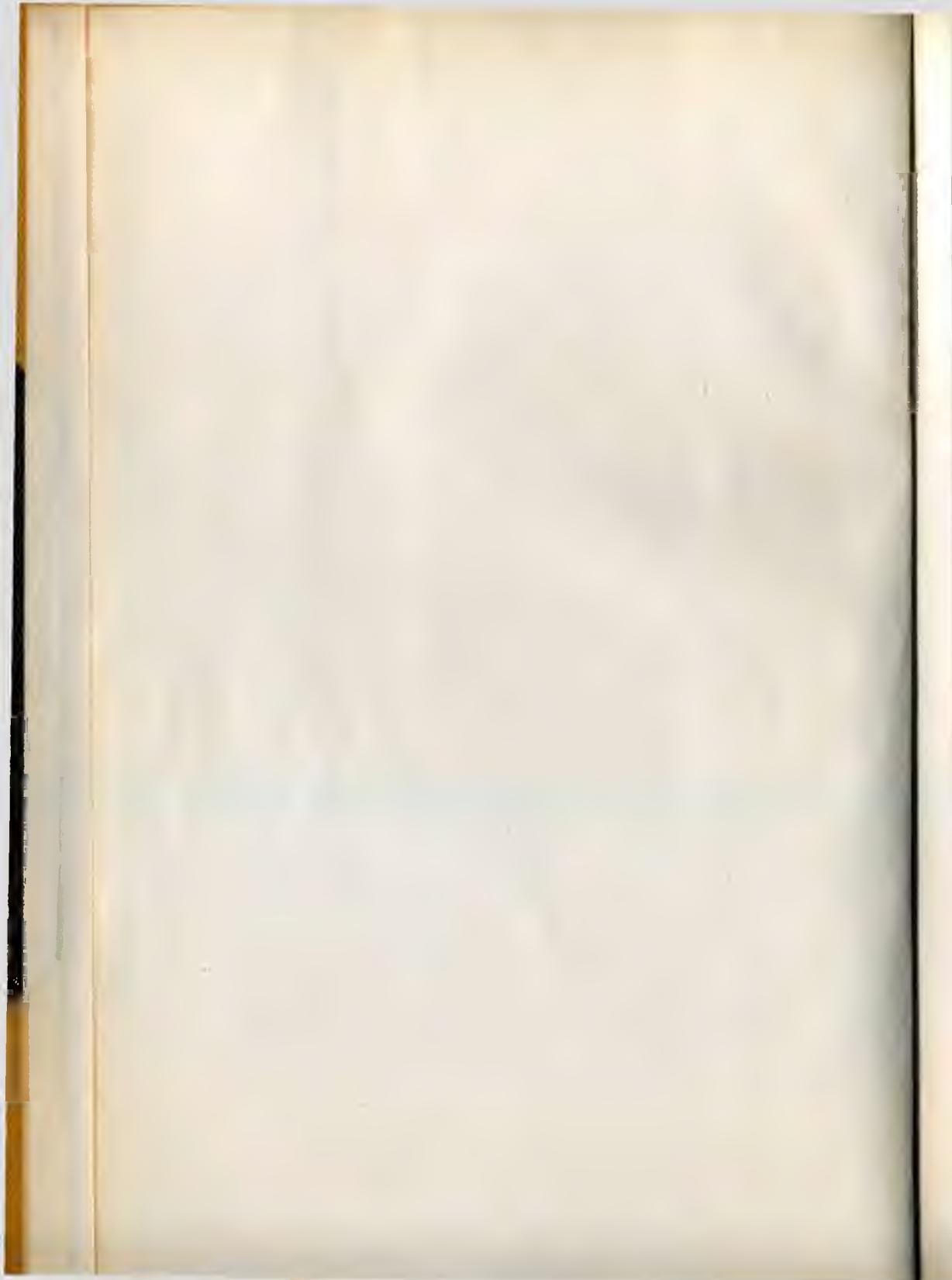




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April 10,  
1944  
Adj.  
April 21,  
1944



# JOURNAL

OF THE

# SENATE

---

*First Extraordinary Session*

## NINETEENTH LEGISLATURE

OF THE

STATE OF OKLAHOMA



CONVENED — MONDAY, APRIL 10, 1944

ADJOURNED— FRIDAY, APRIL 21, 1944

# OFFICERS OF THE SENATE

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NINETEENTH LEGISLATURE

First Extraordinary Session

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President.....	James E. Berry
President Pro Tempore.....	Tom Anglin
Secretary.....	J. Wm. Cordell
Journal Clerk .....	(Miss) W. E. Shipley
Calendar Clerk.....	Pearl Votaw
Sergeant-at-Arms.....	Kelsey Baggett
Messenger.....	Charles Wilson

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The first part of the report  
 deals with the general  
 situation of the  
 country and the  
 progress of the  
 work during the  
 year.

REPORT

By the  
 Secretary

1874

The first part of the report  
 deals with the general  
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 work during the  
 year.

The second part of the report  
 deals with the general  
 situation of the  
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 progress of the  
 work during the  
 year.

# Senate Journal

of the  
FIRST EXTRAORDINARY SESSION  
OF THE NINETEENTH LEGISLATURE  
OF THE STATE OF OKLAHOMA

---

FIRST LEGISLATIVE DAY  
Monday, April 10, 1944

---

The First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma was called to order by the President, Lieutenant Governor James E. Berry, at the hour of 10:00 o'clock, a. m., as provided by the Official Call of the Governor, Honorable Robert S. Kerr.

The Governor's Proclamation was read as follows:

STATE OF OKLAHOMA  
EXECUTIVE OFFICE  
Oklahoma City, Oklahoma

## PROCLAMATION

By virtue of the authority vested in me by Section Seven (7) of Article Six (6) of the Constitution of Oklahoma, I do hereby convoke the Legislature of the State of Oklahoma in Extraordinary Session at the State Capitol in Oklahoma City, Oklahoma, at 10 o'clock A. M. on Monday, April 10th, A. D. 1944, for the purpose of considering the enactment of legislation (1) to enable any qualified elector of the State of Oklahoma who is in the armed forces of the United States; merchant marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the armed forces of the United States; and the spouse of any such person; to cast an absentee ballot in any Statewide regular primary, special or general election to be held in this State during the present War Emergency; and (2) to authorize

the surplus revenues accruing to the State General Revenue Fund of each fiscal year to be used in the retirement of the State debt and authorizing the investment of said funds in securities of the United States. No other subject of legislation shall be acted upon at said session except such as may be recommended for consideration by the Governor of the State of Oklahoma by written message to the Legislature.

Done at the State Capitol at Oklahoma City this 30th day of March, A. D. 1944.

ROB'T. S. KERR,  
The Governor of the  
State of Oklahoma.

(Seal)

ATTEST:

F. C. Carter, Secretary of State

The membership of the Senate was ordered called, resulting as follows:

Present: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—37.

Excused on Account of Military Service: Fine, Logan, Neill, Paul, Ritzhaupt, Sanford.—6.

Absent: Braden.—1.

The following Communication from the Secretary of the State Election Board was read:

To The President, Oklahoma State Senate,  
First Extraordinary Session, 19th Legislature,  
Building.

Sir:

Upon the face of the returns of the Special Election held on April 4, 1944, as certified to this office by the County Election Boards of the counties comprising the Sixth Senatorial District of the State of Oklahoma and as verified by this Board, the following named appears to have

been regularly elected to membership in the Senate of Oklahoma from the Senatorial District, as indicated, and, accordingly, a Certificate of Election has heretofore been issued to him by this Board, entitling him to participate in the preliminary organization of the Senate of the First Extraordinary Session of the Nineteenth Legislature:

Name	Pol.	Address	Dist. No.
Byron Dacus	D	Gotebo	6

Respectfully submitted,

J. Wm. CORDELL, Secretary.

Upon motion of Senator Rinehart, a Credentials Committee of three, composed of Senators Chapman, Brown and Hearne, was appointed, with instructions to report as soon as possible.

The Senate was declared at ease, pending report of the Credentials Committee.

The Senate reassembled, with the President presiding.

Senator Chapman, on behalf of the Credentials Committee, submitted the following Committee Report, which was adopted upon his motion:

Mr. President: We, your Committee on Credentials, have the honor to report that we had under consideration the matter of the newly elected member of the Senate.

We find that the following is the duly elected Senator from the Sixth Senatorial District, Unexpired Term, and that he is authorized and entitled to membership in the State Senate, upon taking the oath of office as provided by the Constitution of Oklahoma:

Dist. No.	Name	Pol.	Address
6	Byron Dacus	D	Gotebo

Respectfully submitted,

CHAPMAN,  
HEARNE,  
BROWN.

The Sergeant-at-Arms escorted Mr. Byron Dacus to the Bar of the Senate where the official oath of office was

administered to him by Honorable N. S. Corn, Chief Justice of the Supreme Court of Oklahoma.

The roll of the entire membership of the Senate was ordered called, which resulted as follows:

Present: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—37.

Absent: Braden.—1.

Excused on Account of Military Service: Fine, Logan, Neill, Paul, Ritzhaupt, Sanford.—6.

The President declared a quorum of the Senate present.

Prayer was offered by Reverend C. F. Mitchell.

Upon motion of Senator Rinehart, the following named officers of the Regular Session of the 19th Legislature were declared the re-elected officers for the 1st Extraordinary Session of said Legislature to the positions indicated:

For President Pro Tempore: Senator Tom Anglin.

For Journal Clerk: Miss W. E. Shipley.

Upon motion of Senator Rinehart, the following named officer of the Regular Session of the 19th Legislature was declared the re-elected officer for the 1st Extraordinary Session of said Legislature to the position indicated:

For Secretary of the Senate: J. Wm. Cordell, the roll call being as follows:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—37.

Absent: Braden.—1.

Excused on Account of Military Service: Fine, Logan, Neill, Paul, Ritzhaupt, Sanford.—6.

Upon motion of Senator Rinehart, the Rules and Procedure of the Regular Session of the 19th Legislature were adopted as the Rules and Procedure of the 1st Extraordinary Session of said Legislature.

Senator Rinehart moved that the matter of committee assignments for the newly elected member of the Senate be referred to the Committee on Committees and that Committee Assignments of the Regular Session of the 19th Legislature be the Committee Assignments for the 1st Extraordinary Session of said Legislature, which motion prevailed.

Upon motion of Senator Rinehart, the seating arrangement of members, adopted by the Regular Session of the 19th Legislature, were ordered the arrangement during the 1st Extraordinary Session of said Legislature, Senator Dacus being assigned his predecessor's seat.

Upon motion of Senator Rinehart, a Committee of 3 was ordered appointed to notify the Honorable House of Representatives that the Senate is organized and ready to transact such business as may properly come before the 1st Extraordinary Session of the 19th Legislature, the President appointing as such Committee Senators Burns, Counts and Cobb.

Upon motion of Senator Rinehart, a Committee of 3 was ordered appointed to confer with a like Committee from the Honorable House to notify the Governor that the Senate and House in Extraordinary Session are organized and ready to transact such business as may properly come before it, the President appointing Senators Curry, Finney and Mahan.

Upon motion of Senator Rinehart, a Committee of 3 was ordered appointed to confer with a like Committee of the Honorable House, in arranging for a Joint Session of the Senate and Honorable House, the President appointing Senators Nichols, Nance and Cowden.

Upon motion of Senator Rinehart, a Committee of 3 on Mileage was ordered appointed, the President appointing Senators Thornton, Phillips and Leonard.

The Senate was declared at ease, pending reports of the outstanding committees.

The Senate reassembled, with the President presiding.

A Committee from the Honorable House, composed of Representatives Massey, Huff, and others, was received, who advised the Senate that the Honorable House was organized and ready to transact business.

Senator Burns, on behalf of the Committee appointed to notify the Honorable House that the Senate is organized and ready to transact business reported the duty performed, following which the Committee was ordered discharged.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

Senator Nichols, on behalf of the Committee appointed to confer with a like Committee from the Honorable House, in arranging for a Joint Session, reported the duty performed, advising the Senate the hour of 11:50 this morning had been agreed upon, following which the Committee was ordered discharged.

Senator Nance introduced to the Senate his nephew, T/5 Bob McBrinn, Yank Correspondent, and his wife, T/5 Martha McBrinn, W. A. C.

Senator Nichols moved that Corporal Bob McBrinn, who was a Senate Page in the 15th Legislature, be made Honorary Sergeant-at-Arms for this legislative day, which motion was unanimously adopted by the Senate.

Upon motion of Senator Rinehart, the Senate proceeded in a Body to the House Chamber, for the purpose of the Joint Session.

#### JOINT SESSION

The Senate and House of Representatives of the 1st Extraordinary Session of the 19th Legislature assembled in Joint Session in the House Chamber, with the President of the Senate, Lieutenant Governor James E. Berry, presiding.

Upon motion of Representative Nix, the attendance roll calls of the Senate and Honorable House were declared the roll calls of the Joint Session for the respective Houses, said roll calls being as follows:

FOR THE SENATE:

Present: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams. Wilson.—37.

Absent: Braden.—1.

Excused on Account of Military Service: Fine, Logan, Neill, Paul, Ritzhaupt, Sanford.—6.

FOR THE HONORABLE HOUSE:

Present: Arms, Arrington, Bacon, Bailey, Banks, Barr, Batson, Billingsley, Binns, Black, Board, Bradley, Bullard, Camp, Cantrell, Carmichael, Carr, Chandler, Coldiron, Cordray, Crane, Crow, Davison, Dorsett, Douthat, Dunn, Durant, Edwards, Evans, Flanagan, Flowers, Foley, Frix, Gooldy, Grennell, Guffy, Gullett, Harbison, Harshbarger, Helm, Hicks, Hill, Hinds (Cherokee), Hines (Washita), Hoffsommer, Holliman, Huff, Hughes, Hunt, Hussey, Impson, Irby, Johnson (Comanche), Johnson (Creek), Jones, Kight, King, Knapp, Larch-Miller, Levergood, Long, Lucas, Madrano, Massey, McDonald, McKenzie, McKinley, McMahan, McNally, Medlock, Mills, Morgan, Mountcastle, Musgrave, Nix, Parrish, Plummer, Price, Pugh, Reed, Shelton, Sherman, Shipley, Smith, Snider, Speakman, Spicer, Standley, Starr, Story, Stovall, Streetman, Sullivan, Tankersley, Tate, Thompson, Toaz, Tolbert, Underwood, Van Dyck, Wallace (Grady), Wallace (Oklahoma), Washington, Waters, Weaver, Wheatley, Whitford, Wiley, Williams, Wilson, Wolf, Worthington, Mr. Speaker.—113.

Absent: Coleman, Huey, Kerr, McCarty, Newberry.—5.

Upon motion of Senator Rinehart, the Joint Rules of the Regular Session of the 19th Legislature were made the Joint Rules for the 1st Extraordinary Session of said Legislature.

The Sergeant-at-Arms of the Honorable House announced the presence of the Governor, Honorable Robert S. Kerr, who was escorted to the Speaker's desk by Committees of the Senate and Honorable House, composed of Senators Curry, Finney and Mahan, and Representatives Kight, Flowers and Cordray.

President Berry presented Governor Robert S. Kerr to the Joint Session, who read his Message, as follows:

Mr. Lieutenant Governor,  
Mr. President of the Senate,  
Mr. Speaker of the House of Representatives and  
Members of the Joint Session:

I am aware that each of you attending this extraordinary session of the 19th Oklahoma Legislature does so at great inconvenience and personal sacrifice. I am grateful for your generous response and individual assurance of your desire to accomplish the purposes for which you have been called together.

There has not been, nor will there be, submitted to you, for your consideration, any matter not vitally important to the public welfare. Nor will there be any matter submitted that seems, in the light of individual and collective conversations with you, controversial to any considerable degree.

First, I recommend that you consider the enactment of legislation that will guarantee certain of our citizens the opportunity to vote without which their presently existing right to vote would be as ineffective as the opportunity to vote would be without the right to vote. These citizens are listed as follows:

“ \* \* \* any qualified elector of the State of Oklahoma who is in the armed forces of the United States; merchant marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the armed forces of the United States; and the spouse of any such person; \* \* \* ”

in the proclamation convoking this extraordinary session, issued by me and filed with the Secretary of State, March 30th, 1944, copy of which has heretofore been mailed to each of you. This proposed legislation should make any changes in or addition to our election laws necessary to accomplish this purpose.

Second: I recommend that you consider the enactment of legislation that will set aside, earmark and dedicate the state surplus revenues accrued and to accrue this

fiscal year and succeeding fiscal years to the payment of the state debt until an amount sufficient to pay the entire unpaid balance of the state debt shall have been so set aside, earmarked and dedicated. The measure should provide for the investment, safe-keeping and use of said funds to insure accomplishment of the retirement of the State debt. Due to your wise fiscal policies and careful conserving of public monies there is now a substantial surplus in the State's General Revenue fund that will be considerably increased by the end of the current fiscal year. Conditions and indications warrant the belief that another surplus of somewhat similar amount will accrue during the next fiscal year, July 1, 1944, through June 30th, 1945.

You have the opportunity which no other Legislature in our State's history has had, that of making provisions for funds available during the current biennium from our present tax structure for the payment in full of the public debt of the State of Oklahoma. When you convened in January, 1943, for your regular session the public debt of Oklahoma amounted to \$36,106,735.68 which was the greatest amount existing at the opening of the sessions of any legislature in Oklahoma's history. In asking you to consider the enactment of Legislation authorizing and directing that the surplus revenues accruing to the State's General Revenue Fund during the current and the next fiscal years be used in the retirement of the State's debt and authorizing the investment of said funds in Government securities of the United States earmarked and dedicated to the said purpose of paying and retiring the State's debt as it matures I feel that there is being made available to you the opportunity of rendering a mighty service to our people.

I had many ambitions and desires for my administration as Governor of Oklahoma. By reason of your splendid co-operation many of these have been or are being achieved. I want you to know, however, that I had no desire and have none now, more intense than to see Oklahoma's public debt paid to the last hard dollar and I will consider it a rare privilege indeed to share, to the limited extent available to the Chief Executive, with you the privilege of making this great achievement possible.

After further individual discussions and conferences with you I hope to submit one or two additional matters

for the general welfare in which I believe we are mutually interested.

I will be available for individual or collective conferences with you at any hour of the day or night you may desire or feel that any service on my part will be of any help or benefit.

Your patriotic and unselfish service in this extraordinary session will further enhance the great record you have already made in your regular session and I know the men and women in our armed forces and related organizations as well as the rank and file of all our citizens will share my deep and abiding gratitude to you for your unmatched and magnificent contributions to the general welfare of our beloved State.

Respectfully submitted,

ROB'T. S. KERR,  
The Governor of  
The State of Oklahoma.

At the conclusion of the Governor's Message, it was upon motion of Senator Rinehart that the Joint Session was ordered dissolved.

\* \* \*

The Senate reassembled, in its Chamber, and was called to order by the President.

Senator Thornton, on behalf of the Committee on Mileage submitted the following Report, which was adopted upon his motion:

Mr. President: We, your Committee on Mileage Allowances for Senators, beg to submit herewith the following report. This report shows the name of each Senator, his place of residence, the number of his district, the distance in number of miles via reasonable passenger routes from place of residence to Oklahoma City, and the amount of mileage due thereon at the rate of Ten (10) Cents per mile each way:

Name	Address	Dist.	No.	Miles	Mileage
Dwight Leonard	Beaver		1	260.	\$52.00
E. F. Cornels	Sayre		2	140.3	28.06
E. S. Collier	Taloza		2	157.3	31.46
E. P. Williams	Woodward		3	188.7	37.74
W. F. Hearne	Mangum		4	137.9	27.58

Burr Speck	Altus	5	145.8	29.16
L. E. Wheeler	Weatherford	6	77.4	15.48
Byron Dacus	Gotebo	6	99.1	19.82
Bill Ginder	Cherokee	7	128.6	25.72
Floyd E. Carrier	Carrier	8	96.6	19.32
Charles B. Duffy	Ponca City	9	95.3	19.06
John T. Sanford	Pawnee	10	93.2	
Ray C. Jones	Stillwater	11	81.9	16.38
Louis H. Ritzhaupt	Guthrie	12	31.4	
Mead H. Norton	Shawnee	13	36.9	7.38
Boyd Cowden	Chandler	13	46.6	9.32
Robert Burns	Okla. City	14	0.0	
Jim A. Rinehart	El Reno	14	26.9	5.38
Theodore Pruett	Anadarko	15	58.7	11.74
Jack Neill	Chickasha	15	40.3	8.06
George L. Bowman	Kingfisher	16	51.4	10.28
Bill Logan	Lawton	17	88.8	17.76
Phil H. Lowery	Loco	17	109.	21.80
Fred Chapman	Ardmore	18	100.2	20.04
Homer Paul	Pauls Valley	19	55.0	11.00
J. C. Nance	Purcell	19	33.2	6.64
H. V. Posey	Durant	20	150.1	30.02
Clint Braden	Wilburton	21	161.	32.20
Tom Anglin	Holdenville	22	75.1	15.02
Allen G. Nichols	Wewoka	23	67.0	13.40
Thomas Dunn Finney	Idabel	24	244.8	48.96
M. O. Counts	Hartshorne	25	134.3	26.86
Raymond Gary	Madill	26	124.7	24.94
Guy A. Curry	Stigler	27	165.	33.00
Murrell H. Thornton	Muskogee	27	156.4	31.28
Ray Fine	Gore	28	186.4	37.28
Craig O. Goodpaster	Vinita	29	180.8	36.16
C. D. Wilson	Miami	30	206.6	41.32
Clyde L. Sears	Tulsa	31	117.0	23.40
S. E. Hammond	Okmulgee	32	126.1	25.22
H. Tom Brown	Claremore	33	142.9	28.58
Frank Mahan	Fairfax	34	116.4	23.28
Ferman Phillips	Atoka	35	132.9	26.58
Joe Bailey Cobb	Mill Creek	36	116.5	23.30

Respectfully submitted,

THORNTON, Chairman.

PHILLIPS,

LEONARD.

## FIRST READING

The following bill was introduced and read for the first time:

SENATE BILL NO. 1—By Nichols, Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowrey, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams and Wilson, of the Senate; and Tate, Underwood, Arrington, Binns, Frix, Hill, Levergood, Lucas, Pugh, Sherman, Toaz, Wilson, and Worthington, of the House—An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the armed forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the armed forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring an emergency.

Senator Nance asked unanimous consent that Senator Logan be made a Joint Author of Senate Bill No. 1.

Senator Rinehart asked unanimous consent that Senator Paul be made a Joint Author of Senate Bill No. 1.

By unanimous consent, all members of the Senate were made Joint authors of Senate Bill No. 1.

Upon motion of Senator Rinehart, Senate Bill No. 1 was ordered printed.

Senator Rinehart moved that the Senate Auditor be instructed to purchase postage for each member of the Sen-

ate and the President of the Senate in the amount of One Dollar.

Senator Nichols moved to amend the Rinehart motion, by providing for the purchase of \$15.00 worth of postage for each member of the Senate and the President of the Senate, which motion was adopted.

The vote occurring on the Rinehart motion, as amended, it was declared adopted.

Upon motion of Senator Rinehart, the Senate adjourned to meet as provided under the rules.

## SECOND LEGISLATIVE DAY

Tuesday, April 11, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—37.

Excused: Cobb, Mahan.—2.

Excused on account of Military Service: Fine, Logan, Neill, Ritzhaupt, Sanford.—5.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

## COMMUNICATION

The President presented and had read the following Communication:

Oklahoma City, Oklahoma,  
April 11, 1944

To The President of the Senate,  
State of Oklahoma:

This is to notify you and, through you, the Members of the Senate, that I herewith resign my position as Chairman of the General Investigation Committee of the Senate, to the end that my successor may be chosen without unnecessary delay. This of necessity carries with it my resignation as Vice Chairman of the Legislative Investigation

Committee created by Joint Resolution in the Nineteenth Session and extended in its life by House Bill No. 138.

Respectfully,

GUY A. CURRY.

MESSAGE

The following Message from the Governor was received, read and the Reports referred to therein ordered filed with the Secretary of the Senate:

To the Honorable Members  
Of the Senate and of  
The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

Pursuant to Article 6, Section 33 of the Constitution, which provides:

“An account shall be kept by the officers and commissioners of the State of all moneys and choses in action disbursed or otherwise disposed of severally by them, from all sources, and for every service performed; and a report thereof shall be made semi-annually and as often as may be required by law, to the Governor, under oath.”

I herewith submit the reports of the several officers and commissions of the State submitted to me at my request for your information and study, and the same are attached hereto.

By the Governor of  
The State of Oklahoma,

ROB'T S. KERR.

(Seal)

ATTEST:

F. C. CARTER,  
Secretary of State,  
By Katherine Manton,  
Assistant Secretary of State.

SECOND READING

The following Bill was read for the second time and,

by unanimous consent, ordered placed upon the Calendar without reference to a Committee:

SENATE BILL NO. 1—By NICHOLS, et al, of the Senate; and TATE, et al, of the House.

Upon motion of Senator Rinehart, a Committee of 3, composed of Senators Wheeler, Dacus and Nance, was appointed to prepare and submit to the Senate proper Memorial Resolutions in remembrance of Senator E. D. Walker, former member of the Senate from the 6th Senatorial District.

#### GENERAL ORDER

By unanimous consent, SENATE BILL NO. 1, by Nichols, et al, of the Senate, and Tate, et al, of the House, was taken up for consideration.

Sections 1 and 2 were read and adopted, upon motions of Senator Nichols.

Section 3 was read.

President Pro Tempore Anglin presiding.

Senator Duffy presiding.

President Pro Tempore Anglin presiding.

Senator Nance submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 1, line 16, page 6, by inserting after the word, "application," and before the word, "for," the words, "for ballots."

#### NANCE.

Upon motion of Senator Nichols, Section 3, as amended, was adopted.

Section 4 was read and adopted by unanimous consent.

Section 5 was read.

Senator Paul presiding.

By unanimous consent, Section 5 was declared adopted.

Section 6 was read and adopted by unanimous consent.

Section 7 was read.

Senator Phillips submitted the following amendment, which failed of adoption:

Mr. President: I move to amend Senate Bill No. 1, line 8, page 11, by adding after the word, "large," and before the word, "and," the words, "the County Commissioners".

PHILLIPS.

By unanimous consent, Section 7 was declared adopted.

Section 8 was read and adopted by unanimous consent.

Section 9 was read.

President Pro Tempore Anglin presiding.

By unanimous consent, Section 9 was declared adopted.

Sections 10, 11 and 12 were read and adopted by unanimous consent.

Senator Cowden presiding.

Section 13 was read and adopted by unanimous consent.

Section 14 was read.

Senators Ritzhaupt, Posey, Chapman, Dacus, Phillips, Jones and Curry submitted the following amendment, which was adopted by unanimous consent:

Mr. President: We move to amend Senate Bill No. 1, line 12, page 24, by inserting a new Section to be known as Section 15 and renumbering the remaining sections: "Section 15. It is specifically provided that any member of the Armed Forces, as designated herein, who casts a vote in accordance with the provisions of this Act, in any election authorized under the laws of this State shall be entitled to have that vote counted if he has died in defense of his Country or is missing in action, prior to the date of election."

RITZHAUPT  
POSEY  
CHAPMAN  
DACUS  
PHILLIPS  
JONES  
CURRY.

Sections 16, 17, 18, 19, 20, 21, 22, 23 and 24 were read and adopted upon motions of Senator Nichols.

Upon motion of Senator Nichols, Senate Bill No. 1, as amended, was advanced to engrossment and third reading.

Senator Nance presented to the Senate Captain C. O. Hunt, formerly Senate Calendar Clerk, now at the Army Air Base at Richmond, Virginia, and Mrs. Hunt.

Senator Burns asked that the record on the next legislative day show him "excused," which was the order.

Senator Burns asked that the record on the next legislative day show, in the event SENATE BILL NO. 1, by Nichols, et al, of the Senate, and Tate, et al, of the House, is placed on THIRD READING and final passage, were he present, he would vote "AYE," which was the order.

The Presiding Officer announced matters were on the President's desk for the consideration of the Senate in Executive Session.

President Berry presiding.

Upon motion of Senator Rinehart, the Senate closed its doors and went into executive session.

\* \* \*

The Senate, in open session, was called to order by its President.

Senator Nichols, on behalf of the Committee on Employment, submitted the following Report, which was adopted upon his motion:

Mr. President: We, the Committee on Employment, having had under consideration the matter of selecting employees and fixing their salaries for the First Extraordinary Session of the 19th Legislature, beg leave to submit the following partial report:

Position	Name of Employee	Salary Per Day
Sergeant-at-Arms	Kelsey Baggett	\$7.00
Asst. Sergeant-at-Arms	E. G. Snyder	6.00
Asst. Sergeant-at-Arms	Dow McElvaney	6.00
Calendar Clerk	Pearl Votaw	8.00
Asst. Enrolling and Engrossing Clerk	Mrs. Bill Allen	5.00

Postmistress	Mrs. Marie R. Bailey	5.00
Chaplain	C. F. Mitchell	5.00
Messenger	Charles Wilson	4.00
Cloak Room Attendant	John Murphy	5.00
Property Custodian	L. E. Myles	6.00
Night Watchman	O. R. Johnson	5.00
Secretary to President of Senate	Hazel Clarke	6.00
Stenographer	Ruth Shaw	6.00
Stenographer	Bess Weightman	6.00
Stenographer	Edna Clark	6.00
Stenographer	Bobbie Lee Freed	6.00
Stenographer	Marjorie Oates	6.00
Chief Page	Leo Herndon	5.00
Assistant Page	Wilbur Harned	4.00
Assistant Page	Jimmie Lyons	4.00
Assistant Page	Jimmie Baggett	4.00
Assistant Page	Donald Splawn	4.00
Assistant Page	Bill Tinsley	4.00
Doorkeeper	Johnnie Wells	5.00
Doorkeeper	George M. Carlock	5.00
Doorkeeper	Glen Lillibridge	5.00
Doorkeeper	J. A. Ross	5.00
Doorkeeper	Mart Stimson	5.00
Chief Janitor	O. H. Bradley	4.00
Assistant Janitor	Dan Harris	4.00

Respectfully submitted,

NICHOLS, Chairman

ANGLIN

RINEHART

GARY

PHILLIPS

Upon motion of Senator Rinehart, the Senate adjourned.

## THIRD LEGISLATIVE DAY

Wednesday, April 12, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—40.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

Senator Duffy advised the Senate of the illness of the wife of Senator Sanford, in a local hospital, and upon his motion the Secretary was directed to send flowers on behalf of the Senate and to communicate to Senator Sanford the wish, hope and prayer of the Senate for the recovery of Mrs. Sanford.

The Journal for the last legislative day was declared approved.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 1 correctly engrossed.

SPECK, Chairman.

## FIRST READING

The following Joint Resolution was introduced and read for the first time:

SENATE JOINT RESOLUTION No. 1—By Anglin of the Senate, and Evans and Barr of the House—A Joint Resolution proposing an amendment to the Constitution of Oklahoma to be known as Section 23-a, Article 10, providing for the use of any surplus accruing to the general revenue fund of the State during any year to be set aside and used to pay State's bonded indebtedness, providing for investment of said monies and sale of securities purchase, providing that when sufficient monies have accumulated to pay all state bonds heretofore issued, surplus thereafter accruing may be appropriated by legislature, and providing for submission of amendment at a special election.

Senators Thornton, Duffy, Posey, Mahan, Counts, Paul, Bowman, Ginder, Carrier, Cobb, Cornels and Gary asked to be made joint authors of Senate Joint Resolution No. 1, which was the order.

The following Concurrent Resolution was introduced:

SENATE CONCURRENT RESOLUTION No. 1—By Jones and Norton—A Concurrent Resolution fixing the day and hour of the sine die adjournment of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma.

Senator Jones asked unanimous consent, which was granted, that Senate Concurrent Resolution No. 1 be taken up for immediate consideration, it being read at length, as follows:

SENATE CONCURRENT RESOLUTION NO. 1—By Jones and Norton.

A CONCURRENT RESOLUTION FIXING THE DAY AND HOUR OF THE SINE DIE ADJOURNMENT OF THE FIRST EXTRAORDINARY SESSION OF THE NINETEENTH LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, All matters of vital importance can be disposed of within a period of ten (10) days, and,

WHEREAS, The Constitution of the State of Oklahoma provides that one House cannot adjourn for more than three (3) days without the consent of the other; and,

WHEREAS, No hour for the final adjournment of the

First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma has been specifically fixed in pursuance of said Constitutional provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the hour of Twelve o'clock Noon, April Nineteenth (19th), 1944, be and the same is hereby fixed as the hour and day of the final adjournment sine die of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma.

Upon motion of Senator Jones, Senate Concurrent Resolution No. 1 was adopted and ordered referred for engrossment.

### THIRD READING

Upon motion of Senator Rinehart, the vote was reconsidered by which SENATE BILL NO. 1 was advanced to engrossment and third reading.

### RESOLUTION

By unanimous consent, the following Resolution was introduced:

SENATE RESOLUTION NO. 1—By Wheeler, Dacus and Nance—A Resolution of Respect to the Memory of Honorable E. D. Walker, Member of the Oklahoma State Senate.

By unanimous consent, Senate Resolution No. 1 was taken up for consideration, read at length as follows and adopted upon motion of Senator Wheeler:

SENATE RESOLUTION NO. 1—By WHEELER, DACUS and NANCE.

A RESOLUTION OF RESPECT TO THE MEMORY OF HONORABLE E. D. WALKER, MEMBER OF THE OKLAHOMA STATE SENATE.

WHEREAS, in the wisdom of the Supreme Ruler of the Universe, Honorable E. D. Walker has been called from this life; and

WHEREAS, Honorable E. D. Walker rendered able, efficient and loyal service to the State of Oklahoma; and

WHEREAS, we feel that the work performed and the service rendered by Honorable E. D. Walker in behalf of his Senatorial District and the State of Oklahoma is worthy of commemoration and respect;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA:

That we express this tribute of esteem, remembrance and respect to the memory of Honorable E. D. Walker and extend to the members of his family our sincere sympathy in the mourning of the passing of one of Oklahoma's ablest statesmen.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the Journal of the Senate and a copy be forwarded by the Secretary of the Senate to the family of the Honorable E. D. Walker, at Hobart, Oklahoma.

Senate Resolution No. 1 was ordered referred for engrossment.

#### GENERAL ORDER

SENATE BILL NO. 1, by Nichols, et al, of the Senate, and Tate, et al, of the House, was taken up for further consideration.

Senator Nichols submitted the following amendment which was adopted by unanimous consent:

Mr. President: I move to amend Senate Bill No. 1, Line 3, Page 13, as follows: By adding the following proviso at the end of Section 7: "Provided, the order that the names of candidates for nomination as State Senator and State Representative shall appear on the County ballot shall be determined by the State Election Board under the aforesaid procedure as to each political party instead of by the County Election Board. When such determination has been made the Secretary of the State Election Board shall certify to each County Election Board the order in which the names of the candidates for the nomination of a political party for State Senator and State Representative shall appear on the County primary ballots."

NICHOLS.

Senator Nichols submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 1, line 7, page 25, by striking the words and figures, "Forty-five Thousand (\$45,000.00) Dollars," and inserting in lieu thereof the words and figures, "Seventy-five Thousand (\$75,000.00) Dollars."

NICHOLS.

Upon motion of Senator Nichols, Senate Bill No. 1, as amended, was advanced to engrossment and third reading.

By unanimous consent, upon request of Senator Nichols, Senate Bill No. 1, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SENATE BILL NO. 1 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.  
—40.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rine-

hart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.  
—40.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Senate Bill No. 1, as amended, was ordered referred for engrossment.

Senator Posey moved that young Joe David Whitaker, son of Senator Joe M. Whitaker, former member of the Senate, now a Major in the Inspector General's Department, stationed in Sicily, be made an Honorary Page for this legislative day, which motion was unanimously adopted by the Senate, following which he introduced Mrs. Joe M. Whitaker.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 1, Senate Concurrent Resolution No. 1 and Senate Bill No. 1 each correctly engrossed.

SPECK, Chairman.

The President, in open session, signed Engrossed Senate Resolution No. 1 and ordered it referred for enrollment.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 1 and Engrossed Senate Bill No. 1 and ordered each transmitted to the Honorable House for consideration.

#### MESSAGE

The following Message from the Governor was received and read:

Mr. President and Members of the Senate, and  
Mr. Speaker and Members of the House of Representatives,  
First Extraordinary Session, Nineteenth Oklahoma Legislature.

Gentlemen:

I recommend that you consider enacting a law providing a procedure whereby the men and women in the armed forces of the United States, and the spouse of any such person, may acknowledge deeds, conveyances of real estate, powers of attorney, affidavits, and other legal documents before officers in the armed forces of the United States; authorizing such instruments so acknowledged to be accepted for recording in this State; and validating such acknowledgments heretofore taken before such officers.

Respectfully submitted,

By the Governor of  
The State of Oklahoma,  
ROBT. S. KERR,

(Seal)

Attest:

F. C. CARTER, Secretary of State  
By Katherine Manton, Ass't Secretary of State.

#### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 2—By Anglin and Ritzhaupt of the Senate, and Bullard of the House—An Act relating to acknowledgments and subscriptions of instruments; authorizing certain officers to take acknowledgments and subscriptions of persons in the military, naval and other armed services of the United States; providing that acknowledgments of spouses may be taken before the designated officers; providing that such instruments shall be accepted for recording in this State; providing that acknowledgments of such persons may also be taken before Notary Publics and other officers whose acknowledgments are recognized under the laws of this State; validating certain acknowledgments and subscriptions taken by such officers prior to effective date of this Act; making provisions of Act severable; and declaring an emergency.

By unanimous consent, all members of the Senate were added as joint authors of Senate Bill No. 2.

Senator Nichols submitted the following Committee Report, which was adopted, upon his motion:

Mr. President: We, the Committee on Employment, having had under consideration the matter of selecting employees and fixing salaries for the First Extraordinary Session of the 19th Legislature, beg leave to submit the following additional report:

Position	Name of Employee	Salary Per Day
Doorkeeper	Roy Cheek	\$5.00

Respectfully submitted,  
NICHOLS, Chairman.

Senator Cowden submitted the following Committee Report, which was adopted, upon his motion:

Mr. President: We, your Committee on Public Printing, have had under consideration the matter of printing for the First Extraordinary Session of the State Senate, Nineteenth Legislature, and hereby recommend the acceptance of the proposal of THE LEADER PRESS, INC., Oklahoma City, Oklahoma, said proposal being as follows.

Daily Journal	-----	\$1.10 per page
Bills & Resolutions	-----	.85 per page
Calendar	-----	.80 per page
Tabular-Leader, extra	-----	.70 per page
Eight point, extra	-----	.60 per page
Extra copies	-----	.15 per page
Permanent Journal	-----	1.10 per page
No charge for blank pages		

Respectfully submitted,  
COWDEN, Chairman.  
SPECK, Member.

Upon motion of Senator Cowden, Senator Byron Dacus, was authorized to purchase not exceeding Seventy-five (\$75.00) Dollars worth of personal stationery for his use as a Member of the Senate.

Senator Nance submitted the following Committee Report, which was adopted upon his motion:

Mr. President: We, your Committee on Committees, desire to make the following recommendation as the Committee Assignments for Senator Byron Dacus, of the Sixth

Senatorial District. We recommend that Senator Dacus be given the following committee assignments:

Chairman—Committee on Employment  
 Member — Committee on Education  
 Member — Committee on Agriculture  
 Member — Committee on Appropriations  
 Member — Committee on Roads and Highways  
 Member — Committee on School Lands  
 Member — Committee on State and County Affairs  
 Member — Committee on Hospitals and Charities

NANCE, Chairman.

#### RESOLUTION

By unanimous consent, the following Resolution was introduced:

SENATE CONCURRENT RESOLUTION NO. 2—By Nance, Nichols, Lowery, Braden, Phillips, Jones, Goodpaster, Paul, Gary, Collier, Rinehart, Duffy, Leonard, Dacus, Cornels, Cobb, Wheeler, Carrier, Ginder, Sears, Williams, Hammond, Fine, Counts, Mahan, Finney, Curry, Speck, Wilson, Posey, Brown, Hearne and Cowden—A Resolution expressing the desire of the First Extraordinary Session of the Nineteenth Oklahoma Legislature on the Construction and application of subsection Two (2) relating to exemptions from consumers or sales tax and making request that the Oklahoma Tax Commission exempt from said sales or consumers tax all feed sold in Oklahoma and used in the production of dairy, poultry and meat products.

Senator Nance asked unanimous consent, which was granted, that Senate Concurrent Resolution No. 2 be taken up for immediate consideration.

Senate Concurrent Resolution No. 2 was read at length, adopted upon motion of Senator Nance and ordered referred for engrossment.

Senator Nance asked unanimous consent, which was granted, to have inserted in the Journal the following in connection with Senate Concurrent Resolution No. 2:

“The Oklahoma Farmers’ Union, The Oklahoma Farm Bureau Federation, the Oklahoma Grange, the Equity Union Cooperative Association, Cooperative Grain Dealers Association and the Oklahoma Cotton Growers Association,

ask that this resolution be adopted by the Oklahoma Legislature, because of the Governor's desire that no controversial question be submitted, and we believe that under the present construction of the law this has been a double tax because the consumer pays the tax when he purchases the eggs, butter and meat products, and because Nebraska, Texas, Wisconsin, Minnesota and Illinois do not have sales tax on feed, and because of the Construction of the law in South Dakota, Indiana, Colorado, New Mexico, Kansas and Missouri construe the tax law to exempt feed used to produce dairy, poultry and meat products as a tax on sale of goods purchased for re-sale, we ask that this resolution be adopted."

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

Colonel Dick Cloyd, former member of the Honorable House, now with the 8th Service Command, at Dallas, was presented to the Senate and spoke briefly.

#### MESSAGE

The following Message from the Governor was received and read:

Mr. President and Members  
Of the Senate, and  
Mr. Speaker and Members of  
The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

I recommend for your consideration the enactment of a law or laws on the following subjects:

1. The enactment of a measure authorizing qualified electors of this State who are temporarily absent from the precinct and county of their residence to be registered or have their cancelled registration certificate reinstated by the precinct registrar of their home precinct by furnishing by mail said registrar with an affidavit giving all the information required in the registration certificate contained in Title 26 O. S. 1941 § 75, and giving in addition the reason for the elector's absence from the county and precinct.

2. The enactment of a measure providing a longer time within which qualified electors may be registered for voting purposes. I suggest that the registration period open forty (40) days prior to the date of each election and remain open for a period of thirty (30) days. See Title 26 O. S. 1941 § 79.

3. The enactment of a measure authorizing the Secretary of the County Election Board upon receipt of an application from an absentee elector, to forward absentee ballots and other supplies to an absentee elector not more than thirty (30) days nor less than five (5) days before any election.

Respectfully submitted,

By the Governor of  
The State of Oklahoma,  
ROB'T S. KERR.

(Seal)

ATTEST:

F. C. CARTER,  
Secretary of State,  
By Katherine Manton,  
Assistant Secretary of State.

#### FIRST READING

By unanimous consent, the following bills were introduced and read for the first time:

SENATE BILL NO. 3—By Nichols—An Act relating to elections; providing procedure for qualified electors temporarily absent from their voting precinct to register by mail; and declaring an emergency.

SENATE BILL NO. 4—By Nichols—An Act relating to elections, amending 26 O. S. 1941, Section 79, to provide that the registration period shall begin forty days before the date of holding any election and continuing for a period of thirty days, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency.

SENATE BILL NO. 5—By Nichols—An Act relating to elections; amending Title 26, Section 324a, Oklahoma Statutes 1941, relating to absentee voting; and declaring an emergency.

Senator Burns asked to be recorded "excused" on the next legislative day, which was the order.

Senator Mahan presiding.

The Senate was declared at ease.

The Senate reassembled, with Senator Mahan presiding.

### MESSAGE

The following message from the Governor was received and read:

Mr. President and Members  
Of the Senate, and  
Mr. Speaker and Members of  
The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

In order to produce the weapons required by the War Department in the prosecution of the present war, certain war industries located in our State have been forced to go on a seven day week schedule.

Our Sunday laws prohibit servile labor, trades, manufactures and mechanical employment on the Sabbath Day. Thus our Industries in this State in making the maximum effort at government request to produce materials vital to the National Defense are required to operate in violation of the penal statutes of this State which, under the Federal Assimilative Crime Statute are effective on Federal areas where certain of these War Industries are located in this State. In thus operating I am informed they assume certain financial risks in the way of receiving reimbursements from the government of great amounts of money which they are required to expend for labor and materials in producing weapons of war. They should be relieved from the necessity of operating under such conditions.

I, therefore, recommend that you consider enacting a law suspending and making inoperative during the present world war the provisions of Title 21 O. S. 1941, §§907 and 908, relating to Sabbath breaking in so far as said sections may apply to the operations of industries engaged in man-

ufacturing war materials for the United States. I also suggest that said Act be made retroactive in effect to the beginning of the war. The Act should become inoperative at the end of the war.

Respectfully submitted.

By the Governor of  
The State of Oklahoma,  
ROBT S. KERR.

(Seal)

ATTEST:

F. C. CARTER,  
Secretary of State,  
By Katherine Manton,  
Assistant Secretary of State.

#### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 6—By Paul, Cobb, Collier, Gary, Norton, Jones, Thornton, Mahan, Wilson, and Fine—An Act suspending and making inoperative during the present world war the provisions of 21 O. S. 1941 §§907 and 908, relating to Sabbath breaking, in so far as said Sections may apply to the operations of industries engaged in manufacturing war materials for the United States; providing that said Act shall be given retroactive effect to the beginning of said world war; making provisions of said Act severable, and declaring an emergency.

Upon request of Senator Paul, Senators Goodpaster and Counts were made Joint Authors of Senate Bill No. 6.

President Berry presiding.

The President announced matters were on his desk for the consideration of the Senate in executive session.

Upon motion of Senator Rinehart, the Senate closed its doors and went into executive session.

The Senate reassembled, in open session, with the President presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Chapman, advised and consented to the confirma-

tion of the recess appointment of JOHN F. EASLEY, Ardmore, Oklahoma, as a Member of the Board of Trustees, Oklahoma Confederate Home, to succeed J. B. Moore, for a term of four (4) years, said term ending the 1st Tuesday in February, 1947.

The Senate, in executive session and upon motion of Senator Chapman, advised and consented to the confirmation of the recess appointment of ERRETT DUNLAP, Ardmore, Oklahoma, as a Member of the Board of Trustees, Oklahoma Confederate Home, to fill out the unexpired term of George W. Coffman, deceased, said term ending the 1st Tuesday in February, 1947.

The Senate, in executive session and upon motion of Senator Paul, advised and consented to the confirmation of the recess appointment of S. D. WILLIAMS, Wynnewood, Oklahoma, as a Member of the Board of Trustees, Oklahoma Confederate Home, to succeed himself, for a term of four (4) years, said term ending the 1st Tuesday in February, 1947.

The Senate, in executive session and upon motion of Senator Braden, advised and consented to the confirmation of the recess appointment of FRANK GUNTHER, Bokoshe, Oklahoma, as a Member of the State Mining Board, to succeed Will Davis, for a term of four (4) years, to expire October 12, 1947.

The Senate, in executive session and upon motion of Senator Leonard, advised and consented to the appointment of CARL TICER, Buffalo, Oklahoma, as a Member of the State Game and Fish Commission, for a term of five (5) years, said term to expire March 31, 1949.

The Senate, in executive session and upon motion of Senator Jones, advised and consented to the recess appointment of Wm. L. CHEATHAM, Bristow, Oklahoma, as a Member of the State Industrial Commission, to succeed Wylie Snow, resigned, effective June 1, 1943.

The Senate, in executive session and upon motion of Senator Sears, advised and consented to the recess appointment of C. X. DOWLER, Tulsa, Oklahoma, as a Member of the Board of Trustees, Teachers' Retirement System, as provided by House Bill No. 297, Nineteenth Legislature.

The Senate, in executive session and upon motion of

Senator Pruett, advised and consented to the recess appointment of JOE W. McBRIDE, Anadarko, Oklahoma, as a Member of the Regents of the University of Oklahoma for a term of seven (7) years, beginning March 30, 1944, and expiring on March 29, 1951.

The Senate, in executive session and upon motion of Senator Counts, advised and consented to the recess appointment of D. D. KIRKLAND, McAlester, Oklahoma, as a Member of the Board of Trustees, Teachers' Retirement System, as provided by House Bill No. 297, Nineteenth Legislature.

Senators Cowden and Counts asked to be recorded "excused" on the next legislative day, which was the order.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 2 correctly engrossed.

SPECK, Chairman.

The President, in open session, signed Engrossed Senate Concurrent Resolution No. 2 and ordered it transmitted to the Honorable House for consideration.

#### MESSAGE

The following Message from the Governor was received and read:

Mr. President and Members  
Of the Senate, and  
Mr. Speaker and Members of  
The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

I am advised that approximately nine hundred (900) school districts of this State due to inclement weather failed to hold annual school meetings on the last Tuesday in March of this year, and therefore failed to vote or authorize an excess tax levy for the next fiscal year. I am further advised that there is some doubt as to the authority of such school districts to authorize such excess tax levies

at a special meeting or election called for that purpose. I believe that it is advisable that this doubt as to the authority of these school districts to authorize their excess tax levy at a special meeting or election should be removed.

I therefore recommend that you consider enacting a law specifically authorizing the qualified electors of school districts, including Boards of Education of towns, to vote at a special meeting or election on the question of whether an excess tax levy shall be authorized for an ensuing fiscal year, and validating any such special meeting or election heretofore called or held. See Section 9, Article 10, Oklahoma Constitution, Title 68 O. S. 1941, §322, and Title 70 O. S. 1941, §66.

Respectfully submitted,

By the Governor of  
The State of Oklahoma,  
ROB'T S. KERR.

(Seal)

ATTEST:

F. C. CARTER,  
Secretary of State,  
By Katherine Manton,  
Assistant Secretary of State.

#### FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 7—By Rinehart and Burns—An Act relating to excess tax levy elections in school districts; amending 68 O. S. 1941, §322, to permit excess tax levies to be voted upon and authorized at a special school district meeting (or election) called as provided in 70 O. S. 1941, §66; validating and approving special meeting heretofore called or held for the purpose of voting excess tax levy, making provisions of Act severable, and declaring an emergency.

Senator Dacus asked to be made Joint Author of Senate Bill No. 7, which was the order.

#### MESSAGE

The following Message from the Governor was received and read:

Mr. President and Members  
Of the Senate, and  
Mr. Speaker and Members of  
The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

I recommend for your consideration the enactment of a measure providing that after the provisions of House Bill No. 361 of the Nineteenth Legislature and House Bill No. 268 of the Eighteenth Legislature have been fully complied with for the present fiscal year, any unallocated and unincumbered balance in the appropriation of \$8,600,000 made available for this fiscal year by House Bill No. 350 of the Nineteenth Legislature, together with the monies made available for this fiscal year by Sub-division 2, Section 1, House Bill 77 of the Nineteenth Legislature, shall be distributed to the school districts that have qualified for State Aid under the provisions of said House Bill No. 361 of the Nineteenth Legislature. The measure should also be made applicable to the fiscal year ending June 30, 1945 so that any balance in the \$8,600,000 appropriation made available for the fiscal year ending June 30, 1945, together with any monies made available under Sub-division 2, Section 1, House Bill 77 of the Nineteenth Legislature for said fiscal year ending June 30, 1945 shall be distributed in like manner during said fiscal year.

I also recommend that House Bill No. 361 of the Nineteenth Legislature be amended to increase the minimum program by increasing the salary schedule for the minimum program for the fiscal year 1944-1945, in an amount not to exceed in any event the monies provided by House Bill No. 350 and Sub-division 2, Section 1, House Bill No. 77 of the Nineteenth Legislature.

Respectfully submitted,

By the Governor of  
The State of Oklahoma,  
ROB'T S. KERR.

(Seal)

ATTEST:

F. C. CARTER,  
Secretary of State,  
By Katherine Manton,  
Assistant Secretary of State.

FIRST READING

By unanimous consent, the following bill was introduced and read for the first time:

SENATE BILL NO. 8—By ANGLIN—An Act relating to school aid; providing for the use of unallocated balances in the appropriation made by House Bill No. 350, Session Laws 1943, for the purpose of increasing the minimum program of state aid districts qualifying under House Bill No. 361, Session Laws 1943; authorizing the State Board of Education to make certain increases; providing that this Act shall be effective only during the fiscal year ending June 30, 1944; amending Section 1 of House Bill No. 350, Session Laws 1943, relating to appropriation for State aid, to provide that moneys appropriated thereunder may also be expended for the purpose of this Act; and declaring an emergency.

Senator Hearne asked to be made Joint Author of Senate Bill No. 8, which was the order.

Upon motion of Senator Rinehart, SENATE JOINT RESOLUTION NO. 1, SENATE BILLS NOS. 2, 3, 4, 5, 6, 7 and 8 were ordered printed.

Senator Rinehart asked to be recorded "excused," on the next legislative day, which was the order.

Upon motion of Senator Rinehart, the Senate adjourned to meet at 1:30 p. m., tomorrow.

## FOURTH LEGISLATIVE DAY

Thursday, April 13, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Carrier, Chapman, Cobb, Collier, Cornels, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Burns, Counts, Cowden, Rinehart.—4.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

In the absence of Senator Rinehart, Majority Floor Leader, it was upon motion of Senator Hearne that Senator Duffy acted in that capacity for this legislative day.

## SECOND READING

The following bills and Joint Resolution were read for the second time and, by unanimous consent, ordered placed upon the Calendar without reference to a Committee:

SENATE BILL NO. 2—By Anglin and Ritzhaupt of the Senate, and Bullard of the House.

SENATE BILL NO. 3—By Nichols.

SENATE BILL NO. 4—By Nichols.

SENATE BILL NO. 5—By Nichols.

SENATE BILL NO. 6—By Paul, Cobb, Collier, Gary,

Norton, Jones, Thornton, Mahan, Wilson, Fine, Goodpaster and Counts.

SENATE BILL NO. 7—By Rinehart, Burns and Dacus.

SENATE BILL NO. 8—By Anglin and Hearne.

SENATE JOINT RESOLUTION NO. 1—By Anglin, Bowman, Carrier, Cobb, Cornels, Counts, Duffy, Gary, Ginder, Mahan, Paul, Posey, Thornton, of the Senate, and Evans and Barr of the House.

#### GENERAL ORDER

SENATE BILL NO. 2, by Anglin and Ritzhaupt, of the Senate, and Bullard, of the House, was taken up for consideration.

Sections 1, 2, 3 and 4 were read and adopted, upon motions of Senator Anglin.

Upon motion of Senator Anglin, Senate Bill No. 2 was advanced to engrossment and third reading.

SENATE BILL NO. 3, by Nichols, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Nichols.

Upon motion of Senator Nichols, Senate Bill No. 3 was advanced to engrossment and third reading.

SENATE BILL NO. 4, by Nichols, was taken up for consideration.

Section 1 was read.

Senator Duffy submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 4, line 3. by inserting before the word, "Any," the word and figures, "Section 79."

DUFFY.

Upon motion of Senator Duffy, Section 1, as amended, was adopted.

Upon motion of Senator Duffy, Senate Bill No. 4, as amended, was advanced to engrossment and third reading.

SENATE BILL NO. 5, by Nichols, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Nichols.

Upon motion of Senator Nichols, Senate Bill No. 5 was advanced to engrossment and third reading.

SENATE BILL NO. 6, by Paul, et al, was taken up for consideration.

Sections 1, 2 and 3 were read and adopted by unanimous consent.

By unanimous consent, Senate Bill No. 6 was advanced to engrossment and third reading.

SENATE BILL NO. 7, by Rinehart, et al, was taken up for consideration.

Section 1 was read.

Senator Pruett submitted the following amendment, which was adopted:

Mr. President: I move to amend Senate Bill No. 7, by adding at the close of Section 1, the following: "Provided there shall be only one special election held on question of excess levy in any one year."

PRUETT.

Upon motion of Senator Duffy, Section 1, as amended, was adopted.

Sections 2 and 3 were read and adopted, upon motions of Senator Duffy.

Upon motion of Senator Duffy, Senate Bill No. 7, as amended, was advanced to engrossment and third reading.

SENATE JOINT RESOLUTION NO. 1, by Anglin, et al, of the Senate, and Evans, et al, of the House, was considered.

Section 1 was read and adopted, upon motion of Senator Anglin.

Upon motion of Senator Duffy, Senate Joint Resolution No. 1 was advanced to engrossment and third reading.

SENATE BILL NO. 8, by Anglin, et al, was considered.

Sections 1 and 2 were read.

Senator Phillips asked unanimous consent, to which objection was voiced, that further consideration of Senate Bill No. 8 be deferred for this legislative day.

Upon motion of Senator Anglin, Senate Bill No. 8 was advanced to engrossment and third reading.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 1—By Holliman, Larch-Miller, Gullett, Banks, Carmichael, Tankersley, Long, Irby, Crow, Johnson (Creek), Levergood, Van Dyck, Gooldy, Sherman, Mountcastle, Billingsley, Black, Bradley, Bullard, Douthat, Dunn, Edwards, Flanagan, Flowers, Foley, Harshbarger, Helm, Huey, Hughes, Hussey, Johnson (Comanche), Jones, Long, McDonald, McKenzie, Mills, Morgan, Musgrave, Parrish, Pugh, Shelton, Shipley, Smith, Spicer, Starr, Streetman, Wallace (Oklahoma), and Wilson:

An Act relating to the surplus revenues accruing to the General Revenue Fund of each fiscal year, providing for the transfer of said surpluses to the credit of the surplus accounts of the State Funding Bond Funds of 1935, 1939, and 1941, providing for the investment of said surplus funds in United States securities, pledging said accounts, funds and securities to the payment and retirement of the outstanding State Funding Bonds, and authorizing the sale, transfer and exchange of said securities to retire said Funding Bonds, providing other details, designating the State Treasurer as custodian of said funds and securities, making provisions of Act severable, and declaring an emergency,

and to advise you, and through you, the Honorable Senate,

that the same has been passed by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

The President announced First Reading of Engrossed House Bill No. 1.

Senator Duffy asked unanimous consent, which was granted, that Engrossed House Bill No. 1 be ordered printed.

Senator Wheeler presiding.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 1 correctly enrolled.

SPECK, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 1 and ordered it transmitted to the Secretary of State.

The President presiding.

The President announced matters were on his desk for the consideration of the Senate in executive session.

Upon motion of Senator Duffy, the Senate closed its doors and went into executive session.

\* \* \*

The Senate reassembled, in open session, with the President presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Pruett, advised and consented to the recess appointment of JOHN WORLEY, Chickasha, Oklahoma, as a Member of the State Industrial Commission for the regular term, to succeed Paul Pugh, resigned.

The Senate, in executive session and upon motion of Senator Nichols, advised and consented to the recess appointment of REV. G. R. NAYLOR, Ada, Oklahoma, as a Member of the Board of Trustees, Oklahoma Confederate Home, to succeed Mrs. Jas. R. Armstrong, for a term of

four (4) years, said term ending the 1st Tuesday in February, 1947.

The Senate, in executive session and upon motion of Senator Nichols, advised and consented to the recess appointment of EARL EMERSON, Cromwell, Oklahoma, as a Member of the Board of Trustees, Teachers' Retirement System, as provided by House Bill No. 297, Nineteenth Legislature.

The Senate, in executive session and upon motion of Senator Leonard, advised and consented to the confirmation of the recess appointment of ED MORRISON, Goodwell, Oklahoma, as a Member of the Board of Trustees, Teachers' Retirement System, as provided by House Bill No. 297, Nineteenth Legislature.

Senator Duffy moved that when the Senate adjourns today it adjourn to meet at 10:00 a. m., tomorrow.

The Senate was declared at ease for 10 minutes.

The Senate reassembled, with the President presiding.

Senator Duffy renewed his former motion that when the Senate adjourns today it adjourn to meet at 10:00 a. m., tomorrow, which motion prevailed.

Upon motion of Senator Duffy, the Senate adjourned to meet at 10:00 a. m. tomorrow.

## FIFTH LEGISLATIVE DAY

Friday, April 14, 1944

Pursuant to adjournment, the Senate met at 10:00 a. m., and was called to order by President Pro Tempore Anglin.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—37.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

The President Pro Tempore announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

## SECOND READING

The following bill was read for the second time and, by unanimous consent, ordered placed upon the Calendar without reference to a Committee:

ENGROSSED HOUSE BILL NO. 1—By Holliman, et al.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bills Nos. 2, 3, 4, 5,

6, 7, 8 and Senate Joint Resolution No. 1 each correctly engrossed.

SPECK, Chairman.

THIRD READING

SENATE BILL NO. 2 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Hammond, Hearne, Leonard, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—33.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman, Goodpaster, Jones, Paul.—4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Hammond, Hearne, Leonard, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—33.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman, Goodpaster, Jones, Paul.—4.

The emergency having received the constitutional two-

thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 2, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 3 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Leonard, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—34.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman, Jones, Paul.—3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Leonard, Mahan, Nance, Nichols, Norton, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—34.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman, Jones, Paul.—3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 3, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 4 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not voting: Braden, Chapman.—2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not voting: Braden, Chapman.—2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 4, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 5 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman.—1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman.—1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed the engrossed copy of Senate Bill No. 5, and ordered the same transmitted to the Honorable House.

Senator Nance presiding.

SENATE BILL NO. 6 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Fine, Gary, Ginder, Goodpaster, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Thornton, Wheeler, Williams, Wilson.—30.

Nays: Braden, Duffy, Finney, Hammond, Rinehart, Speck.—6.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman.—1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" The roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Cobb, Collier, Cornels, Counts, Curry, Dacus, Fine, Gary, Ginder,

Goodpaster, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Thornton, Wheeler, Williams, Wilson.—30.

Nays: Braden, Duffy, Finney, Hammond, Rinehart, Speck.—6.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Chapman.—1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 6, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 7 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Ginder.—1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emer-

gency measure?" The roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Ginder.—1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 7, and ordered the same transmitted to the Honorable House.

SENATE BILL NO. 8 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—33.

Nays: Carrier, Phillips, Williams.—3.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1 .

Not Voting: Ginder.—1.

The Bill having received the constitutional majority of

the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" The roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—33.

Nays: Carrier, Phillips, Williams.—3.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Ginder.—1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The Presiding Officer, in open session, signed the engrossed copy of Senate Bill No. 8, and ordered the same transmitted to the Honorable House.

Senator Braden asked to be excused for the remainder of this legislative day, which was the order.

SENATE JOINT RESOLUTION NO. 1, under Third Reading, was considered.

Upon motion of Senator Anglin, the vote was reconsidered by which Senate Joint Resolution No. 1 was advanced to engrossment and third reading.

#### GENERAL ORDER

SENATE JOINT RESOLUTION NO. 1, by Anglin, et al, was taken up for further consideration.

Senator Anglin submitted the following amendment, which was adopted:

SENATE JOINT RESOLUTION NO. 1—By ANGLIN,

BOWMAN, CARRIER, COBB, CORNELS, COUNTS, DUFFY, GARY, GINDER, MAHAN, PAUL, POSEY, and THORNTON, of the Senate; EVANS and BARR, of the House.

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF OKLAHOMA TO BE KNOWN AS SECTION 23-a, ARTICLE 10, PROVIDING THAT ANY SURPLUS WHICH HAS ACCRUED TO THE GENERAL REVENUE FUND OF THE STATE AS OF THE CLOSE OF EACH FISCAL YEAR SHALL BE SET ASIDE IN A SINKING FUND AND USED TO PAY THE STATE'S BONDED INDEBTEDNESS; PLACING MONIES AND SECURITIES IN SURPLUS ACCOUNTS OF THE STATE FUNDING BOND FUNDS OF 1935, 1939, and 1941, IN SAID SINKING FUND; PROVIDING FOR INVESTMENT OF SAID MONIES AND SALE OF SECURITIES PURCHASED; PROVIDING THAT WHEN SUFFICIENT MONIES HAVE ACCUMULATED TO PAY ALL STATE BONDS HERETOFORE ISSUED, SURPLUS EXISTING OR ACCRUING THEREAFTER MAY BE APPROPRIATED BY LEGISLATURE; AND PROVIDING FOR SUBMISSION OF AMENDMENT AT A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE NINETEENTH LEGISLATURE OF THE STATE OF OKLAHOMA IN EXTRAORDINARY SESSION ASSEMBLED:

SECTION 1. That the following amendment to the Constitution of the State of Oklahoma be and the same is hereby proposed, said amendment to be known as Section 23-a of Article 10, of said Constitution. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, said proposed amendment. The amendment reads as follows:

Section 23-a, Article 10, Oklahoma Constitution:

Any surplus which has accrued to the General Revenue Fund of the State of Oklahoma during any fiscal year shall be placed monthly in a sinking fund in the State Treasury to be used solely for the purpose of paying the principal and interest of the outstanding and unpaid bonded indebtedness of the State of Oklahoma. The monies and securities heretofore credited to the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 also shall

be placed in said Sinking Fund. The State Treasurer shall be the custodian of said Sinking Fund and shall apply the monies and securities placed to the credit of said fund to the payment of the principal and interest of the state's bonded indebtedness. The State Treasurer with the approval of the Governor and Attorney General shall have the authority to invest the monies in said sinking fund in bonds or securities of the United States of America, and the State Treasurer with the approval of the Governor and Attorney General may sell said securities to provide funds to meet maturing State bonds and coupons. The provisions of this section shall be self-executing. When the monies credited to said sinking fund together with the monies set aside to pay said bonded indebtedness, pursuant to the statutes authorizing the issuance of said bonds, are sufficient to pay all outstanding bonds and coupons heretofore issued by the State of Oklahoma, it shall no longer be necessary to credit surplus funds to the Sinking Fund herein created. The sufficiency of said monies to fully pay the State's bonded indebtedness shall be determined by the Governor, State Treasurer, and Attorney General. After such determination any surplus monies thereafter to the credit of the State General Revenue Fund shall be subject to appropriation by the Legislature.

SECTION 2. The ballot title for said proposed amendment shall be in the following form:

**BALLOT TITLE**

Legislative Referendum No. — State Question No. —

The gist of the proposition is as follows:

Shall the Constitution of Oklahoma be amended by adding a section to be known as Section 23-a, Article 10, providing any surplus which has accrued to State General Revenue Fund at the close of any fiscal year shall be placed in a Sinking Fund to be used solely for purpose of paying State's bonded indebtedness, placing monies and securities in Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 in said sinking fund, authorizing investment of said monies, and the sale of securities purchased to provide funds to meet maturing bonds and coupons, making section self-executing, providing when sufficient monies have accumulated to pay all outstanding bonds and coupons heretofore issued by the State, surplus monies

thereafter to the credit of the General Revenue Fund may be appropriated by Legislature?

Shall the Proposed Amendment be approved?

Yes  
 No

SECTION 3. The President Pro Tempore of the Senate shall immediately after the adoption of this Resolution by the Legislature prepare and file one copy of the Resolution, including the above ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State on the 11th day of July, 1944, at which the proposed amendment to the Constitution of the State of Oklahoma set forth in Section 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

Upon request of Senator Anglin, Senator Norton was made Joint Author of Senate Joint Resolution No. 1.

Upon motion of Senator Anglin, Senate Joint Resolution No. 1, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and Senate Joint Resolution No. 1, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

SENATE JOINT RESOLUTION NO. 1 was read for the third time at length, as follows:

SENATE JOINT RESOLUTION NO. 1—By ANGLIN, BOWMAN, CARRIER, COBB, CORNELS, COUNTS, DUFFY, GARY, GINDER, MAHAN, NORTON, PAUL, POSEY, and THORNTON, of the Senate; EVANS and BARR, of the House.

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF OKLAHOMA TO BE KNOWN AS SECTION 23-a, ARTICLE 10, PROVIDING THAT ANY SURPLUS WHICH HAS ACCRUED TO THE GENERAL REVENUE FUND OF THE STATE AS OF THE CLOSE OF EACH FISCAL YEAR SHALL BE SET

ASIDE IN A SINKING FUND AND USED TO PAY THE STATE'S BONDED INDEBTEDNESS; PLACING MONIES AND SECURITIES IN SURPLUS ACCOUNTS OF THE STATE FUNDING BOND FUNDS OF 1935, 1939, AND 1941, IN SAID SINKING FUND; PROVIDING FOR INVESTMENT OF SAID MONIES AND SALE OF SECURITIES PURCHASED; PROVIDING THAT WHEN SUFFICIENT MONIES HAVE ACCUMULATED TO PAY ALL STATE BONDS HERETOFORE ISSUED, SURPLUS EXISTING OR ACCRUING THEREAFTER MAY BE APPROPRIATED BY LEGISLATURE; AND PROVIDING FOR SUBMISSION OF AMENDMENT AT A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE NINETEENTH LEGISLATURE OF THE STATE OF OKLAHOMA IN EXTRAORDINARY SESSION ASSEMBLED:

SECTION 1. That the following amendment to the Constitution of the State of Oklahoma be and the same is hereby proposed, said amendment to be known as Section 23-a of Article 10, of said Constitution. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, said proposed amendment. The amendment reads as follows:

Section 23-a, Article 10, Oklahoma Constitution:

Any surplus which has accrued to the General Revenue Fund of the State of Oklahoma during any fiscal year shall be placed monthly in a sinking fund in the State Treasury to be used solely for the purpose of paying the principal and interest of the outstanding and unpaid bonded indebtedness of the State of Oklahoma. The monies and securities heretofore credited to the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 also shall be placed in said Sinking Fund. The State Treasurer shall be the custodian of said Sinking Fund and shall apply the monies and securities placed to the credit of said fund to the payment of the principal and interest of the state's bonded indebtedness. The State Treasurer with the approval of the Governor and Attorney General shall have the authority to invest the monies in said sinking fund in bonds or securities of the United States of America, and the State Treasurer with the approval of the Governor and Attorney General may sell said securities to provide funds to meet

maturing State bonds and coupons. The provisions of this section shall be self-executing. When the monies credited to said sinking fund together with the monies set aside to pay said bonded indebtedness, pursuant to the statutes authorizing the issuance of said bonds, are sufficient to pay all outstanding bonds and coupons heretofore issued by the State of Oklahoma, it shall no longer be necessary to credit surplus funds to the Sinking Fund herein created. The sufficiency of said monies to fully pay the State's bonded indebtedness shall be determined by the Governor, State Treasurer, and Attorney General. After such determination any surplus monies thereafter to the credit of the State General Revenue Fund shall be subject to appropriation by the Legislature.

SECTION 2. The ballot title for said proposed amendment shall be in the following form:

BALLOT TITLE

Legislative Referendum No. .... State Question No. ....

The gist of the proposition is as follows:

Shall the Constitution of Oklahoma be amended by adding a section to be known as Section 23-a, Article 10, providing any surplus which has accrued to State General Revenue Fund at the close of any fiscal year shall be placed in a Sinking Fund to be used solely for purpose of paying State's bonded indebtedness, placing monies and securities in Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 in said sinking fund, authorizing investment of said monies, and the sale of securities purchased to provide funds to meet maturing bonds and coupons, making section self-executing, providing when sufficient monies have accumulated to pay all outstanding bonds and coupons heretofore issued by the State, surplus monies thereafter to the credit of the General Revenue Fund may be appropriated by Legislature?

Shall the Proposed Amendment be approved?

- Yes  
 No

SECTION 3. The President Pro Tempore of the Senate shall immediately after the adoption of this Resolution by the Legislature prepare and file one copy of the Resolution, including the above ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State on the 11th day of July, 1944, at which the proposed amendment to the Constitution of the State of Oklahoma set forth in Section 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

The question being, "Shall the Resolution pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Mahan, Nance, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—33.

Nay: Leonard.—1.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Braden, Ginder, Nichols.—3.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall Senate Joint Resolution No. 1, by Anglin, Bowman, Carrier, Cobb, Cornels, Counts, Duffy, Gary, Ginder, Mahan, Norton, Paul, Posey and Thornton, of the Senate; Evans and Barr, of the House, entitled:

A Joint Resolution proposing an amendment to the Constitution of Oklahoma to be known as Section 23-a, Article 10, providing that any surplus which has accrued to the general revenue fund of the State as of the close of each fiscal year shall be set aside in a sinking fund and used to pay the State's Bonded indebtedness; placing monies and securities in surplus accounts of the State Funding Bond Funds of 1935, 1939, and 1941, in said sinking fund; providing for investment of said monies and sale of securities purchased; providing that when sufficient monies have accumulated to pay all state bonds heretofore issued, surplus existing or accruing thereafter may be ap-

propriated by Legislature; and providing for submission of amendment at a Special Election,

be ordered referred by the Legislature of the State of Oklahoma to the people of the State of Oklahoma for approval or rejection at a Special Election to be held on the eleventh (11) day of July, 1944, as provided in Section 4 of this Resolution, which special election is hereby ordered and authorized on the eleventh (11) day of July, 1944, as provided in Section 1 of Article 24 of the Constitution of the State of Oklahoma? the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Mahan, Nance, Nichols, Norton, Paul Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—36.

Excused: Cowden, Lowery.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears.—1.

Not Voting: Braden.—1.

President Pro Tempore Anglin presiding.

The President Pro Tempore, in open session, declared that the constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

Senate Joint Resolution No. 1 was ordered referred for engrossment.

There being matters on the President's desk for the consideration of the Senate, in executive session, it was upon motion of Senator Rinehart that the Senate closed its doors, resolving itself into executive session.

\* \* \*

The Senate reassembled, in open session, with Senator Bowman presiding, who made the following announcements:

The Senate, in executive session and upon motion of

Senator Burns, advised and consented to the confirmation of the recess appointment of NOAH V. WATTS, Oklahoma City, as a Member of the Fraternal Insurance Board for a period of four (4) years, said term to expire May 1, 1947.

The Senate, in executive session and upon motion of Senator Burns, advised and consented to the confirmation of the recess appointment of R. L. FORGAN, Oklahoma City, as a Member of the Fraternal Insurance Board for a period of four years, said term to expire May 1, 1947.

The Senate, in executive session and upon motion of Senator Burns, advised and consented to the confirmation of the recess appointment of J. B. JEFFERS, Oklahoma City, as a Member of the Fraternal Insurance Board for a period of four years, said term to expire May 1, 1947.

The Senate, in executive session and upon motion of Senator Burns, advised and consented to the confirmation of the recess appointment of GLADYS McDONALD, Oklahoma City, as a Member of the Board of Trustees, Teachers' Retirement System, to succeed Harry McKimney, resigned, said term to expire July 3, 1944.

President Pro Tempore Anglin presiding.

Senator Rinehart moved that, when the Clerk's desk is cleared, the Senate adjourn to meet at 1:30 p. m., Monday, April 17, 1944, which motion prevailed.

The Senate was declared at ease.

The Senate reassembled, with Senator Rinehart presiding.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 1 correctly engrossed.

SPECK, Chairman.

The Presiding Officer, in open session, signed Engrossed Senate Joint Resolution No. 1 and ordered it transmitted to the Honorable House for consideration.

As provided under a previous motion, the Senate was declared adjourned to meet at 1:30 p. m., Monday, April 17, 1944.

SIXTH LEGISLATIVE DAY

Monday, April 17, 1944

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Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by its President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams.—35.

Excused: Cowden, Wilson.—2.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Carrier, Cobb, Gary.—3.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day for declared approved.

MESSAGE

The following Message from the Governor was received and read:

Mr. President and Members of the Senate, and  
Mr. Speaker and Members of The House of Representatives  
First Extraordinary Session  
Nineteenth Oklahoma Legislature

Gentlemen:

I recommend that you consider passing a measure designating the song entitled "Oklahoma" from the show now playing in New York and Chicago entitled "Oklahoma" as the official song for the State of Oklahoma.

This is the song sung three times Wednesday, April 12th, by the young people from the Oklahoma City University before the membership of the House and Senate of the Oklahoma Legislature and a copy of the words is hereto attached. This song is now being sung throughout America and, indeed, the English speaking world. I have heard it sung in many places many times and each time it has received an ovation from the audiences hearing it and often a standing ovation. It is the Number One song in a musical comedy that has already shown to more than a million people in New York, Washington and Chicago and that is building an inestimable amount of good will for our State and our people.

I feel it would be, indeed, fitting for you by your action to so designate this song as our State's Official Song.

Respectfully submitted,

By the Governor of  
The State of Oklahoma,  
ROB'T. S. KERR

(Seal)

ATTEST:

F. C. CARTER

Secretary of State

By Katherine Manton

Ass't. Secretary of State

#### OKLAHOMA

Oklahoma, where the wind comes sweeping o'er the plains,  
and the waving wheat can sure smell sweet,  
when the wind comes right behind the rain,  
Oklahoma, every night my honey lamb and I,  
sit alone and talk and watch a hawk,  
making lazy circles in the sky.  
We know we belong to the land,  
and the land we belong to is grand,  
and when we say a yip-ee-oo-ee,  
we're only saying you are doing fine, Oklahoma  
Oklahoma, Ok.

#### COMMUNICATION

A Communication from Senator and Mrs. Sanford was read, expressing appreciation for flowers sent and sympathy extended by the Senate, to Mrs. Sanford.

GENERAL ORDER

Upon request of Senator Anglin, consideration of HOUSE BILL NO. 1, by Holliman, et al, was deferred for this legislative day.

Senator Jones presiding.

RESOLUTION

The following Resolution was introduced, ordered printed and placed upon the Calendar:

SENATE RESOLUTION NO. 2—By Pruett, Hearne, Phillips and Williams—A Resolution Memorializing the Congress of the United States to enact proper legislation so the Nation can return to Normal Standard Time.

MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 1 — By Nichols, Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams, and Wilson, of the Senate, and Tate, Underwood, Arrington, Binns, Frix, Hill, Levergood, Lucas, Pugh, Sherman, Toaz, Wilson, and Worthington, of the House,

An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the Armed Forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the Armed Forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election

officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been passed by the House AS AMENDED and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 1 was read, as follows:

ENGROSSED HOUSE AMENDMENT TO ENGROSSED SENATE BILL NO. 1—By NICHOLS, GARY, GINDER, NANCE, RINEHART, ANGLIN, BOWMAN, BRADEN, BROWN, BURNS, CARRIER, CHAPMAN, COBB, COLLIER, CORNELS, COUNTS, COWDEN, CURRY, DUFFY, FINE, FINNEY, GOODPASTER, HAMMOND, HEARNE, JONES, LEONARD, LOGAN, LOWERY, MAHAN, NEILL, NORTON, PAUL, PHILLIPS, POSEY, PRUETT, RITZHAUPT, SANFORD, SEARS, SPECK, THORNTON, DACUS, WHEELER, WILLIAMS, and WILSON, of the Senate; and TATE, UNDERWOOD, ARRINGTON, BINNS, FRIX, HILL, LEVERGOOD, LUCAS, PUGH, SHERMAN, TOAZ, WILSON, and WORTHINGTON, of the House.

AN ACT RELATING TO ELECTIONS; PROVIDING ANY QUALIFIED ELECTOR OF THE STATE OF OKLAHOMA WHO IS IN THE ARMED FORCES OF THE UNITED STATES; MERCHANT MARINE OF THE UNITED STATES; OR SERVING IN THE AMERICAN RED CROSS, SOCIETY OF FRIENDS, WOMEN'S AUXILIARY SERVICE PILOTS, UNITED SERVICE ORGANIZATIONS, ATTACHED TO AND SERVING WITH THE ARMED FORCES; OR THE SPOUSE OF ANY SUCH PERSON MAY CAST AN ABSENTEE BALLOT IN ANY STATEWIDE REGULAR PRIMARY, SPECIAL OR GENERAL ELECTION; PROVIDING MANNER AND METHOD OF OBTAINING, DISTRIBUTING AND CASTING OF BALLOTS; PRESCRIBING DUTIES OF ELEC-

TION OFFICERS AND OTHER OFFICIALS AND DEPARTMENTS; PRESCRIBING FORMS AND DETAILS OF PROCEDURE; AUTHORIZING USE OF OFFICIAL FEDERAL WAR BALLOTS UNDER CERTAIN CONDITIONS; PROVIDING PENALTIES FOR VIOLATION OF ACT; MAKING APPROPRIATION FOR CARRYING OUT PROVISIONS OF ACT; MAKING ACT CUMULATIVE; AMENDING SECTION 163, TITLE 26, O. S. 1941; MAKING PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Amendment No. 1. Strike the entire Bill and insert in lieu thereof the following:

By TATE, UNDERWOOD, ARRINGTON, BINNS, FRIX, HILL, LEVERGOOD, LUCAS, PUGH, SHERMAN, TOAZ, WILSON, BILLINGSLEY, WORTHINGTON, ARMS, BAILEY, BANKS, BARR, BLACK, BOARD, BRADLEY, BULLARD, COLEMAN, CRANE, CROW, DOUTHAT, DUNN, EDWARDS, EVANS, FLANAGAN, FLOWERS, FOLEY, GOOLDY, HELM, HUEY, HUGHES, HUNT, HUSSEY, IMPSON, IRBY, JOHNSON (Comanche), JONES, LARCH-MILLER, LONG, MASSEY, McDONALD, McKENZIE, MILLS, MOUNTCASTLE, PARRISH, REED, SHELTON, SHIPLEY, SMITH, SPEAKMAN, SPICER, STARR, STOVALL, STREETMAN, THOMPSON, TOLBERT, VAN DYCK, WALLACE (Oklahoma), and WOLF, of the House, and NICHOLS, GARY, GINDER, NANCE, RINEHART, ANGLIN, BOWMAN, BRADEN, BROWN, BURNS, CARRIER, CHAPMAN, COBB, COLLIER, CORNELS, COUNTS, COWDEN, CURRY, DUFFY, FINE, FINNEY, GOODPASTER, HAMMOND, HEARNE, JONES, LEONARD, LOGAN, LOWERY, MAHAN, NEILL, NORTON, PAUL, PHILLIPS, POSEY, PRUETT, RITZHAUPT, SANFORD, SEARS, SPECK, THORNTON, DACUS, WHEELER, WILLIAMS, and WILSON, of the Senate.

AN ACT RELATING TO ELECTIONS; PROVIDING ANY QUALIFIED ELECTOR OF THE STATE OF OKLAHOMA WHO IS IN THE ARMED FORCES OF THE UNITED STATES; MERCHANT MARINE OF THE UNITED STATES; OR SERVING IN THE AMERICAN RED CROSS, SOCIETY OF FRIENDS, WOMEN'S AUXIL-

IARY SERVICE PILOTS, UNITED SERVICE ORGANIZATIONS, ATTACHED TO AND SERVING WITH THE ARMED FORCES; OR THE SPOUSE OF ANY SUCH PERSON MAY CAST AN ABSENTEE BALLOT IN ANY STATEWIDE REGULAR PRIMARY, SPECIAL OR GENERAL ELECTION; PROVIDING MANNER AND METHOD OF OBTAINING, DISTRIBUTING AND CASTING OF BALLOTS; PRESCRIBING DUTIES OF ELECTION OFFICERS AND OTHER OFFICIALS AND DEPARTMENTS; PRESCRIBING FORMS AND DETAILS OF PROCEDURE; AUTHORIZING USE OF OFFICIAL FEDERAL WAR BALLOTS UNDER CERTAIN CONDITIONS; PROVIDING PENALTIES FOR VIOLATION OF ACT; MAKING APPROPRIATION FOR CARRYING OUT PROVISIONS OF ACT; MAKING ACT CUMULATIVE; AMENDING SECTION 163, TITLE 26, OKLAHOMA STATUTES 1941; MAKING PROVISIONS OF ACT SEVERABLE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Any qualified elector of the State of Oklahoma who is in the armed forces of the United States, or Merchant Marine of the United States; or any qualified elector of the State of Oklahoma serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, or United Service Organizations, attached to and serving with the armed forces; or the spouse of any such person, and is absent from the place of his residence by reason of said service, may make written application to the Secretary of State of Oklahoma for a War Ballot suitable for use in voting in accordance with the provisions of this Act, and shall be entitled, without being registered, if a qualified elector in the precinct of his or her residence, to vote in any state-wide Regular Primary, Special, or General Election for Electors of President and Vice President of the United States of America, United States Senators, Representatives in Congress, all State Officers (including Members of the State Legislature), all County Officers who are nominated and elected by the county at large and on all State Questions submitted at such elections.

SECTION 2. The Secretary of the State Election Board shall cause to be prepared an adequate supply of War Ballot applications which shall be printed on a card suitable

for mailing and addressed to the Secretary of State, Oklahoma City, Oklahoma. The application shall be in substantially the following form, or in such form as may be prescribed by the Secretary of the State Election Board:

"Secretary of State, State of Oklahoma.

"I am (check appropriate blank) in the armed forces (--) ; in the merchant marine (--) ; or in the American Red Cross (--), the Society of Friends (--), the Women's Auxiliary Service Pilots (--), or the United Service Organizations (--), and attached to and serving with the armed forces; or the wife or husband of one of the beforementioned persons (--). I hereby request an absentee ballot to vote in the coming ----- (primary, general, or special) election.

"(1) I am a citizen of the United States.

"(2) The date of my birth was -----.

"(3) For one year or more preceding this election my home residence has been in the State of Oklahoma.

"(4) For six months or more preceding this election my home residence has been in the (city, town, or village of) ----- in the county of ----- at (street and number, if any, or rural route) -----.

"Please send the ballot to me at the following address:

-----  
-----

"-----  
"(PRINT your name and serial number plainly above)

"-----  
"(WRITE your usual signature above)

Upon the other side of the post card shall be printed the following:

"FREE OF POSTAGE,  
INCLUDING AIR MAIL  
"(War Ballot)

"Secretary of State,  
"State Capitol Station,  
"Oklahoma City,  
"Oklahoma."

SECTION 3. The Secretary of the State Election Board shall cause to be distributed the War Ballots or application form provided for in Section 2 of this Act, in the most feasible and practical manner allowable under military laws, rules and regulations. Any person qualified to cast a War Ballot under the provisions of Section 1 of this Act may prepare a written application giving all the information required in the form prescribed in Section 2, which shall be considered legal and valid. The Secretary of the State Election Board is authorized to distribute the absentee ballots provided for herein without applications being received, only if the same shall conform to an Act of Congress of the United States or to regulations of the authorized agencies of the armed forces of the United States. Provided that applications for absentee ballots may be filed on behalf of any elector defined in Section 1 of this Act by the parents, husband, wife, adult child, brother or sister or friend of such elector. The Secretary of the State Election Board shall prepare a form of application for use by the persons above named, which shall contain substantially the information set forth in the form of application hereinabove prescribed. The Secretary of the State Election Board shall cause a sufficient number of said forms of application for use of the aforementioned persons to be delivered to the several Secretaries of the County Election Boards of the State of Oklahoma, where they may be obtained by any such person.

SECTION 4. The Secretary of State upon receipt of executed War Ballot application forms provided for in Sections 2 and 3 of this Act shall enter said application on a suitable record and transmit said applications to the Secretary of the State Election Board who shall issue a receipt therefor.

SECTION 5. Any applications for absentee ballots received by any Department or Agency of Government in Oklahoma on a form now or hereafter authorized by an Act of Congress of the United States and prepared by a Department, Bureau or Agency of the United States Government shall likewise be considered as a request for War Ballots as provided for under the provisions of this Act. If permissible under United States laws or regulations said applications shall be transmitted to the Secretary of the State Election Board in like manner as provided in Section 4 of this Act. Should United States laws, rules or regu-

lations prevent the transmitting of the applications by the State Department or Agency of Government receiving said applications, the said State Department or Agency shall immediately prepare and transmit to the Secretary of the State Election Board a transcript each day showing the names of all applicants for absentee ballots under the laws of the United States together with all information contained in each application. All names and information contained on applications shall be considered confidential.

SECTION 6. The Secretary of the State Election Board upon receipt of applications for War Ballots, shall, from time to time, cause to be transmitted to the Secretary of each county election board, a statement containing the names and addresses of, and such other information appearing on the application as may be appropriate, with respect to the individuals making such requests who are subject to the jurisdiction of the county election board of such county, which information shall be confidential and revealed only to members of the County Election Board of the county involved or its authorized employees. The Secretary of the County Election Board shall cause the statements so received by him to be checked to ascertain if the persons named hereon are qualified electors in said county and their respective precincts.

SECTION 7. The Secretary of the State Election Board shall cause to be prepared and printed, for use in voting under this Act, an appropriate number of State War Ballots for each election provided for in Section 1 of this Act. Such ballots shall contain the names of all candidates for Presidential Elector, United States Senator, Representatives in Congress, all State Officers (except Members of the State Legislature), and all State Questions submitted at such elections. Such ballots shall be printed in such form and size of type as may be appropriate for carrying out the provisions of this Act. All General Election State War Ballots, including State Questions, in the discretion of the Secretary of the State Election Board may be printed separately on one ballot. The State War Ballots for Regular Primary Elections of all political parties recognized under the laws of the State of Oklahoma shall be printed separately on one ballot, which may also contain State Questions, but the absentee voter shall be permitted to vote for the candidates of but one political party when marking his ballot. Should the elector vote for candidates

of more than one political party on said Regular Primary ballot, it shall constitute a mutilated ballot and not be counted when presented to the County Election Board on primary election day.

County War Ballots shall be prepared in accordance with the directions and specifications of the Secretary of the State Election Board by the Secretary of the County Election Board of each and every county of the State, printed at the expense of the State, and forwarded to the Secretary of the State Election Board for transmission with the State War Ballots. The County War Ballots shall contain the names of all candidates for county officers nominated and elected by the county at large and the names of all candidates for the Legislature. The County Primary Election War Ballots shall be printed in consolidated form for all political parties in similar manner to that prescribed herein for State Primary Election War Ballots.

The number of Special, General and Regular Primary Election County War Ballots to be printed for each county in each election shall be equal to at least ten per centum (10%) of the total vote cast in the county for the candidates for State office receiving the highest vote in said county at the last preceding General Election.

On the first Thursday in May after the close of the filing period, at the hour of 10 o'clock, a. m., in the office of the State Election Board, and in the office of each of the County Election Boards of the State, the respective Boards shall determine the order in which the name of each candidate for each of the offices shall appear on the Regular Primary War Ballots of the several political parties. The determination shall be at a public drawing in which the names of all candidates for each office of each political party shall be drawn from a receptacle. The names of the Democratic party candidates for the War Ballot shall be drawn first and the names shall be placed upon the Democratic ticket for the Regular Primary Election in the order in which the names of the candidates for each office are drawn. The names of the Republican party candidates shall be drawn next in like manner and the candidates names of any other recognized parties shall be drawn in the same manner until all candidates of all political parties for each office have a designated place for their name to appear upon the ticket of their party for the office for which they are a candidate.

SECTION 8. The Secretary of the State Election Board shall transmit to every person defined in Section 1 of this Act upon an application to vote in accordance with the provisions of this Act, as soon as practicable after the receipt of such application, the required War Ballots, affidavits, envelopes and instructions for casting such ballots, which instructions shall be printed on the back or face of one of the state ballots or upon or within the inner envelope. Provided that the Secretary of the State Election Board shall be authorized to distribute to said absentee electors the War Ballots, through Federal War Agencies, without applications, only if the same shall conform to an Act of Congress of the United States or to regulations of the authorized agencies of the armed forces of the United States.

SECTION 9. The said absent elector shall make and subscribe to an affidavit in the form or of the effect following:

WAR BALLOT  
AFFIDAVIT OF ABSENT ELECTOR

I, \_\_\_\_\_, do solemnly swear (or affirm) that I am a citizen of the United States; that I am now of the age of \_\_\_\_\_ years; that I have been a resident of the State of Oklahoma for one (1) year and of the county of \_\_\_\_\_ for six months, and my precinct for thirty (30) days next preceding the election to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and that I am now a resident of the \_\_\_\_\_ City (or town) of \_\_\_\_\_ or of \_\_\_\_\_, and that I am in all respects qualified to vote in my precinct at said election, and until said election intend to be a resident thereof; that I am unavoidably absent from my home precinct because I am (check appropriate blank):

- (a) in the armed forces of the United States (---);
- (b) in the merchant marine of the United States (---);
- (c) in the American Red Cross (---), the Society of Friends (---), the Women's Auxiliary Service Pilots (---), or the United Service Organizations (---), attached to and serving with the armed forces of the United States;
- (d) the wife or husband of one of the aforesaid

persons (---); and will be unable to appear at the polls in my precinct on election day.

-----  
 (Absent Elector)  
 -----

-----  
 (Home Street or Rural Address)  
 -----

SECTION 10. The said absent elector aforesaid shall prepare and fold the ballot or ballots he intends to cast at such election, and enclose the same in an envelope, which shall be known as the "Inner Envelope." The State War Ballot may be printed on the inside of the inner envelope and the affidavit set forth in Section 9 hereof shall be printed on the outside of the outer envelope, or on the inside or the outside of the Inner Envelope in such manner that it may be detached and the secrecy of the ballot preserved. The said Inner Envelope, prepared as aforesaid, shall be duly sealed and enclosed by the absent elector in another envelope, marked "Official Election War Ballot," to be known as the Outer Envelope, and directed to the Secretary of the County Election Board of the county of his residence, and said absent elector shall then transmit or forward the same to the Secretary of the County Election Board. The elector is specifically authorized to mark his ballot with either pen or pencil. Provided that the Secretary of the State Election Board shall have the authority, if he finds it practical and feasible, to dispense with the outer envelope by having the inner envelope addressed to the Secretary of the County Election Board of the absentee elector's home county.

SECTION 11. The Secretary of the County Election Board shall retain all envelopes marked "Official Election War Ballot" by him unopened, and shall deposit same in a locked box, and at the hour of 4:00 o'clock, p. m., on the day of the election, he shall deliver the same to the County Election Board. The said envelopes shall be by the Chairman of said County Election Board publicly opened and if the person forwarding said War Ballot is determined by said Board to be qualified to vote in said election in said county, and has not forwarded a War Ballot, Federal or State, which has theretofore been placed in the ballot box, the War Ballot contained in any such envelope shall be, after removing any identification form thereto attached, duly deposited in the box prepared to receive the War Ballots. All War Ballots received and deposited in the War Ballot box not mutilated and found to be legal shall be

counted by the County Election Board. Such count shall start at the hour of 4:10 o'clock, p. m., or as soon thereafter as possible, on election day and continue until all War Ballots are counted. No ballot received after 7:00 o'clock, p. m., on election day shall be counted. Any candidate or political party shall have authority to designate a watcher who shall be governed by the law relating to watchers generally. The count shall be kept secret and the result of said count shall not be disclosed until 7:00 o'clock, p. m., of election day or until all War Ballots have been counted.

SECTION 12. The affidavits and instruments hereinbefore described, and all envelopes marked "Official Election War Ballot," not opened at such elections because received after 7 o'clock, p. m., on the day of the election, and all ballots rejected shall be kept and placed by the Secretary of the County Election Board in an envelope marked "Mutilated, Challenged and Rejected War Ballots," and retained in the office of said Secretary for a period of one (1) year.

SECTION 13. Any ballot applications prepared and authorized by the Government of the United States, or authorized to be prepared by any Department or Agency of the State of Oklahoma by the Federal Government, is hereby validated and approved and authority is given for any and all departments or agencies of state and county governments to carry out the aim and intent of said law or laws insofar as said Act or Acts relate to any absentee elector referred to in Section 1 of this Act casting an absentee ballot for Electors of President and Vice President of the United States, United States Senators and Representatives in Congress. The form of "Official Federal War Ballot" and envelopes and forms incident thereto prescribed by the Congress of the United States in Section 303(a), Title III of Public Law 712, 77th Congress, as amended by S. 1285, 78th Congress, 2nd Session, are hereby adopted and approved for use as in this Act provided.

The Secretary of the State Election Board is authorized to modify or eliminate any form or regulation in this Act provided to comply with laws of the United States or rules and regulations issued thereunder which will better enable the absentee electors mentioned in Section 1 of this Act to cast an absentee ballot. Any state official is authorized to comply with laws, rules or regulations of the United

States to obtain free mailing privileges for forwarding applications, ballots or absentee voting supplies.

The Governor is authorized to certify at any time, prior to July 15, of an election year, that Federal Ballots are authorized by the laws of this State, if the absentee elector states in his oath that he applied for a State Absentee Ballot prior to September 1 but as of October 1, had not received it. In such cases said Federal Ballots, if received and voted on election day, shall be counted. The Secretary of State shall cause to be transmitted immediately any Federal War Ballots received by him to the Secretary of the State Election Board, who shall without delay forward said ballots to the Secretary of the County Election Board of the elector's county of residence. Said ballots shall be counted in like manner as are State War Ballots, subject to the provisions of Section 15 of this Act. Should said ballot be received by the Secretary of the State Election Board on the day of the election, it shall be dispatched by messenger if it can reach the Secretary of the County Election Board by 7:00 o'clock, p. m., of that day.

SECTION 14. Section 163, Title 26, Oklahoma Statutes, 1941, is hereby amended to read as follows:

"Section 163. Notification and Declaration, required by this chapter to be filed with the Secretary of the State Election Board, shall be filed *during the filing period beginning the fourth Monday in April before the day fixed by law for the Regular Primary Election and shall remain open for five days*; provided that, in a Special Primary Election called by Proclamation of the Governor, Notification and Declaration shall be filed not less than ten days before the day fixed by such Proclamation for such Special Primary Election. Notification and Declaration, required by this Chapter to be filed with the Secretary of the County Election Board, shall be filed *during the filing period beginning the fourth Monday in April before the day fixed by law for the Regular Primary Election and shall remain open for five days. Any candidate for state or county office may withdraw as such candidate upon filing, on or before the first Wednesday in May before the day fixed by law for the Regular Primary Election, a withdrawal properly verified before a Notary Public. In the event any person files as a candi-*

date and does not withdraw as herein provided his name shall be placed upon the ballot as such candidate. In the event there are only two candidates for a particular office and one candidate withdraws as provided herein the remaining candidate shall become the candidate of that particular political party and it shall not be necessary to place his name upon the ballot of such party and such person shall be issued a Certificate of Nomination and his name placed on the ballot as *that Party's* candidate in the General Election. All applications of persons for political party nominations must be filed with and received by the proper Election Board not prior to 8:00 o'clock, a. m., of the first day, nor later than 5:00 o'clock, p. m., on the last day on which the filing may be made under the provisions of this Section. Provided, that where there are but two candidates for a nomination and one shall die or become disqualified after the close of the filing period, the proper executive committee of *his* Party may certify the name of another candidate to the Election Board at any time before the ballots are printed; provided the provisions of this Section shall not apply to primary elections in cities and towns."

SECTION 15. In the event an absentee elector referred to in Section 1 of this Act receives both a State War Ballot and a Federal War Ballot and both are forwarded by such elector to be cast, the Federal War Ballot shall be disregarded. The County Election Board shall see that no such absent elector votes twice. It is the purpose of this Act to recognize and validate the Federal War Ballots authorized by the laws of the United States and approved by this Act, but to prevent duplication of voting of Federal and State War Ballots.

SECTION 16. There is hereby appropriated out of the general revenues of the State for the fiscal year ending June 30, 1944, not otherwise appropriated, the sum of Forty-five Thousand (\$45,000.00) Dollars, or so much thereof as may be necessary, for the purpose of paying the expenses necessary to carry out the provisions of this Act, including printing of ballots and supplies, postage, telephone and telegraph, freight and express, clerical help, purchase of supplies and all other expenses incident thereto. The Secretary of each County Election Board shall be paid the sum of \$25.00 per month as additional compensation

during the period of time beginning April 24, 1944, and ending November 24, 1944, performing the services required of him by this Act, such additional compensation to be paid out of said appropriation. Said appropriation shall be non-fiscal and may be expended at any time within two and one-half years from the effective date of this Act, and shall be disbursed by state warrants, drawn upon claims approved by the Secretary of the State Election Board.

SECTION 17. Any member of any election board or other person who shall wilfully neglect or refuse to perform any of the duties, required of him as aforesaid, or who shall in any manner wilfully violate or abuse any trust or duty hereby imposed, shall be deemed guilty of an offense and, upon conviction thereof, shall be punished by a fine of not more than One Thousand (\$1,000.00) Dollars, or by imprisonment in the county jail for a period not exceeding six (6) months or both.

SECTION 18. Any person who shall directly or indirectly control or attempt to control any such absentee elector as aforesaid, in the exercise of any of his rights under this Act, by menace, bribery, fear of punishment, hope of reward, or any other corrupt or arbitrary measure or resort whatever, or to annoy, injure or otherwise punish any such absent elector for the manner in which he may have exercised any such right, shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not exceeding One Thousand (\$1,000.00) Dollars, or by imprisonment in the State Penitentiary at hard labor for any period not exceeding two (2) years, or both.

SECTION 19. Whoever shall knowingly or wilfully make a false affidavit under the provisions of this Act shall be deemed guilty of perjury.

SECTION 20. This Act shall not be construed as repealing any existing laws but shall be cumulative thereto, except Section 163, Title 26, Oklahoma Statutes 1941, is amended as herein provided, and except that any application for an absentee ballot received by the Secretary of the County Election Board of any county under Section 324a, Title 26, Oklahoma Statutes 1941, from a person designated in Section 1 of this Act, shall be forwarded to the Secretary of the State Election Board who shall forward such person the War Ballots, affidavits, instructions and supplies provided by this Act.

SECTION 21. No mere informality in the manner of carrying out or executing the provisions of this Act shall invalidate any election held under it, or authorize the rejection of the returns thereof; and the provisions of this Act shall be construed liberally for the purpose of enabling the persons designated in Section 1 to vote.

SECTION 22. The provisions of this Act shall be severable and, if any section or part of any section of this Act is declared to be unconstitutional, the remainder of the Act shall not thereby be invalidated.

SECTION 23. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

Senator Norton presiding.

Upon motion of Senator Nichols, the Senate refused to concur in Engrossed House Amendment to Engrossed Senate Bill No. 1 and requested the Honorable House to grant a conference thereon.

Senator Jones presiding.

Upon motion of Senator Rinehart, it was ordered that a Conference Committee of 5 be appointed under Engrossed Senate Bill No. 1, the Presiding Officer appointing as such Conference Committee Senators Nichols, Norton, Ginder, Nance and Paul.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE BILL NO. 4—By Bullard, Reed, Arms, Billingsley, Board, Coleman, Cordray, Crane, Crow, Flanagan, Flowers, Harshbarger, Helm, Impson, Johnson (Creek), Long, Massey, Morgan, Musgrave, Nix, Parrish, Shelton, Sherman, Speakman, Standley, Story, Stovall, Tate, Underwood, Van Dyck, Weaver, Wheatley, and Worthington, of the House, and Anglin, of the Senate,

An Act relating to acknowledgments and subscriptions of instruments; authorizing certain officers to take acknowledgments and subscriptions of persons in the military, naval and other armed services of the United States; providing that acknowledgments of spouses may be taken before the designated officers; providing that such instruments shall be accepted for recording in this State; providing that acknowledgments of such persons may also be taken before Notaries Public and other officers whose acknowledgments are recognized under the laws of this State; validating certain acknowledgments and subscriptions taken by such officers prior to effective date of this Act; making provisions of Act severable; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 5—By Flowers, Parrish, Underwood, Speakman, Arms, Banks, Cordray, Grennell, Guffy, Gullett, Harshbarger, Helm, Hughes, Johnson (Comanche), Lucas, Massey, Nix, Sherman, Smith, Streetman, Thompson, Van Dyck, Weaver, Williams, and Wilson, of the House, and Posey, Anglin, Phillips, Gary and Dacus, of the Senate,

An Act amending Subsection 1 of Section 5, Chapter 21, Title 70, Oklahoma Session Laws 1943, page 203, increasing the salary schedule set forth in said subsection provided funds are available in the appropriation made for the purpose of carrying out the provisions of said State Aid Act as herein amended; and declaring an emergency,

ENGROSSED HOUSE BILL NO. 6—By Flowers, Speakman, Parrish, Massey, Arms, Banks, Cordray, Grennell, Guffy, Gullett, Harshbarger, Helm, Hughes, Johnson (Comanche), Lucas, Nix, Sherman, Smith, Streetman, Thompson, Underwood, Van Dyck, Weaver, Williams, and Wilson,

An Act providing for the distribution of the unallocated balance of the State Aid money provided for by House Bill No. 350, Session Laws, 1943, determined after the State Board of Education has allocated to the districts qualifying therefor the amount of minimum program provided by House Bill No. 361 of the Legislature of 1943, as amended by the Extraordinary Session of 1943, together with the moneys accrued, or to accrue under the provisions of House Bill No. 77 of the Legislature of 1943; providing for the manner of such distribution, reappropriating the appropria-

tion made in House Bill No. 350 of the 1943 Legislature; defining the expenditure thereof; and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same have been passed by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

The Presiding Officer announced First Readings of Engrossed House Bills Nos. 4, 5 and 6.

Upon motion of Senator Rinehart, Engrossed House Bills Nos. 4, 5 and 6 were ordered printed.

The Senate was declared at ease.

The Senate reassembled, with Senator Jones presiding.

Upon motion of Senator Rinehart, the Senate adjourned to meet at 1:30 p. m., tomorrow.

## SEVENTH LEGISLATIVE DAY

Tuesday, April 18, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—39.

Excused: Cowden.—1.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

## SECOND READING

The following bills were read for the second time and, by unanimous consent, ordered placed upon the calendar without reference to a Committee:

ENGROSSED HOUSE BILL NO. 4—By BULLARD, et al, of the House, and ANGLIN, of the Senate.

ENGROSSED HOUSE BILL NO. 5—By FLOWERS, et al, of the House, and POSEY, ANGLIN, PHILLIPS and WILLIAMS.

ENGROSSED HOUSE BILL NO. 6—By FLOWERS, et al.

## GENERAL ORDER

HOUSE BILL NO. 1, by Holliman, et al, was read and considered.

Senator Anglin submitted the following amendment:

Mr. President: I move to amend House Bill No. 1, by striking the title, the enacting clause and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, and inserting in lieu thereof the following:

AN ACT RELATING TO THE SURPLUS REVENUES ACCRUING TO THE SURPLUS FUND OF THE GENERAL REVENUE FUND CREATED BY TITLE 62, O. S. 1941, § 8.6, PROVIDING FOR THE MONTHLY ALLOCATION OF THE SURPLUS TO THE ACCOUNTS OF THE STATE FUNDING BOND FUNDS OF 1935, 1939, AND 1941, PROVIDING FOR THE INVESTMENT OF SAID SURPLUS FUNDS IN UNITED STATES SECURITIES, PLEDGING SAID ACCOUNTS, FUNDS AND SECURITIES TO THE PAYMENT AND RETIREMENT OF THE OUTSTANDING STATE FUNDING BONDS, AND AUTHORIZING THE SALE, TRANSFER AND EXCHANGE OF SAID SECURITIES TO RETIRE SAID FUNDING BONDS, PROVIDING OTHER DETAILS, DESIGNATING THE STATE TREASURER AS CUSTODIAN OF SAID FUNDS AND SECURITIES, MAKING PROVISIONS OF ACT SEVERABLE, AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. It is the intention of this Act to provide for the orderly disposition and use of revenues accruing to the General Revenue Fund of the State of Oklahoma in excess of the total legislative appropriations made out of such General Revenue Fund.

SECTION 2. Any and all monies accruing to the Surplus Fund of the General Revenue Fund of the State of Oklahoma created by Title 62, O. S. 1941, § 8.6, in excess of the allocations provided for in Title 62, O. S. 1941, § 8.2 and § 8.3, and all monies heretofore allocated to and remaining to the credit of the said Surplus Fund at the time this Act becomes effective, shall be transferred by the State Auditor monthly to the Surplus Accounts of the 1935, 1939, and 1941 Funding Bond Accounts created by Title 62, Chapter 1c, Section 6, Session Laws of 1943, in the order hereinafter provided. After the transfers provided in this Act, together with the funds to the credit of the State Fund-

ing Bond Funds herein referred to, equal an amount sufficient to meet the total requirements, both the principal and interest, of the State Funding Bonds of 1935, 1939, and 1941, the amount of cash surplus accrued to the State General Revenue Fund or Surplus Fund created by Title 62 Oklahoma Statutes 1941, § 8.6 shall not be transferred but shall remain intact subject to further legislative action.

SECTION 3. The transfers of funds provided for in Section 2 shall be made by the State Auditor as follows:

First, an amount necessary to meet the requirements of the 1941 State Funding Bonds and Coupons outstanding at the date of the transfer, shall be credited to the Surplus Account of the State Funding Bond Fund of 1941. If the amount transferred, together with the amount to the credit of the State Funding Bond Fund of 1941, is insufficient to meet the total requirements, then the allocation shall be made first to the last maturing bonds and coupons and continuing to the earliest maturing bonds and coupons until there has been reserved in the Surplus Account of the State Funding Bond Fund of 1941 an amount sufficient to meet all maturing and outstanding bonds and coupons of the 1941 State Funding Bond issue.

Second, after reserving an amount sufficient to meet the requirements of the 1941 State Funding Bonds, any residue, and subsequent transfers shall be credited to the Surplus Account of the 1939 State Funding Bond Fund following the same procedure as provided for the 1941 State Funding Bonds.

SECTION 4. Until there has accumulated in the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 an amount which together with the monies to the credit of the funding bond funds is sufficient to meet all requirements of the 1935, 1939, and 1941 State Funding Bonds, that is the total requirements of the three issues, the monthly allocation or transfer of collections accruing to the General Revenue Fund as provided in Title 62 Oklahoma Statutes 1941, §§247, 132h, and 133h, shall continue to be made by the State Treasurer.

SECTION 5. The State Treasurer, with the approval of the Governor and Attorney General, is hereby authorized and directed to purchase United States Government Bonds or United States Government securities in such amounts

as the balance of the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 will permit. Subsequent purchases of United States Government Bonds or United States securities shall be made as monies accrue to the respective Surplus State Funding Bond Fund Accounts, as the balances to the credit of those accounts will permit. The State Auditor is hereby authorized to issue warrants drawn upon and payable out of the Surplus State Funding Bond Fund Accounts of 1935, 1939, and 1941, to pay for said bonds or securities. Provided that said officers shall endeavor to purchase such United States bonds or United States securities as will mature at such times as will provide necessary cash to meet the requirements of the State Funding Bonds of 1935, 1939, and 1941.

SECTION 6. Any earnings realized from the United States Government Bonds or United States Government securities purchased shall be credited to the same Surplus State Funding Bond Account owning such United States Government Bonds or United States securities at the time the earnings are received by the State Treasurer. On June 30th of each year any monies in the Surplus State Funding Bond Accounts in excess of the amount necessary to meet the total requirements of the State Funding Bonds of 1935, 1939, and 1941, shall be transferred to the General Revenue Fund of the State of Oklahoma and allocated as other collections accruing to the General Revenue Fund.

SECTION 7. Each of the surplus accounts of said State Funding Bond Funds, and the funds and securities credited thereto, are hereby irrevocably pledged to the payment or retirement of the bonds and coupons of the State Funding Bond Issue for which said Surplus Account was established.

(a) After all of the State Funding Bonds of 1935 and coupons have matured, and sufficient reserve has been retained to pay all matured bonds and coupons, any balance of monies remaining to the credit of the State Funding Bond Fund of 1935 Surplus Account shall be transferred to the State Funding Bond Fund of 1939 Surplus Account.

(b) After all of the State Funding Bonds of 1939 and coupons have matured, and sufficient reserve has been retained to pay all matured bonds and coupons, any balance of monies remaining to the credit of the State Funding

Bond Fund of 1939 Surplus Account shall be transferred to the State Funding Bond Fund of 1941 Surplus Account.

The regular monthly allocations provided by Title 62 Oklahoma Statutes 1941, §§247, 132h, and 133h, shall be made from the Surplus Accounts when there shall have accumulated in said Surplus Accounts sufficient funds and securities which, together with monies already allocated under said sections are sufficient to pay all outstanding State Funding Bonds and coupons of said three issues.

SECTION 8. In order to provide funds to pay the bonds and coupons of the State Funding Bonds of 1935, 1939, and 1941, the State Treasurer, with the approval of the Governor and Attorney General, is authorized to transfer bonds or securities to the credit of the Surplus Account of one issue to the Surplus Account of another issue, provided an equal amount of cash is transferred to the Surplus Accounts from which the securities are taken. The State Treasurer, with the approval of the Governor and Attorney General, is hereby authorized to sell any of the securities to the credit of the Surplus Accounts of the 1935, 1939, and 1941 State Funding Bond Funds to obtain funds to retire at par and accrued interest any of the State Funding Bonds for which the particular Surplus Account was created. Likewise said officers are authorized to exchange securities held in said accounts for the surrender and payment of an equal amount of said State Funding Bonds, provided they may agree to pay from the Surplus Account to the holders of the State bonds any difference in interest which the State bonds earn in excess of the amount the United States Government securities would earn during the life of the State bonds; Provided, that if the United States Government securities earn interest in excess of the interest earned by the State bonds, no such exchange of securities shall be authorized or made unless the State receives in the exchange an amount of money equivalent to the excess interest earned by the United States Government securities.

SECTION 9. The State Treasurer is hereby designated as the custodian of the monies and securities to the credit of the Surplus Accounts of the 1935, 1939 and 1941 State Funding Bond Funds, and he shall be liable on his official bond for the safe-keeping of the same.

SECTION 10. The provisions of this Act shall be

severable and if any section, sub-section, sentence or clause of this Act is for any reason held to be invalid such holding shall not affect the validity of the remaining portions thereof.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

ANGLIN.

Senator Bowman presiding.

Senator Thornton submitted the following amendment to the Anglin amendment, which failed of adoption:

Mr. President: I move to amend House Bill No. 1, line 13, page 9, by striking after the word, "at," and before the word, "any," the words, "par and accrued interest," and inserting the following: "wholesale market price or lower."

THORNTON.

The vote occurring on the Anglin amendment, it was declared adopted.

Senators Burns, Thornton, Hearne, Gary, Chapman, Cobb, Jones, Brown, Duffy, Cornels, Pruett, Sears, Wheeler, Dacus, Carrier, Leonard, Paul, Posey, Curry, Goodpaster, and Bowman asked to be made Joint Authors of House Bill No. 1, which was the order.

Upon motion of Senator Anglin, House Bill No. 1, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and House Bill No. 1, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 1 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chap-

man, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—33.

Excused: Cowden, Ginder, Nance, Nichols, Norton.—5.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Braden, Mahan.—2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—33.

Excused: Cowden, Ginder, Nance, Nichols, Norton.—5.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Braden, Mahan.—2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 1, as amended, was ordered referred for engrossment.

#### GENERAL ORDER

SENATE RESOLUTION NO. 2, by Pruett, et al, was taken up for consideration and read at length, as follows:

SENATE RESOLUTION NO. 2—By PRUETT, HEARNE, PHILLIPS and WILLIAMS.

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT PROPER

**LEGISLATION SO THE NATION CAN RETURN TO NORMAL STANDARD TIME.**

WHEREAS, It is the sun and not the laws of man that determines daylight and darkness; and

WHEREAS, Central Standard Time is sun time on the 90th meridian which runs near East St. Louis; and

WHEREAS, The 98th Meridian was the dividing line between Indian Territory and Oklahoma Territory before statehood, which makes Oklahoma time on the average thirty-two (32) minutes faster than sun time based on Central Standard Time; and

WHEREAS, the War Time now in force makes Oklahoma time on the average one hour and thirty-two (32) minutes faster than sun time; and

WHEREAS, such a great difference is disturbing; lessens the number of suitable hours for work; increases the consumption of fuel; causes school children to have to wait in the dark and cold for school buses in winter time; and

WHEREAS, War Time does not benefit people who live West of the Meridian that governs their Standard Time; that it is much easier to move and act in obedience to the laws of Nature than contrary thereto; that practically all War Plants run on a twenty-four (24) hour basis and cannot be benefited by a change from Standard Time.

**THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF OKLAHOMA IN SPECIAL SESSION:**

That the Congress of the United States be and is hereby petitioned and requested to enact proper legislation so the Nation can return to normal Standard Time.

BE IT FURTHER RESOLVED: That engrossed copies of this Resolution, duly certified be mailed by the Secretary of the Senate to our United States Senators and Members of Congress and the President of the United States.

Upon motion of Senator Pruett, Senate Resolution No. 2 was adopted and ordered referred for engrossment.

The President presented to the Senate Ensign Lucille Connors, Officer in Charge, Recruiting Office of Coast Guard "SPARS" who is stationed in Oklahoma City.

The Senate was declared at ease for 15 minutes.

The Senate reassembled, with the President presiding.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has granted the request of your Honorable Body for a Conference on:

ENGROSSED SENATE BILL NO. 1 — By Nichols, Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams, and Wilson, of the Senate, and Tate, Underwood, Arrington, Binns, Frix, Hill, Levergood, Lucas, Pugh, Sherman, Toaz, Wilson, and Worthington, of the House,

An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the armed forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the armed forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring and emergency,

and has appointed as conferees the following Representatives: Underwood, Worthington, Wilson, Speakman, King.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Senator Mahan presented to the Senate T/5 George A. Noble, of Fairfax, Oklahoma, who was wounded in the Battle of Cassino, on December 28, 1943, and Mrs. Noble.

Senator Nichols submitted the following Conference Committee Report:

To the President of the Senate and  
The Speaker of the House of Representatives:

We, your Conference Committee to whom was referred the differences between the Senate and the House of Representatives on Senate Bill No. 1, beg leave to submit the following report:

1. That the Senate concur in the House amendments to Senate Bill No. 1, with the following Conference Committee Amendments:

A. In Section 8, Line 8, Page 8, after the word "envelope" the following language be inserted: "The Secretary of the State Election Board shall issue but one set of war ballots and supplies to any one elector, unless those originally issued to said elector have been lost or destroyed."

B. Between lines 4 and 5, page 7, the following language be added:

"Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_\_.

-----  
(Name and Title of Officer)

(This affidavit to be sworn to before any commissioned officer, non-commissioned officer not below the rank of Sergeant, or petty officer, the clerk of a court of record or notary public, or other officer or person authorized to administer oaths.) Authority to administer said oath is hereby conferred upon the commissioned officers and non-commissioned officers and officials named."

C. Renumber Section 15 to read Section 16 and all succeeding Sections and insert the following as Section 15:

"Section 15. It is specifically provided that any member of the armed forces, as designated herein, who casts a vote in accordance with the provisions of this Act, in any

election authorized under the laws of this State, shall be entitled to have that vote counted if he has died in defense of his country or is missing in action, prior to the date of election."

D. Line 19, Page 5: Strike the word "hereon," and insert in lieu thereof the word "thereon."

E. "The war ballots cast and counted shall be placed in a separate column on the state and county returns, showing the vote cast for each candidate for the several offices, and added to the total vote cast in the county for the candidates for the several offices mentioned in this Act." To be inserted line 9, pag 9, after the word "counted".

Respectfully submitted,

Senate Conferees:	House Conferees:
NICHOLS,	UNDERWOOD,
GINDER,	WORTHINGTON,
NORTON,	KING,
PAUL,	SPEAKMAN.
NANCE.	

Senator Nichols moved that the Conference Committee Report on Senate Bill No. 1 be adopted.

Senator Paul, as a substitute, moved that further consideration of the Conference Committee Report on Senate Bill No. 1 be set for Special Order at 4:00 p. m., today, which motion prevailed.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

#### SPECIAL ORDER

The hour of 4:00 o'clock, p. m., having arrived, Senator Nichols moved that the Conference Committee Report on Senate Bill No. 1 be adopted, which motion prevailed.

ENGROSSED SENATE BILL NO. 1, as amended in Conference, was read at length.

The question being, "Shall the Bill, as amended in conference, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Car-

rier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—39.

Excused: Cowden.—1.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended in conference, become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Curry, Dacus Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—39.

Excused: Cowden.—1.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

Engrossed Senate Bill No. 1, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House for consideration.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 1 correctly engrossed.

SPECK, Chairman.

The President, in open session, signed Engrossed Senate Amendments to and Engrossed House Bill No. 1, as

amended, and ordered the bill returned to the Honorable House.

Senator Norton presented Mr. and Mrs. Theron O. Bruton, Miss Curry, Jackie Hamilton, all of Shawnee; also Miss Dolores Jeanette Keefee and Nina May Ashford of Shawnee, who sang "When the Redbud Blooms in Oklahoma," composed by Theron O. Bruton.

#### GENERAL ORDER

HOUSE BILL NO. 6, by Flowers, et al, was taken up for consideration and read at length.

Senator Posey submitted the following amendmennt, which was adopted:

Mr. President: I move to amend House Bill No. 6, line 17, page 2, by inserting after the word, "provisions," and before the word, "of," the following: "Paragraph numbered (2) of Sub-section (b) of Section 1"

POSEY.

Senator Posey submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 6, line 1, page 3, by inserting after the figures, "361," and before the comma the following: "and the provisions of this Act"

POSEY.

Senator Posey submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 6, line 3, page 5, by adding after the period in line 3 the following and renumbering the lines: "For such purpose the State Board of Education is authorized to increase the Minimum Program as defined in House Bill No. 361, S. L. 1943, by an amount not to exceed the amount made available under this Act to School Districts qualifying for State Aid to finance such Minimum Program so increased."

POSEY.

Senator Posey submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 6, line

4, page 6, by adding after the period in line 4 the following and renumbering the lines: "for such purposes the State Board of Education is authorized to increase the Minimum Program as defined by House Bill No. 361, S. L. 1943, by an amount not to exceed the amount made available under this Act to School Districts qualifying for State Aid to finance such Minimum Program so increased."

POSEY.

Senator Posey submitted the following amendment, which was adopted:

Mr. President: I move to amend the title of House Bill No. 6, as follows: (1) In line 9 after the word, "the," and before the word, "legislature," add the figures, "19th"

(2) In line 11 after the word, "of," strike the figures, "1943," and substitute in lieu the figures, "1944"

(3) In line 14, after the word, "the," and before the word, "legislature," insert the figures, "19th"

(4) In line 18, after the word, "the," and before the figures, "1943," insert the word, "Nineteenth"

(5) In line 18, after the word, "the," substitute the words and figures, "Nineteenth Legislature of 1943," for the word and figures, "1943 Legislature"

POSEY.

Upon motion of Senator Posey, House Bill No. 6, as amended, was advanced to engrossment and third reading.

The President announced matters were on his desk for the consideration of the Senate, in executive session.

Upon motion of Senator Rinehart, the Senate closed its doors and went into Executive Session.

The Senate reassembled, in open session, with the President presiding, who made the following announcements:

The Senate, in executive session and upon motion of Senator Ritzhaupt, advised and consented to the confirmation of the recess appointment of CHARLES A. ALLEN, Guthrie, Oklahoma, as a Member of the Fraternal Insurance

Board for a period of four years, said term to expire May 1, 1947.

The Senate, in executive session and upon motion of Senator Burns, advised and consented to the confirmation of the appointment of LEO C. SMITH, of Oklahoma City, as a Member of the Building and Loan Board, to succeed himself, said term to expire April 17, 1948.

The Senate, in executive session and upon motion of Senator Chapman, advised and consented to the confirmation of the appointment of J. DEWEY CLEMENS, Ardmore, Oklahoma, as a Member of the State Highway Commission to succeed Sam P. Hale, resigned, effective April 15, 1944.

Senator Nichols presiding.

Senator Rinehart moved that when the Clerk's desk is cleared, the Senate adjourn, which motion prevailed.

Senator Pruett presiding.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 1 — By Nichols, Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams, and Wilson, of the Senate, and Tate, Underwood, Arrington, Binns, Frix, Hill, Levergood, Lucas, Pugh, Sherman, Toaz, Wilson, and Worthington, of the House,

An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the armed forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service

Organizations, attached to and serving with the armed forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring an emergency,

together with CONFERENCE COMMITTEE REPORT thereon,

and to advise you, and through you, the Honorable Senate, that the House has adopted the Conference Committee Report, and the Bill has been passed AS AMENDED by said Report.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed Senate Bill No. 1, together with Conference Committee Report thereon, was ordered referred for enrollment.

As provided under the Rinehart motion, the Senate was declared adjourned.

## EIGHTH LEGISLATIVE DAY

Wednesday, April 19, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—38.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

Upon request of Senator Rinehart, ten (10) mimeographed copies of Enrolled Senate Bill No. 1, when approved by the Governor, were ordered provided for each member of the Senate.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 2 and House Bill No. 6 each correctly engrossed and Senate Bill No. 1 correctly enrolled.

SPECK, Chairman.

Senator Pruett presiding.

The Presiding Officer, in open session, signed En-

grossed Senate Resolution No. 2 and ordered it referred for enrollment.

Senator Paul presiding.

Senate Bill No. 1 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

The President presiding.

### THIRD READING

HOUSE BILL NO. 6 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Ginder, Goodpaster, Nichols.—3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Ginder, Goodpaster, Nichols.—3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President, in open session, signed engrossed Senate Amendments to and Engrossed House Bill No. 6, as amended, and ordered the bill returned to the Honorable House.

Senator Carrier presiding.

#### GENERAL ORDER

HOUSE BILL NO. 5, by Flowers, et al, of the House, and Posey, Anglin, Phillips and Williams, of the Senate, was taken up for consideration.

Section 1 was read and adopted, upon motion of Senator Posey.

Upon motion of Senator Phillips, House Bill No. 5 was advanced to engrossment and third reading.

Upon motion of Senator Rinehart, the rules of the Senate were suspended and House Bill No. 5 was considered engrossed and placed upon third reading and final passage.

#### THIRD READING

HOUSE BILL NO. 5 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Hammond, Hearne, Jones, Lowery, Mahan, Nance, Nichols, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—34.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Braden, Goodpaster, Leonard, Norton.—4.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Hammond, Hearne, Jones, Lowery, Mahan, Nance, Nichols, Paul, Phillips, Posey, Pruett, Rinehart, Sears, Speck, Thornton, Wheeler, Williams, Wilson.—34.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Braden, Goodpaster, Leonard, Norton.—4.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President, in open session, signed the engrossed copy of House Bill No. 5, and ordered the same returned to the Honorable House.

#### GENERAL ORDER

HOUSE BILL NO. 4, by Bullard, et al, of the House, and Anglin, of the Senate, was read at length.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 4, line 15, page 2, by striking the words, "second lieutenant," and inserting the word, "sergeant," also on line 18, page 2, strike the word, "ensign," and insert the words, "petty officer"

#### ANGLIN.

Senator Anglin submitted the following amendment, which was adopted:

Mr. President: I move to amend House Bill No. 4, line 1, page 4, by striking the words, "his serial number"

ANGLIN.

Senators Braden, Brown, Cornels, Counts, Dacus, Duffy, Hammond, Hearne, Paul, Speck and Wheeler asked to be made Joint Authors of House Bill No. 4, which was the order.

Upon motion of Senator Anglin, House Bill No. 4, as amended, was advanced to engrossment and third reading.

Upon motion of Senator Anglin, the rules of the Senate were suspended and House Bill No. 4, as amended, was considered engrossed and placed upon third reading and final passage.

### THIRD READING

HOUSE BILL NO. 4 was read for the third time at length.

The question being, "Shall the Bill pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus, Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nichols, Norton, Paul, Phillips, Posey, Prnett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Fine, Nance, Sears.—3.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Counts, Curry, Dacus,

Duffy, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Williams, Wilson.—35.

Excused: Cobb, Cowden.—2.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Not Voting: Fine, Nance, Sears.—3.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

House Bill No. 4, as amended, was ordered referred for engrossment.

The Senate was advised of the presence of Honorable Paul Stewart, former member of the Senate, now Member of Congress from the third Congressional District.

A Committee, composed of the members of the Senate from the Counties comprising the 3rd Congressional District, was appointed, with instructions to escort Honorable Paul Stewart to the President's desk, where he was presented to the Senate and spoke informally.

Senator Rinehart moved that, when the Clerk's desk is cleared, the Senate adjourn, which motion prevailed.

Senators Counts and Curry asked to be excused on the next legislative day, which was the order.

#### MESSAGES

The following Messages from the Honorable House were received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 1 — By Nichols, Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams,

and Wilson, of the Senate, and Tate, Underwood, Arrington, Binns, Frix, Hill, Levergood, Lucas, Pugh, Sherman, Toaz, Wilson, and Worthington, et al, of the House,

An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the Armed Forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the Armed Forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring an emergency, and to advise you and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Bill No. 1 was ordered referred to the Governor for consideration.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 3—By Nichols,

An Act relating to elections; amending Title 26, Section 324a, Oklahoma Statutes 1941, relating to absentee voting; and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed Senate Bill No. 5 was ordered referred for enrollment.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 2 — By Anglin, Ritzhaupt, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Nance, Neill, Nichols, Norton, Paul, Phillips, Posey, Pruett, Rinehart, Sanford, Sears, Speck, Thornton, Wheeler, Williams, and Wilson, of the Senate, and Bullard, of the House,

An Act relating to acknowledgments and subscriptions of instruments; authorizing certain officers to take acknowledgments and subscriptions of persons in the military, naval and other armed services of the United States; providing that acknowledgments of spouses may be taken before the designated officers; providing that such instruments shall be accepted for recording in this State; providing that acknowledgments of such persons may also be taken before notary publics and other officers whose acknowledgments are recognized under the laws of this State; validating certain acknowledgments and subscriptions taken by such officers prior to effective date of this Act; making provisions of Act severable; and declaring an emergency, and

ENGROSSED SENATE BILL NO. 3—By Nichols,

An Act relating to elections; providing procedure for qualified electors temporarily absent from their voting precinct to register by mail; and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same have been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 2 were read as follows and consideration deferred for this legislative day:

Amendment No. 1. Page 2, Section 2, Line 15, by adding after the word "title" the following: "home address and serial number."

Amendment No. 2. Page 2, Section 2, Line 22, by adding after the period the following: "Provided further, that any acknowledgment so taken shall not require the imprint of a seal, but the person executing such instrument before any such officer shall affix his thumbprint after his signature."

Engrossed House Amendment to Engrossed Senate Bill No. 3 was read as follows and consideration deferred for this legislative day:

Amendment No. 1. Page 1, Section 1, Line 16, strike the word "acknowledged" and insert in lieu thereof the words: "subscribed and sworn to."

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report House Bill No. 4 correctly engrossed.

SPECK, Chairman.

The President, in open session, signed Engrossed Senate Amendment to and Engrossed House Bill No. 4, as amended, and ordered the bill returned to the Honorable House.

As previously provided, the Senate was declared adjourned.

NINTH LEGISLATIVE DAY

Thursday, April 20, 1944

Pursuant to adjournment, the Senate met at 1:30 p. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Norton, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—32.

Excused: Cobb, Counts, Cowden, Curry, Nichols, Phillips.—6.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

RESOLUTIONS

The following Resolutions were introduced:

SENATE CONCURRENT RESOLUTION NO. 3—By Nance, Bowman, Pruett, Chapman, Collier, Sears, Ginder, Goodpaster, Leonard, Anglin, Nichols, Phillips, Posey and Gary, of the Senate, and Wilson, Huey, King, Wolf, Batson, Cantrell, Massey, Flowers, Flanagan, Arms, Johnson and Reed, of the House—A Resolution relating to the publishing of the History of Oklahoma.

By unanimous consent, Senate Concurrent Resolution No. 3 was taken up for immediate consideration, read at length and adopted, upon motion of Senator Nance.

Senate Concurrent Resolution No. 3 was ordered referred for engrossment.

SENATE CONCURRENT RESOLUTION NO. 4—By Chapman, and Cobb, of the Senate, and King, of the House—A Concurrent Resolution designating that part of the Denison Dam Reservoir area from the Dike up the Washita River basin north to Highway Ninety-nine (99) Bridge and up the basin of Pennington Creek to the City of Tishomingo as “Lake Tishomingo”; and declaring an emergency.

By unanimous consent, Senate Concurrent Resolution No. 4 was taken up for immediate consideration, read at length and adopted, upon motion of Senator Paul.

Senate Concurrent Resolution No. 4 was ordered referred for engrossment.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Resolution No. 2 and Senate Bill No. 5 each correctly enrolled.

SPECK, Chairman.

Senator Pruett presiding.

The Presiding Officer, in open session, signed Enrolled Senate Resolution No. 2 and ordered it transmitted to the Secretary of State.

The President presiding.

Senate Bill No. 5 was read at length for the fourth time, the enrolled copy signed, in open session, and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Cornels introduced to the Senate his little Granddaughter, Peggy Cornels, and it was upon motion of Senator Paul that she was made an Honorary Page for this legislative day.

SENATE BILL NO. 3, by Nichols, as amended by the Honorable House, was taken up for further consideration.

Upon motion of Senator Rinehart, the Senate concurred in Engrossed House Amendment to Engrossed Senate Bill No. 3.

ENGROSSED SENATE BILL NO. 3, as amended by the Honorable House, was read at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—30.

Excused: Cobb, Counts, Cowden, Curry, Finney, Nicholls, Phillips.—7.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Norton.—1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—30.

Excused: Cobb, Counts, Cowden, Curry, Finney, Nicholls, Phillips.—7.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Norton.—1.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 3 and ordered the bill, as amended, referred for enrollment.

Senator Nance introduced to the Senate his little Grandson, Thomas Maxwell McCurdy, and by unanimous consent he was made an Honorary Page for this legislative day.

President Pro Tempore Anglin presiding.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 7—By Rinehart, Burns, and Dacus,

An Act relating to excess tax levy elections in school districts; amending 68 O. S. 1941, § 322, to permit excess tax levies to be voted upon and authorized at a special school district meeting (or election) called as provided in 70 O. S. 1941, § 66; validating and approving special meeting heretofore called or held for the purpose of voting excess tax levy, making provisions of Act severable, and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendments to Engrossed Senate Bill No. 7 were read, as follows, and concurred in by the Senate upon motion of Senator Rinehart:

Amendment No. 1. Page 1, Section 1, Line 32. After the word "one" and before the word "special" insert the word "such."

Amendment No. 2. Page 1, Section 1, Line 32. After the period add the following sentence: "Provided further, however, that the County Excise Board is hereby authorized to call a special election for the purpose of voting an excess levy in any school district where the budget as sub-

mitted requires a greater levy than already authorized by law, within the limitations fixed by the Constitution."

ENGROSSED SENATE BILL NO. 7, as amended by the Honorable House, was read at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Lowery, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler.—27.

Excused: Cobb, Counts, Cowden, Curry, Nichols, Phillips.—6.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Leonard, Mahan, Nance, Norton, Wilson.—5.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Gary, Ginder, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—30.

Excused: Cobb, Counts, Cowden, Curry, Finney, Nichols, Phillips.—7.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Norton.—1.

The emergency having received the constitutional two-

thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendments to Engrossed Senate Bill No. 7 and ordered the bill, as amended, referred for enrollment.

Senator Hearne advised the Senate of the death of Mrs. W. L. Combs, of Okmulgee, the Mother-in-Law of Senator Hammonds, and it was upon his motion that the Secretary was directed to have flowers sent for the funeral and to express to Senator and Mrs. Hammonds the regret of the Senate over their bereavement.

#### MESSAGE

The following Message from the Honorable House was received and read:

**MR. PRESIDENT:**

I am directed by the House of Representatives to return herewith:

**ENGROSSED SENATE JOINT RESOLUTION NO. 1**—By Anglin, Bowman, Carrier, Cobb, Cornels, Counts, Duffy, Gary, Ginder, Mahan, Norton, Paul, Posey, and Thornton of the Senate; and Evans and Barr of the House,

A Joint Resolution proposing an Amendment to the Constitution of Oklahoma to be known as Section 23-a, Article 10, providing that any surplus which has accrued to the General Revenue Fund of the State as of the close of each fiscal year shall be set aside in a sinking fund and used to pay the State's bonded indebtedness; placing monies and securities in Surplus Accounts of the State Funding Bond Funds of 1935, 1939 and 1941, in said sinking fund; providing for investment of said monies and sale of securities purchased; providing that when sufficient monies have accumulated to pay all State bonds heretofore issued, surplus existing or accruing thereafter may be appropriated by Legislature; and providing for submission of Amendment at a Special Election,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and to further advise that the House, pursuant

to the provisions of Section 1, Article 24, of the Constitution of the State of Oklahoma, has, by a Constitutional two-thirds majority of the Members elected to and constituting said Body, voted in favor of calling a special election, to be held July 11, 1944, as provided in Section 3, of said Resolution, and to further advise you that the Resolution has been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Senator Paul presiding.

Engrossed House Amendments to Engrossed Senate Joint Resolution No. 1 were read, as follows, and concurred in by the Senate upon motion of Senator Anglin:

Amendment No. 1. Amend the title to conform to the following amendments:

Amendment No. 2. Page 1, Section 1, Page 24. After the word "accrued" and before the word "to" add the following words: "or may hereafter accrue."

Amendment No. 3. Page 2, Section 2, Line 23. After the word "accrued" and before the word "to" add the following words: "or may hereafter accrue" and in the same line after the word "to" add the word "the."

Senator Finney asked to be recorded present, which was the order.

ENGROSSED SENATE JOINT RESOLUTION NO. 1, as amended by the Honorable House, was read at length, as follows:

ENGROSSED SENATE JOINT RESOLUTION NO. 1  
—By: ANGLIN, BOWMAN, CARRIER, COBB, CORNELS, COUNTS, DUFFY, GARY, GINDER, MAHAN, NORTON, PAUL, POSEY, and THORNTON, of the Senate; EVANS and BARR, of the House.

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF OKLAHOMA TO BE KNOWN AS SECTION 23-a, ARTICLE 10, PROVIDING THAT ANY SURPLUS WHICH HAS ACCRUED OR MAY HEREAFTER ACCRUE TO THE GENERAL REVENUE FUND OF THE STATE AS OF THE CLOSE OF EACH

FISCAL YEAR SHALL BE SET ASIDE IN A SINKING FUND AND USED TO PAY THE STATE'S BONDED INDEBTEDNESS; PLACING MONIES AND SECURITIES IN SURPLUS ACCOUNTS OF THE STATE FUNDING BOND FUNDS OF 1935, 1939, AND 1941, IN SAID SINKING FUND; PROVIDING FOR INVESTMENT OF SAID MONIES AND SALE OF SECURITIES PURCHASED; PROVIDING THAT WHEN SUFFICIENT MONIES HAVE ACCUMULATED TO PAY ALL STATE BONDS HERETOFORE ISSUED, SURPLUS EXISTING OR ACCRUING THEREAFTER MAY BE APPROPRIATED BY LEGISLATURE; AND PROVIDING FOR SUBMISSION OF AMENDMENT AT A SPECIAL ELECTION.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE NINETEENTH LEGISLATURE OF THE STATE OF OKLAHOMA IN EXTRAORDINARY SESSION ASSEMBLED:

SECTION 1. That the following amendment to the Constitution of the State of Oklahoma be and the same is hereby proposed, said amendment to be known as Section 23-a of Article 10, of said Constitution. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, said proposed amendment. The amendment reads as follows:

Section 23-a, Article 10, Oklahoma Constitution:

Any surplus which has accrued or may hereafter accrue to the General Revenue Fund of the State of Oklahoma during any fiscal year shall be placed monthly in a sinking fund in the State Treasury to be used solely for the purpose of paying the principal and interest of the outstanding and unpaid bonded indebtedness of the State of Oklahoma. The monies and securities heretofore credited to the Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 also shall be placed in said Sinking Fund. The State Treasurer shall be the custodian of said Sinking Fund and shall apply the monies and securities placed to the credit of said fund to the payment of the principal and interest of the state's bonded indebtedness. The State Treasurer with the approval of the Governor and Attorney General shall have the authority to invest the monies in said sinking fund in bonds or securities of the United States of America, and the State Treasurer

with the approval of the Governor and Attorney General may sell said securities to provide funds to meet maturing State bonds and coupons. The provisions of this section shall be self-executing. When the monies credited to said sinking fund together with the monies set aside to pay said bonded indebtedness, pursuant to the statutes authorizing the issuance of said bonds, are sufficient to pay all outstanding bonds and coupons heretofore issued by the State of Oklahoma, it shall no longer be necessary to credit surplus funds to the Sinking Fund herein created. The sufficiency of said monies to fully pay the State's bonded indebtedness shall be determined by the Governor, State Treasurer, and Attorney General. After such determination any surplus monies thereafter to the credit of the State General Revenue Fund shall be subject to appropriation by the Legislature.

SECTION 2. The ballot title for said proposed amendment shall be in the following form:

BALLOT TITLE

Legislative Referendum No.----- State Question No.-----

The gist of the proposition is as follows:

Shall the Constitution of Oklahoma be amended by adding a section to be known as Section 23-a, Article 10, providing any surplus which has accrued or may hereafter accrue to the State General Revenue Fund at the close of any fiscal year shall be placed in a Sinking Fund to be used solely for purpose of paying State's bonded indebtedness, placing monies and securities in Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941 in said sinking fund, authorizing investment of said monies, and the sale of securities purchased to provide funds to meet maturing bonds and coupons, making section self-executing, providing when sufficient monies have accumulated to pay all outstanding bonds and coupons heretofore issued by the State, surplus monies thereafter to the credit of the General Revenue Fund may be appropriated by Legislature?

Shall the Proposed Amendment be approved?

Yes  
 No

SECTION 3. The President Pro Tempore of the Senate shall immediately after the adoption of this Resolution

by the Legislature prepare and file one copy of the Resolution, including the above ballot title, with the Secretary of State, and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State on the 11th day of July, 1944, at which the proposed amendment to the Constitution of the State of Oklahoma set forth in Section 1 of this resolution shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

The question being, "Shall the Resolution, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—27.

Excused: Cobb, Counts, Cowden, Curry, Nichols, Phillips.—6.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Ginder, Lowery, Mahan, Nance, Norton.—5.

The Resolution having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall Senate Joint Resolution No. 1, by Anglin, Bowman, Carrier, Cobb, Cornels, Counts, Duffy, Gary, Ginder, Mahan, Norton, Paul, Posey and Thornton, of the Senate; Evans and Barr, of the House, entitled:

A Joint Resolution proposing an amendment to the Constitution of Oklahoma to be known as Section 23-a, Article 10, providing that any surplus which has accrued or may hereafter accrue to the General Revenue Fund of the State as of the close of each fiscal year shall be set aside in a Sinking Fund and used to pay the State's bonded indebtedness; placing monies and securities in surplus ac-

counts of the State Funding Bond funds of 1935, 1939 and 1941, in said sinking fund; providing for investment of said monies and sale of securities purchased; providing that when sufficient monies have accumulated to pay all state bonds heretofore issued, surplus existing or accruing thereafter may be appropriated by Legislature; and providing for submission of amendment at a Special Election, be ordered referred by the Legislature of the State of Oklahoma to the people of the State of Oklahoma for approval or rejection at a Special Election to be held on the eleventh (11) day of July, 1944, as provided in Section 4 of this Resolution, which special election is hereby ordered and authorized on the eleventh (11) day of July, 1944, as provided in Section 1 of Article 24 of the Constitution of the State of Oklahoma?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Finney, Gary, Goodpaster, Hammond, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Paul, Posey, Pruett, Rinehart, Speck, Thornton, Wheeler, Wilson.—30.

Excused: Cobb, Counts, Cowden, Curry, Nichols, Phillips.—6.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Ginder, Norton.—2.

The Presiding Officer, in open session, declared that the constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the Special Election.

The Presiding Officer, in open session, signed Engrossed House Amendments to Engrossed Senate Joint Resolution No. 1 and ordered the Resolution, as amended, referred for enrollment.

MR. PRESIDENT:

I am directed by the House of Representatives to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendment to:

ENGROSSED HOUSE BILL NO. 1—By Holliman, Larch-Miller, Gullett, Banks, Carmichael, Tankersley, Long, Irby, Crow, Johnson (Creek), Levergood, Van Dyck, Gooldy, Sherman, Mountcastle, and Billingsley,

An Act relating to the surplus revenues accruing to the General Revenue Fund of each fiscal year, providing for the transfer of said surpluses to the credit of the surplus accounts of the State Funding Bond Funds of 1935, 1939 and 1941, providing for the investment of said surplus funds in United States securities pledging said accounts, funds and securities to the payment and retirement of the outstanding State Funding Bonds and authorizing the sale, transfer and exchange of said securities to retire said funding bonds, providing other details, designating the State Treasurer as custodian of said funds and securities, making provisions of Act severable, and declaring an emergency, and

ENGROSSED HOUSE BILL NO. 6—By Flowers, Speakman and Parrish,

An Act providing for the distribution of the unallocated balance of the state aid money provided for by House Bill No. 350, Session Laws 1943, determined after the State Board of Education has allocated to the districts qualifying therefor the amount of minimum program provided by House Bill No. 361 of the Legislature of 1943, as amended by the Extraordinary Session of 1943, together with the moneys accrued, or to accrue under the provisions of House Bill 77 of the Legislature of 1943; providing for the manner of such distribution, reappropriating the appropriation made in House Bill No. 350 of the 1943 Legislature; defining the expenditure thereof; and declaring an emergency,

and the Bills have been passed by the House of Representatives AS AMENDED by the Senate.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1—By Underwood,

A resolution of approval of the policies and activities of President Roosevelt, commending him for his great war effort, for his humanitarian attitude and his world vision of affairs, and recommending to him and the Congress of the United States a continuance of the present war effort and a world peace established upon the basis of international cooperation and a world-wide brotherhood of mankind, and

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 3—By Worthington, Foley, and Flanagan,

A resolution memorializing Congress to speedily enact legislation to provide for payment of service persons mustering out pay at the time of their discharge,

and to advise you, and through you, the Honorable Senate, that the same have been adopted by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Concurrent Resolution No. 1 was ordered printed and placed upon the Calendar.

By unanimous consent, Engrossed House Concurrent Resolution No. 3 was taken up for immediate consideration, read at length and adopted, upon motion of Senator Nance.

The Presiding Officer, in open session, signed Engrossed House Concurrent Resolution No. 3 and ordered it returned to the Honorable House.

The following Message from the Governor was received and read:

To the President and Members of the Honorable Senate,  
First Extraordinary Session, Nineteenth Oklahoma  
Legislature.

GENTLEMEN:

This is to advise you that on April 19th, 1944, I signed:

ENROLLED SENATE BILL NO. 1 — By Nichols,

Gary, Ginder, Nance, Rinehart, Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Cobb, Collier, Cornels, Counts, Cowden, Curry, Duffy, Fine, Finney, Goodpaster, Hammond, Hearne, Jones, Leonard, Logan, Lowery, Mahan, Neill, Norton, Paul, Phillips, Posey, Pruett, Ritzhaupt, Sanford, Sears, Speck, Thornton, Dacus, Wheeler, Williams, and Wilson, of the Senate, and Tate, Underwood, Arrington, et al, of the House,

An Act relating to elections; providing any qualified elector of the State of Oklahoma who is in the armed forces of the United States; Merchant Marine of the United States; or serving in the American Red Cross, Society of Friends, Women's Auxiliary Service Pilots, United Service Organizations, attached to and serving with the armed forces; or the spouse of any such person may cast an absentee ballot in any statewide regular primary, special or general election; providing manner and method of obtaining, distributing and casting of ballots; prescribing duties of election officers and other officials and departments; prescribing forms and details of procedure; authorizing use of official federal war ballots under certain conditions; providing penalties for violation of Act; making appropriation for carrying out provisions of Act; making Act cumulative; amending Section 163, Title 26, O. S. 1941; making provisions of Act severable; and declaring an emergency,

and have caused the same to be filed in the office of the Secretary of State.

ROB'T S. KERR,  
The Governor of  
The State of Oklahoma.

Attest:

F. C. CARTER, Secretary of State.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolutions Nos. 3 and 4 each correctly engrossed and Senate Bill No. 3 correctly enrolled.

SPECK, Chairman.

President Pro Tempore Anglin presiding.

The President Pro Tempore, in open session, signed

Engrossed Senate Concurrent Resolution No. 3 and ordered it transmitted to the Honorable House for consideration.

Senator Chapman presiding.

The Presiding Officer, in open session, signed Engrossed Senate Concurrent Resolution No. 4 and ordered it transmitted to the Honorable House for consideration.

President Pro Tempore Anglin presiding.

Senate Bill No. 3 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith:

ENGROSSED HOUSE BILL NO. 8—By Wallace (Oklahoma), Huff, and Williams,

An Act relating to elections; amending Section 79, Title 26, Oklahoma Statutes, 1941, to provide that qualified electors may register at any time during the year except during a period beginning ten (10) days before each election and ending five (5) days after each election; amending Section 324a, Title 26, Oklahoma Statutes 1941, relating to absentee voting; amending subdivision (a), Section 101b, Title 26, Oklahoma Statutes, 1941, relating to times and places of registration; amending Section 101f, Title 26, Oklahoma Statutes, 1941, relating to transfer of registration; amending subdivision (e), Section 101c, Title 26, Oklahoma Statutes, 1941, relating to forms and records; making provisions of Act severable; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

The President Pro Tempore announced First Reading of Engrossed House Bill No. 8.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 6—By Burns, Paul, Cobb, Collier, Gary, Norton, Jones, Thornton, Mahan, Wilson, Fine, Goodpaster and Counts,

An Act suspending and making inoperative during the present world war the provisions of 21 O. S. 1941 §§ 907 and 908, relating to Sabbath breaking, insofar as said Sections may apply to the operations of industries engaged in manufacturing war materials for the United States; providing that said Act shall be given retroactive effect to the beginning of said World War; making provisions of said Act severable, and declaring an emergency, and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 6 was read as follows and concurred in by the Senate, upon motion of Senator Burns:

Amendment No. 1. Page 1, Section 1, Line 17. Strike the period and insert in lieu thereof a semicolon, and add the following: "the word termination as used herein shall mean the cessation of hostilities between the United States of America and Germany and Japan."

Senator Lowery presiding.

ENGROSSED SENATE BILL NO. 6, as amended by the Honorable House, was read at length.

President Pro Tempore Anglin presiding.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Fine, Finney, Gary,

Ginder, Goodpaster, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Norton, Paul, Posey, Pruett, Speck, Thornton, Wheeler, Wilson.—29.

Nays: Duffy, Rinehart.—2.

Excused: Cobb, Counts, Cowden, Curry, Hammond, Nichols, Phillips.—7.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Cornels, Dacus, Duffy, Fine, Finney, Gary, Ginder, Goodpaster, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Norton, Paul, Posey, Pruett, Speck, Thornton, Wheeler, Wilson.—30.

Nay: Rinehart.—1.

Excused: Cobb, Counts, Cowden, Curry, Hammond, Nichols, Phillips.—7.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

The emergency having received the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared passed.

The President Pro Tempore, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 6 and ordered the bill, as amended, referred for enrollment.

The Senate was declared at ease for 15 minutes.

The Senate reassembled, with the President presiding.

Upon motion of Senator Anglin, the Senate adjourned to meet at 10:30 a. m., tomorrow.

## TENTH LEGISLATIVE DAY

Friday, April 21, 1944

Pursuant to adjournment, the Senate met at 10:30 a. m., and was called to order by the President.

Upon roll call, the following members were present:

Present: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Counts, Dacus, Finney, Goodpaster, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Speck, Wheeler, Wilson.—27.

Excused: Cobb, Cornels, Cowden, Curry, Duffy, Fine, Gary, Ginder, Hammond, Phillips, Thornton.—11.

Excused on account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

The President announced a quorum present.

Prayer was offered by the Chaplain.

The Journal for the last legislative day was declared approved.

## MESSAGES

The following Messages from the Honorable House were received and read:

MR. PRESIDENT:

I am directed by the House, to advise you, and through you, the Honorable Senate, that the House has concurred in Senate Amendments to:

ENGROSSED HOUSE BILL NO. 4—By Bullard and Reed, of the House, and Anglin of the Senate,

An Act relating to acknowledgments and subscriptions of instruments; authorizing certain officers to take ac-

knowledgments and subscriptions of persons in the military, naval and other armed services of the United States; providing that acknowledgments of spouses may be taken before the designated officers; providing that such instruments shall be accepted for recording in this state; providing that acknowledgments of such persons may also be taken before Notary Publics and other officers whose acknowledgments are recognized under the laws of this State; validating certain acknowledgments and subscriptions taken by such officers prior to effective date of this Act; making provisions of Act severable, and declaring an emergency,

and the Bill has been passed by the House, as amended by the Senate.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 4—By Chapman, Cobb; and King of the House,

A resolution designating that part of the Denison Dam Reservoir area from the dike up to the Washita River Basin north to Highway Ninety-nine (99) bridge and up the basin of Pennington Creek to the City of Tishomingo as "Lake Tishomingo"; and declaring an emergency,

and to advise you and through you, the Honorable Senate, that the same has been adopted by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 4 was ordered referred for enrollment.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 5—By Nichols,

An Act relating to elections; amending Title 26, Section 324a, Oklahoma Statutes 1941, relating to absentee voting; and declaring an emergency, and

ENROLLED SENATE BILL NO. 3—By Nichols,

An Act relating to elections; providing procedure for qualified electors temporarily absent from their voting precinct to register by mail; and declaring an emergency, and to advise you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Bills Nos. 3 and 5 were ordered referred to the Governor for consideration.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 8—By Anglin and Hearne,

An Act relating to school aid; providing for the use of unallocated balances in the appropriation made by House Bill No. 350, Session Laws 1943 for the purpose of increasing the minimum program of state aid districts qualifying under House Bill No. 361, Session Laws 1943; authorizing the State Board of Education to make certain increases; providing that this Act shall be effective only during the fiscal year ending June 30, 1944; amending Section 1, of House Bill No. 350, Session Laws 1943, relating to appropriation for state aid, to provide that moneys appropriated thereunder may also be expended for the purpose of this Act; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 8 was read as follows:

Amendment No. 1. Strike the authors, the title, the enacting clause, and Sections 1, 2, and 3, and insert in lieu thereof the following:

BY: COMMITTEE ON ELECTIONS AND PRIVILEGES.

AN ACT RELATING TO ELECTIONS; AMENDING SECTION 392, TITLE 26, OKLAHOMA STATUTES, 1941, TO PERMIT CONTESTS AS TO COUNTY OFFICE TO BE FILED WITHIN A PERIOD OF SIXTEEN DAYS FOLLOWING ANY GENERAL ELECTION WITHIN AND FOR SUCH COUNTY; PROVIDING FOR ISSUANCE OF CERTIFICATE OF ELECTION; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. Section 392, Title 26, Oklahoma Statutes, 1941, is hereby amended to read as follows:

“Section 392. General elections—Certificate not property right—Contest of general election—The right to a certificate of election shall not be considered a property right to any extent whatsoever, unless and until such right to such certificate shall be determined and such certificate issued as hereinafter provided.

“No certificate of election shall be issued by the county election board within a period of *sixteen* days following any general election, within and for such county, and no certificate of election shall be issued by the State Election Board until after the expiration of *sixteen* days from the date of such election to State office, or any office over which the State Election Board may now or hereafter have jurisdiction.

“Filing contest of election. Any candidate for county office may, at any time within *sixteen* days from the date of the general election, file with the secretary of the county election board his or her challenge of the correctness of the announced results of said general election by filing with the secretary of the county election board, whose duty it is to canvass the returns in such race, a verified statement setting forth a state of facts, which, if true, would change the result in his or her favor; or setting forth a state of facts showing that fraud has been committed in

connection with such election, or both, which if sustained, would affect the result of the election, and change the same in favor of the contestant.

“Notice of contest. Provided, further, that it shall be the duty of any such contestant to cause to be served upon the contestee, or contestees, opposing him, and directly affected by such challenge or contest, a true copy of said verified petition, the original of which is required herein to be filed with the county election board. Said service shall be made in person, where possible, within forty-eight hours after the filing of said original petition of contest, and where personal service is impossible within such time, on account of absence of contestee, or contestees, from the county for any other reason, it is hereby made the duty of said contestant to serve said true copy upon the secretary of the county election board of the county.

“And provided, further, that, for the purpose of such constructive service, the secretary of the county election board is hereby made and constituted the service agent of each and every candidate in all general elections in each county, and by filing his or her petition for primary candidacy, such candidate shall thereby be conclusively presumed to have accepted the terms and provisions hereof and specifically the constructive service as aforesaid.

“Service of notice. The service herein shall be made by the sheriff of the county as to all offices, except that of sheriff, in which case the same shall be served by the county clerk, and the certificate of returns of such sheriff or county clerk, showing the inability to make such service within the above time mentioned, shall be deemed sufficient proof of the absence of such contestee or contestees, or the inability to serve such contest upon him, and to justify the constructive service herein provided.

“Except as hereinafter otherwise provided, the same procedure shall apply as to the candidates for district or State offices over which the State Election Board has jurisdiction and where provision is herein made for the filing of contest as to county offices, such contest as to State or district offices shall be filed with the Secretary of the State Election Board. *No certificate of election shall be issued by the State Election Board within a period of ten days following any general election. Any candidate for State or district offices, over which the State Election Board has*

*jurisdiction, may file within ten days from the date of the general election with the Secretary of the State Election Board his or her challenge of the announced results of said general election.*

“Provided, further, that as to constructive service in matters of county contests, the same shall be made twenty-four hours after the proof of inability to personally serve the contestee, or contestees, has been submitted to and filed with the secretary of the county election board. In case of district, or State contests, it shall be the duty of the contestant to cause the sheriff of the county wherein the contestee resides, as declared by the record of his filing application, to personally serve upon said contestee a true copy of contestant's verified petition, as hereinbefore required to be filed with the Secretary of the State Election Board, and such sheriff shall, within five days from the date of filing said original petition with said State Election Board, secure personal service upon said contestee or, in event of his inability so to do, said sheriff shall return said true copy to said contestant, together with his sworn certificate showing his inability to secure personal service upon said contestee, whereupon it shall be the duty of said contestant to cause said true copy so returned to be forthwith served upon said contestee by delivering the same to the Secretary of the State Election Board, as his legal agent for such service as aforesaid.

“Hearing of contest. Upon the completion of service as aforesaid, the county election board in case of a contest for county office, and the State Election Board, in case of a contest for State or district office, shall set such contest down for a day for hearing, same not to be more than five days from the date of the completion of such service, and same shall be heard and considered by such Election Board on the date so assigned, or upon a legal adjournment thereof without further notice, and, at which hearing, the parties in interest may, without further pleading offer such legal evidence in support of and in opposition to such contest as they may have to offer, and upon the completion of such hearing, the Election Board shall render its decision, and such decision shall be final and conclusive of all rights involved, unless an appeal shall be taken as hereinafter provided. Either party to such contest shall have the right of appeal as follows:

“Appeals. As to elections to county office, the appeal shall be to the district court of the county involved, and may be perfected by giving notice of such appeal within forty-eight hours after the rendition of the judgment or order from which such appeal is taken. Upon the filing of such notice of appeal with secretary of the county election board, the county election board shall, at the expense of the party appealing, prepare a transcript of the records and proceedings, together with the findings and conclusions, and the order made, and transmit the same within five days to the court clerk of the county wherein such contest is pending, and such appeal shall be assigned for hear<sup>1</sup> at once and shall be considered and determined by the district court upon the record so made, and its decision shall be final.

“And in case of appeal from State Election Board, the same shall be taken to the Supreme Court in the same manner and within the same time and with the same effect as to State and district offices, as above provided for appeals in the contest for county offices to the district court.

“Certificate of election.—When issued. *If no contest shall be filed within sixteen days as to county office from the date of election as herein provided, the county election board as to county offices shall declare the result of such election and shall issue certificates of election to candidates, as provided by law, and in the event of a contest, if service is not filed within the time herein provided for, such contest shall be deemed abandoned and certificates of election shall be issued as provided by law. If no contest shall be filed within ten days from the date of election as to State or district office as herein provided, the State Election Board as to State and district officers shall declare the result of such election and shall issue certificates of election to candidates, as provided by law, and in the event of a contest, if service is not filed within the time herein provided for, such contest shall be deemed abandoned and certificates of election shall be issued as provided b law.*

“And in cases of appeal, it shall be the duty of the court clerk or the Clerk of the Supreme Court, as the case may be, to transmit to the secretary of the county election board, or the Secretary of the State Election Board, a certified copy of the decision of such court, and thereupon

the certificate of election shall be issued, to the successful contestant in the manner provided by law.

“State or district recounts—Procedure. Provided, that in contest for election for district or State offices where a recount of the votes in any county shall be required, or fraud shall be charged as to any given county or counties, as to the election proceedings in any such county or counties, the State Election Board shall have the right and authority to refer such contest to the county election board of each county involved, for the purpose of taking all testimony to be submitted and considered in connection with such contest as to such counties respectively and to make and submit findings thereon in due course to the State Election Board, and, when such reference is made, it shall be the duty of the State Election Board to transmit to the county election board or boards involved in such contest a certified copy of all proceedings incident to the contest involved, and without further notice to assign same for hearing before such county election board or boards, on a day certain in each county involved, and notify each of said county election boards of such assignment and same shall be heard by them accordingly, and, at the conclusion of such hearing, such county election board shall return all such proceedings together with its findings to the State Election Board for final consideration, and thereupon the State Election Board shall at once enter its final order thereon, from which an appeal may be taken to the Supreme Court of the State, as hereinbefore provided.

“Public hearings—Witnesses—Certifying records. All hearings shall be public, and the chairman and secretary of such board respectively shall have the right and are hereby authorized and empowered to issue subpoenas for all witnesses to be used at such hearings, to administer oaths, and the clerk of such boards shall make and certify such proceedings and findings with the same force and effect as other records are certified by the custodian thereof.

“Assembling of board. Upon the filing of such contest, with the county election board, the secretary shall at once notify the members of the board thereof, who shall assemble in due course, as herein provided, and proceed with the hearing and determination of such contest, within the time and in the manner herein provided. And upon all

contests referred to the county election board by the State Election Board, the clerk shall, at once, upon receipt of such notice of reference and of the day for hearing, notify the members of the board whose duty it shall be to assemble and determine such referred matters in due course. And upon the filing of contests with the State Election Board, the Secretary shall notify the members of the board thereof and such board at once shall assemble on the day therein named and proceed with the hearing or other disposition of such contest, as hereinbefore provided, and upon the return of the proceedings from counties on referred matters, the Secretary of the State Election Board shall likewise notify the members of the State Election Board, who shall assemble and make disposition of such contests in accordance with the findings in facts."

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this Act shall take effect and be in full force from and after its passage and approval.

By unanimous consent, consideration of Senate Bill No. 8, as amended by the Honorable House, was referred to a Special Committee, composed of Senators Pruett, Leonard and Bowman, with instructions to report as quickly as possible.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Joint Resolution No. 1 and Senate Bills Nos. 6 and 7 each correctly enrolled.

SPECK, Chairman.

President Pro Tempore Anglin presiding.

Senate Joint Resolution No. 1 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Burns presiding.

Senate Bill No 6 was read at length for the fourth time, the enrolled copy signed, in open session, by the Pre-

siding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Rinehart presiding.

Senate Bill No. 7 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered transmitted to the Honorable House for the signature of the Speaker.

President Pro Tempore Anglin presiding.

### SECOND READING

The following bill was read for the second time and ordered referred to the Committee indicated:

ENGROSSED HOUSE BILL NO. 8 — By Wallace (Oklahoma), Huff and Williams.—Referred to the Committee on Livestock and Tenant Farming.

### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 1—By Holliman, Banks, Black, Bradley, Bullard, Douthat, Dunn, Edwards, Flanagan, Flowers, Foley, Gooldy, Harshbarger, Helm, Huey, Hunt, Hughes, Hussey, Johnson, (Comanche), Jones, Long, McDonald, McKenzie, Mills, Morgan, Musgrave, Parrish, Pugh, Shelton, Sherman, Shipley, Smith, Spicer, Starr, Stovall, Streetman, Van Dyck, Wallace (Oklahoma), Coleman, and Wilson of the House, and Anglin, Bowman, Brown, Burns, Carrier, Chapman, Cobb, Cornels, Curry, Dacus, Duffy, Gary, Goodpaster, Hearne, Jones, Leonard, Paul, Posey, Pruett, Sears, Thornton, and Wheeler of the Senate,

An Act relating to the surplus revenues accruing to the surplus fund of the General Revenue Fund created by Title 62, Oklahoma Statutes 1941, Section 8.6, providing for the monthly allocation of the surplus to the accounts of the State Funding Bond Funds of 1935, 1939, and 1941, providing for the investment of said surplus funds in United

States securities, pledging said accounts, funds and securities to the payment and retirement of the outstanding state funding bonds, and authorizing the sale, transfer and exchange of said securities to retire said funding bonds, providing other details, designating the state treasurer as custodian of said funds and securities, making provisions of Act severable, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

House Bill No. 1 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

Upon motion of Senator Rinehart, the Senate recessed to meet at 1:00 o'clock, p. m.

#### AFTERNOON SESSION

The Senate reassembled at 1:00 o'clock, p. m., and was called to order by the President.

#### COMMUNICATION

The following communication was read:

To: MEMBERS OF THE OKLAHOMA STATE SENATE  
Gentlemen:

The Citizens of Logan County, especially the Chamber of Commerce and The American Legion LeBron Post No. 58, invite you to be present in the City of Guthrie, on April 22, 1944, Anniversary of the Opening of Oklahoma, and to participate in the activities of the day.

The Certificate of Membership in the Oklahoma State Senate will admit you to the Rodeo without charge.

Russell Borgman, President of the Clarence L. Boyd Road Machinery Company, invites you to a dutch lunch which will be served immediately following the parade, in the Ballroom of the Ione Hotel. Rooms 114-116 have been

reserved for a meeting place and convenience of friends who may visit Guthrie.

Respectfully,

(Signed) LOUIS H. RITZHAUPT.

#### COMMITTEE REPORT

Senator Pruett, on behalf of the Special Committee appointed to consider ENGROSSED SENATE BILL NO. 8, as amended by the Honorable House, submitted the following Report:

MR. PRESIDENT: We, your Special Committee to whom was referred ENGROSSED HOUSE AMENDMENT TO ENGROSSED SENATE BILL NO. 8—By Anglin and Hearne,

An Act relating to elections; amending section 392, Title 26, Oklahoma Statutes, 1941, to permit contests as to county office to be filed within a period of sixteen days following any general election within and for such county; providing for issuance of certificate of election; and declaring an emergency,

beg leave to report that we had the same under consideration and herewith return the same without recommendation that the following amendment "That in line 32, the word SIXTEEN BE STRICKEN AND THE WORD TEN BE SUBSTITUTED" be made.

PRUETT,  
LEONARD,  
BOWMAN.

Senator Nance moved that the Senate refuse to concur in Engrossed House Amendment to Engrossed Senate Bill No. 8 and request the Honorable House to grant a conference thereon, the Special Committee, composed of Senators Pruett, Leonard and Bowman, previously appointed to consider the bill, to be appointed as the Senate Conferees thereunder, which motion prevailed.

Senator Collier submitted the following Committee Report:

Mr. President: The Committee on Engrossed and En-

rolled bills begs leave to report Senate Concurrent Resolution No. 4 correctly enrolled.

COLLIER, Vice Chairman.

Senator Chapman presiding.

The Presiding Officer, in open session, signed Enrolled Senate Concurrent Resolution No. 4 and ordered it transmitted to the Honorable House for the signature of the Speaker.

The President presiding.

MR. PRESIDENT:

I am directed by the House of Representatives to advise you and through you, the Honorable Senate, that the House has granted the request of your Honorable Body for a Conference on:

ENGROSSED SENATE BILL NO. 8—By Anglin and Hearne,

An Act relating to school aid; providing for the use of unallocated balances in the appropriation made by House Bill No. 350, Sessions Laws 1943 for the purpose of increasing the minimum program of state aid districts qualifying under House Bill No. 361, Session Laws 1943, authorizing the State Board of Education to make certain increases; providing that this Act shall be effective only during the fiscal year ending June 30, 1944; amending Section 1 of House Bill No. 350, Session Laws 1943, relating to appropriation for state aid, to provide that moneys appropriated thereunder may also be expended for the purpose of this Act; and declaring an emergency,

and has appointed as Conferees the following Representatives: Tate, Holliman, Billingsley.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

#### GENERAL ORDER

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1, by Underwood, was taken up for consideration, read at length and adopted, upon motion of Senator Rinehart.

The President, in open session, signed Engrossed

House Concurrent Resolution No. 1 and ordered it returned to the Honorable House.

President Pro Tempore Anglin presiding.

Senator Bowman submitted the following Conference Committee Report, which was adopted, upon motion of Senator Nance:

CONFERENCE COMMITTEE REPORT

TO THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE:

We, your conference committee, to whom was referred Senate Bill No. 8, and the House amendments attached thereto, the same being

“AN ACT RELATING TO SCHOOL AID; PROVIDING FOR THE USE OF UNALLOCATED BALANCES IN THE APPROPRIATION MADE BY HOUSE BILL NO. 350, SESSION LAWS 1943 FOR THE PURPOSE OF INCREASING THE MINIMUM PROGRAM OF STATE AID DISTRICTS QUALIFYING UNDER HOUSE BILL NO. 361 SESSION LAWS 1943; AUTHORIZING THE STATE BOARD OF EDUCATION TO MAKE CERTAIN INCREASES; PROVIDING THAT THIS ACT SHALL BE EFFECTIVE ONLY DURING THE FISCAL YEAR ENDING JUNE 30, 1944; AMENDING SECTION 1 OF HOUSE BILL NO. 350, SESSION LAWS 1943 RELATING TO APPROPRIATION FOR STATE AID, TO PROVIDE THAT MONEYS APPROPRIATED THEREUNDER MAY ALSO BE EXPENDED FOR THE PURPOSE OF THIS ACT; AND DECLARING AN EMERGENCY,”

beg leave to report that we have the same under consideration and herewith return the same with the following recommendation:

“1. That the Senate concur in House amendments.

“2. That the following conference committee amendment be adopted, the same being as follows:

That on page 1 of the House amendments, line 32, the word ‘sixteen’ be stricken and the word ‘ten’ be substituted therefor.”

"3. That the emergency clause be stricken."

HOLLIMAN

BOWMAN

TATE

PRUETT

BILLINGSLEY,

LEONARD,

House Conferees.

Senate Conferees.

ENGROSSED SENATE BILL NO. 8, as amended in Conference, was read at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Carrier, Chapman, Collier, Counts, Dacus, Finney, Goodpaster, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Speck, Wheeler, Wilson.—27.

Excused: Cobb, Cornels, Cowden, Curry, Duffy, Fine, Gary, Ginder, Hammond, Phillips, Thornton.—11.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

Engrossed Senate Bill No. 8, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House for consideration.

A Committee from the Honorable House was received, composed of Representatives Parrish, Helm and Grennell, who advised the Senate that the Honorable House had finished its work and was ready to adjourn sine die.

Senator Bowman presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 4—By Nichols,

An Act relating to elections, amending 26 O. S. 1941, Section 79, to provide that the registration period shall begin forty days before the date of holding any election and continuing for a period of thirty days, repealing all Acts and parts of Acts in conflict herewith, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been passed by the House, AS AMENDED, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Amendment to Engrossed Senate Bill No. 4 was read, as follows, and concurred in by the Senate upon motion of Senator Rinehart:

Amendment No. 1. Page 1, Section 1, Line 15. Strike the word "forty" and substitute in lieu thereof the word "thirty" and on line 20 strike the word "forty" and substitute in lieu thereof the word "thirty" and on line 21 strike the word "thirty" and substitute in lieu thereof the word "twenty" and amend title to conform.

President Pro Tempore Anglin presiding.

ENGROSSED SENATE BILL NO. 4, as amended by the Honorable House, was read at length.

The question being, "Shall the Bill, as amended, pass?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Chapman, Collier, Counts, Dacus, Finney, Goodpaster, Hearne, Jones, Leonard, Lowery, Mahan, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Speck, Wheeler, Wilson.—26.

Excused: Cobb, Cornels, Cowden, Curry, Duffy, Fine, Gary, Ginder, Hammond, Phillips, Thornton.—11.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Carrier.—1.

The Bill having received the constitutional majority of the votes of all members elected to and constituting the Senate was declared passed.

The question being, "Shall the Bill, as amended, become an emergency measure?" the roll was called with the following results:

Ayes: Anglin, Bowman, Braden, Brown, Burns, Chapman, Collier, Counts, Dacus, Finney, Goodpaster, Hearne, Jones, Leonard, Lowery, Nance, Nichols, Norton, Paul, Posey, Pruett, Rinehart, Wheeler, Wilson.—24.

Excused: Cobb, Cornels, Cowden, Curry, Duffy, Fine, Gary, Ginder, Hammond, Phillips, Thornton.—11.

Excused on Account of Military Service: Logan, Neill, Ritzhaupt, Sanford.—4.

Absent: Sears, Williams.—2.

Not Voting: Carrier, Mahan, Speck.—3.

The emergency having failed to receive the constitutional two-thirds majority of the votes of all members elected to and constituting the Senate was declared failed of passage.

The President Pro Tempore, in open session, signed Engrossed House Amendment to Engrossed Senate Bill No. 4 and ordered the bill as amended, referred for enrollment.

#### MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 4—By Bullard, Reed, Arms, Billingsley, Board, Coleman, Cordray, Crane Crow, Flanagan, Flowers, Harshbarger, Helm, Impson, Johnson (Creek), Long, Massey, Morgan, Musgrave, Nix, Parrish, Shelton, Sherman, Speakman, Standley, Story, Stovall, Tate, Underwood, Van Dyck, Weaver, Wheatley, and Worthington, of the House, and Anglin, Duffy, Cornels, Wheeler, Dacus, Brown, Paul, Counts, Hammond, Hearne, Speck, and Braden, of the Senate,

An Act relating to acknowledgments and subscriptions of instruments; authorizing certain officers to take acknowledgments and subscriptions of persons in the military,

naval, and other armed services of the United States; providing that acknowledgments of spouses may be taken before the designated officers; providing that such instruments shall be accepted for recording in this State; providing that acknowledgments of such persons may also be taken before Notaries Public and other officers whose acknowledgments are recognized under the laws of this State; validating certain acknowledgments and subscriptions taken by such officers prior to effective date of this Act; making provisions of Act severable; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

House Bill No. 4 was read at length for the fourth time, the enrolled copy signed, in open session, by the President Pro Tempore and ordered returned to the Honorable House.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 3—By Nance, Bowman, Pruett, Chapman, Collier, Sears, Ginder, Goodpaster, Leonard, Anglin, Nichols, Phillips, Posey, and Gary, of the Senate, and Wilson, Huey, King, Wolf, Batson, Cantrell, Massey, Flowers, Flanagan, Arms, Johnson, and Reed, of the House,

A Resolution relating to the publishing of the History of Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same has been adopted by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed Senate Concurrent Resolution No. 3 was ordered referred for enrollment.

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your consideration:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By McMahan, Wolf, Evans, Bailey, Lucas, Hill, Johnson (Creek), and Barr,

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma,

and to advise you, and through you, the Honorable Senate that the same has been adopted by the House and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed House Concurrent Resolution No. 2 was read at length, as follows, and adopted upon motion of Senator Rinehart:

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 2—By McMahan, Wolf, Evans, Bailey, Lucas, Hill, Johnson (Creek), and Barr.

A CONCURRENT RESOLUTION FIXING THE DAY AND HOUR OF THE SINE DIE ADJOURNMENT OF THE FIRST EXTRAORDINARY SESSION OF THE NINETEENTH LEGISLATURE OF THE STATE OF OKLAHOMA.

WHEREAS, All matters of vital importance can be disposed of within a period of ten (10) days; and,

WHEREAS, The Constitution of the State of Oklahoma provides that one House cannot adjourn for more than three (3) days without the consent of the other; and,

WHEREAS, No hour for the final adjournment of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma has been specifically fixed in pursuance of said constitutional provisions,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OKLAHOMA, THE SENATE CONCURRING THEREIN:

That the hour of Two o'clock P. M. April Twenty-first, 1944, be and the same is hereby fixed as the hour and day of the final adjournment sine die of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma.

President Pro Tempore Anglin presiding.

The President Pro Tempore, in open session, signed Engrossed House Concurrent Resolution No. 2 and ordered it returned to the Honorable House.

Senator Nichols presiding.

Senator Rinehart moved that a Committee of 3 be appointed to advise the Honorable House that the Senate is about ready to adjourn sine die, which motion prevailed, the Presiding Officer appointing as such Committee Senators Burns, Posey and Dacus.

Senator Rinehart moved that a Committee of 3 be appointed to advise the Governor that the Senate is about ready to adjourn sine die, which motion prevailed, the Presiding Officer appointing as such Committee Senators Bowman, Counts and Jones.

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 6—By Flowers, Speakman, Parrish, Massey, Arms, Banks, Cordray, Grennell, Guffy, Gullett, Harshbarger, Helm, Hughes, Johnson (Comanche), Lucas, Nix, Sherman, Smith, Streetman, Thompson, Underwood, Van Dyck, Weaver, Williams, and Wilson,

An Act providing for the distribution of the unallocated balance of the State Aid money provided for by House Bill No. 350, Session Laws, 1943, determined after the State Board of Education has allocated to the districts qualifying therefor the amount of minimum program provided by House Bill No. 361 of the 19th Legislature of 1943, as amended by the Extraordinary Session of 1944, together with the moneys accrued, or to accrue under the provisions of House Bill No. 77 of the 19th Legislature of 1943; providing for the manner of such distribution, reappropriating the appropriation made in House Bill No. 350 of the 19th

Legislature of 1943; defining the expenditure thereof; and declaring an emergency,

and to advise you, and through you, the Honorable Senate that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Senator Posey presiding.

House Bill No. 6 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

Senator Nichols presiding.

Upon motion of Senator Hearne, the Secretary was directed to have sent to each member of the Senate ten (10) mimeographed copies of each bill and resolution passed by the Senate, exclusive of Senate Bill No. 1.

President Berry presiding.

Senator Burns, on behalf of the Committee appointed to notify the Honorable House that the Senate has finished its work and is about ready to adjourn sine die, reported the duty performed, following which the Committee was ordered discharged.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE BILL NO. 5—By Flowers, Parish, Underwood, Speakman, Arms, Banks, Cordray, Grennell, Guffy, Gullett, Harshbarger, Helm, Hughes, Johnson (Comanche), Lucas, Massey, Nix, Sherman, Smith, Streetman, Thompson, Van Dyck, Weaver, Williams, and Wilson of the House, and Posey, Anglin, Phillips, Gary, and Dacus, of the Senate,

An Act amending Subsection 1 of Section 5, Chapter 21, Title 70, O. S. Laws 1943, Page 203, increasing the salary schedule set forth in said subsection provided funds are available in the appropriation made for the purpose of carrying out the provisions of said State Aid Act as herein amended; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Senator Posey presiding.

House Bill No. 5 was read at length for the fourth time, the enrolled copy signed, in open session, by the Presiding Officer and ordered returned to the Honorable House.

President Berry presiding.

Senator Bowman, on behalf of the Special Committee, appointed to notify the Governor that the Senate is about ready to adjourn sine die, reported the duty performed and the Special Committee escorted Governor Robert S. Kerr to the President's desk, where he was presented by President Berry and addressed the Senate.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 6—By Burns, Paul, Cobb, Collier, Gary, Norton, Jones, Thornton, Mahan, Wilson, Fine, Goodpaster, and Counts,

An Act suspending and making inoperative during the present World War the provisions of 21 O. S. 1941, §§ 907 and 908, relating to Sabbath breaking, insofar as said sections may apply to the operations of industries engaged in manufacturing war materials for the United States; pro-

viding that said Act shall be given retroactive effect to the beginning of said World War; making provisions of said Act severable, and declaring an emergency, and

ENROLLED SENATE BILL NO. 7—By Rinehart, Burns, and Dacus,

An Act relating to excess tax levy elections in school districts; amending 68 O. S. 1941, § 322, to permit excess tax levies to be voted upon and authorized at a special school district meeting (or election) called as provided in 70 O. S. 1941, § 66; validating and approving special meeting heretofore called or held for the purpose of voting excess tax levy, making provisions of Act severable, and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same have been read for the fourth time and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Bills Nos. 6 and 7 were ordered referred to the Governor for consideration.

Senator Nance presiding.

Senator Speck submitted the following Committee Report:

The Committee on Engrossed and Enrolled bills begs leave to report Senate Concurrent Resolution No. 3 correctly enrolled.

SPECK, Chairman.

The Presiding Officer, in open session, signed Enrolled Senate Concurrent Resolution No. 3 and ordered it transmitted to the Honorable House for the signature of the Speaker.

The Senate was declared at ease.

The Senate reassembled, with the President presiding.

#### MESSAGES

The following Messages from the Honorable House were received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 4—By Chapman, Cobb: and King of the House,

A Resolution designating that part of the Denison Dam Reservoir area from the dike up the Washita River basin north to Highway Ninety-Nine (99) bridge and up the basin of Pennington Creek to the City of Tishomingo as "Lake Tishomingo"; and declaring an emergency,

and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 4 was ordered transmitted to the Secretary of State.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENGROSSED SENATE BILL NO. 8—By Anglin and Hearne,

An Act relating to school aid; providing for the use of unallocated balances in the appropriation made by House Bill No. 350, Session Laws 1943 for the purpose of increasing the minimum program of State Aid districts qualifying under House Bill No. 361, Session Laws 1943, authorizing the State Board of Education to make certain increases; providing that this Act shall be effective only during the fiscal year ending June 30, 1944; amending Section 1 of House Bill No. 350, Session Laws 1943, relating to appropriation for State Aid, to provide that moneys appropriated thereunder may also be expended for the purpose of this Act; and declaring an emergency,

together with Conference Committee Report thereon,

and to advise you, and through you, the Honorable Senate, that the House has adopted the said Conference Committee

Report, and the Bill has been passed by the House AS AMENDED by said report.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Engrossed Senate Bill No. 8, together with Conference Committee Report thereon, was ordered referred for enrollment.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 4 correctly enrolled.

SPECK, Chairman.

Senate Bill No. 4 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

#### MESSAGE

The following Message from the Honorable House was received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION  
NO. 3—By Worthington, Foley, and Flanagan,

A Resolution memorializing Congress to speedily enact legislation to provide for payment of service persons mustering out pay at the time of their discharge, and

ENROLLED HOUSE CONCURRENT RESOLUTION  
NO. 1—By Underwood,

A Resolution of approval of the policies and activities of President Roosevelt, commending him for his great war effort, for his humanitarian attitude and his world vision of affairs, and recommending to him and the Congress of the United States a continuance of the present war effort and a world peace established upon the basis of inter-

national cooperation and a world-wide brotherhood of mankind,

and to advise you, and through you, the Honorable Senate, that the same have been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

The President, in open session, signed Enrolled House Concurrent Resolutions Nos. 1 and 3 and ordered each returned to the Honorable House.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith three Enrolled Copies of:

ENROLLED SENATE JOINT RESOLUTION NO. 1—  
By Anglin, Bowman, Carrier, Cobb, Cornels, Counts, Duffy, Gary, Ginder, Mahan, Norton, Paul, Posey, and Thornton, of the Senate, and Evans and Barr, of the House,

A Joint Resolution proposing an amendment to the Constitution of Oklahoma to be known as Section 23-a, Article 10, providing that any surplus which has accrued to the General Revenue Fund of the State as of the close of each fiscal year shall be set aside in a sinking fund and used to pay the State's bonded indebtedness; placing monies and securities in Surplus Accounts of the State Funding Bond Funds of 1935, 1939, and 1941, in said sinking fund; providing for investment of said monies and sale of securities purchased; providing that when sufficient monies have accumulated to pay all State bonds heretofore issued, surplus existing or accruing thereafter may be appropriated by Legislature; and providing for submission of amendment at a special election,

and to advise you, and through you, the Honorable Senate, that the same has been read for the fourth time, and the three Enrolled Copies have been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Joint Resolution No. 1 was ordered transmitted to the Secretary of State.

Senator Speck submitted the following Committee Report:

Mr. President: The Committee on Engrossed and Enrolled bills begs leave to report Senate Bill No. 8 correctly enrolled.

SPECK, Chairman.

Senate Bill No. 8 was read at length for the fourth time, the enrolled copy signed, in open session, by the President and ordered transmitted to the Honorable House for the signature of the Speaker.

#### MESSAGES

The following Messages from the Honorable House were received and read:

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE CONCURRENT RESOLUTION NO. 3—By Nance, Bowman, Pruett, Chapman, Collier, Sears, Ginder, Goodpaster, Leonard, Anglin, Nichols, Phillips, Posey, and Gary, of the Senate; Wilson, Huey, King, Wolf, Batson, Cantrell, Massey, Flowers, Flanagan, Arms, Johnson and Reed, of the House,

A Resolution relating to the publishing of the History of Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Concurrent Resolution No. 3 was ordered transmitted to the Secretary of State.

MR. PRESIDENT:

I am directed by the House of Representatives to return herewith:

ENROLLED SENATE BILL NO. 4—By Nichols,

An Act relating to elections, amending 26 O. S. 1941, Section 79, to provide that the registration period shall begin thirty days before the date of holding any election and continuing for a period of twenty days, repealing all acts and parts of acts in conflict herewith, and

ENROLLED SENATE BILL NO. 8—By Committee on Elections and Privileges,

An Act relating to elections; amending section 392, Title 26, Oklahoma Statutes, 1941, to permit contests as to county office to be filed within a period of sixteen days following any general election within and for such county; providing for issuance of certificate of election,

and to advise you, and through you, the Honorable Senate, that the same have been read for the fourth time, and signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

Enrolled Senate Bills Nos. 4 and 8 were each ordered transmitted to the Governor for consideration.

President Pro Tempore Anglin presiding.

MR. PRESIDENT:

I am directed by the House of Representatives to transmit herewith for your signature:

ENROLLED HOUSE CONCURRENT RESOLUTION NO. 2—By McMahan, Wolf, Evans, Bailey, Lucas, Hill, Johnson (Creek), and Barr,

A Concurrent Resolution fixing the day and hour of the sine die adjournment of the First Extraordinary Session of the Nineteenth Legislature of the State of Oklahoma,

and to advise you, and through you, the Honorable Senate, that the same has been signed by the Speaker in open session.

Respectfully,

H. R. CHRISTOPHER, Chief Clerk.

The President Pro Tempore, in open session, signed

Enrolled House Concurrent Resolution No. 2 and ordered it returned to the Honorable House.

The President presiding.

The Hour of 2:00 o'clock p. m. having arrived, and in pursuance of Engrossed House Concurrent Resolution No. 2, it was upon motion of Senator Mahan that the Senate of the First Extraordinary Session of the 19th Legislature adjourned sine die.

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Regular Committee assignments:	Same as for Regular Session	181-188
Resignation as Chairman of General Investigation Committee	-----	14-15
Special Committee assignments:	To notify Governor Senate organized	5
CURRY, Mrs. W. T.:		
Presented to Senate	-----	92

## D

DACUS, Senator Byron:		
Authorized to purchase personal stationary	-----	27
Election Credentials approved	-----	3
Joint Author:	S B 1 -----	12
	S B 2 -----	26

	S B 7 -----	35
	S C R 2 -----	28
	S R 1 -----	22
	H B 1 -----	85
	H B 4 -----	100
	H B 5 -----	78
Mileage -----		10-11
Name certified as newly elected member -----		2-3
Oath of Office administered to -----		3-4
Regular Committee assignments:	Agriculture, Member	
	Appropriations, Member	
	Education, Member	
	Employment, Chairman	
	Hospitals and Charities, Member	
	Roads and Highways, Member	
	School Lands, Member	
	State and County Affairs, Member-----	27-28
Special Committee assignments:	To notify House Senate ready to adjourn sine die-----	141
	To prepare Resolutions relative to Senator E. D. Walker, deceased--	16
<b>DOWLER, C. X.:</b>		
Appointment confirmed -----		33
<b>DUFFY, Senator Charles B.:</b>		
Elected Acting Floor Leader -----		38
Joint Author: S B 1 -----		12
	S B 2 -----	26
	S J R 1 -----	21
	S C R 2 -----	28
	H B 1 -----	85
	H B 4 -----	100
Mileage -----		10-11
Presiding -----		16
Regular Committee assignments:	Same as for Regular Session-----	181-188
<b>DUNLAP, Errett:</b>		
Appointment confirmed -----		33
<b>E</b>		
<b>EASLEY, John F.:</b>		
Appointment confirmed -----		32-33
<b>EMERSON, Earl:</b>		
Appointment confirmed -----		43
<b>EXECUTIVE SESSIONS</b> -----		18, 32, 42, 59, 93

## F

FINE, Senator Ray:	
Joint Author:	S B 1 ----- 12
	S B 2 ----- 26
	S B 6 ----- 32
	S C R 2 ----- 28
Mileage -----	10-11
Regular Committee assignments:	Same as for Regular Session-----181-188
Special Committee assignments:	To notify Governor Senate organized -- 5
FINNEY, Senator Thomas Dunn:	
Joint Author:	S B 1 ----- 12
	S B 2 ----- 26
	S C R 2 ----- 28
Mileage -----	10-11
Regular Committee assignments:	Same as for Regular Session-----181-188
FORGAN, R. L.:	
Appointment confirmed -----	60
FREED, Bobbie Lee:	
Stenographer -----	19

## G

GARY, Senator Raymond:	
Joint Author:	S B 1 ----- 12
	S B 2 ----- 26
	S B 6 ----- 32
	S J R 1 ----- 21
	S C R 2 ----- 28
	S C R 3 ----- 105
	H B 1 ----- 85
	H B 5 ----- 78
Mileage -----	10-11
Regular Committee assignments:	Same as for Regular Session-----181-188
GINDER, Senator Bill:	
Joint Author:	S B 1 ----- 12
	S B 2 ----- 26
	S J R 1 ----- 21
	S C R 2 ----- 28
	S C R 3 ----- 105
Mileage -----	10-11
Regular Committee assignments:	Same as for Regular Session-----181-188
Special Committee assignments:	Conference Committee S B 1----- 77

GOODPASTER, Senator Craig O.:		
Joint Author:	S B 1 .....	12
	S B 2 .....	26
	S B 6 .....	32
	S C R 2 .....	28
	S C R 3 .....	105
	H B 1 .....	85
Mileage .....		10-11
Regular Committee assignments:	Same as for Regular Session.....	181-188
GUNTHER, Frank:		
Appointment confirmed .....		33

## H

HAMILTON, Jackie:		
Presented to Senate .....		92
HAMMOND, Senator S. E.:		
Joint Author:	S B 1 .....	12
	S B 2 .....	26
	S C R 2 .....	28
	H B 4 .....	100
Mileage .....		10-11
Regular Committee assignments:	Same as for Regular Session.....	181-188
HARNED, Wilbur:		
Page .....		19
HARRIS, Dan:		
Janitor .....		19
HEARNE, Senator W. F.:		
Joint Author:	S B 1 .....	12
	S B 2 .....	26
	S B 8 .....	37
	S C R 2 .....	28
	S R 2 .....	63
	H B 1 .....	85
	H B 4 .....	100
Mileage .....		10
Regular Committee assignments:	Same as for Regular Session.....	181-188
Special Committee assignments:	Credentials Committee .....	3
HERNDON, Leo:		
Chief Page .....		19
HUNT, Captain C. O.:		
Presented to Senate .....		18
HUNT, Mrs. C. O.:		
Presented to Senate .....		18

## J

JEFFERS, J. B.:		
Appointment confirmed .....		60
JOHNSON, O. R.:		
Nightwatchman .....		19
JOINT SESSION .....		6
JONES, Senator Ray C.:		
Author:	S C R 1 .....	21
Joint Author:	S B 1 .....	12
	S B 2 .....	26
	S B 6 .....	32
	S C R 2 .....	28
	H B 1 .....	85
Mileage .....		10-11
Presiding .....		63, 77, 79
Regular Committee assignments:	Same as for Regular Session.....	181-188
Special Committee assignments:	To notify Governor Senate ready to adjourn sine die .....	141

## K

KEEFEE, Dolores Jeanette:		
Presented to Senate .....		92
KERR, Governor Robert S.:		
Messages from .....	8-10, 15, 25-26, 29-30, 31-32, 34-35, 35-36, 61-62, 117-118	
Presented to Joint Session .....		7
KIRKLAND, D. D.:		
Appointment confirmed .....		34

## L

LEADER PRESS, Printing contract awarded to .....		27
LEONARD, Senator Dwight:		
Joint Author:	S B 1 .....	12
	S B 2 .....	26
	S C R 2 .....	28
	S C R 3 .....	105
	H B 1 .....	85
Mileage .....		10
Regular Committee assignments:	Same as for Regular Session.....	181-188
Special Committee assignments:	Conference Committee S B 8 .....	133
	Mileage .....	5
	To consider S B 8 .....	130

LILLIBRIDGE, Glen:		
Doorkeeper	-----	19
LOGAN, Senator Bill:		
Joint Author:	S B 1 -----	12
	S B 2 -----	26
Mileage	-----	10-11
Regular Committee assignments:	Same as for Regular Session	181-188
LOWERY, Senator Phil H.:		
Joint Author:	S B 1 -----	12
	S B 2 -----	26
	S C R 2 -----	28
Mileage	-----	10-11
Presiding	-----	120
Regular Committee assignments:	Same as for Regular Session	181-188
LYONS, Jimmie:		
Page	-----	19

## Mc

McBRIDE Joe W.:		
Appointment confirmed	-----	34
McBRINN, T/5 Bob:		
Introduced and elected Honorary Sergeant-at-Arms	-----	6
McBRINN, T/5 Martha:		
Introduced	-----	6
McCURDY, Thomas Maxwell:		
Honorary Page	-----	108
McDONALD, Gladys:		
Appointment confirmed	-----	60
McELVANEY, Dow:		
Assistant Sergeant-at-Arms	-----	18

## M

MAHAN, Senator Frank:		
Joint Author:	S B 1 -----	12
	S B 2 -----	26
	S B 6 -----	32
	S J R 1 -----	21
	S C R 2 -----	28
Mileage	-----	10-11
Presiding	-----	31
Regular Committee assignments:	Same as for Regular Session	181-188

Special Committee assignments:	To notify Governor Senate organized...	5
<b>MESSAGES:</b>		
From Governor	-----	8-10, 15, 25-26, 29-30, 31-32. 34-35, 35-36, 61-62, 117-118
<b>MITCHELL, C. F.:</b>		
Prayer offered by	-----	4
<b>MORRISON, Ed:</b>		
Appointment confirmed	-----	43
<b>MURPHY, John:</b>		
Cloak Room Attendant	-----	19
<b>MYLES, L. E.:</b>		
Property Custodian	-----	19

**N**

<b>NANCE, Senator J. C.:</b>		
Author:	S C R 2	----- 28
	S C R 3	----- 105
Joint Author:	S B 1	----- 12
	S B 2	----- 26
	S R 1	----- 22
Mileage	-----	10-11
Presiding	-----	49-59, 144
Regular Committee assignments:	Same as for Regular Session	----- 181-188
Special Committee assignments:	Conference Committee S B 1	----- 77
	To arrange for Joint Session	----- 5
	To prepare Resolutions relative to Senator E. D. Walker, deceased	----- 16
<b>NAYLOR, Reverend G. R.:</b>		
Appointment confirmed	-----	42
<b>NEILL, Senator Jack:</b>		
Joint Author:	S B 1	----- 12
	S B 2	----- 26
Mileage	-----	10-11
Regular Committee assignments:	Same as for Regular Session	----- 181-188
<b>NICHOLS, Senator Allen G.:</b>		
Author:	S B 1	----- 12
	S B 3	----- 30
	S B 4	----- 30
	S B 5	----- 30
Joint Author:	S B 2	----- 26
	S C R 2	----- 28
	S C R 3	----- 105
Mileage	-----	10-11

Presiding .....	94, 141, 142
Regular Committee assignments:	Same as for Regular Session.....181-188
Special Committee assignments:	Conference Committee S B 1 ..... 77
	To arrange for Joint Session ..... 5
NOBLE, T/5 Geo. A.:	
Presented to Senate .....	89
NOBLE, Mrs. Geo. A.:	
Presented to Senate .....	89
NORTON, Senator Mead:	
Joint Author:	S B 1 ..... 12
	S B 2 ..... 26
	S B 6 ..... 32
	S J R 1 ..... 55
	S C R 1 ..... 21
Mileage .....	10-11
Presiding .....	77
Regular Committee assignments:	Same as for Regular Session.....181-188
Special Committee assignments:	Conference Committee S B 1 ..... 77

## O

OATES, Marjorie:	
Stenographer .....	19

## P

PAUL, Senator Homer:	
Author:	S B 6 ..... 32
Joint Author:	S B 1 ..... 12
	S B 2 ..... 26
	S J R 1 ..... 21
	S C R 2 ..... 28
	H B 1 ..... 85
	H B 4 ..... 100
Mileage .....	10-11
Presiding .....	16, 97, 111
Regular Committee assignments:	Same as for Regular Session.....181-188
Special Committee assignments:	Conference Committee S B 1 ..... 77
PHILLIPS, Senator Ferman:	
Joint Author:	S B 1 ..... 12
	S B 2 ..... 26
	S C R 2 ..... 28
	S C R 3 ..... 105
	S R 2 ..... 63
	H B 5 ..... 78

Mileage .....	10-11
Regular Committee assignments: Same as for Regular Session .....	181-188
Special Committee assignments: Mileage .....	5
POSEY, Senator H. V.:	
Joint Author: S B 1 .....	12
S B 2 .....	26
S J R 1 .....	21
S C R 2 .....	28
S C R 3 .....	105
H B 1 .....	85
H B 5 .....	78
Mileage .....	10-11
Presiding .....	142-143
Regular Committee assignments: Same as for Regular Session .....	181-188
Special Committee assignments: To notify House Senate ready to adjourn sine die .....	141
POSTAGE, purchase of ordered .....	12-13
PROCLAMATION, convening 1st Extraordinary Session of 19th Legislature .....	1-2
PRUETT, Senator Theodore:	
Author: S R 2 .....	63
Joint Author: S B 1 .....	12
S B 2 .....	26
S C R 3 .....	105
H B 1 .....	85
Mileage .....	10-11
Presiding .....	94, 96, 106
Regular Committee assignments: Same as for Regular Session .....	181-188
Special Committee assignments: Conference Committee S B 8 .....	133
To consider S B 8, as amended .....	130

**R**

RINEHART, Senator Jim A.:	
Author: S B 7 .....	35
Joint Author: S B 1 .....	12
S B 2 .....	26
S C R 2 .....	28
Mileage .....	10-11
Presiding .....	60, 131
Regular Committee assignments: Same as for Regular Session .....	181-188
RITZHAUPT, Senator Louis H.:	
Joint Author: S B 1 .....	12

Mileage .....	10-11
Regular Committee assignments: Same as for Regular Session.....	181-188
ROSS, J. A.:	
Doorkeeper .....	19
RULES AND PROCEDURE, Same as for Regular Session .....	5

## S

SANFORD, Senator John T.:	
Joint Author: S B 1 .....	12
S B 2 .....	26
Mileage .....	10-11
Regular Committee assignments: Same as for Regular Session.....	181-188
SANFORD, Mrs. John T.:	
Senate advised of illness of .....	20
Communication from .....	62
SEARS, Senator Clyde L.:	
Joint Author: S B 1 .....	12
S B 2 .....	26
S C R 2 .....	28
S C R 3 .....	105
H B 1 .....	85
Mileage .....	10-11
Regular Committee assignments: Same as for Regular Session.....	181-188
SHAW, Ruth:	
Stenographer .....	19
SHIPLEY, Miss W. E.:	
Re-elected Journal Clerk .....	4
SMITH, Leo C.:	
Appointment confirmed .....	94
SNYDER, E. G.:	
Assistant Sergeant-at-Arms .....	18
SPECK, Senator Burr:	
Joint Author: S B 1 .....	12
S B 2 .....	26
S C R 2 .....	28
Mileage .....	10-11
Regular Committee assignments: Same as for Regular Session.....	181-188
SPLAWN, Donald:	
Page .....	19

STEWART, Congressman Paul:	
Presented to and addressed the Senate .....	101
STIMSON, Mart:	
Doorkeeper .....	19

**T**

THORNTON, Senator Murrell H.:	
Joint Author:	
S B 1 .....	12
S B 2 .....	26
S B 6 .....	32
S J R 1 .....	21
H B 1 .....	85
Mileage .....	10-11
Regular Committee assignments:	Same as for Regular Session.....
Special Committee assignments:	Mileage .....
	5
TICER, Cal:	
Appointment confirmed .....	33
TINSLEY Bill:	
Page .....	19

**V**

VOTAW, Pearl:	
Calendar Clerk .....	18

**W**

WALKER, Senator E. D. (Deceased):	
Resolution in Remembrance of .....	16
WATTS, Noah V.:	
Appointment confirmed .....	59-60
WEIGHTMAN, Bess:	
Stenographer .....	19
WELLS, Johnnie:	
Doorkeeper .....	19
WHEELER, Senator L. E.:	
Author:	S R 1 .....
Joint Author:	S B 1 .....
	S B 2 .....
	S C R 2 .....
	H B 1 .....
Mileage .....	10-11
Presiding .....	42
Regular Committee assignments:	Same as for Regular Session.....
	181-188

Special Committee assignments:	To prepare Resolutions relative to Senator E. D. Walker, deceased ----	16
WILLIAMS, Senator E. P.:		
Joint Author:	S B 1 -----	12
	S B 2 -----	26
	S C R 2 -----	28
	S R 2 -----	63
Mileage -----		10
Regular Committee assignments:	Same as for Regular Session-----	181-188
WILLIAMS, S. D.:		
Appointment confirmed -----		33
WILSON, Senator C. D.:		
Joint Author:	S B 1 -----	12
	S B 2 -----	26
	S B 6 -----	32
	S C R 2 -----	28
Mileage -----		10-11
Regular Committee assignments:	Same as for Regular Session-----	181-188
WILSON, Charles:		
Messenger -----		19
WORLEY, John:		
Appointment confirmed -----		42

## Part VIII

# Committees

### AGRICULTURAL AND VOCATIONAL EDUCATION

Lowery, Chairman

Carrier, Vice Chairman

Bowman  
Ginder

Goodpaster  
Norton

Phillips

### AGRICULTURE

Hearne, Chairman

Gary, Vice Chairman

Braden  
Chapman  
Cobb  
Collier

Cowden  
Dacus  
Lowery  
Neill

Posey  
Speck  
Wheeler

### AMERICANISM, WAR EFFORT, FEDERAL RELATIONS AND ACTIVITIES AND INTERSTATE COOPERATION

Jones, Chairman

Williams, Vice Chairman

Bowman  
Brown  
Burns  
Carrier  
Chapman  
Cobb  
Collier  
Counts

Curry  
Dacus  
Finney  
Gary  
Ginder  
Goodpaster  
Jones  
Logan

Nance  
Neill  
Nichols  
Norton  
Phillips  
Posey  
Sears  
Wheeler

### BANKS AND BANKING

Paul, Chairman

Wheeler, Vice Chairman

Bowman  
Brown  
Collier  
Cornels  
Counts

Cowden  
Ginder  
Jones  
Lowery  
Nance

Posey  
Rinehart  
Wilson

## CODE REVISION

Pruett, Chairman  
Bowman, Vice Chairman

Cornels	Duffy	Braden
Counts	Finney	

## COMMERCE AND LABOR

Hammond, Chairman  
Wilson, Vice Chairman

Braden	Finney	Ritzhaupt
Burns	Jones	Thornton
Counts	Rinehart	

## CONGRESSIONAL AND LEGISLATIVE REDISTRICTING

Speck, Chairman  
Sears, Vice Chairman

Duffy	Mahan	Williams
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## CRIMINAL JURISPRUDENCE

Finney, Chairman  
Collier, Vice Chairman

Braden	Ginder	Pruett
Cornels	Leonard	

## EDUCATION

Posey, Chairman  
Phillips, Vice Chairman

Bowman	Finney	Nichols
Braden	Gary	Norton
Chapman	Hammond	Paul
Cobb	Hearne	Ritzhaupt
Cowden	Jones	Speck
Dacus	Logan	Thornton
Duffy	Lowery	Wheeler
Fine	Nance	

## EMPLOYMENT

Dacus, Chairman  
Nichols, Vice Chairman

Anglin	Rinehart	Phillips
Gary		

## ENGROSSED AND ENROLLED BILLS

Speck, Chairman  
Collier, Vice Chairman

Fine	Pruett	Wheeler
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## EROSION, FLOOD CONTROL AND DRAINAGE

Gary, Chairman

Neill, Vice Chairman

Collier  
Ginder  
HearnePaul  
Pruett  
Speck

Williams

## FEES AND SALARIES

Cornels, Chairman

Wilson, Vice Chairman

Brown  
BurnsCarrier  
FineNorton  
Wheeler

## FISH AND GAME

Goodpaster, Chairman

Logan, Vice Chairman

Braden  
Brown  
Chapman  
Cornels  
FineFinney  
Jones  
Leonard  
Paul  
PhillipsRitzhaupt  
Thornton  
Wheeler  
Wilson

## GENERAL INVESTIGATION

Curry, Chairman

Ginder, Vice Chairman

Collier  
Leonard  
LoganNance  
Paul  
Posey

Rinehart

## HOSPITALS AND CHARITIES

Wheeler, Chairman

Counts, Vice Chairman

Burns  
DacusGinder  
JonesRitzhaupt  
Wilson

## INDIAN AFFAIRS

Neill, Chairman

Fine, Vice Chairman

Logan

Nichols

Paul

## INITIATIVE AND REFERENDUM

Collier, Chairman

Duffy, Vice Chairman

Bowman

Cornels

Pruett

## INSURANCE

Cowden, Chairman  
Mahan, Vice Chairman

Bowman  
Braden  
Carrier  
Goodpaster

Hearne  
Jones  
Lowery  
Paul

Speck  
Williams

## JUDICIAL REDISTRICTING

Logan, Chairman  
Curry, Vice Chairman

Mahan

Neill

Norton

## JUDICIARY NO. 1

Pruett, Chairman  
Bowman, Vice Chairman

Counts  
Duffy

Finney  
Logan

Rinehart

## JUDICIARY NO. 2

Burns, Chairman  
Braden, Vice Chairman

Collier  
Cornels

Ginder

Leonard

## LEGAL ADVISORY

Bowman, Chairman  
Cornels, Vice Chairman

Braden

Burns

Paul

## LIVESTOCK AND TENANT FARMING

Fine, Chairman  
Chapman, Vice Chairman

Brown  
Cobb

Curry  
Goodpaster

Lowery  
Wilson

## MANUFACTURING AND INDUSTRY

Braden, Chairman  
Thornton, Vice Chairman

Brown  
Burns

Norton  
Sears

Speck

## MILITARY AFFAIRS

Sanford, Chairman  
Logan, Vice Chairman

Burns	Jones	Thornton
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## MINES AND MINING

Wilson, Chairman  
Hammond, Vice Chairman

Braden	Counts	Phillips
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## MUNICIPAL CORPORATIONS

Thornton, Chairman  
Hearne, Vice Chairman

Cornels Duffy	Ginder	Neill
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## OIL AND GAS

Mahan, Chairman  
Goodpaster, Vice Chairman

Chapman Collier Cowden	Hammond Leonard Sears	Speck
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## PENAL INSTITUTIONS

Counts, Chairman  
Hearne, Vice Chairman

Hammond Norton	Paul	Phillips
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## PRIVATE CORPORATIONS

Chapman, Chairman  
Leonard, Vice Chairman

Duffy Finney	Nichols	Sears
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## PRIVILEGES AND ELECTIONS

Logan, Chairman  
Nichols, Vice Chairman

Gary Ginder	Nance Paul	Rinehart
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## PROHIBITION ENFORCEMENT

Ginder, Chairman

Goodpaster	Sanford	Wheeler
Hearne		

## PUBLIC BUILDINGS

Carrier, Chairman

Brown, Vice Chairman

Hammond	Nichols	Sanford
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## PUBLIC HEALTH AND WELFARE

Braden, Chairman

Ritzhaupt, Vice Chairman

Burns	Norton	Phillips
Gary		

## PUBLIC PRINTING

Cowden, Chairman

Speck, Vice Chairman

Ritzhaupt

## PUBLIC SAFETY

Brown, Chairman

Norton, Vice Chairman

Goodpaster	Ritzhaupt	Sanford
Jones		

## PUBLIC SERVICE CORPORATIONS

Lowery, Chairman

Cobb, Vice Chairman

Cowden	Nichols	Wilson
Mahan	Paul	

## RETRENCHMENT AND REFORM

Nichols, Chairman

Jones, Vice Chairman

Curry	Nance	Rinehart
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## REVENUE, TAXATION, CONSTITUTIONAL AMENDMENTS

Nance, Chairman

Paul, Vice Chairman

Collier  
Cornels  
Cowden  
Curry  
Duffy  
GaryGinder  
Hearne  
Jones  
Lowery  
Nichols  
NortonPosey  
Pruett  
Rinehart  
Speck  
Thornton  
Wilson

## ROADS AND HIGHWAYS

Norton, Chairman

Bowman, Vice Chairman

Brown  
Chapman  
Cobb  
Cornels  
Counts  
CurryDacus  
Finney  
Gary  
Goodpaster  
Nichols  
PhillipsPosey  
Ritzhaupt  
Williams  
Wilson

## RULES AND PROCEDURE

Rinehart, Chairman

Cornels, Vice Chairman

Anglin

Nance

Norton

## SOCIAL SECURITY

Phillips, Chairman

Hammond, Vice Chairman

Burns  
Fine  
GoodpasterNichols  
Rinehart  
Speck

Wilson

## SCHOOL LANDS

Leonard, Chairman

Posey, Vice Chairman

Cornels  
Cowden  
CurryDacus  
Ginder  
HearnePaul  
Wheeler

## SENATE AND LEGISLATIVE AFFAIRS

Anglin, Chairman

Rinehart, Vice Chairman

Jones

Lowery

Nance

## STATE AND COUNTY AFFAIRS

Cobb, Chairman

Burns, Vice Chairman

Bowman

Brown

Cowden

Dacus

Ritzhaupt

Wheeler

Wilson

## VETERANS' AFFAIRS

Ritzhaupt, Chairman

Finney, Vice Chairman

Carrier

Counts

Duffy

Jones

Lowery

Posey

Sanford

Thornton

Wheeler

**Part IX**  
**MEASURES**

Passed and Approved

SENATE BILLS (With Governor's Approval):

Nos. 1  
3  
4  
5  
6  
7  
8

SENATE JOINT RESOLUTION

No. 1

HOUSE BILLS (With Governor's Approval):

Nos. 1  
4  
5  
6

