

SENATE JOURNAL
OF THE
Thirty-sixth Legislature
OF THE
STATE OF COLORADO
AT
Denver, the State Capital

Convened January 1, 1947
Adjourned Sine Die April 18, 1947



HOMER L. PEARSON, Lieutenant Governor, President
SENATOR WALTER L. BAIN (7th), President *Pro Tem.*
SENATOR EDWARD A. WHITAKER (10th),
President *Pro Tem., ad Interim.*
WILLIAM C. BLAIR, Secretary
FRED C. FERGUSON, Assistant Secretary
GWENDOLYN M. BUTTS, Reporter

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Denver, Colo., April 8, 1947.

To the President of the Senate:

The House has adopted H. C. R. No. 15, by Representatives Herring, Miller, Steele, Blake and Carlson—Ratifying the proposed amendment to the Constitution of the United States relating to the terms of office of the President.

On Third Reading, by unanimous consent, the names of Representatives Bailey, Best, Blake, Bledsoe, Brown, Burch, Chrysler, Clay, Cowen, Fehling, Gast, Gibson, Green, Hamil, Hanson, Herring, Hill, Johnson (Cheyenne and Lincoln), Kennedy, King, Kleckner, Mann, McConnell, Miles, Miller, Nelson, Ogilvie, Owens, Peterson, Priest, Rogers, Schooley, Simpson, Sparks, Steele, Strain, Taylor, Thomas, Townsend, Wade, Ward, Weissenfluh, Weld and Mr. Speaker were added as co-sponsors to H. C. R. No. 15.

The original H. C. R. No. 15 is herewith transmitted.

Respectfully submitted,

V. C. CRAWSHAW, Chief Clerk.

INTRODUCTION OF RESOLUTIONS

H. C. R. No. 15, by Representatives Herring, Miller, Steele, Blake and Carlson:

Ratifying the proposed amendment to the Constitution of the United States relating to the terms of office of the President.

Whereas, The Eightieth Congress of the United States of America, at its first session, in both Houses, by a constitutional majority of two-thirds thereof, has proposed an amendment to the Constitution of the United States of America in the following words, to-wit:

“Joint Resolution

“Proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several states:

“Article.....

“Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

“Sec. 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the states by the Congress.”

Therefore, Be It Resolved by the Thirty-sixth General Assembly of the State of Colorado, That the said proposed amendment to the Constitution of the United States of America, be and the same is hereby ratified by the General Assembly of the State of Colorado.

Resolved, That a copy of the foregoing preamble and resolution be transmitted to the Secretary of State of the United States, which copy shall be certified by the Speaker of the House of Representatives, attested by the Chief Clerk of the House of Representatives, and by the President of the Senate, attested by the Secretary of the Senate of the Thirty-sixth General Assembly of the State of Colorado.

H. C. R. No. 15 referred to Committee on Constitutional Amendments.

Senator Brooks moved the Senate do now resolve itself into Committee of the Whole for the consideration of General Orders.

Motion properly seconded and carried by *viva voce* vote.

Senator Brooks called to the Chair.

GENERAL ORDERS

The Committee of the Whole arose and reported as follows:

Mr. President:

Denver, Colo., April 8, 1947.

Your Committee of the Whole begs leave to report it has had under consideration the following bills, in the course of which they were read at length, being the Second Reading thereof, and makes the following recommendations thereon:

Senator Bray moved the Senate do now resolve itself into Committee of the Whole for the consideration of General Orders.

Motion properly seconded and carried by *viva voce* vote.

Senator Bray called to the Chair.

GENERAL ORDERS

The Committee of the Whole arose and reported as follows:

Mr. President:

Denver, Colo., April 11, 1947.

Your Committee of the Whole begs leave to report it has had under consideration the following bills, in the course of which they were read at length, being the Second Reading thereof, and makes the following recommendations thereon:

H. C. R. No. 15, by Representatives Herring, Miller, Steele, Blake and Carlson—Ratifying the proposed amendments to the Constitution of the United States concerning the term of President.

In the House, H. C. R. No. 15, was amended on Second Reading as follows:

Page 2, by striking all of lines 13 through 17, inclusive, and inserting in lieu thereof the following:

“Resolved, That a copy of the foregoing preamble and resolution be transmitted to the Secretary of State of the United States, which copy shall be certified by the Speaker of the House of Representatives, attested by the Chief Clerk of the House of Representatives, and by the President of the Senate, attested by the Secretary of the Senate of the Thirty-sixth General Assembly of the State of Colorado.”

The Committee of the Whole recommends H. C. R. No. 15, as amended be referred to the Committee on Enrollment, Revision and Engrossment, be revised and placed on the Calendar for Third Reading and Final Passage.

S. B. No. 327, by Senator Cheever—A Bill for an Act concerning the rights of veterans.

The Committee of the Whole recommends that S. B. No. 327, by Senator Cheever—Concerning the rights of veterans, be amended by striking all below the enacting clause and inserting in lieu thereof the following:

SENATE JOURNAL

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STATE OF COLORADO

ONE HUNDRED AND SECOND LEGISLATIVE DAY

SATURDAY, APRIL 12, 1947

Senate called to order by the President.

Prayer by the Chaplain, Rev. David C. Bayless.

The roll was called with the following result:

Present—Senators Aspinall, Bain, Bishop, Blaine, Blake, Bray, Briscoe, Brooks, Cheever, Chrysler, Collins, Cusack, Fritts, Gardner, Gill, Harpel, Johnson (25th), Lashley, Laws, MacDonald, Murphy, Norcross, Preston, Rogers, Ryan, Shawcroft, Smiley, Theobald, Veltri, Whitaker.—Total, 30.

Absent and Excused—Senators Conklin, Johnson (2nd), Lovelace, Ritchie, Taylor.—Total, 5.

Quorum present.

The Journal of the One Hundred and First Day was read and approved.

REPORTS OF STANDING COMMITTEES

Mr. President:

Denver, Colo., April 11, 1947.

Your Committee on Enrollment, Revision and Engrossment has duly revised H. C. R. No. 15.

WALTER L. BAIN, Chairman.

Committee on Finance.

H. B. No. 273, by Representative Baker—A Bill for an Act concerning taxation and revenue.

Committee on Finance.

H. B. No. 262, by Representative Steele—A Bill for an Act concerning revenue and providing for the imposition of a tax on services rendered and performed.

Committee on Finance.

CONSIDERATION OF RESOLUTIONS

Senator Bain moved the adoption of S. J. R. No. 12.

Motion properly seconded.

The question being "Shall the Motion Prevail?" the roll was called with the following result:

Yeas—Senators Aspinall, Bain, Blaine, Bray, Briscoe, Brooks, Cheever, Chrysler, Collins, Cusack, Fritts, Gardner, Harpel, Johnson (25th), Lashley, Laws, MacDonald, Murphy, Norcross, Rogers, Ryan, Shawcroft, Smiley, Theobald, Veltri, Whitaker.—Total, 26.

Nays—None.

Absent, Excused and Not Voting—Senators Bishop, Blake, Conklin, Gill, Johnson (2nd), Lovelace, Preston, Ritchie, Taylor.—Total, 9.

A majority having voted in the affirmative, the motion was declared carried.

THIRD READING OF BILLS

The following concurrent resolution and bills were placed on Third Reading and Final Passage:

H. C. R. No. 15, by Representatives Herring, Miller, Steele, Blake and Carlson—Ratifying the proposed amendment to the Constitution of the United States.

The resolution was read at length, being the Third Reading thereof, and the question being "Shall the Resolution Pass?" the roll was called with the following result:

Yeas—Senators Bain, Blaine, Blake, Bray, Brooks, Cheever, Chrysler, Collins, Cusack, Fritts, Gardner, Harpel, Johnson (25th), Lashley, Laws, MacDonald, Murphy, Norcross, Preston, Rogers, Ryan, Shawcroft, Smiley, Whitaker.—Total, 24.

Nays—Senators Aspinall, Bishop, Briscoe, Johnson (2nd), Taylor, Theobald, Veltri.—Total, 7.

Absent, Excused and Not Voting—Senators Conklin, Gill, Lovelace, Ritchie.—Total, 4.

A constitutional two-thirds majority of all members elected to the Senate having voted in the affirmative, the resolution was declared passed.

Title read and agreed to.

H. C. R. No. 15, by Representatives Herring, Miller, Steele, Blake and Carlson:

Ratifying the proposed amendment to the Constitution of the United States relating to the terms of office of the President.

Whereas, The Eightieth Congress of the United States of America, at its first session, in both Houses, by a constitutional majority of two-thirds thereof, has proposed an amendment to the Constitution of the United States of America in the following words, to-wit:

“JOINT RESOLUTION

“Proposing an amendment to the Constitution of the United States relating to the terms of office of the President.

“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein) That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

“Article.....

“Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

“Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.”

other than mileage for coming up to the session and mileage to return home, is only \$1,000 per each two years, or at the rate of \$41.66 per month and that this sum constitutes payment in full, out of which must come all expenses of living in Denver during the session, all campaign expenses, and all expenses going back and forth to home towns during the session, and

Whereas, The said column in said paper, brought to light to the people of the state of Colorado a situation not heretofore a matter of common knowledge.

Therefore Be It Resolved, by the Senate of the Thirty-sixth General Assembly, That a vote of thanks be given by this body to said newspaper and to said columnist, Lee Casey, and that copies of this resolution be forwarded to both.

Senator Taylor moved the adoption of S. R. No. 12.

Motion properly seconded and carried by *viva voce* vote.

Senator Aspinall, of the joint committee appointed to call on the Governor and inquire if he had any communication to address to the Thirty-sixth General Assembly before its adjournment *sine die*, reported that the committee had called on the Governor and had been informed that there would be no further communication at this time, sent his best wishes, and wished all members Godspeed on their way home.

Senator Whitaker moved that the President appoint a committee of two members of the Senate to notify the House that the Senate was about to adjourn *sine die* and to ask the House if it had any further messages for the Senate.

Motion seconded by Senator Veltri and carried by *viva voce* vote.

The President appointed Senators Whitaker and Veltri as members of the committee to notify the House.

The titles having first been read, the President announced he was about to sign, would sign and thereupon did sign H. B.'s Nos. 658, 612, 991, 439, 112, 838, 586, 239, 919, 805, 33, 479, 55; S. R.'s No. 12; S. C. R. No. 13, and H. C. R. No. 15.

A committee from the House represented by Representatives Steele, Magill and Mann appeared to notify the Senate that the House was ready to adjourn *sine die* and wished to know if the Senate had any further communication to transmit to the lower body.

The President informed the committee that the Senate had no further communication to transmit to the House.

Senator Whitaker of the joint committee appointed to notify the House that the Senate was about to adjourn *sine die*, reported that the House had finished its business and had no further communications to deliver.

The Senate Journal of this, the 108th Legislative Day, was read and approved.

The hour of twelve o'clock noon, April 18, 1947, having arrived, Senator Shawcroft moved that the Senate of the Thirty-sixth Assembly adjourn *sine die*.

Motion seconded by Senator Aspinall and carried by *viva voce* vote.

Senate adjourned.

Approved:
HOMER L. PEARSON,
President.

Attest:
W. C. BLAIR,
Secretary.

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

H.C.R. No.	SUBJECT	Introduced	Passed Second Reading	Engrossed	Passed Third Reading	Passed by House
15	Ratifying Proposed Amendment to U. S. Constitution re Term of President.....	1081	1152	1165	1169	1515

HISTORY OF SENATE RESOLUTIONS

S.R. No.	SUBJECT	Introduced	Adopted	Signed
1	Employees	13	14	119
2	Standing Committees	49	51	234
3	Employees	52	52	119
4	Lobbying	61	73	234
5	Employees	93	93	234
6	Employees	219	220	234
7	Employees	336	336	389
8	Robert Lee Knous, Jr., Grandson of Gov. Lee Knous	624	625	667
9	Appointment of Calendar Committee	1067	1068	1179
10	Administration of Basic Science Law	1473	1473	
11	Illness of Senator Ritchie	1473	1473	1497
12	Thanks to Lee Casey	1514	1514	1514

HISTORY OF SENATE JOINT RESOLUTIONS

S.J.R. No.	SUBJECT	Introduced	Adopted	Adopted by House	Signed
1	Organization of 36th General Assembly...	12	12	12	119
2	Message of Gov. John C. Vivian.....	19	20	20	119
3	Canvass of Votes	13	13	15	119
4	Inauguration	13	13	51	119
5	Roads Rangely Oil Fields.....	55	105	113	234
6	Joint Session Inauguration.....	138	138	140	234
7	Index of Bills	216	218	223	308
8	Investigation of Game and Fish Dept.....	433	450	485	518
9	Statues of John Evans & William Jackson Palmer	584	610	684	745
10	Congratulation of University of Utah Basket Ball Team	829	829	873	912
11	Sine Die Adjournment	1092	1092	1134	1179
12	Detention of Supply Clerk for 15 Days....	1159	1169	1302	1414
13	Investigation of State Board of Barber Examiners	1209			
14	Investigation of State Board of Barber Examiners	1267	1317	1415	1467
15	Concerning Press and Radio.....	1472	1473	1476	1497
16	Joint Session to Hear Gov. Knous.....	1477	1477	1494	1514