

SENATE RESOLUTIONS

SENATE RESOLUTION No. 1 (Streibel)

LAWS FOR SENATE COMMITTEE USE

A resolution providing copies of the 1953 Session Laws of North Dakota and the 1953 Supplement to the North Dakota Revised Code of 1943, for the use of the various committees of the Senate.

Be It Resolved by the Senate of the State of North Dakota:

WHEREAS, in the various committee meetings it is often necessary to refer to the 1953 Session Laws of North Dakota and to the 1953 Supplement to the North Dakota Revised Code of 1943, and for that reason copies should be available for such use;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE THIRTY-FOURTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

That the secretary of state be authorized and directed to furnish twelve copies of the 1953 Session Laws of North Dakota and twelve copies of the 1953 Supplement to the North Dakota Revised Code of 1943, to be distributed to the various committee rooms of the Senate, each volume to be stamped or labeled "Property of the State of North Dakota", and under the custody of the various committee chairmen using the same, whose duty it shall be, at the close of the session, to deliver them to the secretary of state to be kept by him for the use of succeeding sessions of the legislature, and that a copy of this resolution duly certified by the secretary of the Senate be delivered to the secretary of state as his authority for furnishing same.

Filed January 18, 1955.

SENATE RESOLUTION No. 2
(Baeverstad, Solberg)

SENATE CHAPLAIN SERVICE

A resolution relating to chaplain service.

Be It Resolved by the Senate of the Thirty-fourth Legislative Assembly of the State of North Dakota:

The schedule of chaplaincy for the senate of the thirty-fourth legislative assembly as set forth in the journal of the senate on page 16 is agreed to and the employment of chaplains in accordance with such schedule at six dollars per diem, to be paid as legislative expense, is hereby authorized.

Filed January 20, 1955.

SENATE RESOLUTION No. 4
(Thomas, Hagen, Hernett)

SENATE OFFICIAL PHOTOGRAPHER

A Senate resolution to appoint an official photographer for the Senate of the Thirty-fourth Legislative Assembly of the state of North Dakota.

Be It Resolved by the Senate of the State of North Dakota:

WHEREAS, for historical purposes it has been the custom of all North Dakota legislative assemblies to have composite group pictures made of all members of such assemblies, and

WHEREAS, Campbell's Studio of Bismarck, North Dakota offers to make a composite group picture of the thirty-fourth legislative assembly size 30 x 40, said picture to be framed and ready to hang, and fifty-five eleven by fourteen copies of said picture for each member and desk force of the Senate at a cost of three hundred sixty-five dollars.

NOW THEREFORE, BE IT RESOLVED, that Campbell's Studio, Bismarck, North Dakota, be, and is hereby appointed official photographer for the North Dakota Senate of the Thirty-fourth Legislative Assembly.

BE IT FURTHER RESOLVED, that the Campbell's Studio of Bismarck, North Dakota, be and is hereby awarded the sole privilege of photographing members of the Senate of the Thirty-fourth Legislative Assembly, at a cost price of three hundred sixty-five dollars, to be taken out of legislative expenses.

Filed February 7, 1955.

SENATE RESOLUTION No. 5
(Livingston, Leier, Dolan)

GRAIN BELT RUN SAMPLING

A resolution requesting procedures by the Commodity Credit Corporation when belt run sampling is had on grain for terminal storage.

WHEREAS, flax is one of the most important cash crops in this state; and

WHEREAS, the Commodity Credit Corporation apparently may arbitrarily determine to have federal inspection based on a belt run sample of grain for terminal delivery, resulting often in a much greater percentage of dockage than was evident at the country elevator by usual tests, resulting in a loss to the country buyer;

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

That when such belt run sampling is had by the Commodity Credit Corporation and there appears to be substantial disagreement with the country elevator test, the Commodity Credit Corporation be requested to advise the shipper, and hold such grain shipment, pending negotiations with the shipper for tests to be made by other accepted trade methods.

BE IT FURTHER RESOLVED that copies of this resolution, properly authenticated, be transmitted by the secretary of state to the secretary of agriculture, the head of the Commodity Credit Corporation and to the members of the North Dakota delegation in Congress.

Filed February 11, 1955.

SENATE RESOLUTION No. 6

(Baeverstad, Berube, Bilden, Bridston, Davis, Day, Dewing,) (Dolan, Duffy, Ferry, Fraser, Hernett, Johnson of Cavalier,) (Kieley, Knudson, Krenz, Leier, Livingston, O'Brien, Olson,) (Page, Nelson, Solberg, Streibel, Torno, Tuff and Wadeson)

ADDITION OF U. S. HIGHWAY TWO TO NATIONAL INTERSTATE HIGHWAY SYSTEM

A Senate resolution to the Honorable Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable Sinclair Weeks, secretary of the department of commerce; to the Honorable Charles E. Wilson, secretary of defense; to the Honorable C. D. Curtiss, chief of administration for the bureau of public roads; to the Honorable Milton R. Young and the Honorable William Langer, United States senators from the state of North Dakota; to the Honorable Otto Krueger and the Honorable Usher L. Burdick, congressmen from the state of North Dakota; requesting a reallocation and increased strategic mileage in the Federal Aid Highway Act of 1944 to add United States Highway Two to the national interstate highway system.

WHEREAS, the Federal Aid Highway Act of 1944, which Act amended the Federal Road Act, approved July 11, 1916, as amended and supplemented, provided that "There shall be designated in the Continental United States a national system of interstate highways not exceeding forty thousand miles in extent, so located as to connect by routes as direct as practicable the principal metropolitan areas, cities and industrial centers, to serve the national defense and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico", and

WHEREAS, the Act further provided that "The routes of the National System of Interstate Highways shall be selected by joint action of the highway departments of the several states and the adjoining states", and in another provision required approval by the Federal Works Administrator, and

WHEREAS, Phillip B. Fleming, Major General, United States Army, administrator of the federal works agencies, caused to be entered a certificate of approval of the national system of interstate highways, dated the second day of August, 1947, which adopted a national system of interstate highways, selected by the joint action of the state highway departments of each state and adjoining states, and

WHEREAS, the national system of interstate highways selected, modified and revised, as aforesaid, is comprised of routes totaling approximately thirty seven thousand eight hundred miles in extent, and

WHEREAS, there is a balance of two thousand two hundred

miles within the forty thousand mile limit provided for in the Federal Aid Act of 1944 which can be placed on the interstate system, and

WHEREAS, United States Highway Two is the shortest route through arterial highway link between Sault Ste. Marie, Michigan and Seattle, Washington, and runs parallel to the northern border of the United States and intercepts all highway communications with Canada in the state of North Dakota as well as the several other boundary states, and

WHEREAS, said United States Highway Two plays an ever increasing integral and necessary role in the tremendous development of the country's natural resources, namely, oil, coal, gas, iron ore, nuclear and other minerals, as well as the vast timber industry, and in the vast development of power being generated by the dams constructed and being constructed in the northwest, and in the expanding industrial development potential in the several states and in Canada, notably in the provinces of Manitoba and Alberta, all of which demands a revision and an increase in our vital defense needs, and

WHEREAS, the said United States Highway Two, which can without any difficulty be linked from east coast to west coast through the states of New York, Vermont, New Hampshire and Maine, and connected with Canada's Highway Nine from New York to Montreal and Highway Seventeen from Montreal to Sault Ste. Marie, which are of importance in Dominion of Canada, is the only connection between our air defense bases, the number of which and the personnel involved are known only to Congress, and department of defense officials, along the entire northern defense perimeter of the continental United States, and

WHEREAS, under the hourly maximum traffic classifications, the interstate designation of the United States Highway Two to be determined by the bureau of public roads, can be the classification of interstate rural, under the specification for the interstate system set out by the bureau, this could call for a two-lane highway with a one hundred foot right of way, and

WHEREAS, the total mileage involved in this petition is approximately two thousand one hundred seventy-eight miles in length and connects at points in seven states from the city of Sault Ste. Marie, Michigan, to the city of Everett, Washington, and

WHEREAS, while this is a petition from the state of North Dakota, it is contemplated the joining by the several other states with similar petitions, action having already been started in the states of Montana, Idaho and Washington, this is especially true in view of the gigantic growth and expan-

sion of the areas served by, contiguous to and adjacent to United States Highway Two because such areas, at their accelerated progress, resulting from a shift of population and industry to the northwestern states, and increasing industrial expansion in all areas, demand a revision of the transportation needs, and

WHEREAS, this request that the designation of the United States Highway Two be placed on the national system of interstate highways is made without prejudice to existing interstate highways in the state of North Dakota and in the other states served by the United States Highway Two;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA: That the Senate does hereby, most earnestly and respectfully, request that the congress of the United States recognize the strategic importance of United States Highway Two, and through the proper federal agencies take immediate action to have United States Highway Two designated an integral part of the national system of defense highways, and that it be placed on the national system of interstate highways.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted by the Honorable Norman Brunsdale, governor of the state of North Dakota, and by the Honorable Ben Meier, secretary of state of North Dakota, to the Honorable Dwight D. Eisenhower, President of the United States; to the congress of the United States; to the Honorable Sinclair Weeks, secretary of the department of commerce; to the Honorable Charles E. Wilson, secretary of defense; to the Honorable C. D. Curtiss, chief of administration for the bureau of public roads; to the Honorable Milton R. Young and the Honorable William Langer, United States senators from North Dakota; and to the Honorable Otto Krueger and the Honorable Usher L. Burdick, congressmen from North Dakota.

Filed February 21, 1955.

SENATE RESOLUTION E-1
(O'Brien)

SPECIAL SENATORIAL ELECTION; POSSESSION AND
SAFEKEEPING OF BALLOTS

A resolution to obtain possession of and to provide safekeeping for the ballots and official records of the special election for state senator held February 21, 1955.

Be It Resolved by the Senate of the State of North Dakota:

WHEREAS, an election contest has been commenced relative to the special election for state senator of the 46th senatorial district of the state of North Dakota, February 21, 1955, wherein the notice of contest proposes that the ballots and official records of the said election shall be produced on subpoena and the ballots be recounted before a notary public, and

WHEREAS, the supreme court of this state in a case involving a similar contest held that each house of the legislative assembly is the sole judge of any election contest of the election of its own members, and

WHEREAS, the pleadings in said election contest makes several very serious charges that should be brought before the attention of the senate at the earliest possible moment for final determination;

NOW THEREFORE, BE IT RESOLVED, that the sergeant-at-arms of the senate is hereby directed and empowered, with such assistance as he may require, to immediately take possession of all ballots and official records relating solely to the said special election from the county judge and county auditor of McLean County, and to invite and request the said county officials to accompany him and the said ballots and records, as official witnesses, to the office of the secretary of state at Bismarck, where he shall, without opening or unsealing the said ballots, and in the presence of the secretary of the senate and the secretary of state, safely enclose the ballots and such records in suitable containers, seal and deliver them into the custody of the secretary of state to await the further order of the senate.

Filed March 7, 1955.

SENATE RESOLUTION No. 7
(O'Brien)

SPECIAL SENATORIAL ELECTION; RECOUNT COMMITTEE

A resolution relating to the contest of Dave M. Robinson of the election of Walter R. Fiedler as Senator from the 46th Senatorial District.

WHEREAS, the ballots and official election records and returns formerly in the possession of the county judge and county auditor of McLean County have been obtained by the sergeant-at-arms who sealed them in the presence of the secretary of state, the secretary of the senate, the said county judge and county auditor where they now remain in the vault of the secretary of state awaiting the further order of the senate; and

WHEREAS, it is desirable that a recount of the said ballots and an examination of the said official records be held as soon as possible and that a committee of this body be appointed for this purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA: That a committee of five be appointed by the senate, selected on motion from the floor, to conduct a recount of the said ballots and an examination of the said official records including the poll books, and that for this purpose they obtain possession of the sealed containers containing the said ballots and records from the secretary of state, open such containers in the presence of the secretary of state, the secretary of the senate and counsel representing the contestant and contestee respectively and proceed to count the ballots and examine the said official records.

BE IT FURTHER RESOLVED that in addition to the chairman, two of the members of the committee act as judges and two as clerks and exercise a function similar to such officials acting as an election board.

BE IT FURTHER RESOLVED that, after they have completed the said recount of the ballots and examination of the official records pertaining thereto, they report the facts as they find them forthwith to the senate for further appropriate action.

Filed March 9, 1955.

SENATE RESOLUTION No. 8

(Day and Streibel)

SALES TAX ACT; INTENT ON PASSAGE

A resolution clarifying the intentions of the Coalition Faction of the Senate with respect to House Bill 811 as amended by the House.

WHEREAS, the house of representatives has adjourned sine die without permitting a report from the conference committee on adopting House Bill 811, the Sales Tax Act it being still under consideration in conference committee, completely disregarding the possible consequences;

WHEREAS, the senate is faced with two alternatives;

1. To enact the sales tax law as amended by the house containing amendments completely objectionable as far as the distribution of funds are concerned as expressed by the people at the last general election or;
2. Adjourning as the house of representatives did without regard to the possible consequences of permitting the sales tax law to expire July 1, 1955.

WHEREAS, loss of sales tax funds would wreck the common schools of the state of North Dakota and destroy the funds needed for the aged and crippled children and the needy blind and dependent children and;

WHEREAS, the senate has safeguarded the dissipation of such funds between now and the next session of the legislature by refusing to permit any improper appropriations therefrom and;

WHEREAS, the coalition group in the senate has agreed to cause to be submitted to the people an initiated measure setting forth a proper sales tax act which may be voted upon prior to the 1957 session of the legislature thus reestablishing the fundamental principles of preserving sales tax funds for equalization and welfare purposes only.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA that the fundamental principle of dedication of sales tax funds for equalization and welfare purposes only be reaffirmed at the same time that the senate adopt House Bill 811 under the circumstances herewith set forth.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the governor of this state and to the secretary of state.

Filed March 14, 1955.